



PLANNING & BUILDING  
COUNTY OF SAN LUIS OBISPO

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**TO: Interested Parties**

**DATE: August 12, 2013**

**FROM: Brian Pedrotti, AICP, Project Manager**

**VIA: Ellen Carroll, Environmental Coordinator**

**SUBJECT: DANA Land Use Ordinance Amendment and Conditional Use Permit –  
Notice of Availability of Draft Environmental Impact Report (LRP2011-  
00001, DRC2011-00042)**

The Draft Environmental Impact Report (DEIR) for the DANA Land Use Ordinance Amendment and Conditional Use Permit is complete and available for public review and comment. The DEIR addresses the environmental impacts that may be associated with a Land Use Ordinance (LUO) Amendment to §22.112.030.B (Community Planning Standards, Combining Designations, Historic Area (H) Dana Adobe) and §22.112.080.G (Community Planning Standards, South County Nipomo Urban Area, Recreation – Dana Adobe) and a Conditional Use Permit to accommodate implementation of the Master Plan for a visitor's center, outdoor amphitheater, Chumash Interpretive Area including exhibits and interpretive features, and associated support features.

The project is located within and immediately adjacent to the community of Nipomo, on the east side of South Oakglen Avenue, approximately 1 mile southeast of West Tefft Street and in the South County Inland Planning Area.

**Background:** A Mitigated Negative Declaration (MND) was prepared for the project in April 2012. However, after completion of the MND, controversy was raised and DANA entered into negotiations and mediations with the Northern Chumash Tribal Council (NCTC). It was determined that an EIR would be prepared for the project to more fully address potential impacts to on-site cultural and historic resources.

Copies of the Draft EIR are available at the following locations: Cal Poly Library, City/ County Library of San Luis Obispo, and South County Library. Copies are also available on loan and for review at the Planning Department, located at the 976 Osos St., Room 300, San Luis Obispo, 93408-2040. The Draft EIR is on the Planning Department's web site at: [www.sloplanning.org](http://www.sloplanning.org) under "Environmental and Natural Resources", then "Environmental Notices, Proposed Negative Declarations, EIRs and other Documents".

#### **ENVIRONMENTAL IMPACTS:**

The EIR focuses on the following issues: visual resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, noise, public services and

utilities, transportation and circulation, water resources, and land use. The EIR also considers four alternatives, including two “No Project” alternatives.

Pursuant to Government Code 65962.5 (“Cortese List”), as of May 30, 2013, the site is on a list of “Other Cleanup Sites” identified by the State Water Resources Control Board and compiled by CalEPA. The site is identified as Nipomo Creek Pipeline, Line 300 (RM&R Site No. 3788) (SL0607907605) on the State Water Resources Control Board’s GeoTracker mapping site ([https://geotracker.waterboards.ca.gov/profile\\_report.asp?global\\_id=SL0607907605](https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=SL0607907605)).

**HOW TO COMMENT OR GET MORE INFORMATION:**

Anyone interested in commenting on the Draft EIR should **submit a written statement by 5:00 p.m. on September 27, 2013**, to:

Brian Pedrotti, Project Manager  
County Planning & Building Dept.  
976 Osos St., Rm. 300  
San Luis Obispo, CA 93408-2040

If you need more information about this project, please contact Brian Pedrotti at (805)788-2788 (or e-mail: [bpedrotti@co.slo.ca.us](mailto:bpedrotti@co.slo.ca.us)).

**PUBLIC HEARING:**

The public hearing before the Board of Supervisors to certify the EIR and consider the project for approval has been tentatively scheduled for **November 2013**, in the Board of Supervisors Chambers, County Government Center, San Luis Obispo. If you plan to attend, please call to verify.



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DRAFT | AUGUST 2013

**DANA ADOBE NIPOMO AMIGOS  
LAND USE ORDINANCE AMENDMENT AND  
CONDITIONAL USE PERMIT**

**ENVIRONMENTAL IMPACT REPORT**

SCH #2012041037



# **Dana Adobe Nipomo Amigos Land Use Ordinance Amendment and Conditional Use Permit**

Draft  
Environmental Impact Report  
SCH No. 2012041037

**Prepared for:**

County of San Luis Obispo  
Department of Planning and Building  
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976 Osos Street, Room 200  
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**August 2013**

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# TABLE OF CONTENTS

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<b>Executive Summary .....</b>	<b>ES-1</b>
A. Purpose of the EIR .....	ES-1
B. Project Location .....	ES-1
C. Project Background .....	ES-1
D. Project Objectives.....	ES-4
E. Project Description.....	ES-6
1. Land Use Ordinance Amendments .....	ES-6
2. Conditional Use Permit.....	ES-7
F. Scoping and Notice of Preparation Process .....	ES-22
G. Significant Environmental Impacts Identified .....	ES-22
H. LUO Amendment and Planning Area Standards.....	ES-23
I. Project Alternatives .....	ES-45
1. No Project Alternative – Land Use Ordinance Amendment.....	ES-45
2. No Project Alternative – Conditional Use Permit.....	ES-45
3. Design Alternative A – Initial Conceptual Site Plan.....	ES-45
4. Design Alternative B – Applicant’s Alternative Project .....	ES-46
J. Environmentally Superior Alternative .....	ES-46
<b>CHAPTER 1 Introduction .....</b>	<b>1-1</b>
1.1 Purpose of the EIR.....	1-1
1.2 Scoping and Notice of Preparation Process .....	1-2
1.3 EIR Contents .....	1-2
1.4 Project Sponsors.....	1-3
1.5 Review of the Draft EIR.....	1-4
1.6 Commonly Used Acronyms.....	1-4
<b>CHAPTER 2 Project Description .....</b>	<b>2-1</b>
2.1 Project Location .....	2-1
2.2 Project Background.....	2-1
2.3 Project Objectives .....	2-4
2.4 Project Components.....	2-6
2.4.1 Land Use Ordinance Amendment.....	2-6
2.4.2 Conditional Use Permit.....	2-8
2.4.3 Master Plan Development .....	2-8
2.4.4 Special Event Uses .....	2-22
2.5 Intended Uses of the EIR.....	2-22
2.5.1 Required Agency Actions and Permits.....	2-22
<b>CHAPTER 3 Environmental Setting.....</b>	<b>3-1</b>
3.1 Physical Setting and Existing Land Uses.....	3-1
3.2 Surrounding Land Uses .....	3-5
3.3 Consistency With Land Use Plans And Policies .....	3-5
3.3.1 Overview.....	3-5
3.4 Cumulative Study Area .....	3-49

3.4.1 CEQA Requirements .....	3-49
3.5 Cumulative Development Scenario .....	3-49
<b>CHAPTER 4 Environmental Impacts Analysis.....</b>	<b>4-1</b>
4.1 Aesthetics/Visual Resources.....	4.1-1
4.1.1 Existing Conditions .....	4.1-1
4.1.2 Regulatory Setting .....	4.1-1
4.1.3 Thresholds of Significance .....	4.1-1
4.1.4 Impact Assessment and Methodology .....	4.1-2
4.1.5 Project Specific Impacts and Mitigation Measures.....	4.1-2
4.1.6 Cumulative Impacts .....	4.1-5
4.2 Air Quality.....	4.2-1
4.2.1 Existing Conditions .....	4.2-1
4.2.2 Regulatory Setting .....	4.2-4
4.2.3 Thresholds of Significance .....	4.2-8
4.2.4 Impact Assessment and Methodology .....	4.2-14
4.2.5 Project Specific Impacts and Mitigation Measures.....	4.2-14
4.2.6 Cumulative Impacts .....	4.2-25
4.3 Biological Resources.....	4.3-1
4.3.1 Existing Conditions .....	4.3-1
4.3.2 Regulatory Setting .....	4.3-7
4.3.3 Thresholds of Significance .....	4.3-9
4.3.4 Impact Assessment and Methodology .....	4.3-9
4.3.5 Project Specific Impacts and Mitigation Measures.....	4.3-10
4.3.6 Cumulative Impacts .....	4.3-18
4.4 Cultural Resources.....	4.4-1
4.4.1 Existing Conditions .....	4.4-1
4.4.2 Regulatory Setting .....	4.4-8
4.4.3 Thresholds of Significance .....	4.4-11
4.4.4 Impact Assessment and Methodology .....	4.4-12
4.4.5 Project Specific Impacts and Mitigation Measures.....	4.4-16
4.4.6 Cumulative Impacts .....	4.4-24
4.5 Geology and Soils .....	4.5-1
4.5.1 Existing Conditions .....	4.5-1
4.5.2 Regulatory Setting .....	4.5-3
4.5.3 Thresholds of Significance .....	4.5-5
4.5.4 Impact Assessment and Methodology .....	4.5-5
4.5.5 Project Specific Impacts and Mitigation Measures.....	4.5-5
4.5.6 Cumulative Impacts .....	4.5-7
4.6 Hazards and Hazardous Materials.....	4.6-1
4.6.1 Existing Conditions .....	4.6-1
4.6.2 Regulatory Setting .....	4.6-7
4.6.3 Thresholds of Significance .....	4.6-9
4.6.4 Impact Assessment and Methodology .....	4.6-10
4.6.5 Project Specific Impacts and Mitigation Measures.....	4.6-10
4.6.6 Cumulative Impacts .....	4.6-12
4.7 Noise .....	4.7-1
4.7.1 Existing Conditions .....	4.7-1
4.7.2 Regulatory Setting .....	4.7-2

4.7.3	Thresholds of Significance .....	4.7-2
4.7.4	Impact Assessment and Methodology .....	4.7-5
4.7.5	Project Specific Impacts and Mitigation Measures.....	4.7-6
4.7.6	Cumulative Impacts .....	4.7-11
4.8	Public Services and Utilities .....	4.8-1
4.8.1	Existing Conditions .....	4.8-1
4.8.2	Regulatory Setting .....	4.8-4
4.8.3	Thresholds of Significance .....	4.8-5
4.8.4	Impact Assessment and Methodology .....	4.8-5
4.8.5	Project Specific Impacts and Mitigation Measures.....	4.8-5
4.8.6	Cumulative Impacts .....	4.8-8
4.9	Transportation, Circulation, and Traffic.....	4.9-1
4.9.1	Existing Conditions .....	4.9-1
4.9.2	Regulatory Setting .....	4.9-2
4.9.3	Thresholds of Significance .....	4.9-2
4.9.4	Impact Assessment and Methodology .....	4.9-3
4.9.5	Project Specific Impacts and Mitigation Measures.....	4.9-4
4.9.6	Cumulative Impacts .....	4.9-7
4.10	Water Resources .....	4.10-1
4.10.1	Existing Conditions .....	4.10-1
4.10.2	Regulatory Setting .....	4.10-4
4.10.3	Thresholds of Significance .....	4.10-9
4.10.4	Impact Assessment and Methodology .....	4.10-9
4.10.5	Project Specific Impacts and Mitigation Measures.....	4.10-10
4.10.6	Cumulative Impacts .....	4.10-16
4.11	Land Use .....	4.11-1
4.11.1	Existing Conditions .....	4.11-1
4.11.2	Regulatory Setting .....	4.11-1
4.11.3	Thresholds of Significance .....	4.11-4
4.11.4	Impact Assessment and Methodology .....	4.11-4
4.11.5	Project Specific Impacts and Mitigation Measures.....	4.11-4
4.11.6	Cumulative Impacts .....	4.11-6
4.12	Issues with Less than Significant Impacts .....	4.12-1
4.12.1	Agricultural Resources .....	4.12-1
4.12.2	Population and Housing .....	4.12-4
4.12.3	Recreation .....	4.12-6
4.12.4	Wastewater.....	4.12-8
<b>CHAPTER 5</b>	<b>Alternatives Analysis .....</b>	<b>5-1</b>
5.1	Introduction.....	5-1
5.2	Alternatives Selection.....	5-1
5.2.1	Project Objectives.....	5-2
5.2.2	Significant Impacts Resulting from the Proposed Project .....	5-4
5.3	Alternatives Analysis .....	5-4
5.4	Alternatives Impacts Analysis .....	5-5
5.4.1	No Project Alternative – Land Use Ordinance Amendment.....	5-5
5.4.2	No Project Alternative – Conditional Use Permit.....	5-6
5.4.3	Design Alternative A – Initial Conceptual Site Plan.....	5-8
5.4.4	Design Alternative B – Applicant’s Alternative Project.....	5-12

5.5 Environmentally Superior Alternative ..... 5-16

**CHAPTER 6 Other CEQA Considerations ..... 6-1**

6.1 Growth Inducing Impacts ..... 6-1

6.2 Significant Irreversible Environmental Changes ..... 6-1

    6.2.1 Irreversible Commitment of Resources ..... 6-1

**CHAPTER 7 Mitigation Monitoring and Reporting Program..... 7-1**

7.1 Statutory Requirements ..... 7-1

7.2 Administration of the Mitigation Monitoring and Reporting Program ..... 7-1

7.3 Mitigation Measures and Monitoring Program ..... 7-1

**CHAPTER 8 References and Report Preparation ..... 8-1**

8.1 References ..... 8-1

    8.1.1 Air Quality ..... 8-1

    8.1.2 Biological Resources ..... 8-1

    8.1.3 Cultural Resources ..... 8-1

    8.1.4 Geology and Soils ..... 8-2

    8.1.5 Hazards and Hazardous Materials ..... 8-2

    8.1.6 Noise..... 8-3

    8.1.7 Public Services and Utilities ..... 8-3

    8.1.8 Transportation and Circulation ..... 8-4

    8.1.9 Water Resources..... 8-4

    8.1.10 Land Use ..... 8-6

    8.1.11 Issues with Less than Significant Impacts..... 8-6

    8.1.12 Geographic Information System (GIS) Sources..... 8-7

8.2 List of Preparers..... 8-8

## LIST OF FIGURES

Figure ES-1. Project Vicinity Map .....	ES-2
Figure ES-2. Project Location Map .....	ES-3
Figure ES-3. Stories of the Rancho Master Plan .....	ES-13
Figure ES-4. Site Plan, Visitors Center and Chumash Interpretive Area .....	ES-14
Figure ES-5. Site Plan, The Rancho Era .....	ES-15
Figure ES-6. Preliminary Grading and Drainage .....	ES-16
Figure ES-7. Preliminary Grading and Drainage Visitors Center and Chumash Interpretive Area ...	ES-17
Figure ES-8. Preliminary Grading and Drainage, The Rancho Era .....	ES-18
Figure ES-9. Utility Plan .....	ES-19
Figure ES-10. Floor Plan, Visitors Center .....	ES-20
Figure ES-11. Exterior Elevations, Visitors Center .....	ES-21
Figure 2-1. Project Vicinity .....	2-2
Figure 2-2. Project Location .....	2-3
Figure 2-3. Stories of the Rancho Master Plan .....	2-10
Figure 2-4. Site Plan, Visitors Center and Chumash Interpretive Area .....	2-11
Figure 2-5. Site Plan, The Rancho Era .....	2-12
Figure 2-6. Preliminary Grading and Drainage .....	2-13
Figure 2-7. Preliminary Grading and Drainage Visitors Center and Chumash Interpretive Area .....	2-14
Figure 2-8. Preliminary Grading and Drainage, The Rancho Era .....	2-15
Figure 2-9. Utility Plan .....	2-16
Figure 2-10. Floor Plan, Visitors Center .....	2-17
Figure 2-11. Exterior Elevations, Visitors Center .....	2-18
Figure 3-1. Environmental Setting .....	3-3
Figure 3-2. Site Constraints and Conservation Easements .....	3-4
Figure 4.5-1. Soils and Flood Hazard Map .....	4.5-4
Figure 4.6-1. Line 300 (Terra Pacific Group, 2007a) .....	4.6-3
Figure 4.6-2. Petroleum Impacted Soils (Terra Pacific Group, 2007a) .....	4.6-5
Figure 4.10-1. Local Hydrology Map .....	4.10-6
Figure 5-1. Design Alternative A – Initial Conceptual Site Plan .....	5-11
Figure 5-2. Design Alternative B – Applicant’s Alternative Project, The Rancho Era .....	5-14
Figure 5-3. Design Alternative B – Applicant’s Alternative Project, Visitors Center & Chumash Interpretive Area .....	5-15

## LIST OF TABLES

---

Table ES-1. Preliminary Capping Plan Features .....	ES-11
Table ES-2. Summary of Impacts and Mitigation Measures.....	ES-26
Table 1-1. Commonly Used Acronyms .....	1-4
Table 2-1. Preliminary Capping Plan Features .....	2-21
Table 2-2. Agency Permit Requirements .....	2-22
Table 3-1. Consistency with Plans and Policies .....	3-9
Table 3-2. Cumulative Projects List .....	3-50
Table 4.2-1. San Luis Obispo County Attainment Status .....	4.2-2
Table 4.2-2. Thresholds of Significance for Construction Operations .....	4.2-9
Table 4.2-3. Thresholds of Significance for Operational Emissions .....	4.2-11
Table 4.2-4. Construction Emissions (Unmitigated) .....	4.2-15
Table 4.2-5. Construction Emissions (Mitigated) .....	4.2-16
Table 4.2-6. Operational Emissions (Unmitigated) .....	4.2-20
Table 4.2-7. Operational Emissions (Mitigated).....	4.2-20
Table 4.7-1. Maximum Allowable Noise Exposure Transportation Noise Sources .....	4.7-3
Table 4.7-2. Land Use Compatibility for New Development near Transportation Sources .....	4.7-4
Table 4.7-3. Maximum Allowable Noise Exposure-Stationary Noise Sources .....	4.7-5
Table 4.7-4. Estimated Traffic Increase (Baseline Plus Project) .....	4.7-7
Table 4.7-5. Sound Levels at Property Line (Unmitigated).....	4.7-8
Table 4.7-6. Sound Levels at Property Line (Mitigated) .....	4.7-9
Table 4.7-7. Estimated Traffic Increase (Build-out Plus Project) .....	4.7-11
Table 4.8-1. Lucia Mar School District Enrollment Capacities.....	4.8-2
Table 4.8-2. San Luis Obispo County Solid Waste Disposal Facilities.....	4.8-3
Table 7-1. Mitigation Monitoring and Reporting Program .....	7-2

## LIST OF APPENDICES

---

*\*\*Appendices included on enclosed CD.*

- Appendix A: Notice of Preparation
- Notice of Preparation for the Draft Program Environmental Impact Report
  - Notice of Preparation Comment Letters
- Appendix B: Air Quality Background Information
- CalEEMod Annual Emissions
  - CalEEMod Summer Emissions
  - CalEEMod Winter Emissions
- Appendix C: Biological Resources Report Background Information
- Biological Resources Assessment; Terra Verde Environmental Consulting, LLC, December 14, 2011
  - Response to U.S. Fish and Wildlife Service comments on Biological Resources Assessment Report; Terra Verde Environmental Consulting, LLC, January 9, 2012
- Appendix D: Transportation and Circulation Background Information
- Traffic Impact Analysis; Rick Engineering Company, March 2, 2012

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# EXECUTIVE SUMMARY

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## A. PURPOSE OF THE EIR

The County of San Luis Obispo (County), serving as the lead agency under the California Environmental Quality Act of 1970 (CEQA), has prepared this Environmental Impact Report (EIR) to assess the impacts that may result from approval of the Dana Adobe Nipomo Amigos (DANA) Land Use Ordinance Amendment, Conditional Use Permit, and Development Plan (project). DANA requests a Land Use Ordinance Amendment to Section 22.112.030.B (Community Planning Standards, Combining Designations, Historic Area (H) Dana Adobe), and Section 22.112.080.G (Community Planning Standards, South County Nipomo Urban Area, Recreation – Dana Adobe) to accommodate implementation of the Master Plan and development of the project.

## B. PROJECT LOCATION

The project is located within and immediately adjacent to the community of Nipomo, on the east side of South Oakglen Avenue, approximately 1 mile southeast of West Tefft Street and in the South County Inland Planning Area. The project site consists of five legal parcels comprising two primary areas: (1) a 30-acre area owned by DANA, generally lying west of Nipomo Creek, which includes the Dana Adobe (Assessor's Parcel Number [APN] 090-171-011) and surrounding areas (APN No. 090-171-036); and (2) a primarily undeveloped adjacent area, consisting of three legal parcels totaling 100 acres leased by DANA from the County of San Luis Obispo (APNs 090-171-030, 090-171-031, and 090-171-032). Refer to Figures ES-1 and ES-2, Project Vicinity and Project Location, below.

## C. PROJECT BACKGROUND

The Dana Adobe is the historic home of Captain William Goodwin Dana, who settled the Rancho Nipomo area after receiving the original 37,887.91-acre land grant for the Nipomo and Los Berros region from the Mexican government in 1837. Construction of the originally three-room adobe began in 1839, and grew over the next 12 years to a two-story home with thirteen rooms, which was completed in 1851. The Dana Adobe is on the National Register of Historic Places, California Register of Historic Resources, and is also recorded as part of the Historic American Building Survey.

The stated mission of the Dana Adobe Nipomo Amigos (the project applicant) is to restore and preserve the historic Dana Adobe and promote development that would enhance knowledge and understanding of California's Rancho era. The proposed project would implement a Master Plan for development of the areas surrounding the Dana Adobe with a visitor's center, a Chumash Interpretive Area, and California Rancho era exhibits and facilities.

A Mitigated Negative Declaration (MND) was prepared for the project in April 2012. However, after completion of the MND, DANA entered into negotiations and mediations with the Northern Chumash Tribal Council (NCTC), a Chumash organization. Through these negotiations, it was determined that an EIR would be prepared for the project to more fully address potential impacts to on-site cultural and historic resources.

Figure ES-1. Project Vicinity Map

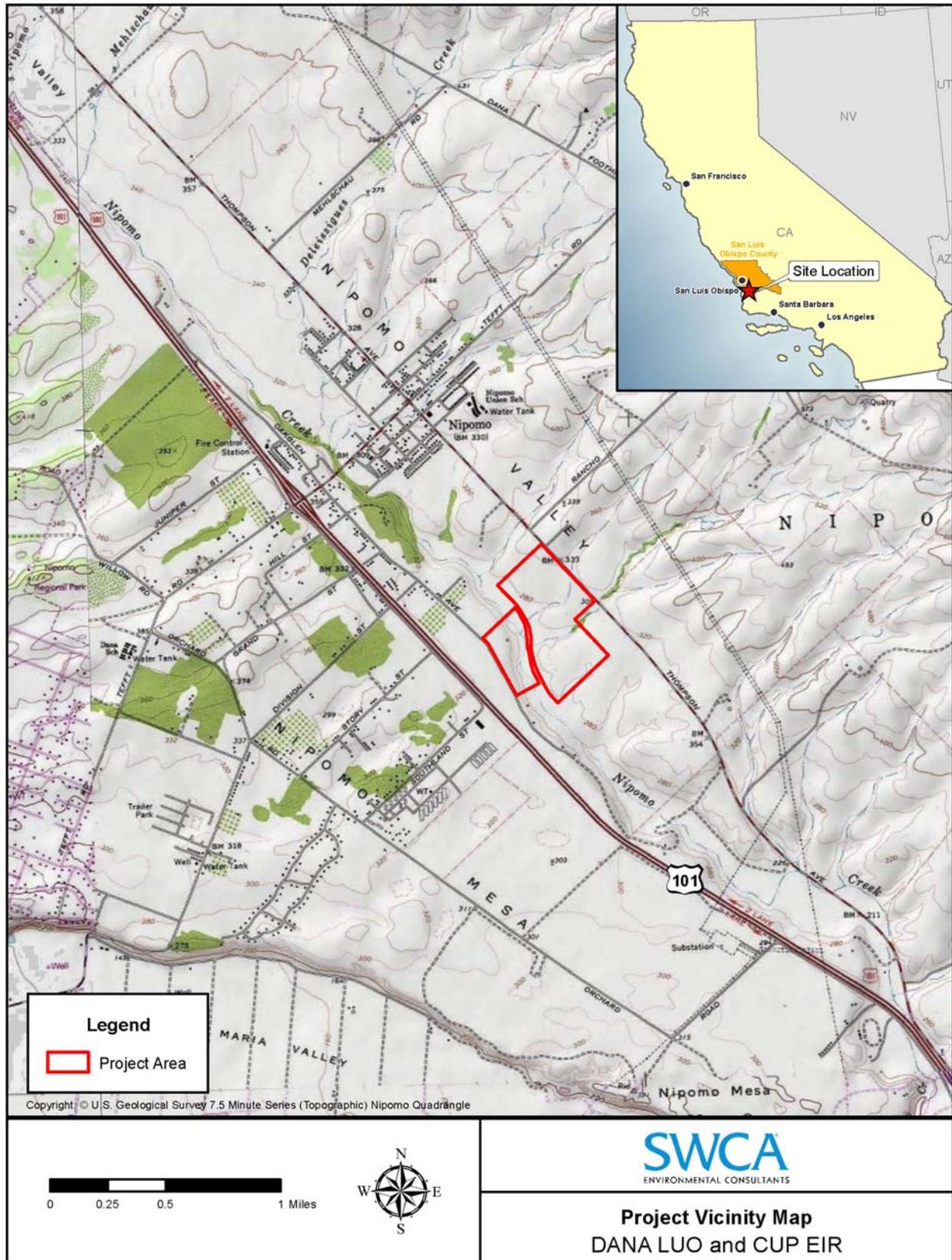


Figure ES-2. Project Location Map



## D. PROJECT OBJECTIVES

DANA, the project applicant, has developed the following project statement of intentions, which were used in the initial screening of project alternatives:

*“The intent of the project’s master plan is to tell the stories of the people and the land over time using the Dana Adobe as the key component. Master plan components should complement the education being provided about the Dana Adobe, the Native American presence on the landscape, and the Rancho era. The arrangement and physical elements on the site must create a spatial sequence that enables the visitor experience to be programmed toward the larger educational purpose. As a result, individual master plan components should not dominate the site or detract from the site’s intent by creating separate sites for uses not directly related to the project’s overall educational purpose. The project provides:*

- *A visitor’s center that furnishes adequate area for visitors, exhibits and interpretive elements, fundraising, and daily and staffing needs;*
- *Structures, buildings, and landscaped areas that help visitors understand the site’s history and historic uses;*
- *An area devoted to the understanding and appreciation of the Chumash culture as it relates to the Rancho era and aspects of Chumash life in earlier eras and today;*
- *Educational opportunities that address the consequences of human interaction with the land over time, as well as modern day environmental and sustainability issues;*
- *Facilities, indoors and outdoors, for education of school aged children, adults, and seniors; all income levels, varying physical capabilities; and for the Nipomo area and the County’s tourist population;*
- *On the 30-acre site, disabled access to all facilities and experiences consistent with ADA, connecting the site’s educational components;*
- *On the 100-acre site, public trails that also furnish education regarding the site’s natural, historical, and agricultural resources;*
- *Amenities (such as armadas, viewing areas, gardens, and picnic tables) to provide a pastoral and pleasurable visitor experience;*
- *Adequate support facilities (such as a caretaker’s unit and emergency access) to safeguard resources onsite and provide security and visitor safety;*
- *Provide infrastructure consistent with the level of development proposed while maintaining the site’s historical setting and balancing new development with resource protection and historic character;*

- *Restoration along portions of the project's creek corridors in order to provide resource protection and education regarding those resources;*
- *A building design for the visitor center and other project components that has sustainable construction techniques and does not confuse visitors regarding the interpretation of historical structures on the site;*
- *Master plan components in locations that complement the Dana Adobe and its setting while balancing protection of the site's various resources; and*
- *Facilities and amenities that DANA, a nonprofit, can reasonably afford to maintain in the present and future."*

The primary goal of The Stories of the Rancho Project Master Plan is to establish the plan for protection/preservation of the historic Dana Adobe and development of surrounding areas for educational purposes. DANA and the County of San Luis Obispo have utilized the applicant's above-stated project intent to establish the following project objectives:

1. To facilitate development of the historic project site to tell the stories of the people and the land over time, including the Native American presence, Dana Adobe, and the Rancho era, using the Dana Adobe as the key component;
2. To guide development of the project site that helps visitors understand the site's pre-history, history and historic uses, and enables the visitor experience to be programmed toward the larger educational purpose;
3. To provide a range of passive and active facilities and use areas to provide cultural, historic, environmental, natural, and agricultural educational opportunities to the community;
4. To develop an area devoted to the understanding and appreciation of the Chumash culture as it relates to the Rancho era and aspects of Chumash life in earlier eras and today;
5. To provide amenities that are environmentally sensitive, sustainable, and aesthetically consistent with the regional and historic character of the area;
6. To provide amenities and facilities that are accessible to a wide range of individuals of varying ages, income levels, and physical capabilities.
7. To restore and protect natural resources associated with on-site creek corridors, and provide educational opportunities related to on-site natural resources;
8. To balance the level of new development with resource protection and maintenance of the site's historic character;
9. To provide necessary infrastructure consistent with the level of development proposed;
10. To furnish on-site opportunities for fundraising, and to provide facilities and amenities that DANA can reasonably afford to maintain; and

11. To establish a plan for development consistent with the Nature Education Facilities Grant.

## **E. PROJECT DESCRIPTION**

### **1. Land Use Ordinance Amendments**

The proposed amendments to the County's Land Use Ordinance (LUO) would clarify the intent of the LUO by addressing emergency access conditions and updating design and approval standards. The amendment would remove the reference to the Southland Street Interchange, which is no longer proposed for construction by the County and the California Department of Transportation (Caltrans), and add a requirement for privately-developed emergency access. The proposed LUO amendments also include minor updates to correctly identify land currently owned by DANA, design standards to maintain historical context and ensure continued preservation and restoration of the Dana Adobe, and a requirement for Master Plan and Conditional Use Permit approval. The proposed amendments would not remove any intended impediment to growth.

Proposed language includes the following, noting deletions in ~~strikeout~~ and additions in blue text and underlined. Changes that occurred during the previous public hearing process are indicated in blue underlined text and strikeout.

SECTION 1: Section 22.112.030.B of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

- B. Historic Area (H) - Dana Adobe.** Development of any tourist-related facilities, residential or accessory uses at the site of the Dana Adobe (see Figure 112-6) shall be ~~in an architectural motif compatible with the adobe itself and consistent with the site master plan on file at the Department. This requirement applies to the Dana Adobe site in addition to the requirements of Sections 22.112.080.F.1 through F.4. [Amended 1997, Ord. 2800]~~ consistent with Sections 22.112.080 G.

SECTION 2: Section 22.112.080.G (Figure 112-57 is not proposed for change) of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

- G. Recreation (REC) – Dana Adobe.** The following standards apply only to ~~the properties containing and surrounding the Dana Adobe properties~~ properties shown in Figure 112-57 ~~in addition to the Historic combining designation standard in Section 22.112.030.A-B~~

#### **1. Limitation on use.**

- a. Prior to completion of a ~~future Southland Street interchange~~ emergency access accessible by the Dana Adobe properties and/or the creation of a "safe refuge", access and egress for emergency responders, visitors, and occupants, land uses shall be limited to those identified as allowable, permitted, or conditional in the residential Suburban land use category by Section 22.06.030, except for nursing and personal care, and residential care.
- b. After completion of an ~~Southland Street interchange~~ emergency access accessible to the Dana Adobe properties and/or a safe refuge, access and

egress for emergency responders, visitors, and occupants, all land uses that are identified by Section 22.06.030 as allowable, permitted, or conditional in the Recreation land use category may be authorized in compliance with the land use permit requirements of that Section.

2. **Permit requirement.** The initial development of any non-agricultural or non-residential uses shall comply with the Site Master Plan on file with the Department or an approved amendment to that Master Plan. The initial Site Master Plan or major amendments to the Site Master Plan and shall be subject to Conditional Use Permit approval. The Conditional Use Permit shall identify the area to be developed, the types of uses to be established, and an architectural motif style compatible with the adobe ~~itself~~ and the site's interpretation and educational components. Once a Conditional Use Permit has been approved for the Site Master Plan, minor amendments to the Master Plan may be approved by the Planning & Building Department or through a permit as designated in Article 2, Table 2-2 (Allowable Land Uses and Permit Requirements) Section 22.060.30. Future structures or uses not approved as part of the initial Conditional Use Permit shall comply with the requirements of Section 22.06.030 (Table 2-2) and Section 22.30 (Standards for Specific Land Uses) of the Land Use Ordinance.
3. **Subdivision requirement.** All new subdivisions on the site of the Dana adobe shall be clustered in compliance with Chapter 22.22. An area shall be located around the Dana adobe site, to be offered for dedication to the County, another agency, or appropriate caretaker organization for maintenance and improvements. Funding shall be provided to contribute to the improvement of the adobe and its site in an amount to be determined through the subdivision review process. The residential lots shall be located a compatible distance from the adobe. The architecture of structures within the subdivision shall be compatible with the adobe, through the use of deed covenants, conditions and restrictions (CC&Rs).
4. **Development requirements.** Future development proposals shall also include measures to address the following issues as appropriate:
  - a. Siting and architecture of both residential and nonresidential uses shall be visually compatible with the Dana Adobe ~~and located to minimize their appearance from the adobe.~~ Physical linkage with the adobe site shall be designed that encourages pedestrian travel and interpretation of the site's resources. Landscaping shall be utilized should be used to buffer views between the adobe and development sites support buildings and project infrastructure such as parking lots. Should the nonprofit organization, the Dana Adobe Nipomo Amigos, cease to exist, ~~An area shall be located around the Dana adobe site,~~ the 30 acre site should be offered for dedication to the County, another nonprofit agency, or appropriate caretaker organization for maintenance and improvements. ~~Funding for the improvement of the adobe and its site at an amount to be determined through permit review shall be provided before occupancy of any proposed development.~~

## 2. Conditional Use Permit

The project proposes implementation of a Master Plan for the development of The Stories of the Rancho Project. The Stories of the Ranchos Project would include the following components, as more fully described below:

- An approximate 6,200-square-foot visitor's center;
- An outdoor amphitheater;
- A Chumash Interpretive Area, including exhibits and interpretive features;
- Replicated Rancho era buildings;
- An outdoor demonstration arena;
- A new caretaker's unit and attached shop;
- Restroom facilities and associated on-site septic system;
- A trail system throughout the project site with exhibits and interpretive features;
- Approximately 80,445 square feet of landscaping and historical gardens, vineyards, and orchards;
- Main, overflow, and horse trailer parking areas;
- Emergency access and off-site road improvements.

The project would result in the disturbance of approximately 6.55 acres of the 30-acre site owned by DANA and approximately 1.75 acres of the adjacent 100-acre site owned by the County of San Luis Obispo, for a total disturbance of 8.3 acres.

Site access would be provided by two improved driveways off of South Oakglen Avenue. An approximately 0.6-mile long, 16 to 18-foot wide, gated, all-weather emergency access drive would also be developed, extending from one of the primary driveways off of South Oakglen Avenue to South Thompson Road. The emergency access road would include an 89-foot long, 10-foot wide flatcar bridge over Nipomo Creek. The existing driveway leading to the Dana Adobe would remain as a service entrance and for Americans with Disabilities Act (ADA) access. A circular driveway with two access points is proposed off North Thompson Road for horse trailers, trail users, and agricultural parking. Off-site frontage road improvements would include widening of South Oakglen Avenue to include two 10-foot wide paved travel lanes and an 8-foot wide road base shoulder on the eastern side of the road.

Water would be provided by the Nipomo Community Services District (NCSD), through an existing Outside Users Agreement. Approximately 1,200 feet of the existing water main along South Oakglen Avenue would be upsized to accommodate the development.

Project site plans are shown in Figures ES-3 through ES-11 below.

### a. Master Plan Development

The proposed project consists of three primary components within the 30-acre site: the Rancho Era, Visitor Center, and Chumash Interpretive Area. The Master Plan also includes improvements, access, and restoration on the 100-acre site to the east. Development would occur in phases, as funding is available.

## The Rancho Era

The Rancho Era component would include the continued restoration and maintenance of the Dana Adobe, historic tallow vat, and historic barn foundation, and all associated features pursuant to Secretary of Interior Standards. Proposed improvements to enhance the visitor experience include:

- Approximately 3,000 square feet of replicated Rancho era outbuildings, including a blacksmith barn, small animal corral, and eight shade armadas;
- An 18,120-square-foot arena and cattle chute, which would also be used as additional overflow parking for up to 100 valet-parked vehicles;
- Replacement of the existing caretaker's unit with a new 1,100-square-foot unit, an attached 500-square-foot shop/storage unit, and an on-site septic tank and leachfield;
- A 150-square-foot restroom and associated on-site septic tank and vertical leach pit;
- An ADA-compliant trail system of decomposed granite, 6 to 10 feet wide, including exhibits, interpretive features, portals, and viewing areas;
- 80,445 square feet of drip-irrigated landscaping (throughout the total Master Plan area), including historic ornamental, medicinal, and vegetable gardens, a vineyard, and an orchard;
- A 17,280-square-foot overflow parking area, with a gravel base and capacity for 60 parking spaces,
- Bored utility connections; and
- Removal of one locust tree.

## The Visitor's Center

The Visitor's Center component would include development of a visitor's center and surrounding visitor-serving facilities. Specific improvements include:

- A 6,226-square-foot visitor's center building to be constructed in two phases (5,300 square feet in Phase I and a 966-square-foot expansion when funds become available in Phase II). The visitor's center would include:
  - a museum
  - offices
  - library
  - conference room
  - two classrooms
  - catering kitchen
  - curator's work and storage area
  - gift shop
  - restrooms
  - general store area, and
  - roof-mounted solar panels.

- Currently proposed regular hours of operation for the visitor's center are 9:00 a.m. to 5:00 p.m. on Tuesdays through Saturdays, and 12:00-5:00 p.m. on Sundays;
- 1,825 square feet of covered outdoor areas;
- An outdoor amphitheater, including seating and a small stage;
- A story circle;
- Future play area;
- An ADA-compliant trail system (decomposed granite 6 to 10 feet wide), including exhibits, interpretive features, portals, and viewing areas;
- A 21,750-square-foot main parking area, paved with capacity for 48 vehicles, including bus parking;
- On-site vertical leach pit;
- Bored utility connections; and
- Landscaping.

### Chumash Interpretive Area

The Chumash Interpretive Area component would include a traditional Chumash dwelling and other traditional features and exhibits. Specific improvements include:

- Exhibits and interpretive features, including a medicinal and food native plant interpretive garden and geologic and petroglyph paint rock interpretive exhibit;
- An ADA-compliant trail system (decomposed granite 6 to 10 feet wide), including exhibits, interpretive features, portals, viewing areas, and intermitted stacked stone retaining walls between 8 and 30 inches in height;
- 40-foot diameter ramada/outdoor classroom; and,
- Landscaping.

### Cultural Resources Impact Reduction Techniques

The applicant presented a proposed capping plan to protect and preserve identified significant archaeological resources, pursuant to the *State Historic Preservation Office Position on Burial in Place Treatment for Archaeological Sites* (Arizona State Parks, 2004). In addition to the capping plan, the applicant proposes the following to reduce impacts to cultural resources: boring for utility placement as opposed to trenching; use of vertical leach pits (as opposed to horizontal leach field); and use of mat slab foundations, shallow footing, and geo-textile fabrics to avoid the need to over excavate and re-compact natural grade prior to capping. **Please refer to Section 4-4 Cultural Resources for more information and analysis of the effectiveness of these measures.**

The intent of the plan is to maintain as close as possible the existing natural rate of decay of important site elements, features, deposits, or artifacts; avoid introducing new impacts to the site and any adjacent historic features (e.g., compaction, water percolation, leaching); reduce existing impacts to the site in number, frequency, or magnitude; be distinguishable from existing features deposits and artifacts (e.g., non-degradable fabric or culturally sterile, non-local material); and allow for fill removal in the future if necessary (aside from the visitor's center).

The capping plan incorporates the following guidelines:

- The topography (finished grade) of the capped areas will have positive drainage away from the capped area to avoid creating water related impacts to the underlying site.
- The protective fill should result in chemical and micro-environmental conditions that closely match that of the archaeological deposit.
- The protective fill should not substantially increase the vertical load on the archaeological site.
- The construction process should not significantly compact the soil in the archaeological deposit.
- The cap should include an identifiable corrosive-resistant marker layer, such as a colored fill and/ or a geo-textile or plastic web fabric.
- Conduct analysis of the soil characteristics to ensure the cap soil has appropriate and compatible chemical properties.
- Direct stormwater runoff away from the deposits to the maximum extent feasible.
- Ensure future activities in the resource areas are limited and appropriate to the goals of both DANA and the Native American community.
- Anticipate enforcement of long-term preservation pursuant to conditions of the Conditional Use Permit and adopted Mitigation Monitoring and Reporting Program.

Soil preparation for structural development on capping material would consist of the following: removal of surficial vegetative material; application of water; placement of a geotextile fabric under structures; placement of the soil cap layer. Additional features of the plan, applicable to specific project elements, are summarized in Table ES-1 below.

**Table ES-1. Preliminary Capping Plan Features**

Project Element	Preparation and Construction
Visitor's Center	Mat slab foundation Soil preparation
Rancho Era Outbuildings	Concrete ribbon footing Concrete mat slab Wood skids (portable)
Caretaker's Residence, Shop/Storage	Modular structure supported by pier jacks with above-grade concrete ballast
Chumash Interpretive Area	Filled pad Drilled posts or non-excavated piles
Utilities (electrical and telephone)	Above-ground

Project Element	Preparation and Construction
Utilities (gas, water, sewer)	Bore installation Dry utility trenches (30-inch depth minimum) Wet utility trenches (24-inch depth minimum) Bore pit excavation at utility connection on South Oakglen Project connection with capped fill layer
Septic leach field disposal	Vertical pits
Paths, stone retaining walls, hornos, security and path lighting, signage and displays mounted on posts, native plants, arena fencing, shade armadas and benches, Chumash interpretive area	12-24 inches of capped fill Support footings will be located within the capped fill Trenches will be 24 inches deep (maximum)

### The 100-acre Site

The 100-acre site would be improved and maintained for passive recreation. Specific developments include:

- Use of existing unimproved agricultural roads for hiking trails;
- An additional multi-use looped trail system with a dirt base, 3 to 5 feet wide, including signage, exhibits, and interpretive features;
- Looped trail and restoration areas east of Nipomo Creek, including exhibits, interpretive features and drought-tolerant landscaping;
- 0.36 acre of riparian restoration within Carillo Creek;
- A foot bridge over Adobe Creek and Carillo Creek; and
- A 2,500-square-foot horse trailer parking and staging area for trail and agricultural uses.

The remainder of the site would support agricultural and open space uses, including crop production and livestock grazing.

### Special Event Uses

The proposed project includes a request for use of the project site to host special events of varying sizes (gatherings with less than 50 guests are not considered special events):

- 20 events of 50 to 100 guests per year;
- 40 events of 60 to 65 guests per year (bussed-in school field trips);
- 12 events of 100 to 250 guests per year;
- 6 events of 250 to 500 guests per year; and
- 1 event of 300 to 1,500 guests per year.

The project would result in a maximum of 79 special event uses per year with a total maximum attendance of 12,100 guests per year.





Figure ES-5. Site Plan, The Rancho Era

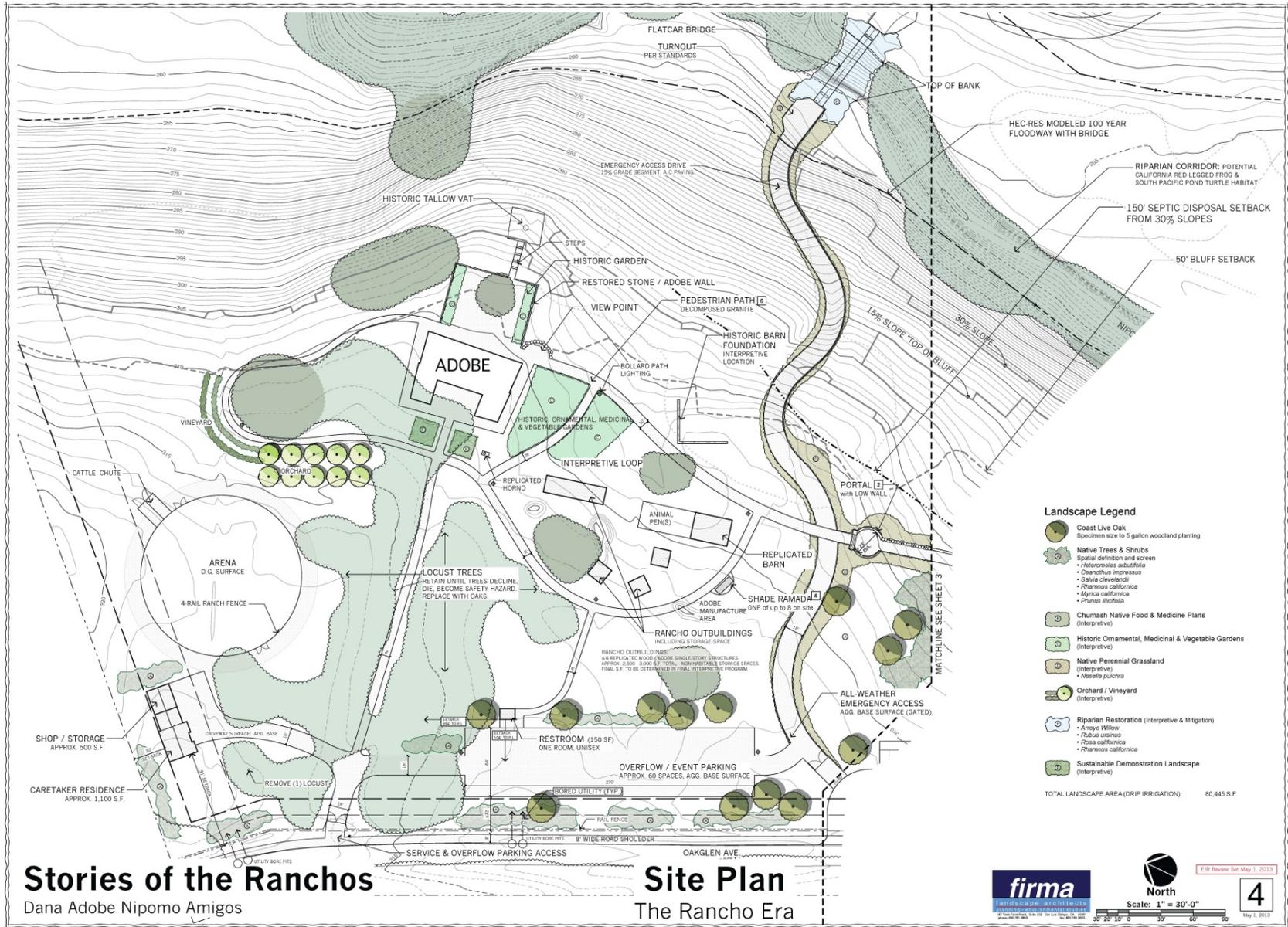


Figure ES-6. Preliminary Grading and Drainage

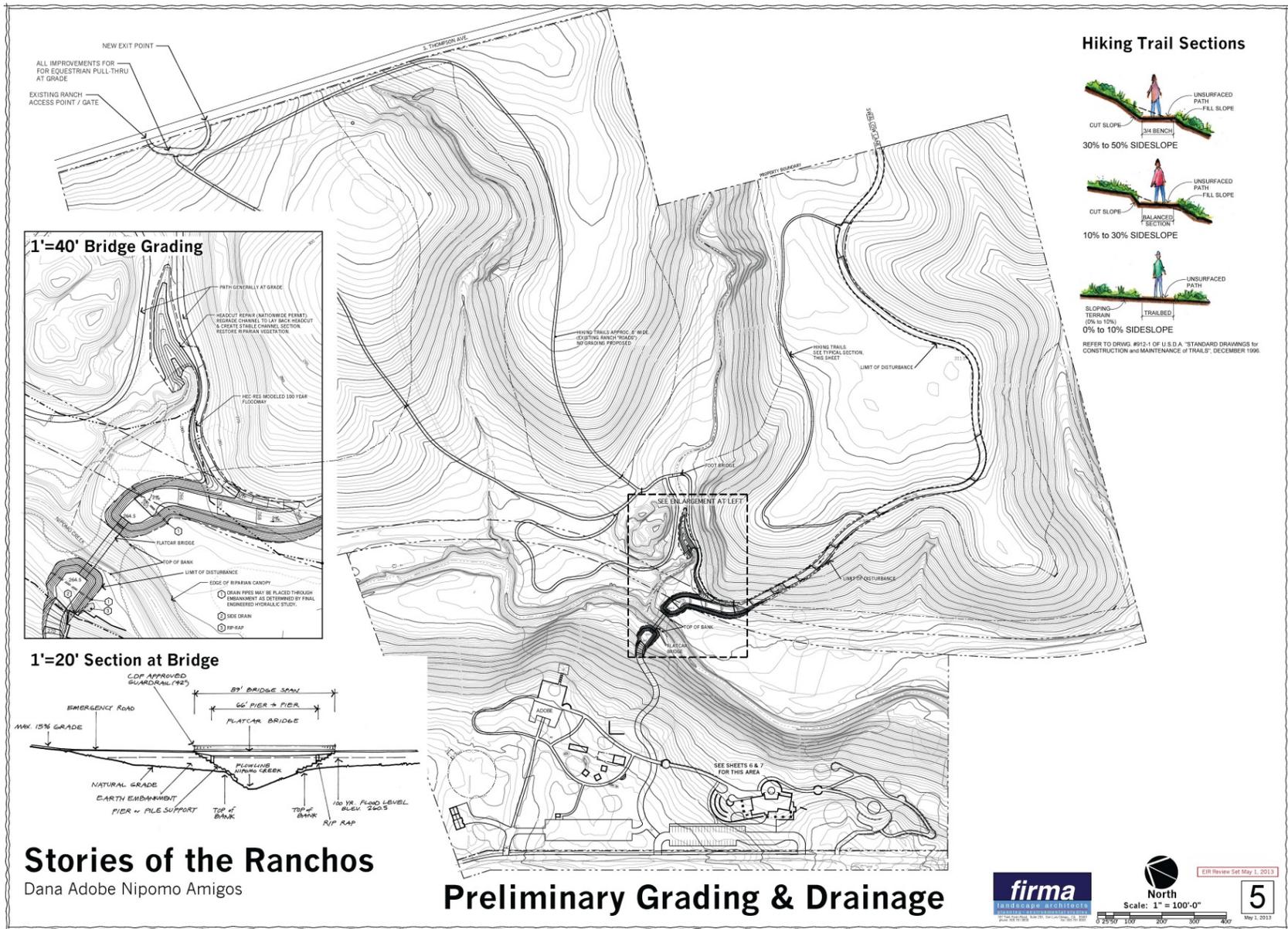


Figure ES-7. Preliminary Grading and Drainage Visitors Center and Chumash Interpretive Area

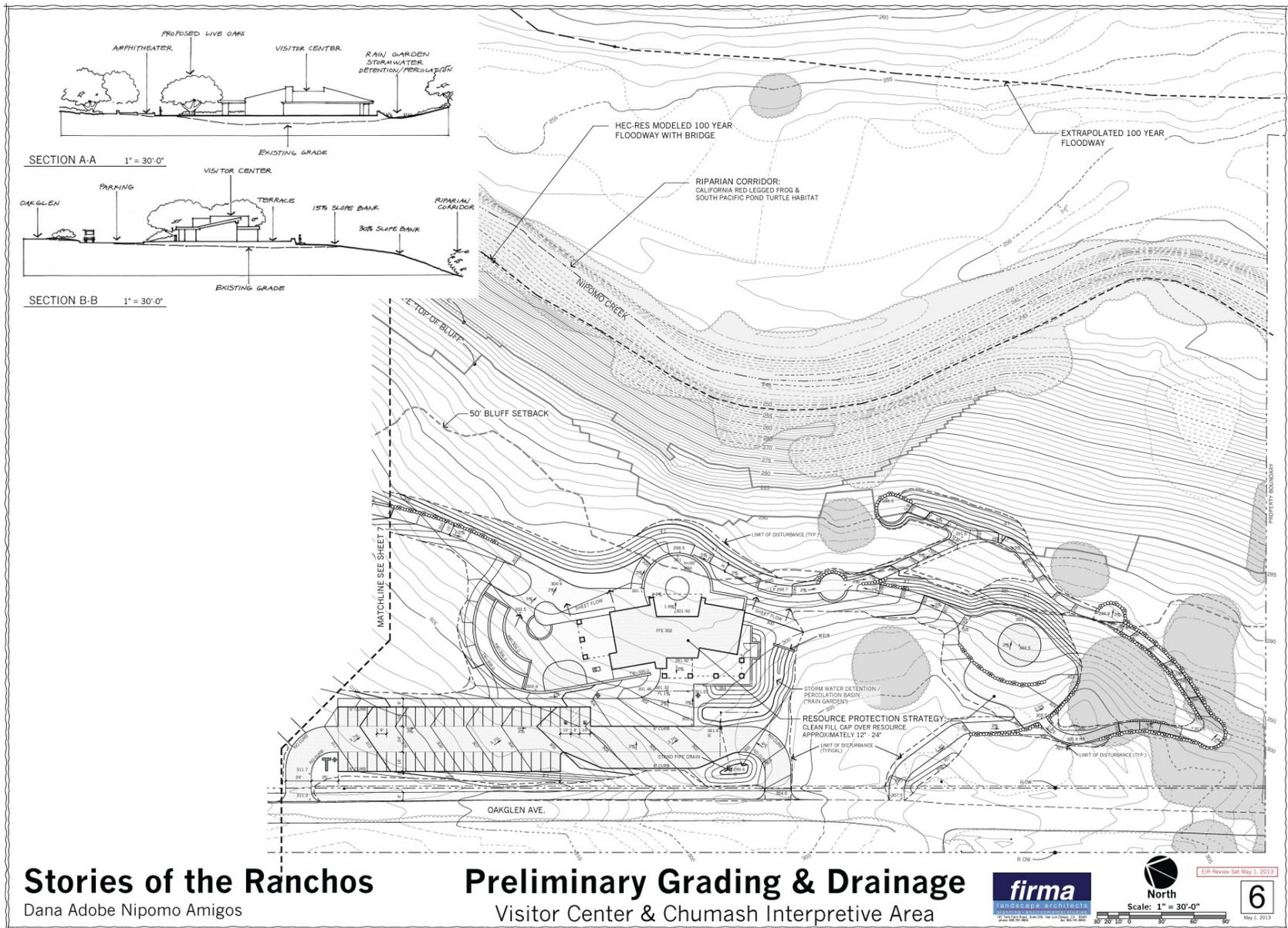


Figure ES-8. Preliminary Grading and Drainage, The Rancho Era

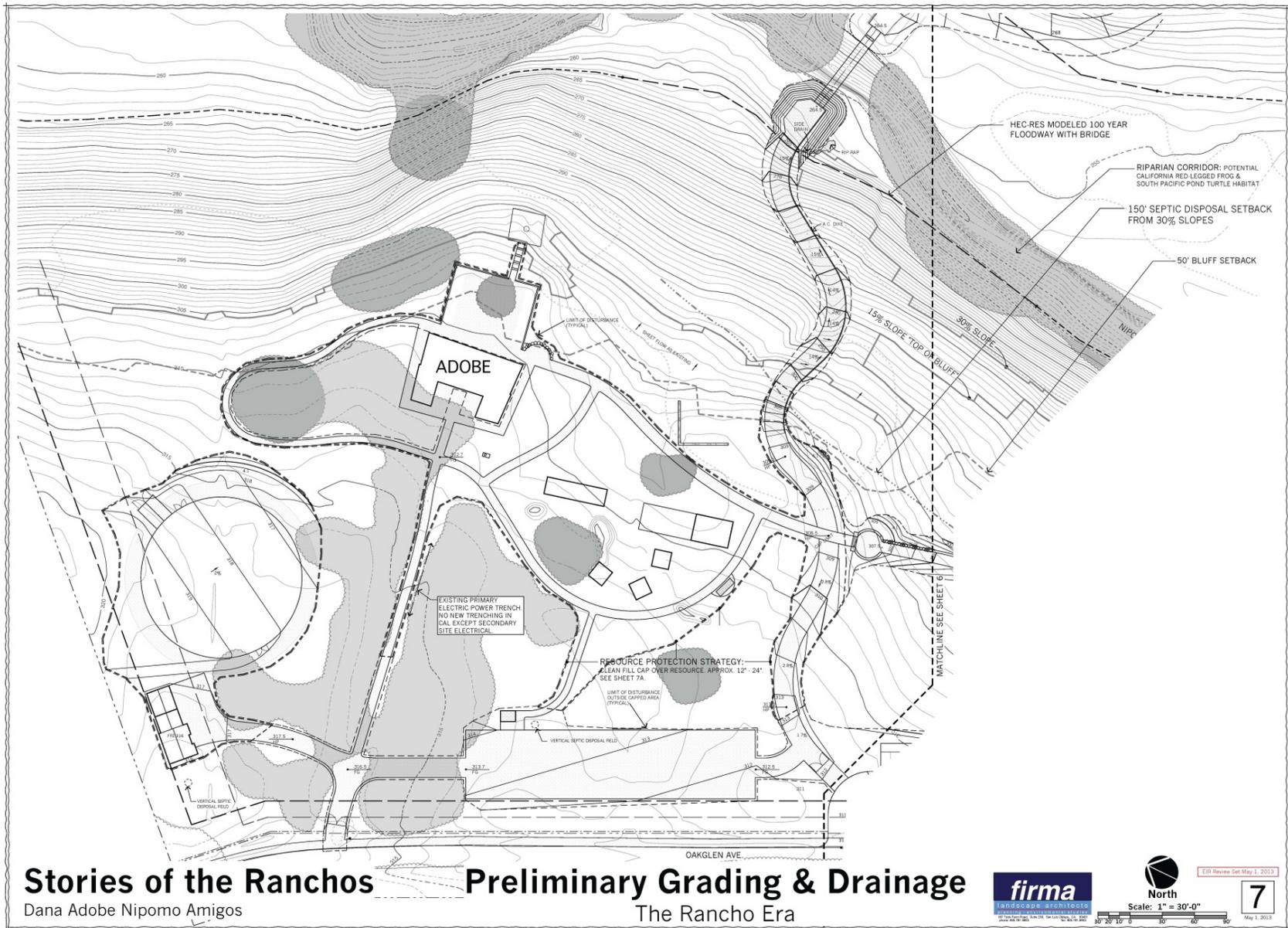


Figure ES-9. Utility Plan

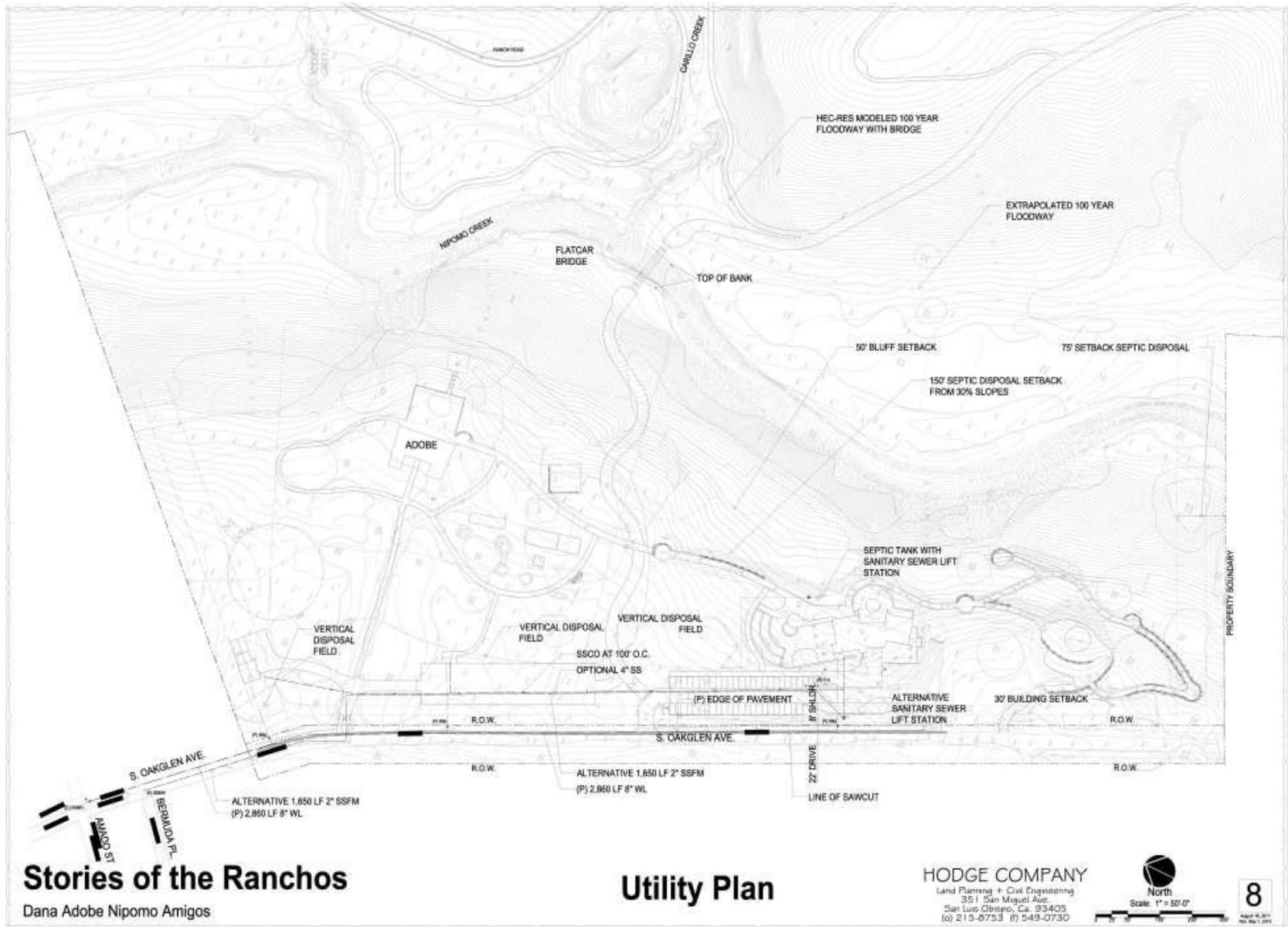


Figure ES-10. Floor Plan, Visitors Center

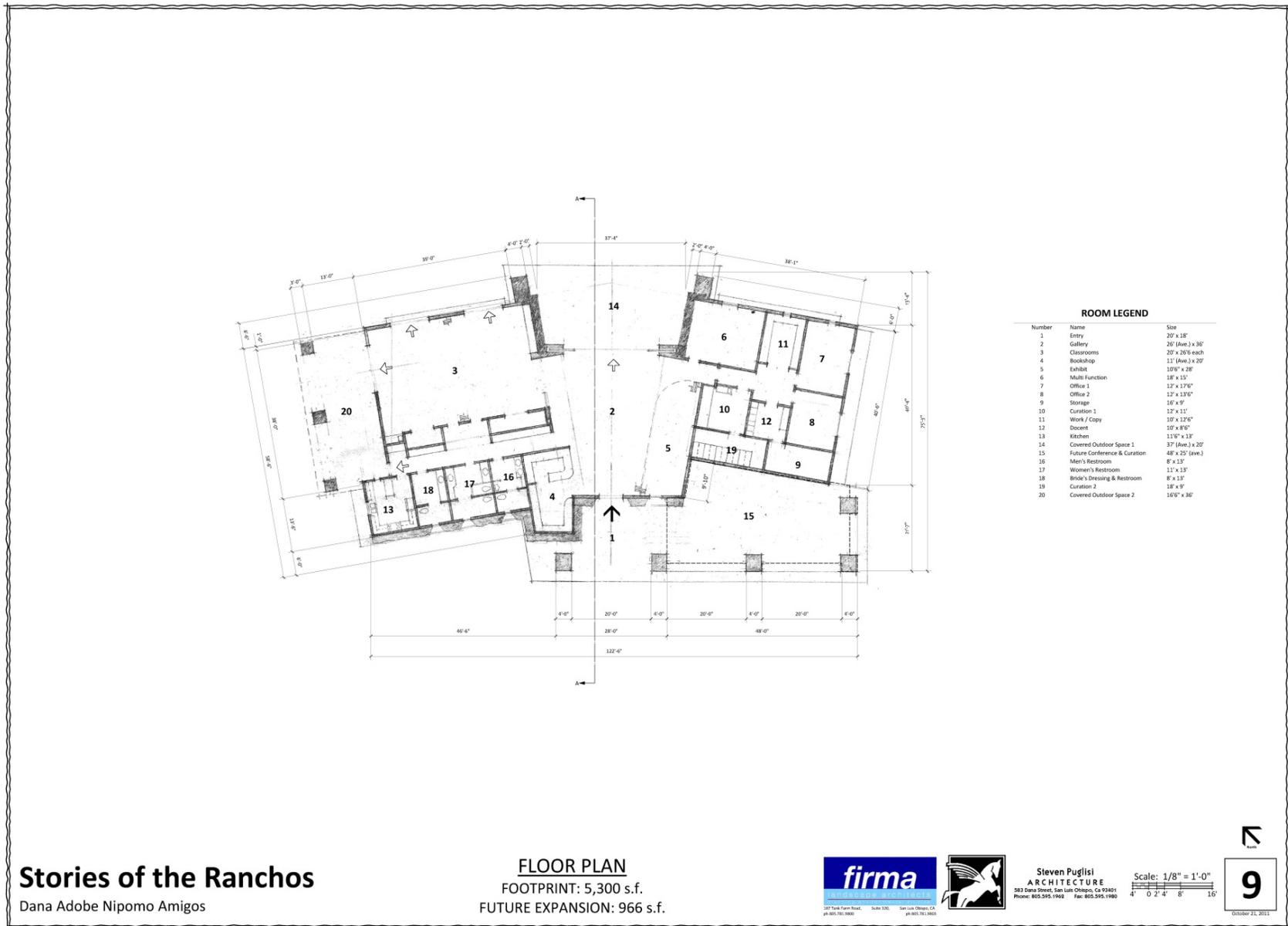
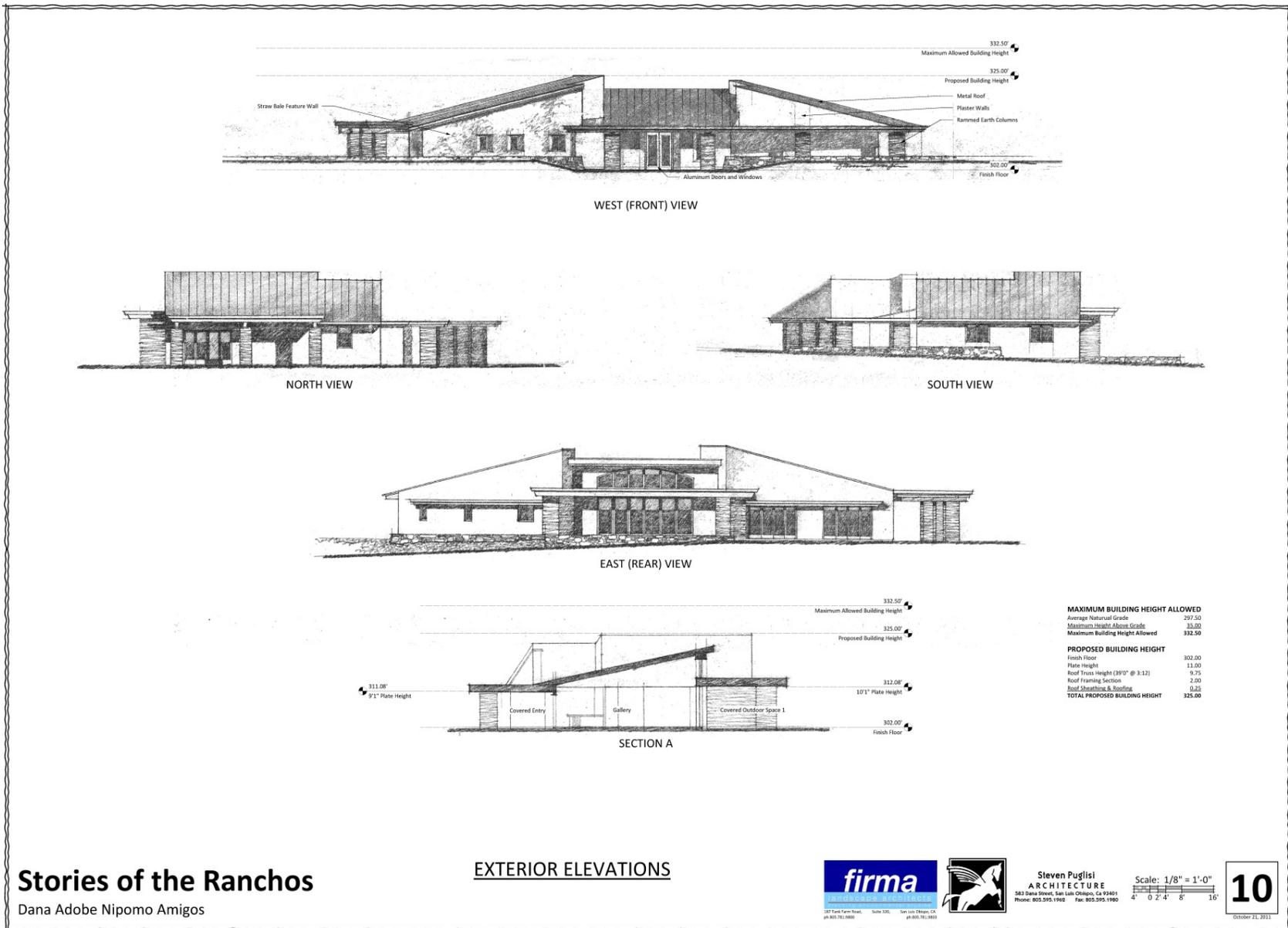


Figure ES-11. Exterior Elevations, Visitors Center



**Stories of the Ranchos**  
Dana Adobe Nipomo Amigos

EXTERIOR ELEVATIONS



Steven Puglisi  
ARCHITECTURE  
583 Dana Street, San Luis Obispo, CA 93401  
Phone: 805.995.1962 Fax: 805.995.1960

Scale: 1/8" = 1'-0"  
4' 0' 2' 4' 8' 16'

**10**  
October 21, 2011

## F. SCOPING AND NOTICE OF PREPARATION PROCESS

In compliance with CEQA Guidelines, the County has taken steps to provide opportunities to participate in the environmental process. During the Initial Study process, an effort was made to contact various federal, state, regional, and local governmental agencies and other interested parties to solicit comments and inform the public of the proposed project. This included project referrals, personnel correspondence, and telephone contact. In addition, the County distributed the Notice of Preparation (NOP) on December 11, 2012 to various agencies, organizations and interested persons throughout San Luis Obispo County and the surrounding area. The proposed project was described, the scope of the environmental review was identified, and agencies and the public were invited to review and comment on the NOP. The close of the NOP review period was January 14, 2013. In addition, a scoping meeting was held on December 17, 2012 at the Nipomo Community Services District (NCS D) Office located at 148 S. Wilson Street in Nipomo, California.

Agencies, organizations, and interested parties not contacted or who did not respond to the request for comments about the project during the preparation of the Draft EIR currently have the opportunity to comment during the 45-day public review period on the Draft EIR.

## G. SIGNIFICANT ENVIRONMENTAL IMPACTS IDENTIFIED

Table ES-1 shows each impact identified and all mitigation measures recommended to reduce Impacts of the proposed project and alternatives have been classified using the categories described below:

- **Significant, unavoidable, adverse impacts (Class I):** Significant impacts that cannot be fully and effectively mitigated. No measures could be taken to avoid or reduce these adverse effects to insignificant or negligible levels.
- **Significant, but mitigable impacts (Class II):** These impacts are potentially similar in significance to those of Class I, but can be reduced or avoided by the implementation of mitigation measures.
- **Less than significant impacts (Class III):** Mitigation measures may still be required for these impacts as long as there is rough proportionality between the environmental impacts caused by the project and the mitigation measures imposed on the project.
- **Beneficial impact (Class IV):** Project would have a beneficial environmental impact.

The term “significance” is used throughout the EIR to characterize the magnitude of the projected impact. For the purpose of this EIR, a significant impact is a substantial or potentially substantial change to resources in the local proposed project area or the area adjacent to the proposed project. In the discussions of each issue area, thresholds are identified that are used to distinguish between significant and insignificant impacts. To the extent feasible, distinctions are also made between local and regional significance and short-term versus long-term duration. Where possible, measures have been identified to reduce project impacts to less than significant levels. CEQA requires that public agencies should not approve projects as proposed if there are feasible mitigation measures available which would substantially lessen the environmental effects of such projects (CEQA Statute §21002). Included with each mitigation measure are the plan requirements needed to ensure that the mitigation is included in the plans and construction of the project and the required timing of the action (e.g., prior to development of final construction plans, prior to commencement of construction, prior to operation, etc.).

The impacts and associated mitigation measures are shown in the Summary of Impacts and Mitigation Measures (refer to Table ES-1). The table includes significant impacts, which are identified with an impact number (i.e. **AES Impact 1**).

Each issue area section of the impact summary table describes and classifies each impact, lists recommended mitigation when applicable, and states the level of residual impact (i.e., impact after implementation of mitigation). A brief summary of the key significant impacts and mitigation measures for each issue area is presented below.

1. **Air Quality.** Construction of the project would generate short-term emissions including ROG, NO<sub>x</sub>, fugitive dust (PM<sub>10</sub>), DPM, and greenhouse gases and pollutants that contribute to climate change. Generation of emissions due to vehicle trips on a daily basis, and during special events, and generation of fugitive dust during use of unpaved overflow parking areas.
2. **Biological Resources.** Impacts to sensitive wildlife and potential for pollutant discharge into Nipomo Creek and its tributaries during construction.
3. **Cultural Resources.** Grading and construction within a known archaeological site, with varying effects depending on the location and depth of disturbance.
4. **Noise.** Generation of noise during special events, including the use of amplified sound, potentially affecting off-site sensitive receptors (residences).
5. **Transportation and Circulation.** Contribution of vehicle trips, potentially contributing to deficient level of service conditions at the U.S. Highway 101 and West Tefft Street interchange during the PM peak hour.
6. **Water Resources.** Impact to surface waters, including accidental discharge of sediments and pollutants into Nipomo Creek and its tributaries during construction. The creation of additional impervious areas and stormwater runoff.

The reader should refer to Table ES-2 and Chapter 4, Environmental Impacts Analysis, of the EIR for a more detailed discussion of the impacts and associated mitigation measures.

## **H. LUO AMENDMENT AND PLANNING AREA STANDARDS**

This proposed project evaluated in this EIR includes both an LUO Amendment and development project (Conditional Use Permit request). Approval of the LUO Amendment alone would not result in any physical effects, because the language does not permit a project to occur prior to approval of the Master Plan and a CUP. Approval of a CUP is a discretionary action, and CEQA review is required. The LUO Amendment would be approved following certification of this EIR, which includes project-specific analysis of potential impacts on the environment and mitigation measures that are required to reduce identified adverse impacts to less than significant. Approval of the CUP would occur following certification of the Final EIR and approval of the LUO Amendment. In summary, the following steps are required for approval of the project:

1. County certifies Final EIR
2. County approves LUO Amendment
3. County approves CUP request

As documented in this Chapter of the EIR, development of the project site would result in adverse impacts to the environment, and mitigation is required. The Dana Adobe itself is currently protected by existing standards applicable to the Historic (H) combining designation. Section 22.112.080G of the proposed LUO Amendment includes language addressing aesthetics and visual compatibility (refer to Chapter 2, Project Description).

In addition to the LUO Amendment language proposed by the applicant, the following (or comparable) language (refer to Exhibit A on the following page) is recommended for inclusion as planning area standards to 1) address potential impacts that may occur as a result of land development occurring subsequent to approval of the LUO Amendment and 2) provide a connection to the project-specific mitigation measures identified for the project identified in the CUP request (proposed Master Plan). The mitigation measures recommended for incorporation into the LUO Amendment are commensurate to the level of review, address potential impacts that may occur during implementation of a future project allowable subsequent to approval of the LUO Amendment, and allow for flexibility when considering future project-specific impacts. Additional project-specific mitigation measures are also identified in this Chapter, which apply to the Master Plan and Conditional Use Permit.

**EXHIBIT A****Section 22.112.080G – Proposed Additional Planning Area Standards****b. Air Quality**

(1) The proposed project shall include measures to reduce construction-related air emissions, operational air emissions, and greenhouse gas emissions based on the current air quality model approved by the County of San Luis Obispo Air Pollution Control District (APCD), such as CalEEMod and guidance provided in the APCD's CEQA Handbook.

**c. Biological Resources**

(1) The proposed project shall include to avoid or minimize impacts to special status species and sensitive habits, such as pre-construction surveys, biological monitoring, construction avoidance during wet season and nesting bird season, oak tree protection and replanting for impacted trees, habitat restoration, and coordination with appropriate regulatory agencies.

**d. Cultural Resources**

(1) The proposed project shall include measures to address potentially significant impacts to cultural resources based on analysis by a County-approved archaeologist. Measures may include, but are not limited to, avoidance by design, protective soil capping, detailed research design and data recovery, surface documentation, archaeological monitoring, an operational management program, and an interpretive program.

(2) The proposed project shall include measures to address potentially significant impacts to paleontological resources, such construction monitoring by a County-approved paleontologist.

**e. Geology and Soils**

(1) The proposed project shall include measures to reduce erosion and sedimentation and ensure water quality standards are met, such as provision of a SWPPP.

**f. Noise**

(1) The proposed project shall include measures to reduce potential noise impacts, such as limitations on maximum noise level, duration of special events, noise monitoring, and remediation for complaints.

**g. Transportation and Circulation**

(1) The proposed project shall include measures to reduce impacts to roads and intersections in the area, such as adjustments to peak hour trip generation, payment of road fees, and street improvements based on consultation with the County Department of Public Works.

**h. Water Resources**

(1) The proposed project shall include measures as required or recommended by the County's Stormwater Management Program to promote groundwater recharge through the application of Low Impact Development (LID) design techniques, such as directing parking lot and roof runoff to vegetated swales and rain gardens, and maximum pervious surfacing where feasible.

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impacts	Mitigation Measures	Residual Impacts
<b>Aesthetics / Visual Resources</b>		
<p><b>AES Impact 1</b> Proposed development could create an aesthetically incompatible land use in the rural suburban/agricultural area, resulting in a significant, long-term impact.</p>	<p><b>AES/mm-1</b> Upon application for construction permits on the 30-acre site, the applicant shall provide a colors and materials board for review and approval by the County Department of Planning and Building. Selected colors shall be dark, earth-toned, and selected to blend in with the natural surrounding vegetation. Selected materials shall primarily be natural-appearing and consistent with the historical adobe and agricultural setting, such as wood, adobe, and stone (or similar compatible materials). Approved colors and materials shall be shown on the project plans. The Department of Planning and Building will verify compliance prior to final inspections.</p>	<p>Less than significant (long-term)</p>
<p><b>AES Impact 2</b> Visibility of night lighting would affect views resulting in a significant, long-term impact.</p>	<p><b>AES/mm-2</b> Upon application for construction permits on the 30-acre site, the applicant shall submit an exterior lighting plan to the County Department of Planning and Building for review and approval. The plan shall provide graphic details for all proposed permanent and temporary (i.e., special event) exterior lighting fixtures. Exterior lighting fixtures shall be “dark sky” certified or equivalent. Fixtures must be dark-colored and designed such that the bulb and reflective surfaces are obscured from off-site view.</p>	<p>Less than significant (long-term)</p>
<b>Air Quality</b>		
<p><b>AQ Impact 1</b> In the event construction activities occur over a quarter (over 90 days), use of construction equipment would generate reactive organic gasses (ROG) and nitrates of oxygen (NOx) exceeding the 2.5 ton/quarter threshold (Quarterly Tier 1), resulting in a significant, short-term impact.</p>	<p><b>AQ/mm-1</b> Prior to issuance of construction permits, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:</p> <p><b>Construction Equipment</b></p> <ol style="list-style-type: none"> <li>Maintain all construction equipment in proper tune according to manufacturer’s specifications;</li> <li>Fuel all off-road and portable diesel powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, with California Air Resources Board (ARB)-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road); and,</li> <li>Maximize to the extent feasible, the use of diesel construction</li> </ol>	<p>Less than significant (short-term)</p>

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impacts	Mitigation Measures	Residual Impacts
	<p>equipment meeting the ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation.</p> <ul style="list-style-type: none"> <li>d. Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;</li> <li>e. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;</li> <li>f. All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;</li> <li>g. Diesel idling within 1,000 feet of sensitive receptors is not permitted;</li> <li>h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;</li> <li>i. Electrify equipment when feasible;</li> <li>j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,</li> <li>k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.</li> </ul> <p><b>Best Available Control Technology (BACT)</b></p> <ul style="list-style-type: none"> <li>l. Further reducing emissions by expanding use of Tier 3 and Tier 4 off-road and 2010 on-road compliant engines;</li> <li>m. Repowering equipment with the cleanest engines available; and</li> <li>n. Installing California Verified Diesel Emission Control Strategies. These strategies are listed at: <a href="http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm">http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm</a> Additional Construction Equipment Measures.</li> </ul>	
<p><b>AQ Impact 2</b> Site preparation, ground disturbance, grading, and construction activities would result in the generation of fugitive dust (PM10),</p>	<p><b>AQ/mm-2</b> Upon application for construction permits, all required PM10 measures shall be shown on applicable grading or construction plans, and made applicable during grading and</p>	<p>Less than significant (short-term)</p>

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impacts	Mitigation Measures	Residual Impacts
<p>potentially creating a nuisance and exacerbating the current non-attainment status for PM10, resulting in a significant, short-term impact.</p>	<p>construction activities as described below.</p> <ol style="list-style-type: none"> <li>a. Reduce the amount of the disturbed area where possible;</li> <li>b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph.</li> <li>c. Reclaimed (non-potable) water should be used whenever possible;</li> <li>d. All dirt stock pile areas should be sprayed daily as needed;</li> <li>e. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;</li> <li>f. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;</li> <li>g. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;</li> <li>h. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;</li> <li>i. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;</li> <li>j. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;</li> <li>k. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; and,</li> <li>l. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.</li> </ol>	

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impacts	Mitigation Measures	Residual Impacts
	<p>All of these fugitive dust mitigation measures shall be shown on grading, construction and building plans; and the contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust off-site. Their duties shall include monitoring the effectiveness of the required dust control measures (as conditions dictate), and shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.</p>	
<p><b>AQ Impact 3</b> In the event construction activities occur over a quarter (over 90 days), use of equipment would result in diesel particulate matter (DPM) emissions exceeding quarterly (Tier 1) (0.13 tons/quarter) thresholds, and would potentially affect residents within 1,000 feet of the site, resulting in a significant, short-term impact.</p>	<p>Implement <b>AQ/mm-1</b>.</p>	<p>Less than significant (short-term)</p>
<p><b>AQ Impact 4</b> Operation of the project would result in the generation of fugitive dust (PM10) exceeding daily thresholds (25 lbs/day), resulting in a significant, short-term and long-term impact during use of unpaved parking areas and the arena.</p>	<p><b>AQ/mm-3</b> The following mitigation is required on the day(s) of the special event, when use of unpaved overflow parking areas will occur:</p> <ul style="list-style-type: none"> <li>a. The unpaved parking area shall be treated with a dust suppressant such that fugitive dust emissions do not impact offsite areas and do not exceed the APCD 20% opacity limit (see Technical Appendix 4.3 of the APCD CEQA Handbook);</li> <li>b. Any unpaved roads/driveways that will be used for the special event shall be maintained with an APCD-approved dust suppressant such that fugitive dust emissions do not impact offsite areas and do not exceed the APCD 20% opacity limit; and</li> <li>c. The applicant may propose alternative measures of equal effectiveness by contacting the APCD Planning Division.</li> </ul> <p><b>AQ/mm-4</b> To minimize nuisance impacts and to reduce fugitive dust emissions from the arena for the life of the project the following mitigation measures shall be incorporated into the project, and are applicable to the demonstration arena:</p>	<p>Less than significant (short-term and long-term)</p>

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impacts	Mitigation Measures	Residual Impacts
	<ul style="list-style-type: none"> <li>a. Reduce the amount of the disturbed area where possible;</li> <li>b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency whenever wind speeds exceed 15 mph;</li> <li>c. Reclaimed (non-potable) water shall be used whenever possible;</li> <li>d. Permanent dust control measures shall be implemented as soon as possible following completion of any soil disturbing activities;</li> <li>e. 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 Air District; and</li> <li>f. A person or persons shall be designated to monitor for dust and implement additional control measures as necessary to prevent transport of dust offsite. The monitor's duties shall include holidays and weekend. The name and telephone number of such persons shall be provided to the Air District prior to operation of the arena.</li> </ul>	
<p><b>AQ Impact 5</b> In the event construction of the project requires remodeling or demolition of structures, utilities, or pipelines, asbestos-containing material may occur, resulting in a significant, short-term impact.</p>	<p><b>AQ/mm-5</b> Prior to issuance of grading permit, the applicant shall submit a geologic evaluation of naturally occurring asbestos on the 100-acre portion of the project site to the Air Pollution Control District. If naturally occurring asbestos is present onsite, the applicant shall comply with all requirements outlined in the Asbestos Airborne Toxic Control Measures (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan that shall be approved by the APCD prior to construction, and 2) an Asbestos Health and Safety Program. Prior to development on the 30-acre portion of the site, the applicant shall submit a Naturally Occurring Asbestos Construction and Grading Permit Exemption Request Form to the APCD. If the applicant has any questions regarding these requirements, they shall contact the APCD.</p>	<p>Less than significant (short-term)</p>
<p><b>AQ Impact 6</b> Grading and ground disturbance within the 100-acre portion of the project site may result in exposure to naturally-occurring asbestos, resulting in a significant, short-term impact.</p>	<p><b>AQ/mm-6</b> Prior to issuance of grading permit, the applicant shall submit a geologic evaluation of naturally occurring asbestos on the 100-acre portion of the project site to the Air Pollution Control District. If naturally occurring asbestos is present onsite, the applicant shall comply with all requirements outlined in the Asbestos</p>	<p>Less than significant (short-term)</p>

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impacts	Mitigation Measures	Residual Impacts
	<p>Airborne Toxic Control Measures (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan that shall be approved by the APCD prior to construction, and 2) an Asbestos Health and Safety Program. Prior to development on the 30-acre portion of the site, the applicant shall submit a Naturally Occurring Asbestos Construction and Grading Permit Exemption Request Form to the APCD. If the applicant has any questions regarding these requirements, they shall contact the APCD.</p>	
<b>Biological Resources</b>		
<p><b>BIO Impact 1</b> Construction of the project would directly and/or indirectly affect special status species, including terrestrial, aquatic, and avian species, resulting in a significant, short-term impact.</p>	<p><b>BIO/mm-1</b> Prior to grading and construction within 100 feet of Nipomo Creek, Adobe Creek, or Carillo Creek, a qualified biologist shall conduct pre-construction surveys for sensitive amphibian and reptile species within all portions of the project site containing suitable habitat. The surveys shall include at least two nighttime surveys and one daytime survey immediately preceding construction. If any sensitive species are detected, the following actions shall occur:</p> <ul style="list-style-type: none"> <li>a. Any detected adults will be relocated to a nearby suitable aquatic habitat. The location shall be in suitable habitat not subject to disturbance or known threats to the species. Terrestrial habitat surrounding the proposed relocation site shall be as similar in type, aspect, and density to the location of the existing riparian corridor. Sensitive species, such as California red-legged frog, will only be moved if prior approval has been granted by the USFWS (see d below).</li> <li>b. A qualified biological monitor will be present during any clearing, grading, or creek activities. Additionally, a qualified biological monitor will be on-site during construction activities to ensure no sensitive species have entered the work area overnight or throughout the day (i.e., they will conduct a morning clearance survey and regular daily checks of the work areas).</li> <li>c. The work areas will be clearly marked to ensure that no work occurs outside of the approved limits of disturbance (i.e., lathe and flagging, t-posts and yellow ropes, and temporary signage).</li> <li>d. The qualified biologist will receive project-specific approvals</li> </ul>	<p>Less than significant (short-term)</p>

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impacts	Mitigation Measures	Residual Impacts
	<p>from resource agencies prior to handling any wildlife species, especially any sensitive species.</p> <ul style="list-style-type: none"> <li>e. Speed limits shall be restricted to 15 mph.</li> <li>f. Work will occur only during daylight hours.</li> </ul> <p><b>BIO/mm-2</b> Upon application for construction permits, the following measures shall be included on applicable plans in order to avoid erosion and sedimentation impacts to the creeks and water quality:</p> <ul style="list-style-type: none"> <li>a. Construction should be limited to the typical dry season (April 15 to October 15).</li> <li>b. If work must occur during the rainy season, the applicant shall install adequate erosion and sedimentation controls to prevent any sediment-laden run-off from entering Nipomo Creek.</li> <li>c. Upon completion of construction, disturbed areas will be stabilized or vegetated as detailed in the project’s re-vegetation plan.</li> </ul> <p><b>BIO/mm-3</b> A qualified biologist shall conduct a pre-construction survey within 30 days prior to the onset of construction activities within all potentially impacted areas of suitable badger habitat (grasslands and agricultural fields). If badger dens are discovered, they will be inspected to determine if they are currently occupied. If dens are discovered and are inactive, they will be excavated to prevent re-occupation prior to construction. If badgers are found during their breeding and rearing season (February to July), these dens shall be avoided with an appropriate buffer to protect them from construction activities. If badgers are found outside of their breeding period, CDFW will be contacted regarding the accepted approach to exclude and excavate the den prior to equipment and other ground disturbing activity on the site.</p> <p><b>BIO/mm-4</b> All work shall be avoided during the nesting bird season (approximately February 1 through August 15), including ground and tree-nesting birds. If any construction activities are scheduled to occur during the nesting season, pre-construction bird surveys shall be conducted by a qualified biologist. The pre-</p>	

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impacts	Mitigation Measures	Residual Impacts
	<p>construction bird surveys shall be conducted within 250 feet of any proposed construction activity within both the 30-acre and 100-acre areas. The surveys shall be conducted no more than 1 week prior to the scheduled onset of construction activities.</p> <p>If nesting bird species are observed within 250 feet of the construction area during the surveys, the biologist shall determine the appropriate exclusion zone for the specific species. A buffer of 250 feet shall be maintained around any nesting raptors. The nesting bird exclusion zones shall be completely avoided until the qualified biologist determines that the young have successfully fledged. A qualified biologist shall conduct periodic site inspections to ensure that the exclusion zone is maintained and to monitor the nesting progression. In the event that sensitive bird species are discovered, the USFWS and/or CDFW will be contacted to determine the appropriate protective measures prior to any construction beginning.</p> <p>If construction activities must occur within 250 feet of a nesting raptor nest, a qualified biologist shall be consulted to determine if the buffer can be reduced. If, in the opinion of the qualified biologist, the buffer cannot be safely reduced, a full-time avian monitor shall be present during all construction activities occurring within the established buffer to ensure no impacts occur. The avian monitor will have the authority to halt or re-direct work if raptors show signs of disturbance.</p>	
<p><b>BIO Impact 2</b> Project construction activities have the potential to result in indirect impacts to eight mature coast live oak trees, resulting in a significant, short-term and long-term impact.</p>	<p><b>BIO/mm-5</b> All existing oak trees to remain on-site that are within 50 feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading or site grubbing. The outer edge of the tree root zone to be fenced will be outside of the canopy half the distance as measured between the tree trunk and outer edge of the canopy (i.e., 1.5 times the distance from the trunk to the drip line of the tree). Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas to the maximum extent feasible. If grading, compaction, or placement of fill in the root zone of an existing oak tree cannot be avoided, retaining walls may be constructed to minimize cut and fill impacts to existing oak trees.</p>	<p>Less than significant (short-term and long-term)</p>

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impacts	Mitigation Measures	Residual Impacts
	<p>Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.</p> <p><b>BIO/mm-6</b> All oak trees identified to remain shall not be removed, unless otherwise regulated by County LUO §22.56.020.A.4 (Tree Removal Permit Required, Zoning Clearance Exemption for trees in a hazardous condition). Unless previously approved by the County, the following activities are not allowed within the root zone of existing or newly planted oak trees:</p> <ol style="list-style-type: none"> <li>a. year-round irrigation (no summer watering, unless “establishing” new tree or native compatible plant(s) for up to 3 years);</li> <li>b. grading (includes cutting and filling of material);</li> <li>c. compaction (e.g., regular use of vehicles);</li> <li>d. placement of impermeable surfaces (e.g., pavement); or,</li> <li>e. disturbance of soil that impacts roots (e.g., tilling).</li> </ol> <p><b>BIO/mm-7</b> The trimming of oaks can be detrimental and shall be minimized as follows:</p> <ol style="list-style-type: none"> <li>a. removal of larger lower branches should be minimized to:               <ol style="list-style-type: none"> <li>i. avoid making tree top heavy and more susceptible to “blow-overs;”</li> <li>ii. reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation;</li> <li>iii. retain the wildlife that is found only in the lower branches;</li> <li>iv. retain shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers); and,</li> <li>v. retain the natural shape of the tree.</li> </ol> </li> <li>b. The amount of trimming (roots or canopy) done in any one season should be limited as much as possible to limit tree stress/shock (10% or less is best, 25% maximum).</li> <li>c. Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree</li> </ol>	

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impacts	Mitigation Measures	Residual Impacts
	<p>dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant shall either use a skilled arborist or apply accepted arborist's techniques when removing limbs.</p> <p>d. Unless a hazardous or unsafe situation exists, trimming of deciduous species shall be done only during the winter.</p> <p>e. Smaller oak trees (smaller than five inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.</p> <p><b>BIO/mm-8</b> Newly planted oak trees shall be maintained until successfully established as determined by a qualified professional. This shall include protection (e.g., tree shelters, caging) from animals (e.g., deer, rodents) and adequate watering (e.g., drip-irrigation system). During the timeframe when the oaks are being established on the 30-acre area, weed removal shall occur as follows:</p> <p>a. no herbicides shall be used;</p> <p>b. installation of either 1) a securely staked "weed mat" (covering at least a 3-foot radius from center of plant), or 2) hand removal of weeds (covering at least a 3-foot radius from center of plant) and use of weed-free mulch (at least 3 inches deep, 3-foot radius) with regular replenishment, shall be completed for each new plant. If the hand removal weeding option is selected it shall be kept up on a regular basis (at least once in late spring [April] and once in early winter [December]).</p> <p>c. Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a 3-year period.</p> <p>d. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.</p> <p>Once oak trees have been planted and prior to final inspection of building permits, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating when the above planting occurred, what was planted and all measures implemented to improve the long-term success of these trees. This letter shall be submitted to the County</p>	

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impacts	Mitigation Measures	Residual Impacts
	<p>Environmental Coordinator.</p> <p>To guarantee the success of the new oak trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than 7 years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator 1 year after the initial planting and, thereafter, on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established (for oak woodlands, no less than 7 years). Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.</p>	
<p><b>BIO Impact 3</b> Development of the emergency access road and bridge over Nipomo Creek would result in disturbance of riparian habitat and/or wetland areas adjacent to the creek, resulting in significant short-term and long-term impacts.</p>	<p><b>BIO/mm-9</b> Upon application for construction permits for the emergency access drive, the following measures shall be incorporated into project plans:</p> <ol style="list-style-type: none"> <li>a. Disturbance shall be minimized to what is necessary to safely install the emergency access bridge over Nipomo Creek.</li> <li>b. Appropriate exclusion and erosion control measures shall be installed and maintained during construction activities to minimize sedimentation into the creek and impacts to sensitive habitat.</li> <li>c. Appropriate permanent sedimentation and erosion control structures shall be included in the bridge design in order to minimize long-term impacts associated with vehicular traffic near the creek (e.g., sedimentation and erosion into the creek due to increased runoff associated with soil compaction and/or installation of impermeable surfaces).</li> <li>d. The applicant shall restore and revegetate any disturbed areas along the access bridge in order to stabilize the streambank.</li> </ol>	<p>Less than significant (short-term and long-term)</p>

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impacts	Mitigation Measures	Residual Impacts
	<p><b>BIO/mm-10</b> Prior to work within creek channels, the applicant shall coordinate with the appropriate regulatory agencies in order to obtain permits prior to the start of construction. These agencies are likely to include: USACE, USFWS, CDFW, and RWQCB.</p>	
<p><b>Cultural Resources</b></p>		
<p><b>CR Impact 1</b> Proposed grading activities would impact portions of site CA-SLO-97/142/H determined to be eligible for inclusion on the California Register of Historic Places under criterion D: “sites that have yielded, or may be likely to yield, information important in prehistory or history.” This would result in a significant, long-term impact.</p>	<p><b>CR/mm-1</b> Prior to issuance of grading and construction permits, the applicant shall submit to the Environmental Coordinator (and possibly subject to peer review) for the review and approval, a detailed research design for a Phase III (data recovery) archaeological investigation. The Phase III program shall be prepared by a subsurface qualified archaeologist approved by the Environmental Coordinator. The consulting archaeologist responsible for the Phase III program shall be provided with a copy of the previous archaeological investigations (Albion Environmental, July 2013). The Phase III program shall include at least the following:</p> <ul style="list-style-type: none"> <li>a. three control units in Locus A and two control units in Locus B pursuant to the Phase II Archaeological Evaluation of CA-SLO-97/142/H (Albion Environmental, July 2013);</li> <li>b. standard archaeological data recovery practices;</li> <li>c. recommendation of sample size adequate to mitigate for impacts to archaeological site, including basis and justification of the recommended sample size. Sample size should be 0.01% of the total volume (disturbed and non-disturbed matrix) in Locus A and 0.05% of the total volume (disturbed and non-disturbed matrix) in Locus B. The sample size shall include 0.04% of the volume of undisturbed site deposit in Locus A and 0.05% of the volume of undisturbed site deposit in Locus B. If a lesser sample size is recommended, supporting information shall be presented that justifies the smaller sample size.</li> <li>d. identification of location of sample sites/test units;</li> <li>e. detailed description of sampling techniques and material recovery procedures (e.g. how sample is to be excavated, how the material will be screened, screen size, how material will be collected);</li> </ul>	<p>Less than significant (long-term)</p>

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impacts	Mitigation Measures	Residual Impacts
	<p>f. disposition of collected materials;</p> <p>g. proposed analysis of results of data recovery and collected materials, including timeline of final analysis results; and,</p> <p>h. list of personnel involved in sampling and analysis.</p> <p>Once approved, these measures shall be shown on all applicable construction drawings and implemented during construction. Prior to final inspection/occupancy, the applicant shall provide to the County a final report on the investigation work conducted during construction.</p> <p><b>CR/mm-2</b> Prior to issuance of grading and construction permits, the applicant shall submit to the Environmental Coordinator (and possibly subject to peer review) for the review and approval, a project-specific Cultural Resources Treatment Plan. The Treatment Plan shall incorporate by reference the County-approved Phase III data recovery plan and County-approved Monitoring Plan. The Treatment Plan will serve as the basic background reference for the project, and will provide a programmatic and/or possible specific treatment options. Specifically, and at minimum, the Treatment Plan shall contain the following:</p> <p>a. Compilation of background data;</p> <p>b. Regional research questions (e.g., who lived there and how long ago; what kinds of things did people do at the site; why did they choose to inhabit this area; what was the site's role in the larger system of settlements and camps throughout the region);</p> <p>c. Data recovery methodology, including field methods, analysis, reporting;</p> <p>d. Monitoring program;</p> <p>e. Strategies for the treatment of unanticipated discoveries;</p> <p>f. Protocols for continued consultation with interested Native American participants; and,</p> <p>g. Guidelines for long-term curation.</p> <p><b>CR/mm-3</b> Prior to issuance of grading and construction permits, the applicant shall submit a Monitoring Plan, prepared by a County-approved archaeologist, for review and approval by the County</p>	

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impacts	Mitigation Measures	Residual Impacts
	<p>Department of Planning and Building. The intent of this Plan is to monitor all earth-disturbing activities in areas identified as potentially sensitive for cultural resources, per the approved monitoring plan. The monitoring plan shall include at a minimum:</p> <ul style="list-style-type: none"> <li>a. list of personnel involved in the monitoring activities;</li> <li>b. inclusion of involvement of the Native American community, as appropriate;</li> <li>c. description of how the monitoring shall occur;</li> <li>d. description of frequency of monitoring (e.g., full-time, part time, spot checking);</li> <li>e. description of what resources are expected to be encountered;</li> <li>f. description of circumstances that would result in the halting of work at the project site (e.g., What is considered “significant” archaeological resources?);</li> <li>g. description of procedures for halting work on the site and notification procedures;</li> <li>h. provisions defining education of the construction crew;</li> <li>i. protocol for treating unanticipated finds (refer to Treatment Plan); and,</li> <li>j. description of monitoring reporting procedures.</li> </ul> <p><b>CR/mm-4</b> Prior to ground disturbance and construction activities, in consultation with a County-approved archaeologist, the applicant shall provide cultural resources awareness training to all field crews and field supervisors. This training will include a description of the types of resources that may be found in the project area, the protocols to be used in the event of an unanticipated discovery, the importance of cultural resources to the Native American community, and the laws protecting significant archaeological and historical sites. In addition, the applicant shall provide all field supervisors with maps showing those areas sensitive for potential buried resources.</p> <p><b>CR/mm-5</b> During all initial ground disturbing construction activities, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and Native American to monitor all initial earth disturbing activities, per the approved</p>	

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impacts	Mitigation Measures	Residual Impacts
	<p>monitoring plan. If any significant archaeological resources not previously identified in the Monitoring and Treatment Plan, or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.</p> <p><b>CR/mm-6</b> Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first), the qualified archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met. If the analysis included in the Phase III program is not complete by the time final inspection or occupancy will occur, the applicant shall provide to the Environmental Coordinator, proof of obligation to complete the required analysis.</p>	
<p><b>CR Impact 2</b> Proposed grading and construction activities may result in in advertent adverse effects to historical features associated with the Dana Adobe, resulting in a significant, long-term impact.</p>	<p><b>CR/mm-7</b> Upon application for construction permits for development on the 30-acre site, the applicant shall submit plans verifying the preservation of documented historic resources onsite, including the tallow vat, retaining wall, barn foundation, and windmill (refer to CRMS 2011).</p> <p><b>CR/mm-8</b> Upon application for construction permits for development on the 30-acre site, additional study including archival and field investigation shall verify the presence of the stagecoach roadbed. In the event the presence of the roadbed is determined, the applicant shall avoid the resource to the maximum extent feasible, and the site shall be addressed pursuant to the approved Phase III Data Recovery Plan and Monitoring Plan.</p>	<p>Less than significant (long-term)</p>
<p><b>CR Impact 3</b> Proposed grading and construction activities may result in in advertent adverse effects to paleontological resources, resulting in a significant, long-term impact.</p>	<p><b>CR/mm-9</b> In the event ground disturbance exceeds 6 feet in depth within Diablo clay, Diablo and Cibo clays, Marimel silty clay loam, Tierra loam, or Zaca clay, the applicant shall retain a qualified paleontologist to monitor initial excavation activities. Upon completion of all monitoring/mitigation activities, and prior to final inspection, the consulting paleontologist shall submit a report to the</p>	<p>Less than significant (long-term)</p>

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impacts	Mitigation Measures	Residual Impacts
	Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met and include analysis of all discoveries.	
<b>Hazards and Hazardous Materials</b>		
<b>HM Impact 1</b> During construction of the project, the use of heavy equipment may result in accidental spill or leakage of potentially hazardous materials (i.e., fuels, oil), resulting in a significant, short-term impact.	Implement <b>BIO/mm-2, BIO/mm-9, BIO/mm-10, WR/mm-1, and WR/mm-2.</b>	Less than significant (short-term)
<b>Noise</b>		
<b>N Impact 1</b> Amplified sound at special events proposed at the project site would exceed County thresholds, potentially affecting persons off-site, resulting in a significant, short-term and long-term impact.	<b>N/mm-1</b> Upon application for construction permits, the applicant shall submit plans listing the following noise attenuation measures, which shall be implemented for the life of the project: a. Outdoor events with amplified music or sound shall not be permitted to continue beyond 10:00 p.m. b. All soundspeaker systems shall include dispersed speakers oriented away from residential properties. c. Within the amphitheater, speakers shall be orientated downward or positioned below the stage. d. The enforced amplified sound limit (excluding the amphitheater) shall be 85 dB maximum as measured 50 feet from the source. e. The enforced amplified sound limit within the amphitheater shall be 80 dB maximum as measured 50 feet from the source. f. An on-site manager shall be present during all events to verify the amplified sound limit using a noise meter (Type 2 or better) and address noise complaints (if received). All noise complaints and subsequent remediation actions (i.e., reducing the amplified noise level within acceptable limits, adjusting speaker locations) shall be recorded by the on-site manager and kept on file by DANA. g. DANA shall provide a letter to all adjacent landowners including the name and contact information for the on-site manager.	Less than significant (short-term and long-term)

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impacts	Mitigation Measures	Residual Impacts
	h. All amplified noise attenuation measures shall be listed on any special event agreements issued by DANA.	
<p><b>N Impact 2</b> Amplified sound at special events proposed at the project site would result in periodic increases in the ambient noise level in the project vicinity, resulting in a significant, long-term impact.</p>	Implement <b>N/mm-1</b> .	Less than significant (long-term)
<p><b>Transportation and Circulation</b></p>		
<p><b>TC Impact 1</b> Operation of the project would generate additional daily and special event trips, resulting in a less than significant, long-term impact to South Oakglen Avenue.</p>	<p><b>TC/mm-1</b> Upon application for construction permits for development of the 30-acre site, the applicant shall submit a street plan and profile to widen South Oakglen Avenue to complete the project site of an A-1 rural street section fronting the property. All proposed driveways shall be constructed in accordance with County Standard B-1 series drawings.</p>	Less than significant (long-term)
<p><b>TC Impact 2</b> Operation of the project, including generation of additional daily and special event trips, would contribute to LOS D conditions at the U.S. Highway 101 / West Tefft Street southbound ramp intersection, resulting in a potentially significant impact.</p>	<p><b>TC/mm-2</b> Prior to issuance of building permits, to mitigate for impacts to the US 101 / West Tefft Street interchange during the PM peak hour, the applicant shall:</p> <ul style="list-style-type: none"> <li>a. Prepare a Transportation Demand Management (TDM) Program subject to the review and approval of the County Department of Public Works that adjusts:                             <ul style="list-style-type: none"> <li>1. Visitor Center hours outside of the weekday AM peak hours (7:30 a.m. to 9:30 a.m.) and PM peak hours (4:30 p.m. to 6:30 p.m.); and,</li> <li>2. New employee/volunteer hours to avoid outbound trips between 4:30 p.m. and 6:00 p.m. or,</li> </ul> </li> <li>b. In the event the project would generate new peak hour trips, the applicant shall consult with the County Department of Public Works, and submit the South County Area 1 Road Fee in the amount prevailing at the time of payment.</li> </ul>	Less than significant (long-term)
<p><b>Water Resources</b></p>		
<p><b>WR Impact 1</b> The project would include construction activities that would require ground disturbance and use of heavy equipment, which may</p>	<p>Implement <b>BIO/mm-2, BIO/mm-9, and BIO/mm-10.</b></p> <p><b>WR/mm-1</b> Prior to issuance of a grading permit, the applicant</p>	Less than significant (short-term)

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impacts	Mitigation Measures	Residual Impacts
<p>result in the discharge of sediment and other pollutants, indirectly affecting surface and ground water quality, and resulting in short-term impacts.</p>	<p>shall provide a copy of the Regional Water Quality Control Board-approved Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall be implemented prior to, during, and following ground disturbance.</p> <p><b>WR/mm-2</b> At the time of application for grading and construction permits, all applicable plans shall clearly show stockpile and staging areas. Stockpiles and staging areas shall not be located within 100 feet of Nipomo Creek, Carillo Creek, Adobe Creek, or any drainage swale. All project-related spills of hazardous materials within or adjacent to project sites shall be cleaned up immediately. Spill prevention and cleanup materials shall be on-site at all times during construction. The staging areas shall conform to standard Best Management Practices (BMPs) applicable to attaining zero discharge of storm water runoff. At a minimum, all equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills. Maintenance, cleaning, and refueling of equipment and vehicles shall not be permitted onsite or on South Oakglen Drive.</p>	
<p><b>WR Impact 2</b> Operation of the project would include vehicle parking areas, which may result in the discharge of hydrocarbons and other pollutants in stormwater runoff, indirectly affecting surface and ground water quality, and resulting in short-term and long-term impacts.</p>	<p><b>WR/mm-3</b> At the time of application for construction permits, the applicant shall show on the construction permits, project designs that will promote groundwater recharge (22.52.140) by application of LID design techniques. At least three designer-selected LID/stormwater runoff reduction measures shall be applied to the project, including, but not limited to the following options:</p> <ul style="list-style-type: none"> <li>a. Parking lots shall be designed to drain to vegetated depressions, rain gardens, or open areas to allow for stormwater infiltration.</li> <li>b. Roof runoff should be directed to landscape areas (rain gardens) and/or vegetated drainage swales and shall not be directed to impervious surfaces that have the potential to contain pollutants.</li> <li>c. Vegetated drainage swales shall be constructed along the access driveway and discharge to an approved location in a non-erosive manner.</li> <li>d. Pavement disconnection within the parking area.</li> <li>e. Other measures, as approved by the County Planning</li> </ul>	<p>Less than significant (short-term and long-term)</p>

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impacts	Mitigation Measures	Residual Impacts
	<p>Department in consultation with Public Works.                      These measures shall be implemented prior to final inspection or occupancy, whichever occurs first.</p>	
<p><b>WR Impact 3</b> Development of the project would create additional impervious surfaces, which would potentially reduce soil absorption rates, increase and re-direct runoff, and increase the potential for downstream flooding, resulting in a significant long-term impact.</p>	<p>Implement <b>WR/mm-3</b>.</p> <p><b>WR/mm-4</b> At the time of application for construction permits, the applicant shall submit complete drainage, flood hazard, and erosion and sedimentation control plans for review and approval in accordance with Sections 22.52.110 (Drainage Plan Required), 22.14.060 (Flood Hazard Area), and 22.52.120 (Erosion and Sedimentation Control Plan Required) of the Land Use Ordinance. The applicant shall demonstrate that project construction plans are in conformance with the Source Control Best Management Practices as identified for project incorporation in the Stormwater Quality Plan Application for Priority Projects.</p> <p><b>WR/mm-5</b> For the life of the project, the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II stormwater program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.</p>	<p>Less than significant (long-term)</p>
<p><b>WR Impact 4</b> The project would change the drainage pattern in an area with substantial potential for sedimentation, erosion and flooding, resulting in a significant long-term impact.</p>	<p>Implement <b>BIO/mm-9, BIO/mm-10, WR/mm-3, WR/mm-4, and WR/mm-5</b>.</p>	<p>Less than significant (long-term)</p>
<p><b>Land Use</b></p>		
<p><b>LU Impact 1</b> Operation of the project would generate noise potentially exceeding thresholds identified in the County Noise Element, and potentially resulting in a significant, long-term impact.</p>	<p>Implement <b>N/mm-1</b>.</p>	<p>Less than significant (long-term)</p>

## **I. PROJECT ALTERNATIVES**

Criteria used to develop potential alternatives included the potential of the project to avoid impacts to sensitive resources and the human environment, whether or not it could generally meet the project objectives, and costs. Specific consideration was given to potential alternatives that appeared to avoid or minimize impacts to natural resources and the human environment.

The applicant is requesting approval of both a Land Use Ordinance Amendment and Conditional Use Permit; therefore, two No Project Alternatives are included in the analysis. Identified alternatives include the No Project (No Action) Alternative - Land Use Ordinance Amendment, No Project Alternative - Conditional Use Permit, Design Alternative A – Initial Conceptual Site Plan, and Design Alternative B – Applicant’s Alternative Plan.

### **1. No Project Alternative – Land Use Ordinance Amendment**

Under the No Project Alternative – Land Use Ordinance Amendment no changes to the County LUO would occur. Proposed clarifications that would accurately represent current land ownership would not be approved. Language requiring construction of the Southland Street Interchange would remain, in addition to design standards identified in the current ordinance. The existing reference to the “Site Master Plan” on file would be outdated, and inconsistent with current conditions. The proposed project, which includes the Conditional Use Permit request and a Master Plan, may be considered by the decision-makers regardless of approval of the Land Use Ordinance Amendments; however, the decision and associated findings would be complicated by the current inconsistencies in the existing ordinance language, primarily the requirement for the Southland Street Interchange (which is not proposed by the applicant or currently pursued by the County or California Department of Transportation [Caltrans]) and implementation of the Master Plan would not occur.

### **2. No Project Alternative – Conditional Use Permit**

The No Project Alternative – Conditional Use Permit would include none of the components of the proposed project. Continued restoration of the Dana Adobe would occur, in addition to qualifying non-profit events and educational tours. The No Project Alternative would not meet the primary goal of the project, which is to establish the plan for protection/preservation of the historic Dana Adobe and develop the surrounding area for educational purposes.

### **3. Design Alternative A – Initial Conceptual Site Plan**

This alternative consists of a conceptual plan, which was developed as part of the applicant’s grant applicant submittal to the State Parks Nature Education Facilities Program. The Conceptual Site Plan, shown in Figure 5-1 in the EIR, includes the following: Visitor’s Center and curation room, indoor and outdoor spaces and native gardens; nature education classroom and outdoor patio; Native American (Chumash) interpretive features and living Chumash Village including a ceremonial circle, painted caves, sweat lodge, arbors, story boulders, garden, signage; nature trail system with Native American interpretive features; restrooms; parking areas; onsite wastewater system; maintenance building; native habitat interpretation, restoration, and preservation areas; environmental interpretation and preservation areas of on-site geological, paleontological, and archaeological features; perimeter landscaping; utilities; and, drainage and erosion control systems.

This alternative does not include the outdoor demonstration arena, replicated Rancho era buildings, or horse trailer parking (on South Thompson Avenue). This alternative also does not

include the emergency access road and flat car bridge across Nipomo Creek; however, CAL FIRE conditions regarding access would need to be considered in lieu of the Southland Street Interchange project, which is not planned for construction. This alternative does not include any additional special events beyond existing, qualifying, non-profit events.

#### **4. Design Alternative B – Applicant’s Alternative Project**

This design alternative presented by the applicant includes features that are intended to avoid or minimize potentially significant impacts to archaeological resources. As shown in Figures 5-2 and 5-3 in the EIR, this alternative would include the following changes compared to the proposed project:

- Rancho era outbuildings would be located approximately 60 feet southwest of the proposed location;
- The tack/blacksmith building would be located near the arena, approximately 230 feet northwest of the proposed location;
- The caretaker’s residence and shop/storage building would be located approximately 60 feet southwest of the proposed location, closer to South Oakglen Avenue and rotated 90 degrees;
- Elimination of on-site septic systems; and
- Connection to the NCS D sewer system, requiring construction of onsite infrastructure and trenching and pipe installation along South Oakglen Avenue (approximately 1,800 linear feet, off-site to Bermuda Avenue).

#### **J. ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

CEQA requires the alternatives section of an EIR to describe a reasonable range of alternatives to the project that avoid or substantially lessen any of the significant effects identified in the EIR analysis while still attaining most of the basic project objectives. The alternative that most effectively reduces impacts while meeting project objectives should be considered the “environmentally superior alternative.” In the event that the No Project Alternative is considered the environmentally superior alternative, the EIR should identify an environmentally superior alternative among the other alternatives.

In this EIR, the No Project Alternative (LUO Amendment) would result in the fewest impacts, because if the LUO Amendment is not adopted, the applicant cannot move forward with a Master Plan. The No Project Alternative (Conditional Use Permit) also results in the fewest environmental impacts. The No Project Alternatives do not meet any of the project objectives, including the primary objective to implement the proposed Master Plan.

As proposed, and with incorporation of recommended mitigation measures, the proposed project would not result in any significant, unavoidable environmental effects, and would meet project objectives. Proposed alternatives include modifications to the project, such as different features, shifted location of project elements, use of alternative means of wastewater treatment and disposal, and elimination of use permit-approved special events. Based on the delineation of the archaeological site and other site restrictions including LUO setbacks and the Nipomo Creek corridor, complete avoidance is not feasible. Grading and construction of the Visitor’s Center would occur outside of identified significant cultural resource Locus A and B under all

alternative scenarios. No alternative would result in any significant, adverse, and unavoidable (Class I) impacts upon implementation of mitigation measures similar to those identified for the proposed project.

Design Alternative A – Initial Conceptual Site Plan provides variation in the project features, and focuses primarily on the Visitor’s Center and Chumash Village and interpretive features. This alternative also does not include permit-approved special events, which would further reduce periodic traffic trips and air quality impacts related to additional traffic and use of an additional unpaved overflow parking area. Implementation of this alternative may not be consistent with the project objectives, because it does not include an intended balance of pre-historic, archaeological, and historical features. While continued restoration of the Dana Adobe would occur, the alternative does not include the demonstration arena or Rancho era buildings. In addition, this alternative does not include additional special events and may not include facilities that are adequate to “furnish on-site opportunities for fundraising, and to provide facilities and amenities that DANA can reasonably afford to maintain.” Lack of consistency with this objective is the burden of the applicant to demonstrate to the decision makers, because it relates to the financial intent of the proposed project.

The primary component of Design Alternative B is the elimination of onsite septic and connection to the NCSO sewer system. This option would reduce potential onsite impacts to archaeological resources within Locus A by reducing the affected area; however, overall, this option may not substantially minimize potential impacts to cultural resources due to the construction of a new sewer line within South Oakglen Avenue. While this alternative meets all project objectives, it would not significantly reduce identified impacts on the environment compared to the proposed project. All identified mitigation measures would be required, similar to the proposed project.

Based strictly on an analysis of the relative environmental impacts, the proposed project, with adoption and incorporation of recommended mitigation measures, is considered the Environmentally Superior Alternative. The decision-making body will consider the whole of the record when considering the approved project including, but not limited to, public comment and testimony. The decision-making body may select the project as proposed, an Alternative, or a specified combination of particular elements identified in the Alternatives, as the approved project. In all scenarios, the Mitigation and Monitoring Program would be applied to the approved project.

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# CHAPTER 1

## INTRODUCTION

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### 1.1 PURPOSE OF THE EIR

The County of San Luis Obispo (County), serving as the lead agency under the California Environmental Quality Act of 1970 (CEQA), has prepared this Environmental Impact Report (EIR) to assess the impacts that may result from approval of the Dana Adobe Nipomo Amigos (DANA) Land Use Ordinance (LUO) Amendment, Conditional Use Permit (CUP), and Development Plan (project). DANA requests a LUO Amendment to §22.112.030.B (Community Planning Standards, Combining Designations, Historic Area (H) Dana Adobe) and §22.112.080.G (Community Planning Standards, South County Nipomo Urban Area, Recreation – Dana Adobe) to accommodate implementation of the Master Plan and development of the project.

The project proposes implementation of a Master Plan for the development of The Stories of the Rancho Project. The Stories of the Ranchos Project would include the following components, as more fully described below:

- An approximate 6,200-square-foot visitor's center;
- An outdoor amphitheater;
- A Chumash Interpretive Area, including exhibits and interpretive features;
- Replicated Rancho era buildings;
- An outdoor demonstration arena;
- A new caretaker's unit and attached shop;
- Restroom facilities and associated on-site septic system;
- A trail system throughout the project site with exhibits and interpretive features;
- Approximately 80,445 square feet of landscaping and historical gardens, vineyards, and orchards;
- Main, overflow, and horse trailer parking areas; and,
- Emergency access and off-site road improvements.

The project would result in the disturbance of approximately 6.55 acres of the 30-acre site owned by DANA and approximately 1.75 acres of the adjacent 100-acre site owned by the County, for a total disturbance of 8.3 acres.

Site access would be provided by two improved driveways off of South Oakglen Avenue. An approximately 0.6-mile-long, 16- to 18-foot-wide, gated, all-weather emergency access drive would also be developed, extending from one of the primary driveways off of South Oakglen Avenue to South Thompson Road. The emergency access road would include an 89-foot-long, 10-foot-wide flatcar bridge over Nipomo Creek. The existing driveway leading to the Dana Adobe would remain as a service entrance and for Americans with Disabilities Act (ADA) access. A circular driveway with two access points is proposed off North Thompson Road for horse trailers, trail users, and agricultural parking. Off-site frontage road improvements would

include widening of South Oakglen Avenue to include two 10-foot-wide paved travel lanes and an 8-foot-wide road base shoulder on the eastern side of the road.

Water would be provided by the Nipomo Community Services District (NCSD) through an existing Outside Users Agreement. Approximately 1,200 feet of the existing water main along South Oakglen Avenue would be upsized to accommodate the development.

The project is located within and immediately adjacent to the community of Nipomo, on the east side of South Oakglen Avenue, approximately 1 mile southeast of West Tefft Street and in the South County Inland Planning Area. The project site consists of five legal parcels comprising two primary areas: (1) a 30-acre area owned by DANA, generally lying west of Nipomo Creek, which includes the Dana Adobe (Assessor's Parcel Number [APN] 090-171-011) and surrounding areas (APN 090-171-036); and (2) a primarily undeveloped adjacent area, consisting of three legal parcels totaling 100 acres leased by DANA from the County (APN 090-171-030, 090-171-031, and 090-171-032).

## 1.2 SCOPING AND NOTICE OF PREPARATION PROCESS

In compliance with CEQA Guidelines, the County has taken steps to provide opportunities to participate in the environmental process. During the Initial Study process, an effort was made to contact various federal, state, regional, and local governmental agencies and other interested parties to solicit comments and inform the public of the proposed project. This included project referrals, personnel correspondence, and telephone contact. In addition, the County distributed the Notice of Preparation (NOP) on December 11, 2012, to various agencies, organizations, and interested persons throughout San Luis Obispo County and the surrounding area. The proposed project was described, the scope of the environmental review was identified, and agencies and the public were invited to review and comment on the NOP. The close of the NOP review period was January 14, 2013. In addition, a scoping meeting was held on December 17, 2012, at the NCSD office located at 148 South Wilson Street in Nipomo, San Luis Obispo County, California.

Agencies, organizations, and interested parties not contacted or who did not respond to the request for comments about the project during the preparation of the Draft EIR currently have the opportunity to comment during the 45-day public review period on the Draft EIR.

## 1.3 EIR CONTENTS

The scope of the EIR includes issues identified by the lead agency during the preparation of the NOP for the proposed project, as well as environmental issues raised by agencies and the general public in response to the NOP and at the scoping meeting. The EIR is divided into the following major sections:

**Executive Summary.** Provides a brief summary of the project background, description, impacts and mitigation measures, and alternatives.

**Introduction.** Provides the purpose of an EIR, as well as scope, content, and the use of the document.

**Project Description.** Provides the general background of the project, objectives, a detailed description of the project characteristics, and a listing of necessary permits and government approvals.

**Environmental Setting.** Describes the physical setting and surrounding land uses.

**Environmental Impacts Analysis.** Discusses the environmental setting as it relates to the various issue areas, regulatory settings, thresholds of significance, impact assessment and methodology, project-specific impacts and mitigation measures, cumulative impacts, and secondary impacts. The EIR analyzes the potentially significant impacts to the following resource areas, as identified during the preparation of the NOP:

- Aesthetic Resources
- Agricultural Resources
- Air Quality/Climate Change
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Noise
- Population and Housing
- Public Services/Utilities
- Recreation
- Transportation and Circulation
- Wastewater
- Water Resources
- Land Use

**Alternatives.** Summarizes the environmental advantages and disadvantages associated with the project and alternatives. As required, the “No Project” alternative is included among the alternatives considered. An “Environmentally Superior Alternative” is identified.

**Other CEQA Considerations.** Identifies growth-inducing impacts and a discussion of long-term/short-term productivity and irreversible environmental changes.

**Mitigation Monitoring and Reporting Program.** This section contains a matrix of all mitigation measures contained in the EIR, the requirements of the mitigation measures, the applicant’s responsibility and timing for implementation of these measures, the party responsible for verification, the method of verification, and verification timing.

## 1.4 PROJECT SPONSORS

<b>Lead Agency:</b>	County of San Luis Obispo Department of Planning and Building 976 Osos Street, Room 200 San Luis Obispo, CA 93408 Mr. Brian Pedrotti, Environmental Resource Specialist
<b>Project Applicant:</b>	Dana Adobe Nipomo Amigos 671 South Oakglen Avenue Nipomo, CA 93444 Ms. Jan DiLeo, Project Manager
<b>Environmental Consultant:</b>	SWCA Environmental Consultants 1422 Monterey Street, Suite C200 San Luis Obispo, CA 93401 Ms. Shawna Scott, Project Manager

## 1.5 REVIEW OF THE DRAFT EIR

This Draft EIR was distributed to responsible and trustee agencies, other affected agencies, surrounding cities, interested parties, and all parties requesting a copy of the Draft EIR in accordance with Public Resources Code §21092(b)(3). The Notice of Completion and Notice of Availability of the Draft EIR are distributed and posted as required by CEQA. During this 45-day period, the EIR and all technical appendices are available for review at the following locations:

County of San Luis Obispo Environmental Coordinator's Office County Government Center Room 200 San Luis Obispo, CA 93408	Nipomo Library 918 West Tefft Street Nipomo, CA 93444
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On behalf of the lead agency, comments on the Draft EIR shall be addressed to:

County of San Luis Obispo  
Department of Planning and Building  
Attention: Mr. Brian Pedrotti  
County Government Center, Room 200  
San Luis Obispo, CA 93408

The public review period is 45 days. Written responses to all significant environmental issues raised will be prepared and included as part of the Final EIR and the environmental record for consideration by decision-makers for the project.

## 1.6 COMMONLY USED ACRONYMS

The following acronyms are used extensively in the EIR. The acronyms are spelled out the first time they are used in a chapter, but are also provided in Table 1-1 below.

**Table 1-1. Commonly Used Acronyms**

Acronym	Term
AB	Assembly Bill
ACHP	Advisory Council on Historic Preservation
ACM	Asbestos Containing Material
ADA	Americans with Disabilities Act
ADT	Average Daily Trips
afy	acre feet per year
AIRFA	American Indian Religious Freedom Act of 1978
APN	Assessor's Parcel Number
ARPA	Archaeological Resources Protection Act of 1979
ATCM	Airborne Toxics Control Measure

**Table 1-1. Commonly Used Acronyms**

<b>Acronym</b>	<b>Term</b>
B.P.	Before Present
BACT	Best Available Control Technology
bgs	below the ground surface
BMP	Best Management Practice
C5	Central Coast Clean Cities Coalition
CAA	Clean Air Act
CAL FIRE	California Department of Forestry and Fire Protection/County Fire
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
Caltrans	California Department of Transportation
CAMP	Construction Activity Management Plan
CAP	Clean Air Plan
CARB	California Air Resources Board
CCAA	California Clean Air Act
CCCP	California Climate Change Portal
CCR	California Code of Regulations
CCS	cryptocrystalline silicates
CDC	California Department of Conservation
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act of 1970
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act of 1980
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CH <sub>4</sub>	methane
CHP	California Highway Patrol
CHRIS	California Historical Resources Information System
CIWMB	California Integrated Waste Management Board

**Table 1-1. Commonly Used Acronyms**

<b>Acronym</b>	<b>Term</b>
cm	centimeter
CNDDDB	California Natural Diversity Database
CNEL	Community Noise Exposure Level
CNPS	California Native Plant Society
CO	carbon monoxide
CO <sub>2</sub>	carbon dioxide
COSE	Conservation and Open Space Element
County	County of San Luis Obispo
CPUC	California Public Utilities Commission
CRHP	California Register of Historic Places
CRHR	California Register of Historical Resources
CUP	Conditional Use Permit
DANA	Dana Adobe Nipomo Amigos
dB	decibel
dBA	A-weighted decibel
DD	doubling of distance
DHS	California Department of Health Services
DPM	diesel particulate matter
DTSC	California Department of Toxic Substances Control
DWR	California Department of Water Resources
EIR	Environmental Impact Report
EPA	U.S. Environmental Protection Agency
ESA	Federal Endangered Species Act
FBI	Federal Bureau of Investigation
FCT	Franciscan chert
FEMA	Federal Emergency Management Agency
GHG	greenhouse gas
GIS	Geographic Information Systems

**Table 1-1. Commonly Used Acronyms**

Acronym	Term
GPS	Global Positioning System
HFCs	hydrofluorocarbons
hp	horsepower
HRA	Health Risk Assessment
lbs	pounds
Ldn	day/night sound level
Leq	average sound level
LID	Low Impact Development
Lmax	maximum sound level
LOS	Level of Service
LUFT	leaking underground fuel tank
LUO	County of San Luis Obispo Land Use Ordinance
m	meter
MBTA	Migratory Bird Treaty Act
MCT	Monterey chert
mm	millimeter
MMtCO <sub>2</sub> e	million metric tons of CO <sub>2</sub> equivalent
MND	Mitigated Negative Declaration
mph	miles per hour
msl	mean sea level
MT/yr	metric tons per year
N <sub>2</sub> O	nitrous oxide
NAGPRA	Native American Graves Protection Act of 1989
NCDC	National Climatic Data Center
NCSD	Nipomo Community Services District
NCTC	Northern Chumash Tribal Council
NEPA	National Environmental Policy Act of 1969
NESHAPs	National Emission Standards for Hazardous Air Pollutants

**Table 1-1. Commonly Used Acronyms**

<b>Acronym</b>	<b>Term</b>
NHPA	National Historic Preservation Act of 1966
NMMA	Nipomo Mesa Management Area
NMWCA	Nipomo Mesa Water Conservation Area
NOA	naturally occurring asbestos
NOAA Fisheries	National Oceanic and Atmospheric Administration National Marine Fisheries Service
NOP	Notice of Preparation
NOx	nitrates of oxygen
NPDES	Federal National Pollutant Discharge Elimination System
NRCS	U.S. Department of Agriculture Natural Resource Conservation Service
NRHP	National Register of Historic Places
OES	Office of Emergency Services
OHP	California Office of Historic Preservation
OHWM	ordinary high water mark
OPR	Office of Planning and Research
PAH	polycyclic aromatic hydrocarbon
PCR	Pacific Coast Narrow Gage Railway
PFCs	perfluorocarbons
PM10	inhalable particulate matter 10 microns or less in size
PM2.5	inhalable particulate matter 2.5 microns or less in size
PRC	Public Resources Code
PRGs	Preliminary Remediation Goals
RCRA	Resources Conservation and Recovery Act of 1986
ROG	reactive organic gases
RWQCB	Regional Water Quality Control Board
SARA	Superfund Amendments and Reauthorization Act of 1986
SB	Senate Bill
SCCAB	South Central Coast Air Basin
SEMS	Standardized Emergency Management System

**Table 1-1. Commonly Used Acronyms**

<b>Acronym</b>	<b>Term</b>
SF <sub>6</sub>	sulfur hexafluoride
SHPO	State Historic Preservation Officer
SLOAPCD	San Luis Obispo County Air Pollution Control District
SO <sub>2</sub>	sulfur dioxide
SOU	Surface Observation Unit
SSC	California Species of Special Concern
SSPA	S.S. Papadopoulos & Associates
STP	Shovel Test Pits
STU	Surface Transect Units
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TCP	Transportation Choices Program
TDM	Transportation Demand Management
TEPH	Total Extractable Petroleum Hydrocarbons
tons/qtr	tons per quarter
UBC	Uniform Building Code
UNIPCC	United Nations Intergovernmental Panel on Climate Change
URBEMIS	URBan EMISsions
URL	Urban Reserve Line
US 101	U.S. Highway 101
USACE	U.S. Army Corps of Engineers
USC	United States Code
USFWS	U.S. Fish and Wildlife Service
VOC	volatile organic compounds
WDR	waste discharge report
WRAC	Water Resources Advisory Council

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# CHAPTER 2

## PROJECT DESCRIPTION

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The applicant, Dana Adobe Nipomo Amigos (DANA), requests a Conditional Use Permit (CUP) and Development Plan to allow implementation of a Master Plan and development of The Stories of the Rancho Project. DANA also requests a Land Use Ordinance (LUO) Amendment to §22.112.030.B (Community Planning Standards, Combining Designations, Historic Area (H) Dana Adobe) and §22.112.080.G (Community Planning Standards, South County Nipomo Urban Area, Recreation – Dana Adobe) to accommodate implementation of the Master Plan and development of the project, as more fully described below.

### 2.1 PROJECT LOCATION

The project is located within and immediately adjacent to the community of Nipomo, on the east side of South Oakglen Avenue, approximately 1 mile southeast of West Tefft Street and in the South County Inland Planning Area. The project site consists of five legal parcels comprising two primary areas: (1) a 30-acre area owned by DANA, generally lying west of Nipomo Creek, which includes the Dana Adobe (Assessor's Parcel Number [APN] 090-171-011) and surrounding areas (APN 090-171-036); and (2) a primarily undeveloped adjacent area, consisting of three legal parcels totaling 100 acres leased by DANA from the County of San Luis Obispo (County) (APN 090-171-030, 090-171-031, and 090-171-032).

Refer to Figures 2-1 and 2-2, Project Vicinity and Project Location, below.

### 2.2 PROJECT BACKGROUND

The Dana Adobe is the historic home of Captain William Goodwin Dana, who settled the Rancho Nipomo area after receiving the original 37,887.91-acre land grant for the Nipomo and Los Berros region from the Mexican government in 1837. Construction of the originally three-room adobe began in 1839, and grew over the next 12 years to a two-story home with 13 rooms, which was completed in 1851. The Dana Adobe is on the National Register of Historic Places, California Register of Historic Resources, and is also recorded as part of the Historic American Building Survey.

The stated mission of DANA (the project applicant) is to restore and preserve the historic Dana Adobe and promote development that would enhance knowledge and understanding of California's Rancho era. The proposed project would implement a Master Plan for development of the areas surrounding the Dana Adobe with a visitor's center, a Chumash Interpretive Area, and California Rancho era exhibits and facilities.

A Mitigated Negative Declaration (MND) was prepared for the project in April 2012. However, after completion of the MND, DANA entered into negotiations and mediations with the Northern Chumash Tribal Council (NCTC), a Chumash organization. Through these negotiations, it was determined that an EIR would be prepared for the project to more fully address potential impacts to on-site cultural and historic resources.

Figure 2-1. Project Vicinity

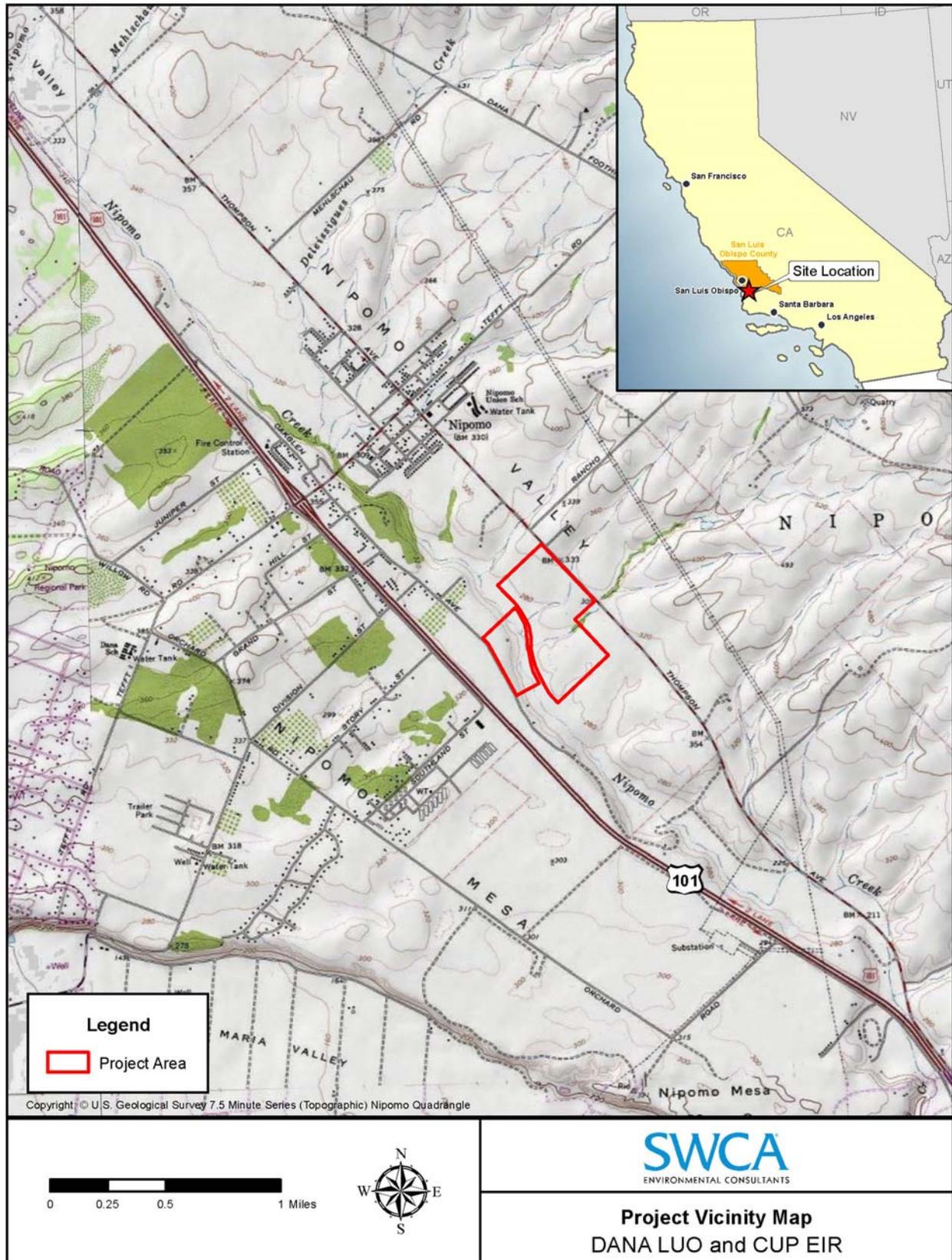


Figure 2-2. Project Location



## 2.3 PROJECT OBJECTIVES

DANA, the project applicant, has developed the following project statement of intentions, which were used during their initial screening of project alternatives:

*“The intent of the project’s master plan is to tell the stories of the people and the land over time using the Dana Adobe as the key component. Master plan components should complement the education being provided about the Dana Adobe, the Native American presence on the landscape, and the Rancho era. The arrangement and physical elements on the site must create a spatial sequence that enables the visitor experience to be programmed toward the larger educational purpose. As a result, individual master plan components should not dominate the site or detract from the site’s intent by creating separate sites for uses not directly related to the project’s overall educational purpose. The project provides:*

- *A visitor’s center that furnishes adequate area for visitors, exhibits and interpretive elements, fundraising, and daily and staffing needs;*
- *Structures, buildings, and landscaped areas that help visitors understand the site’s history and historic uses;*
- *An area devoted to the understanding and appreciation of the Chumash culture as it relates to the Rancho era and aspects of Chumash life in earlier eras and today;*
- *Educational opportunities that address the consequences of human interaction with the land over time, as well as modern day environmental and sustainability issues;*
- *Facilities, indoors and outdoors, for education of school aged children, adults, and seniors; all income levels, varying physical capabilities; and for the Nipomo area and the County’s tourist population;*
- *On the 30-acre site, disabled access to all facilities and experiences consistent with ADA, connecting the site’s educational components;*
- *On the 100-acre site, public trails that also furnish education regarding the site’s natural, historical, and agricultural resources;*
- *Amenities (such as armadas, viewing areas, gardens, and picnic tables) to provide a pastoral and pleasurable visitor experience;*
- *Adequate support facilities (such as a caretaker’s unit and emergency access) to safeguard resources onsite and provide security and visitor safety;*
- *Provide infrastructure consistent with the level of development proposed while maintaining the site’s historical setting and balancing new development with resource protection and historic character;*

- *Restoration along portions of the project's creek corridors in order to provide resource protection and education regarding those resources;*
- *A building design for the visitor center and other project components that has sustainable construction techniques and does not confuse visitors regarding the interpretation of historical structures on the site;*
- *Master plan components in locations that complement the Dana Adobe and its setting while balancing protection of the site's various resources; and,*
- *Facilities and amenities that DANA, a nonprofit, can reasonably afford to maintain in the present and future."*

The primary goal of The Stories of the Rancho Project Master Plan is to establish the plan for protection/preservation of the historic Dana Adobe and development of surrounding areas for educational purposes. DANA and the County have utilized the applicant's above-stated project intent to establish the following project objectives:

1. To facilitate development of the historic project site to tell the stories of the people and the land over time, including the Native American presence, Dana Adobe, and the Rancho era, using the Dana Adobe as the key component;
2. To guide development of the project site that helps visitors understand the site's pre-history, history, and historic uses, and enables the visitor experience to be programmed toward the larger educational purpose;
3. To provide a range of passive and active facilities and use areas to provide cultural, historic, environmental, natural, and agricultural educational opportunities to the community;
4. To develop an area devoted to the understanding and appreciation of the Chumash culture as it relates to the Rancho era and aspects of Chumash life in earlier eras and today;
5. To provide amenities that are environmentally sensitive, sustainable, and aesthetically consistent with the regional and historic character of the area;
6. To provide amenities and facilities that are accessible to a wide range of individuals of varying ages, income levels, and physical capabilities;
7. To restore and protect natural resources associated with on-site creek corridors, and provide educational opportunities related to on-site natural resources;
8. To balance the level of new development with resource protection and maintenance of the site's historic character;
9. To provide necessary infrastructure consistent with the level of development proposed;
10. To furnish on-site opportunities for fundraising, and to provide facilities and amenities that DANA can reasonably afford to maintain; and,

11. To establish a plan for development consistent with the Nature Education Facilities Grant.

## 2.4 PROJECT COMPONENTS

### 2.4.1 Land Use Ordinance Amendment

The proposed amendments to the County's LUO would clarify the intent of the LUO by addressing emergency access conditions and updating design and approval standards. The amendment would remove the reference to the Southland Street Interchange, which is no longer proposed for construction by the County and the California Department of Transportation (Caltrans), and add a requirement for privately-developed emergency access. The proposed LUO amendments also include minor updates to correctly identify land currently owned by DANA, design standards to maintain historical context and ensure continued preservation and restoration of the Dana Adobe, and a requirement for Master Plan and CUP approval. The proposed amendments would not remove any intended impediment to growth.

Proposed language includes the following, noting deletions in ~~strikeout~~ and additions [in blue text and underlined](#). Changes that occurred during the previous public hearing process are indicated in [blue underlined text and strikeout](#).

**SECTION 1:** Section 22.112.030.B of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

- B. Historic Area (H) - Dana Adobe.** Development of any tourist-related facilities, residential or accessory uses at the site of the Dana Adobe (see Figure 112-6) shall be ~~in an architectural motif compatible with the adobe itself and consistent with the site master plan on file at the Department. This requirement applies to the Dana Adobe site in addition to the requirements of Sections 22.112.080.F.1 through F.4. [Amended 1997, Ord. 2800]~~ consistent [with Sections 22.112.080 G.](#)

**SECTION 2:** Section 22.112.080.G (Figure 112-57 is not proposed for change) of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

- G. Recreation (REC) – Dana Adobe.** The following standards apply only to ~~the properties containing and surrounding the Dana Adobe~~ [properties](#) shown in Figure 112-57 ~~in addition to the Historic combining designation standard in Section 22.112.030.A-B~~

- 1. Limitation on use.**

- a. Prior to completion of a ~~future Southland Street interchange~~ [emergency access accessible by the Dana Adobe properties and/or the creation of a "safe refuge"; access and egress for emergency responders, visitors, and occupants](#), land uses shall be limited to those identified as allowable, permitted, or conditional in the residential Suburban land use category by Section 22.06.030, except for nursing and personal care, and residential care.
- b. After completion of an ~~Southland Street interchange~~ [emergency access accessible to the Dana Adobe properties and/or a safe refuge; access and egress for emergency responders, visitors, and occupants](#), all land uses that

are identified by Section 22.06.030 as allowable, permitted, or conditional in the Recreation land use category may be authorized in compliance with the land use permit requirements of that Section.

2. **Permit requirement.** The initial development of any non-agricultural or non-residential uses shall comply with the ~~Site Master Plan on file with the Department or an approved amendment to that Master Plan. The initial Site Master Plan or major amendments to the Site Master Plan~~ and shall be subject to Conditional Use Permit approval. The Conditional Use Permit shall identify the area to be developed, the types of uses to be established, and an architectural motif style compatible with the adobe ~~itself~~ and the site's interpretation and educational components. ~~Once a Conditional Use Permit has been approved for the Site Master Plan, minor amendments to the Master Plan may be approved by the Planning & Building Department or through a permit as designated in Article 2, Table 2-2 (Allowable Land Uses and Permit Requirements) Section 22.060.30.~~ Future structures or uses not approved as part of the initial Conditional Use Permit shall comply with the requirements of Section 22.06.030 (Table 2-2) and Section 22.30 (Standards for Specific Land Uses) of the Land Use Ordinance.
3. **Subdivision requirement.** All new subdivisions on the site of the Dana adobe shall be clustered in compliance with Chapter 22.22. An area shall be located around the Dana adobe site, to be offered for dedication to the County, another agency, or appropriate caretaker organization for maintenance and improvements. Funding shall be provided to contribute to the improvement of the adobe and its site in an amount to be determined through the subdivision review process. The residential lots shall be located a compatible distance from the adobe. The architecture of structures within the subdivision shall be compatible with the adobe, through the use of deed covenants, conditions and restrictions (CC&Rs).
4. **Development requirements.** Future development proposals shall also include measures to address the following issues as appropriate:
  - a. Siting and architecture of both residential and nonresidential uses shall be visually compatible with the Dana Adobe ~~and located to minimize their appearance from the adobe.~~ Physical linkage with the adobe site shall be designed that encourages pedestrian travel and interpretation of the site's resources. Landscaping shall be utilized should be used to buffer views between the adobe and development sites support buildings and project infrastructure such as parking lots. ~~Should the nonprofit organization, the Dana Adobe Nipomo Amigos, cease to exist, An area shall be located around the Dana adobe site, the 30 acre site should~~ Should the nonprofit organization, the Dana Adobe Nipomo Amigos, cease to exist, An area shall be located around the Dana adobe site, the 30 acre site should to be offered for dedication to the County, another nonprofit agency, or appropriate caretaker organization for maintenance and improvements. ~~Funding for the improvement of the adobe and its site at an amount to be determined through permit review shall be provided before occupancy of any proposed development.~~

### **2.4.2 Conditional Use Permit**

The project proposes implementation of a Master Plan for the development of The Stories of the Rancho Project. The Stories of the Ranchos Project would include the following components, as more fully described below:

- An approximate 6,200-square-foot visitor's center;
- An outdoor amphitheater;
- A Chumash Interpretive Area, including exhibits and interpretive features;
- Replicated Rancho era buildings;
- An outdoor demonstration arena;
- A new caretaker's unit and attached shop;
- Restroom facilities and associated on-site septic system;
- A trail system throughout the project site with exhibits and interpretive features;
- Approximately 80,445 square feet of landscaping and historical gardens, vineyards, and orchards;
- Main, overflow, and horse trailer parking areas;
- Emergency access and off-site road improvements.

The project would result in the disturbance of approximately 6.55 acres of the 30-acre site owned by DANA and approximately 1.75 acres of the adjacent 100-acre site owned by the County of San Luis Obispo, for a total disturbance of 8.3 acres.

Site access would be provided by two improved driveways off of South Oakglen Avenue. An approximately 0.6-mile-long, 16- to 18-foot-wide, gated, all-weather emergency access drive would also be developed, extending from one of the primary driveways off of South Oakglen Avenue to South Thompson Road. The emergency access road would include an 89-foot-long, 10-foot-wide flatcar bridge over Nipomo Creek. The existing driveway leading to the Dana Adobe would remain as a service entrance and for Americans with Disabilities Act (ADA) access. A circular driveway with two access points is proposed off North Thompson Road for horse trailers, trail users, and agricultural parking. Off-site frontage road improvements would include widening of South Oakglen Avenue to include two 10-foot-wide paved travel lanes and an 8-foot-wide road base shoulder on the eastern side of the road.

Water would be provided by the Nipomo Community Services District (NCSD), through an existing Outside Users Agreement. Approximately 1,200 feet of the existing water main along South Oakglen Avenue would be upsized to accommodate the development.

Project site plans are shown in Figures 2-3 through 2-11 below.

### **2.4.3 Master Plan Development**

The proposed project consists of three primary components within the 30-acre site: the Rancho Era, Visitor Center, and Chumash Interpretive Area. The Master Plan also includes improvements, access, and restoration on the 100-acre site to the east. Development would occur in phases, as funding is available.

### 2.4.3.1 The Rancho Era

The Rancho Era component would include the continued restoration and maintenance of the Dana Adobe, historic tallow vat, and historic barn foundation, and all associated features pursuant to Secretary of the Interior's Standards. Proposed improvements to enhance the visitor experience include:

- Approximately 3,000 square feet of replicated Rancho era outbuildings, including a blacksmith barn, small animal corral, and eight shade armadas;
- An 18,120-square-foot arena and cattle chute, which would also be used as additional overflow parking for up to 100 valet-parked vehicles;
- Replacement of the existing caretaker's unit with a new 1,100-square-foot unit, an attached 500-square-foot shop/storage unit, and an on-site septic tank and leachfield;
- A 150-square-foot restroom and associated on-site septic tank and vertical leach pit;
- An ADA-compliant trail system of decomposed granite, 6 to 10 feet wide, including exhibits, interpretive features, portals, and viewing areas;
- 80,445 square feet of drip-irrigated landscaping (throughout the total Master Plan area), including historic ornamental, medicinal, and vegetable gardens; a vineyard; and an orchard;
- A 17,280-square-foot overflow parking area, with a gravel base and capacity for 60 parking spaces,
- Bored utility connections; and
- Removal of one locust tree.

Figure 2-3. Stories of the Rancho Master Plan

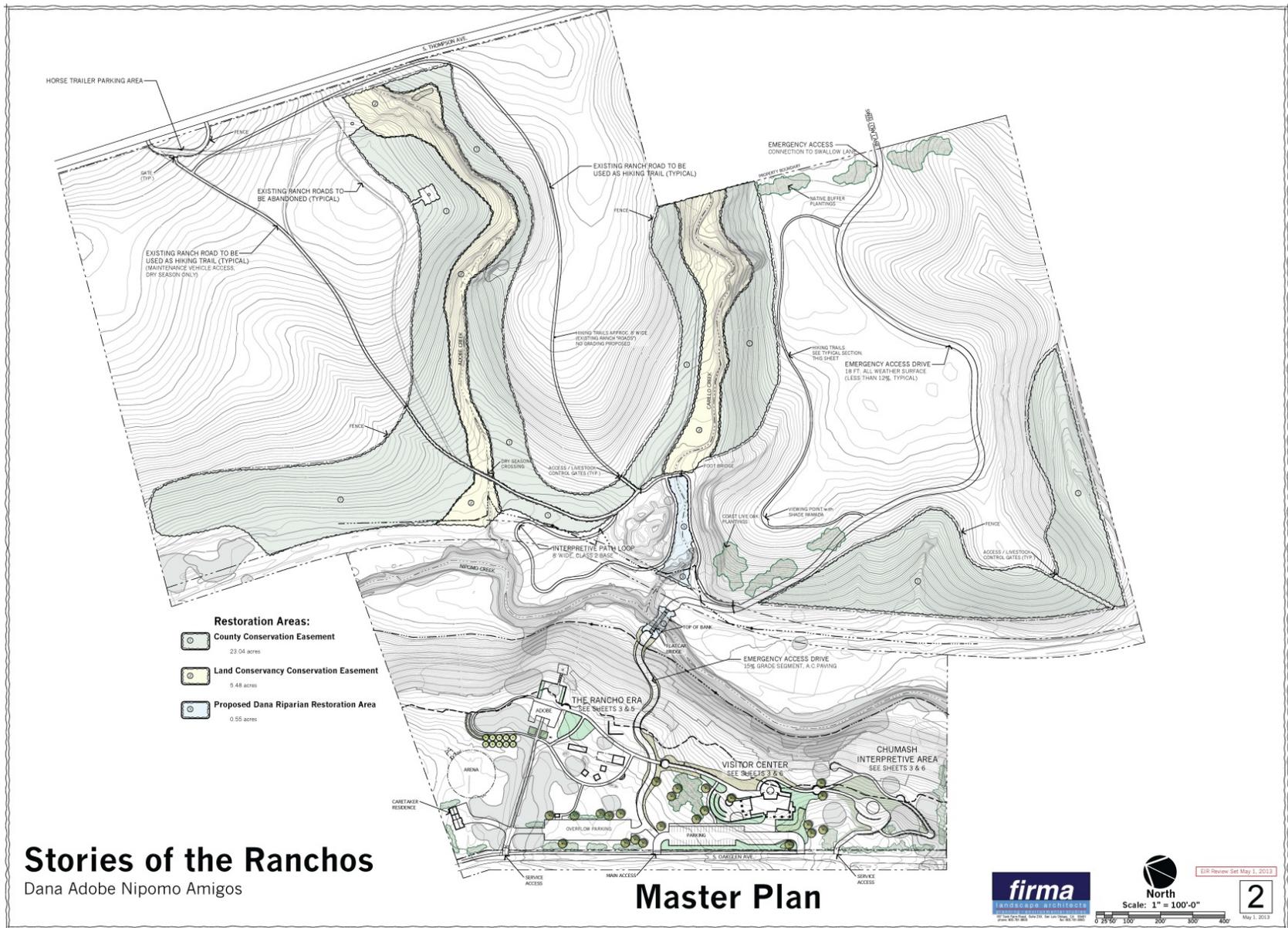


Figure 2-4. Site Plan, Visitors Center and Chumash Interpretive Area

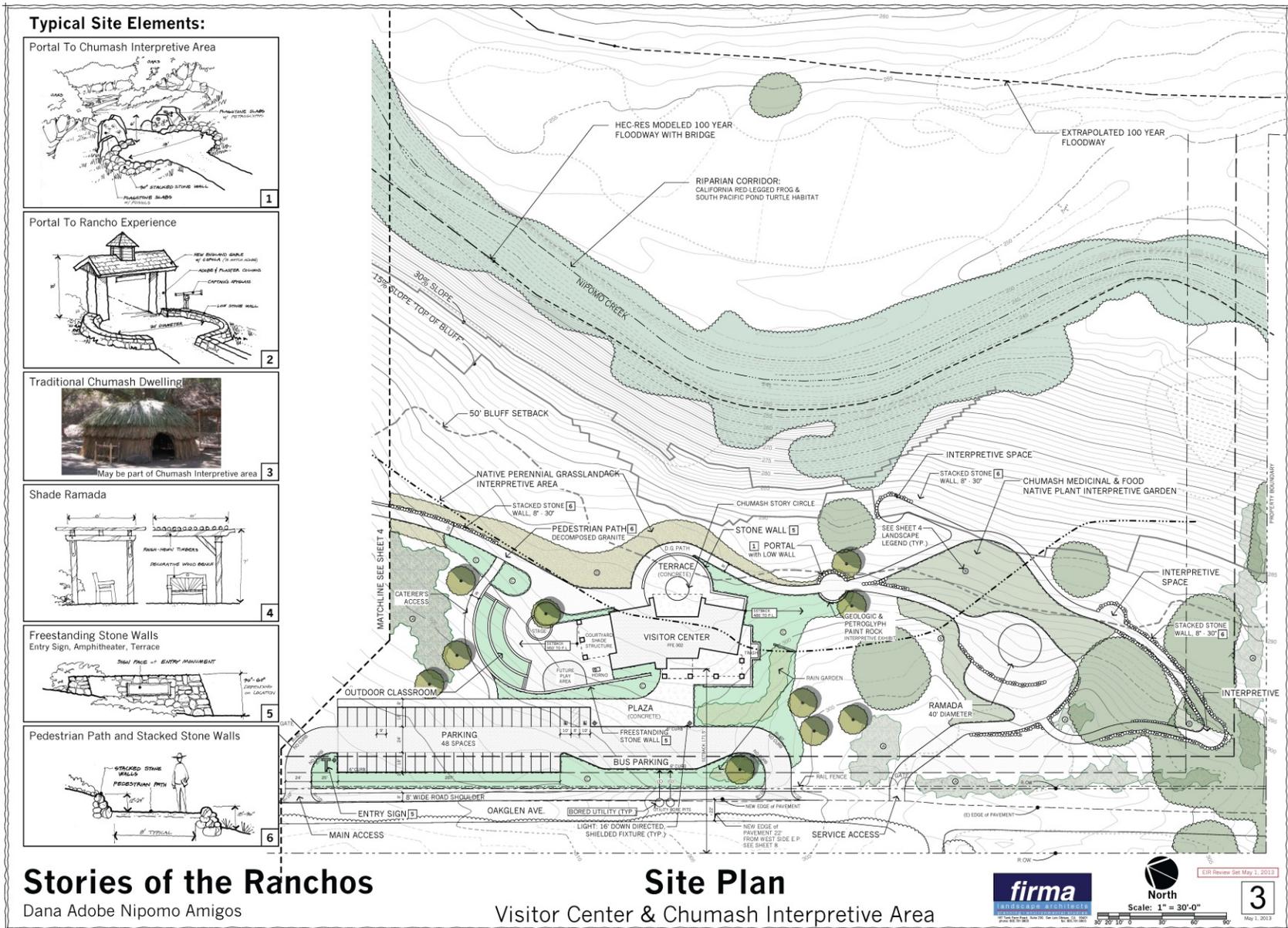


Figure 2-5. Site Plan, The Rancho Era

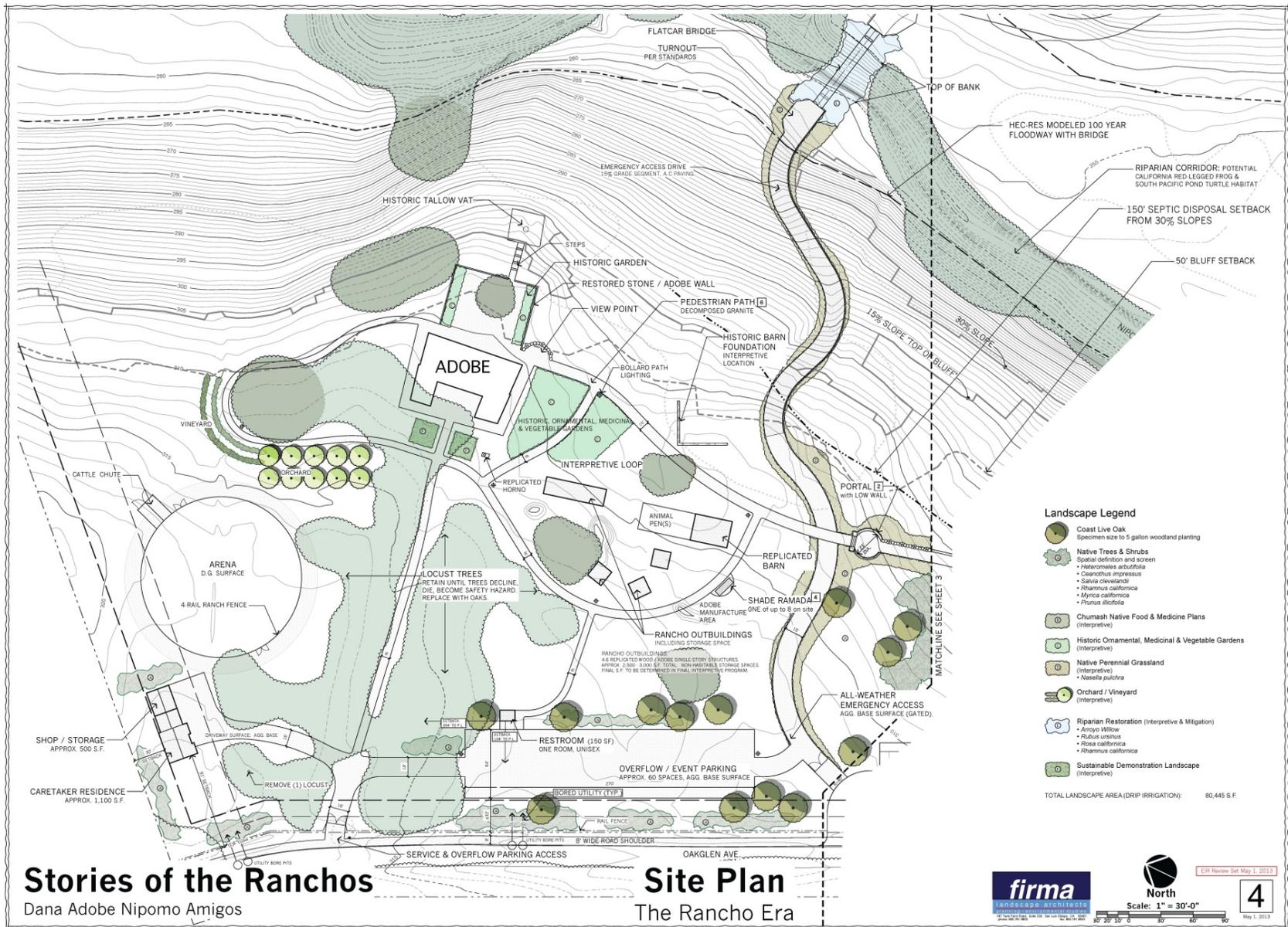


Figure 2-6. Preliminary Grading and Drainage

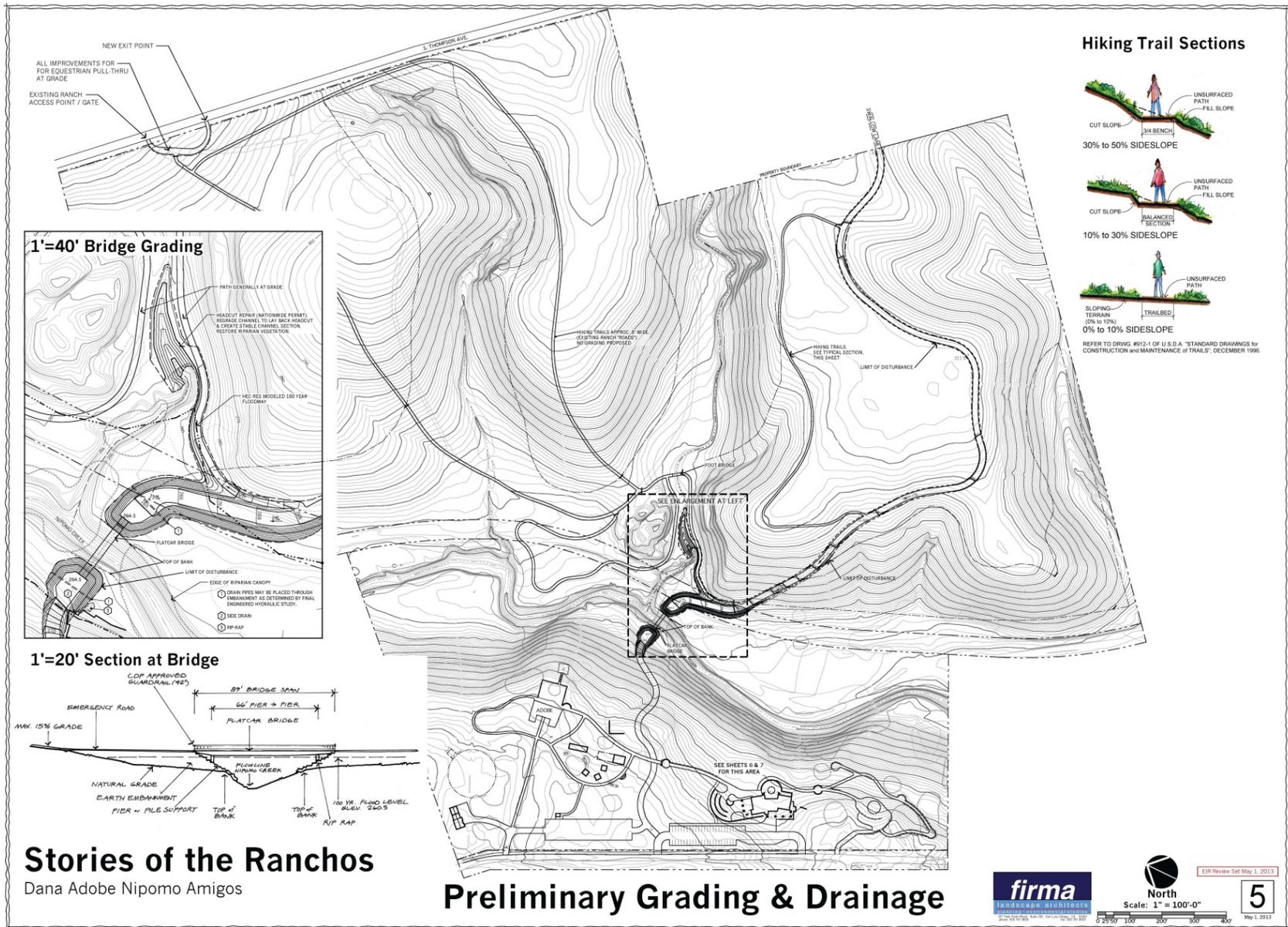


Figure 2-7. Preliminary Grading and Drainage Visitors Center and Chumash Interpretive Area

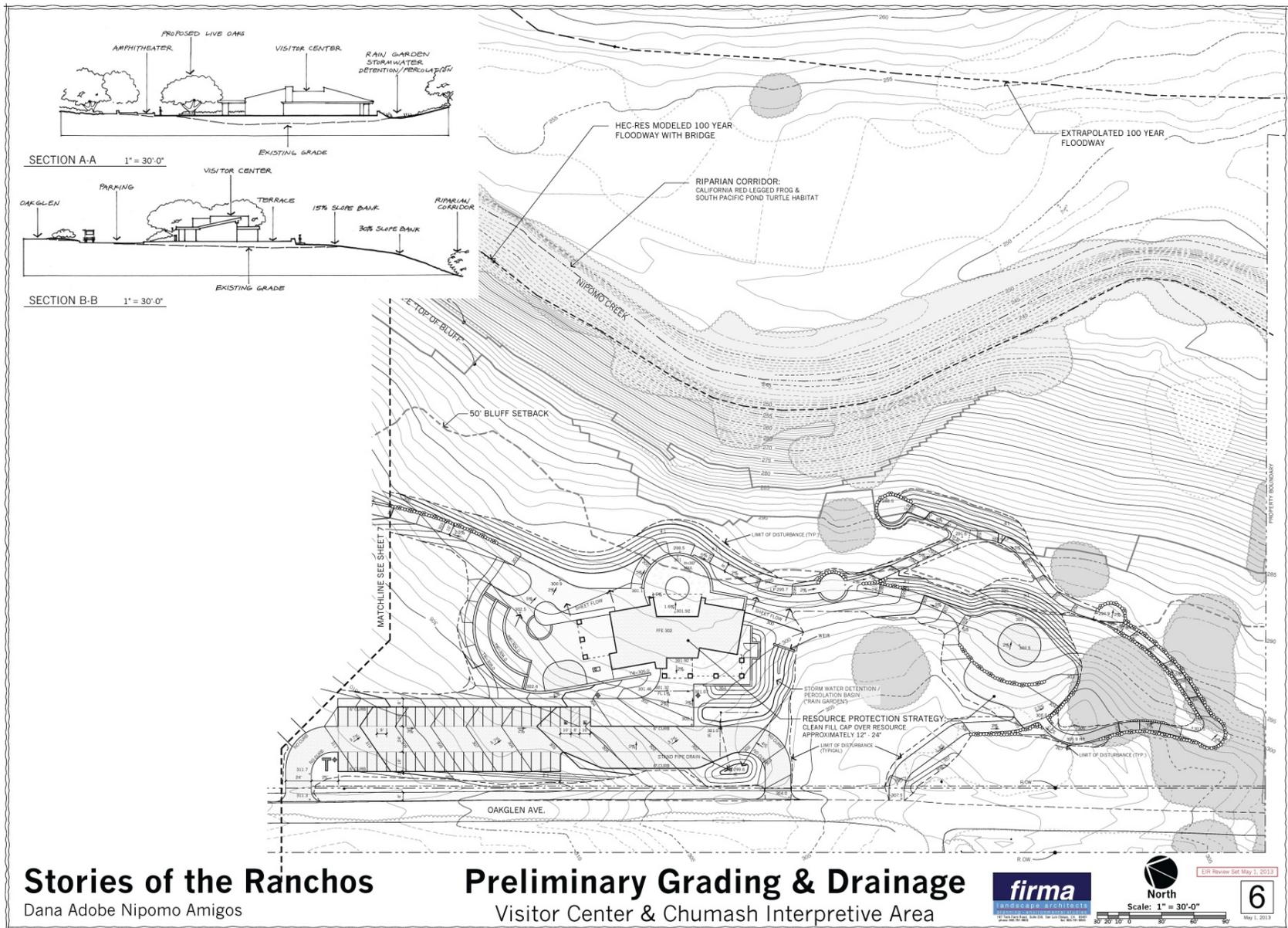




Figure 2-9. Utility Plan

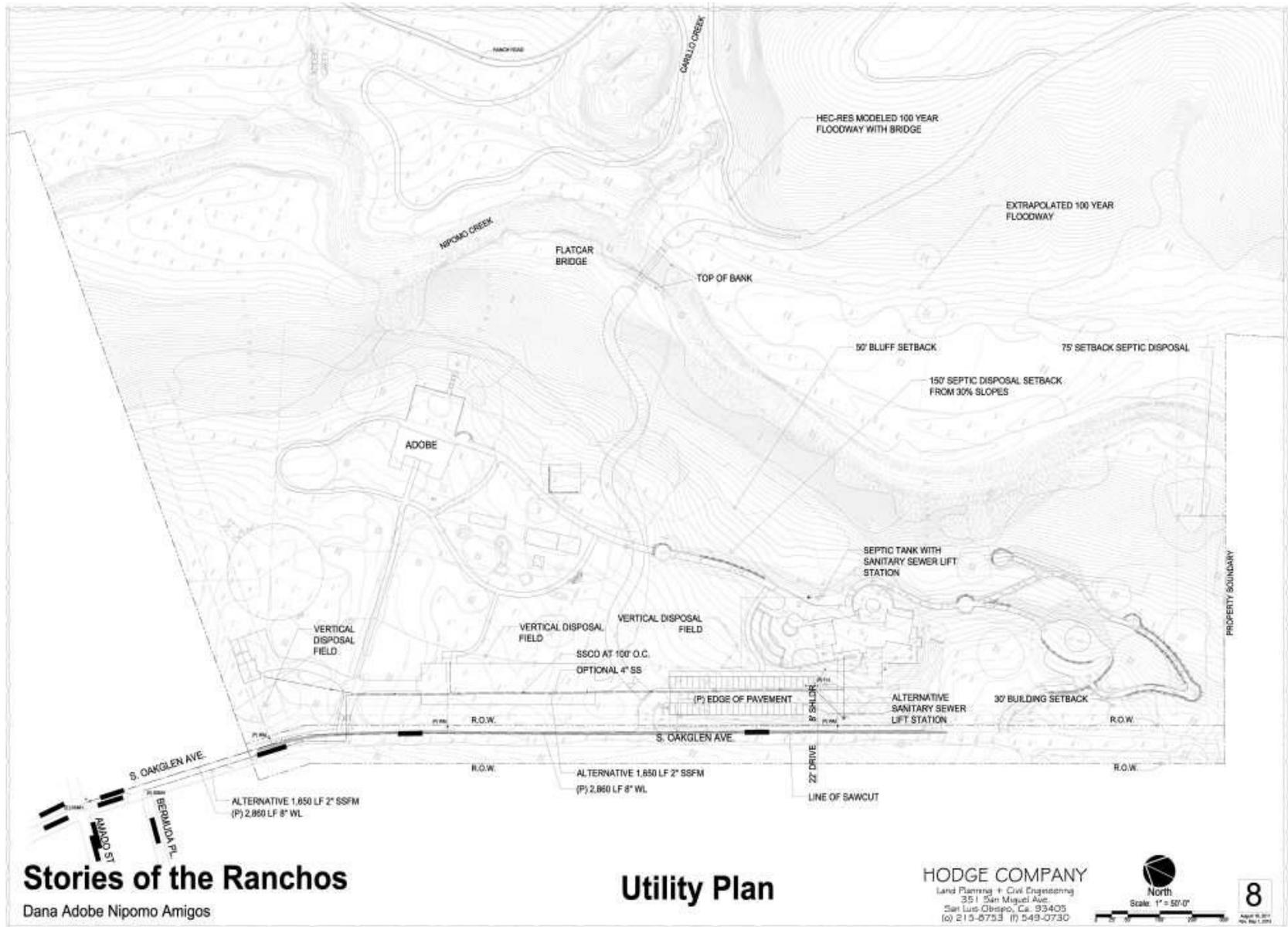
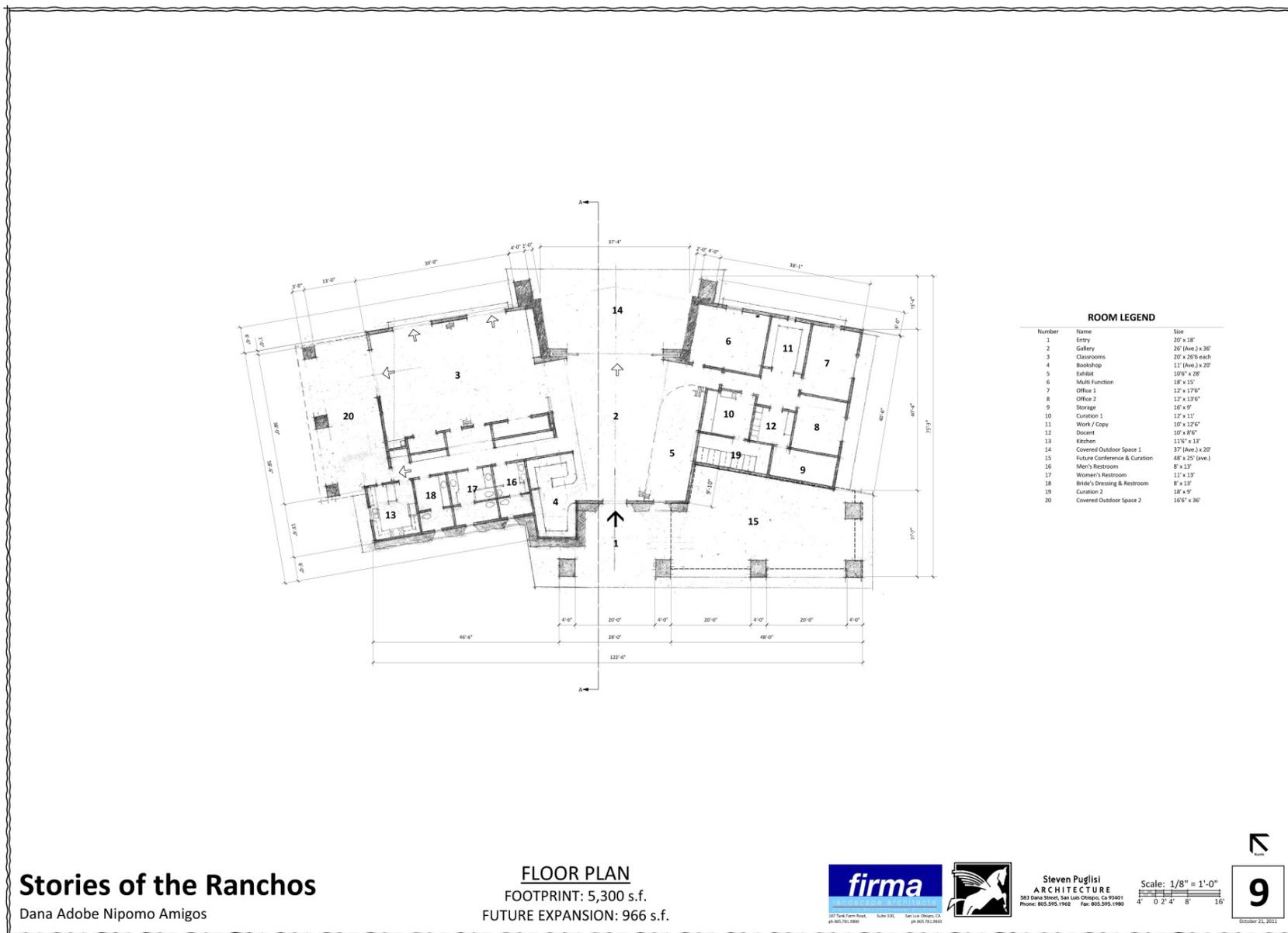


Figure 2-10. Floor Plan, Visitors Center



**Stories of the Ranchos**

Dana Adobe Nipomo Amigos

**FLOOR PLAN**  
 FOOTPRINT: 5,300 s.f.  
 FUTURE EXPANSION: 966 s.f.



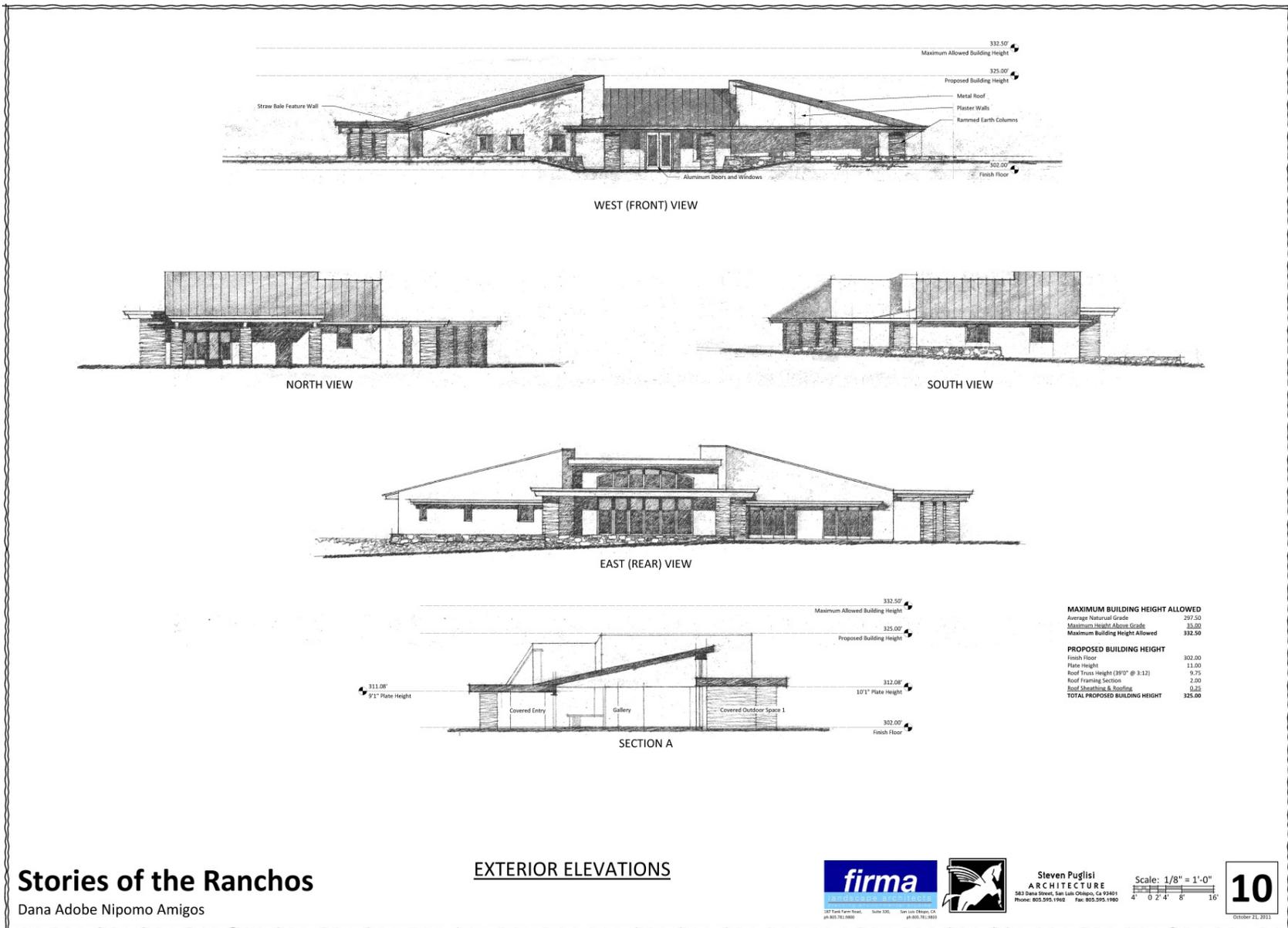
Steven Puglisi  
 ARCHITECTURE  
 583 Dana Street, San Luis Obispo, Ca 93401  
 Phone: 805.595.1962 Fax: 805.595.1960

Scale: 1/8" = 1'-0"  
 4" 0' 2' 4" 8" 16"



October 21, 2011

Figure 2-11. Exterior Elevations, Visitors Center



**Stories of the Ranchos**  
Dana Adobe Nipomo Amigos

EXTERIOR ELEVATIONS



Steven Puglisi  
ARCHITECTURE  
583 Dana Street, San Luis Obispo, CA 93401  
Phone: 805.995.1962 Fax: 805.995.1960

Scale: 1/8" = 1'-0"  
4" 0' 2' 4' 8' 16'

**10**  
October 21, 2011

### 2.4.3.2 The Visitor's Center

The Visitor's Center component would include development of a visitor's center and surrounding visitor-serving facilities. Specific improvements include:

- A 6,226-square-foot visitor's center building to be constructed in two phases (5,300 square feet in Phase I and a 966-square-foot expansion when funds become available in Phase II). The visitor's center would include:
  - a museum
  - offices
  - library
  - conference room
  - two classrooms
  - catering kitchen
  - curator's work and storage area
  - gift shop
  - restrooms
  - general store area
  - roof-mounted solar panels
- Currently proposed regular hours of operation for the visitor's center are 9:00 a.m. to 5:00 p.m. on Tuesdays through Saturdays, and 12:00-5:00 p.m. on Sundays;
- 1,825 square feet of covered outdoor areas;
- An outdoor amphitheater, including seating and a small stage;
- A story circle;
- Future play area;
- An ADA-compliant trail system (decomposed granite 6 to 10 feet wide), including exhibits, interpretive features, portals, and viewing areas;
- A 21,750-square-foot main parking area, paved with capacity for 48 vehicles, including bus parking;
- On-site vertical leach pit;
- Bored utility connections; and,
- Landscaping.

### 2.4.3.3 Chumash Interpretive Area

The Chumash Interpretive Area component would include a traditional Chumash dwelling and other traditional features and exhibits. Specific improvements include:

- Exhibits and interpretive features, including a medicinal and food native plant interpretive garden and geologic and petroglyph paint rock interpretive exhibit;
- An ADA-compliant trail system (decomposed granite 6 to 10 feet wide), including exhibits, interpretive features, portals, viewing areas, and intermitted stacked stone retaining walls between 8 and 30 inches in height;

- 40-foot-diameter ramada/outdoor classroom; and,
- Landscaping.

#### **2.4.3.4 Cultural Resource Impact Reduction Techniques**

The applicant presented a proposed capping plan to protect and preserve identified significant archaeological resources, pursuant to the *State Historic Preservation Office Position on Burial in Place Treatment for Archaeological Sites* (Arizona State Parks, 2004). In addition to the capping plan, the applicant proposes the following to reduce impacts to cultural resources: boring for utility placement as opposed to trenching; use of vertical leach pits (as opposed to horizontal leach field); and use of mat slab foundations, shallow footing, and geo-textile fabrics to avoid the need to over excavate and re-compact natural grade prior to capping. **Please refer to Section 4-4 Cultural Resources for more information and analysis of the effectiveness of these measures.**

The intent of the plan is to maintain as close as possible the existing natural rate of decay of important site elements, features, deposits, or artifacts; avoid introducing new impacts to the site and any adjacent historic features (e.g., compaction, water percolation, leaching); reduce existing impacts to the site in number, frequency, or magnitude; be distinguishable from existing features deposits and artifacts (e.g., non-degradable fabric or culturally sterile, non-local material); and allow for fill removal in the future if necessary (aside from the visitor's center). The capping plan incorporates the following guidelines:

- The topography (finished grade) of the capped areas will have positive drainage away from the capped area to avoid creating water related impacts to the underlying site.
- The protective fill should result in chemical and micro-environmental conditions that closely match that of the archaeological deposit.
- The protective fill should not substantially increase the vertical load on the archaeological site.
- The construction process should not significantly compact the soil in the archaeological deposit.
- The cap should include an identifiable corrosive-resistant marker layer, such as a colored fill and/ or a geo-textile or plastic web fabric.
- Conduct analysis of the soil characteristics to ensure the cap soil has appropriate and compatible chemical properties.
- Direct stormwater runoff away from the deposits to the maximum extent feasible.
- Ensure future activities in the resource areas are limited and appropriate to the goals of both DANA and the Native American community.
- Anticipate enforcement of long-term preservation pursuant to conditions of the CUP and adopted Mitigation Monitoring and Reporting Program.

Soil preparation for structural development on capping material would consist of the following: removal of surficial vegetative material; application of water; placement of a geotextile fabric

under structures; placement of the soil cap layer. Additional features of the plan, applicable to specific project elements, are summarized in Table 2-1 below.

**Table 2-1. Preliminary Capping Plan Features**

Project Element	Preparation and Construction
Visitor's Center	Mat slab foundation Soil preparation
Rancho Era Outbuildings	Concrete ribbon footing Concrete mat slab Wood skids (portable)
Caretaker's Residence, Shop/Storage	Modular structure supported by pier jacks with above-grade concrete ballast
Chumash Interpretive Area	Filled pad Drilled posts or non-excavated piles
Utilities (electrical and telephone)	Above-ground
Utilities (gas, water, sewer)	Bore installation Dry utility trenches (30-inch depth minimum) Wet utility trenches (24-inch depth minimum) Bore pit excavation at utility connection on South Oakglen Project connection with capped fill layer
Septic leach field disposal	Vertical pits
Paths, stone retaining walls, horno, security and path lighting, signage and displays mounted on posts, native plants, arena fencing, shade armadas and benches, Chumash interpretive area	12-24 inches of capped fill Support footings will be located within the capped fill Trenches will be 24 inches deep (maximum)

#### 2.4.3.5 The 100-Acre Site

The 100-acre site would be improved and maintained for passive recreation. Specific developments include:

- Use of existing unimproved agricultural roads for hiking trails;
- An additional multi-use looped trail system with a dirt base, 3 to 5 feet wide, including signage, exhibits, and interpretive features;
- Looped trail and restoration areas east of Nipomo Creek, including exhibits, interpretive features and drought-tolerant landscaping;
- 0.36 acre of riparian restoration within Carillo Creek;
- A foot bridge over Adobe Creek and Carillo Creek; and,
- A 2,500-square-foot horse trailer parking and staging area for trail and agricultural uses.

The remainder of the site would support agricultural and open space uses, including crop production and livestock grazing.

#### 2.4.4 Special Event Uses

The proposed project includes a request for use of the project site to host special events of varying sizes (gatherings with less than 50 guests are not considered special events):

- 20 events of 50 to 100 guests per year;
- 40 events of 60 to 65 guests per year (bussed-in school field trips);
- 12 events of 100 to 250 guests per year;
- six events of 250 to 500 guests per year; and,
- one event of 300 to 1,500 guests per year.

The project would result in a maximum of 79 special event uses per year with a total maximum attendance of 12,100 guests per year.

## 2.5 INTENDED USES OF THE EIR

### 2.5.1 Required Agency Actions and Permits

Various permitting requirements would need to be met prior to implementation of the proposed project. Table 2-2, below, summarizes local, state, and federal permits that may be required for the project and the agencies that are expected to use the EIR in their decision making and permitting processes.

**Table 2-2. Agency Permit Requirements**

Applicable Permit	Responsible Agency
Conditional Use Permit	County of San Luis Obispo
Clean Water Act §404 Nationwide Permit	U.S. Army Corps of Engineers
Clean Water Act §401 Water Quality Certification	State Water Resources Control Board/ Regional Water Quality Control Board
California Fish and Game Code §1602 Streambed Alteration Agreement	California Department of Fish and Wildlife
General Waste Discharge Requirement	State Water Resources Control Board/ Regional Water Quality Control Board
Incidental Take Permit	California Department of Fish and Wildlife
Grading Permits	County of San Luis Obispo
Building Permits	County of San Luis Obispo
Tree Removal Permit	County of San Luis Obispo
General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit) and Stormwater Pollution Prevention Plan	State Water Resources Control Board/ Regional Water Quality Control Board

# CHAPTER 3

## ENVIRONMENTAL SETTING

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### 3.1 PHYSICAL SETTING AND EXISTING LAND USES

The project site is located on the east side of South Oakglen Avenue, and immediately southwest of South Thompson Avenue, approximately 1 mile south of Tefft Street (refer to Figures 2-1, 2-2, and 3-1). A 30-acre portion of the project site is located within the community of Nipomo (within the Urban Reserve Line [URL]). These 30 acres include the historic Dana Adobe (which is currently under renovation pursuant to Secretary of the Interior Standards), a caretaker's unit, unpaved driveway and parking area, fencing, and landscaping. The remaining 100 acres, located outside the Nipomo URL, are undeveloped and support horse pasture and agricultural roads. Historic agricultural uses at the Dana Adobe included raising cattle and the production of hides and tallow. The project site does not currently support agricultural production, and is not irrigated. At times, horses are grazed within the project site. Past, current, and planned future restoration of Nipomo Creek and uplands are implemented by the County of San Luis Obispo (County) and Land Conservancy of San Luis Obispo County, including bank stabilization and oak woodland mitigation.

Elevations within the project site range from approximately 76 to 95 meters or 250 to 310 feet above mean sea level (msl). Three creek corridors are located on the project site: Nipomo Creek, Carillo Creek, and Adobe Creek.

The soil types and characteristics on the 30-acre portion of the project site include:

- 170 – Marimel silty clay loam, 0-2 percent slopes (irrigated Class 1, non-irrigated Class 3). The Marimel component makes up approximately 13% of the map unit. The parent material of this soil type is alluvium derived from sedimentary rock. The natural drainage class of this unit is well drained, and it is composed of silty clay loam and stratified loam to clay loam to silty clay loam. Marimel soils tend to occur on alluvial fans and in valleys. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.
- 184 – Oceano sand, 0-9 percent slopes (irrigated Class 4, non-irrigated Class 6). The Oceano (0-9 percent slopes) component makes up approximately 7% of the map unit. The parent material of this soil type is Eolian deposits. The natural drainage class of this unit is excessively drained, and it is composed entirely of sand. Oceano soils tend to occur on dunes and toeslopes. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.
- 185 – Oceano sand, 9-30 percent slopes (irrigated Class 4, non-irrigated Class 6). The Oceano (9-30 percent slopes) component makes up approximately 5% of the map unit. The parent material of this soil type is Eolian deposits. The natural drainage class of this unit is excessively drained, and it is composed entirely of sand. Oceano soils tend to occur on dunes and toeslopes. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.

The soils types and characteristics on the 100-acre portion of the project site include:

- 129 – Diablo clay, 5-9 percent slopes (irrigated Class 2, non-irrigated Class 3). The Diablo clay component makes up approximately 10% of the map unit. The parent material of this soil type is residuum weathered from mudstone, sandstone, and/or shale. The natural drainage class of this unit is well drained, and it is composed of clay over weathered bedrock. Diablo clay soils tend to occur on backslopes and summits.
- 130 – Diablo and Cibo clays, 9-15 percent slopes (irrigated Class 3, non-irrigated Class 3). The Diablo and Cibo clay component makes up approximately 5% of the map unit. The parent material of this soil type is residuum weathered from mudstone, sandstone, and/or shale. The natural drainage class of this unit is well drained, and it is composed of clay over weathered bedrock. Diablo and Cibo clay soils tend to occur on backslopes and summits.
- 170 – Marimel silty clay loam, 0-2 percent slopes (irrigated Class 1, non-irrigated Class 3). The Marimel component makes up approximately 13% of the map unit. The parent material of this soil type is alluvium derived from sedimentary rock. The natural drainage class of this unit is well drained, and it is composed of silty clay loam and stratified loam to clay loam to silty clay loam. Marimel soils tend to occur on alluvial fans and in valleys. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.
- 218 – Tierra loam, 15-30 percent slopes (irrigated Class 6, non-irrigated Class 6). The Tierra component makes up approximately 11% of the map unit. The parent material of this soil type is alluvium derived from sedimentary rock. The natural drainage class of this unit is moderately well drained, and it is composed of loam, clay, and sandy clay loam. Tierra loam soils tend to occur on terraces, backslopes, summits, and toeslopes. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.
- 224 – Zaca clay, 9-15 percent slopes (irrigated Class 3, non-irrigated Class 3). The Zaca component makes up approximately 49% of the map unit. The parent material of this soil type is residuum weathered from calcareous mudstone, sandstone, and/or shale. The natural drainage class of this unit is well drained, and it is composed of clay and silty clay over weathered bedrock. Zaca soils tend to occur on summits and backslopes.

Habitat and vegetation within the 30-acre area includes a eucalyptus tree, locust trees, coastal scrub (yellow bush lupine scrub), and individual coast live oak trees. Vegetation communities within the 100-acre area, including Nipomo Creek, include: ruderal/disturbed, grassland (wild oats grassland, perennial ryegrass fields); riparian (seasonal drainage/arroyo willow scrub, riparian oak woodland/coast live oak woodland); and seasonal wetland (creeping rye grass turfs). Current and proposed agency restoration efforts on the 100-acre portion of the site include: riparian corridor restoration by the Land Conservancy of San Luis Obispo County; and, oak woodland restoration to be implemented by the County as mitigation for the Willow Road project (refer to Figure 3-2).

The project site is located in an area historically occupied by the Obispeño Chumash, and is currently the site of the Dana Adobe, which is listed on the National Register of Historic Places as well as the California Register of Historic Resources. Additional information regarding the archaeological and historical significance of the project site is provided in Section 4.4, Cultural Resources.

Figure 3-1. Environmental Setting

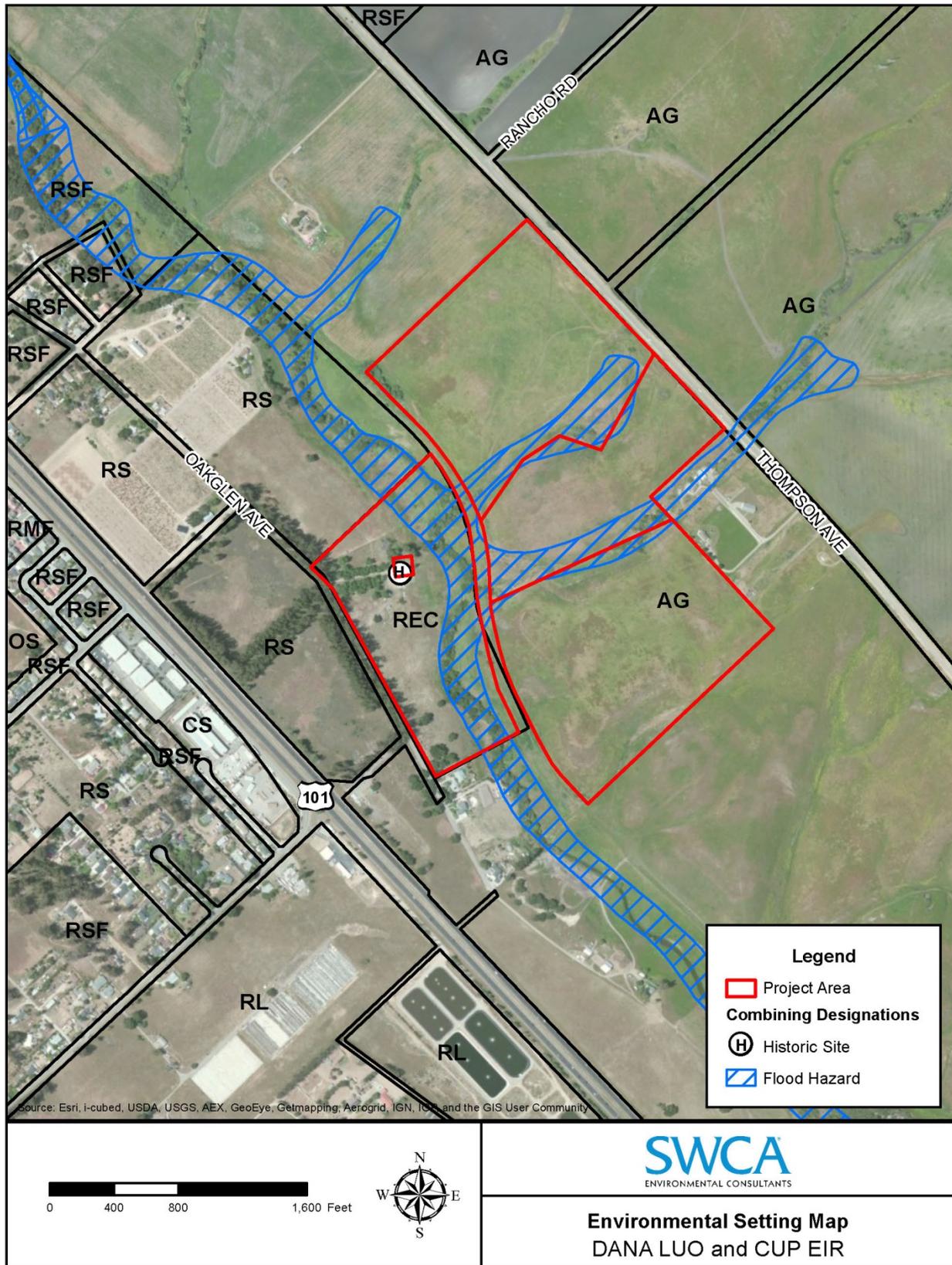
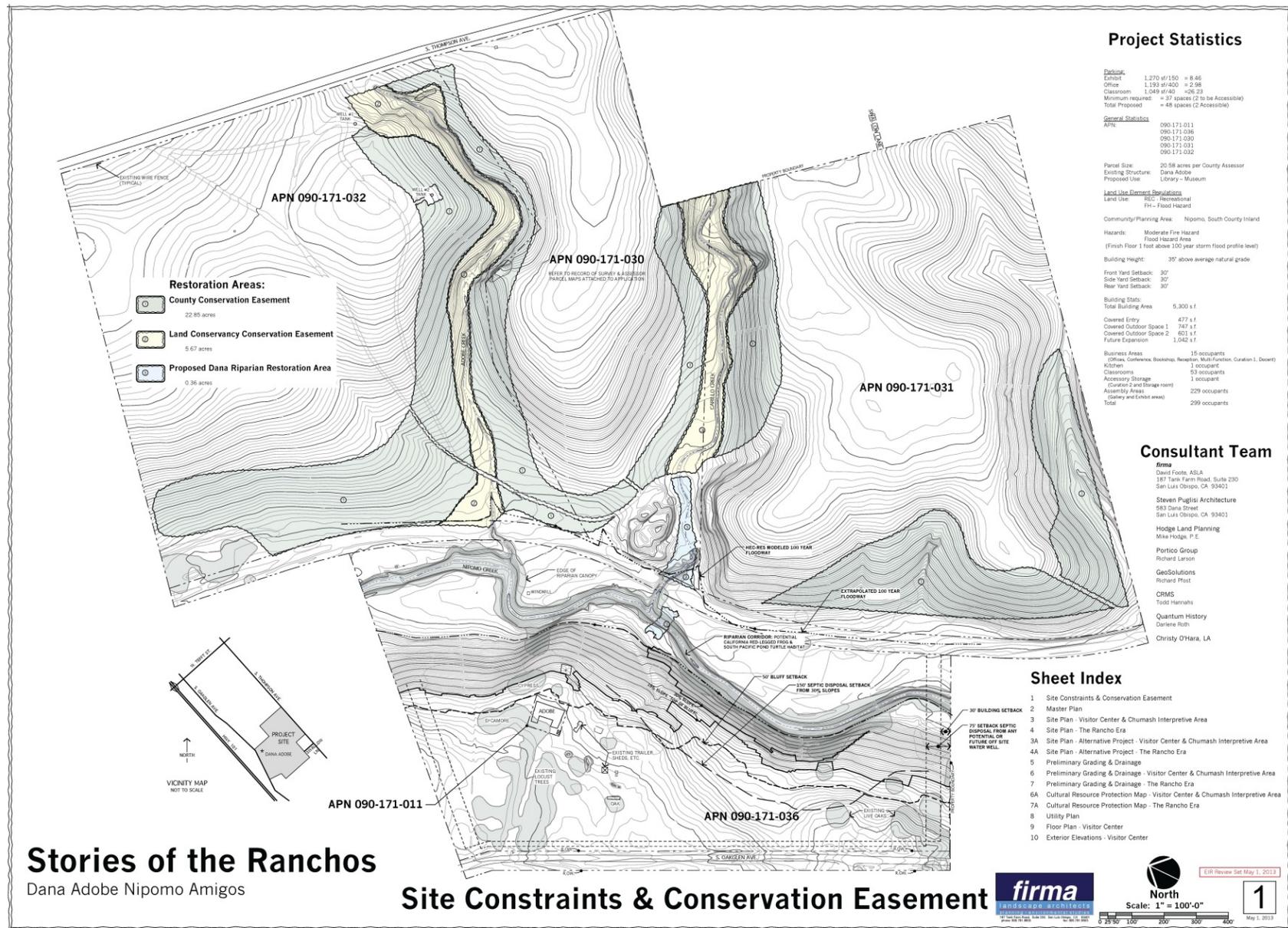


Figure 3-2. Site Constraints and Conservation Easements



## 3.2 SURROUNDING LAND USES

The project site is within the Recreation (30-acre area) and Agriculture (100-acre area) land use categories (refer to Figures 2-3 and 3-1). Surrounding land is within the Agriculture designation (north, south, and east) and Residential Suburban to the west. The immediate area is primarily agricultural or undeveloped, and supports scattered single-family residences, row crops, livestock grazing, and a tree farm. Development intensifies within the Nipomo URL, closer to Tefft Street. U.S. Highway 101 (US 101) is located 0.15 mile to the west, and uses on the west side of the highway include the Southland Wastewater Treatment Facility and residential and commercial development.

## 3.3 CONSISTENCY WITH LAND USE PLANS AND POLICIES

### 3.3.1 Overview

California Environmental Quality Act (CEQA) Guidelines §15125(d) states, “the EIR [Environmental Impact Report] shall discuss any inconsistencies between the proposed project and applicable general plans and regional plans.” While CEQA requires a discussion of consistency with public plans, inconsistency does not necessarily lead to a significant impact. Inconsistency with public plans creates significant impacts under CEQA only when an adverse physical effect on the environment would result from the inconsistency. This section provides general information as to the plans and policies applicable to the proposed project. It is the responsibility of the County Planning Commission or Board of Supervisors, the lead CEQA decision makers, to make the final determination regarding consistency issues. The following plans and policies are applicable to the proposed project and are described in the following sections:

- County of San Luis Obispo General Plan, Land Use Element, Inland Framework for Planning
- Land Use Ordinance (LUO) – Combining Designation Standards
- South County Inland Area Plan
- County of San Luis Obispo General Plan, Agriculture Element
- County of San Luis Obispo General Plan, Conservation and Open Space Element
- County of San Luis Obispo General Plan, Noise Element
- County of San Luis Obispo General Plan, Parks and Recreation Element
- County of San Luis Obispo General Plan, Safety Element
- County of San Luis Obispo EnergyWise Plan
- Basin Plan for the Central Coast Region
- 2001 Clean Air Plan

Table 3-1 presents a summary of potential inconsistencies between the proposed project and the applicable plans and policies listed above. Additional consistency analysis with local plans and policies is provided in the individual environmental analysis sections of the EIR. For example, the Noise sub-section includes an assessment of the project’s consistency with the standards identified in the Noise Element of the County’s General Plan. To the extent that the proposed project may be inconsistent with portions of these documents, remedies such as project revisions, special conditions of approval, or variance may be required. All adverse physical effects resulting from any inconsistency are discussed in the appropriate environmental analysis sections of the EIR (refer to Chapter 4).

### **3.3.1.1 County of San Luis Obispo Plans and Policies**

#### **Inland Framework for Planning – Land Use Element**

The first part of the County Land Use Element is the Framework for Planning. The Inland Framework contains policies and procedures that apply to the unincorporated area outside the coastal zone, and defines how the Land Use Element is used together with the LUO and other adopted plans. The Framework also explains the criteria used in applying land use categories and combining designations to the land, and the operation of the Resource Management System. Combining designations are special map categories that identify areas of unique resources or potential hazards that necessitate more careful project review.

#### **San Luis Obispo County Land Use Ordinance and Combining Designations**

The County LUO, Title 22 of the County Code, includes regulations established and adopted to protect and promote public health, safety and welfare. Regulations are also adopted to implement the County General Plan, guide and manage the future growth of the county in accordance with those plans, and regulate land use in a manner that will encourage and support the orderly development and beneficial use of lands within the county. In addition, ordinance regulations are in place to minimize adverse effects on the public resulting from land use and development, as well as to protect and enhance the significant natural, historic, archeological, and scenic resources within the county as identified by the County General Plan. Article 9 of the LUO includes standards for proposed development and new land uses that are specific to each of the planning areas defined by the Land Use Element, including standards specifically applicable to the Nipomo Urban Area and rural areas. These standards are mandatory requirements, intended to address the local planning issues of each planning area.

Combining designations are used to identify and highlight areas of San Luis Obispo County having natural or manmade features that are sensitive, hazardous, fragile, of cultural or educational value, or of economic value as extractable natural resources. The purpose of combining designation standards is to require project design that will give careful consideration to the land features, structures, and activities identified by the combining designations. These standards provide for more detailed project review where necessary to support public safety or proper use of public resources. Two combining designations apply to the project site: Flood Hazard (FH) and Historic (H).

The FH designation applies to portions of the project site adjacent to Nipomo Creek, Carillo Creek, and Adobe Creek. This designation is applied to areas subject to inundation by a 100-year storm event (a storm with a 1% chance of occurring in a given year) or within coastal high hazard areas. Development within these areas would result in increased hazards to life and property as a result of flooding. These standards are also intended to minimize the effects of development on drainage ways and watercourses. The areas of special flood hazard in the county are identified by the Federal Insurance Administration, through the Federal Emergency Management Agency (FEMA), in a scientific engineering report entitled "The Flood Insurance Study for San Luis Obispo County," which was adopted and incorporated into Title 22 of the LUO by reference. The current flood insurance study is on file in the County Public Works office. The LUO combining designation standards set forth specific requirements for plan submittal, review by Public Works, grading, and construction with a FH designation.

The H combining designation recognizes the importance of archeological sites and historic sites, structures, and areas important to local, state, or national history, such as the Dana Adobe. LUO standards are intended to protect archaeological resources, historic structures, and

sites by requiring new uses and alterations to existing uses to be designed with consideration for preserving and protecting these resources.

### County of San Luis Obispo South County Inland Area Plan

The project lies within the unincorporated area of San Luis Obispo County, and outside of the California Coastal Zone, in the area of the South County Inland Area Plan. The plan acts as a guide for the cohesive and comprehensive development of the South County Inland Area, and seeks to guide future development that will balance the social, economic, environmental and governmental resources and activities affecting the quality of life within the area. This plan includes planning area standards for the South County Planning Area, which includes the urban community of Nipomo, and seeks to preserve the character of the communities and rural areas that currently exist in the area. As noted in the Area Plan, flooding of certain locations within the area is possible as evidenced by winter storms in 1969 and 1973. With increasing development, it is expected that additional areas within proximity to Nipomo Creek will become flood prone. Within the project site, the FH combining designation applies to the flood zones for Nipomo, Carillo, and Adobe Creeks.

The Dana Adobe (1839) is designated Historic (H-1), and is noted as the most historic and largest adobe residence in San Luis Obispo County. It was built by Captain William Dana, a New England sea captain, on the original 38,000-acre Mexican land grant for the Rancho Nipomo. The Area Plan notes that the adobe could “become a valuable tourist attraction at the south entrance of the county, if the site is developed to accommodate visitors” and a “Master Plan for site development should be utilized for further improvements” (2003). The proposed project is intended to accomplish these goals.

### County of San Luis Obispo General Plan –Agriculture Element

The County Agriculture Element includes goals and policies focusing on the wise management and protection of important land resources in the County. The mission of the Element is to identify areas of the county with productive farms, ranches and soils, and establish goals, policies and implementation measures that will enable their long-term stability and productivity.

### County of San Luis Obispo General Plan – Conservation and Open Space Element

The County Conservation and Open Space Element (COSE) consists of a policy and program document and a technical appendix. The COSE policy and program document includes separate chapters to address air quality, biological resources, cultural resources, energy, mineral resources, open space, visual resources, and water resources. The technical appendix includes the County’s first baseline greenhouse gas (GHG) emissions inventory. The COSE is based on the principles of smart growth, with the intent to preserve unique or valuable natural resources, to manage development within the sustainable capacity of the county’s resources, and to reduce the county’s contribution to global climate change.

### County of San Luis Obispo General Plan – Noise Element

The County Noise Element provides a policy framework for addressing potential noise impacts in the planning process, and minimizing future noise conflicts. The Noise Element identifies transportation-related, stationary, and potential operational noise generators in the county, provides a list of noise-sensitive land uses, and identifies acceptable and unacceptable thresholds of noise exposure based on land use. The Noise Element also provides mitigation measures that should be applied to projects when noise attenuation is required to meet identified thresholds.

### County of San Luis Obispo General Plan – Parks and Recreation Element

The Parks and Recreation Element is an optional component of the County General Plan. The County has had a Recreation Element as part of its General Plan since 1968, showing an early commitment by the County to provide adequate park and recreation opportunities for both residents and visitors. The Parks and Recreation Element establishes goals, policies, and implementation measures for management, renovation, and expansion of existing, and development of new, parks and recreation facilities in order to meet existing and projected needs and to ensure an equitable distribution of parks throughout the county. The purpose of the Parks and Recreation Element is to: 1) provide policy guidance regarding the provision of park and recreation services, 2) document the county's existing park and recreation resources, and 3) facilitate the evaluation of park and recreation needs including those resources that are outside the County's management during the land use decision process.

### County of San Luis Obispo General Plan – Safety Element

The two primary principles of the County Safety Element are emergency preparedness and development appropriately managed to reduce risk. The Safety Element identifies potential emergency situations and natural disaster risks within the county, and includes goals and policies for response during an emergency or natural disaster and measures for the avoidance of unnecessary risk.

### County of San Luis Obispo EnergyWise Plan

The EnergyWise Plan is a requirement of the COSE and is intended to facilitate the goals of the COSE, although implementation of the reduction measures contained in the plan will require action by the Board of Supervisors. This plan builds upon the goals and strategies of the COSE to reduce local GHG emissions. It identifies how the County will achieve the GHG emissions reduction target of 15% below baseline levels by the year 2020 in addition to other energy efficiency, water conservation, and air quality goals identified in the COSE. The EnergyWise Plan will also assist in the County's participation in the regional effort to implement land use and transportation measures to reduce regional GHG emissions from the transportation sector by 2035. Energy policies relevant to the project are addressed in the COSE consistency analysis.

### Basin Plan for the Central Coast Region

The Water Quality Control Plan for the Central Coast Region (Basin Plan) is the Regional Water Quality Control Board's (RWQCB) master water quality control planning document. It designates beneficial uses and water quality objectives for waters of the state, including surface waters and groundwater. It also includes programs of implementation to achieve water quality objectives. Periodically, the RWQCB considers amendments to the Basin Plan. Each amendment is subject to an extensive public review process. At public hearing, the RWQCB may act to adopt the amendment. Adopted amendments are subject to approval by the State Water Resources Control Board (SWRCB), the Office of Administrative Law, and, in most cases, the U.S. Environmental Protection Agency (EPA).

### 2001 Clean Air Plan

As part of the California Clean Air Act, the San Luis Obispo County Air Pollution Control District (SLOAPCD) is required to develop a plan to achieve and maintain the state ozone standard by the earliest practicable date. The Clean Air Plan (CAP) outlines the District's strategies to reduce ozone precursor emissions from a wide variety of stationary and mobile sources. The 2001 CAP was adopted by the SLOAPCD at their hearing on March 26, 2002.

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<b><i>San Luis Obispo County General Plan, Land Use Element – Framework for Planning (Inland)</i></b>		
<b><i>1. F. Planning Principles, Policies, Implementing Strategies. Strategic Growth Policy 2.4.</i></b> Create complete communities with appropriate areas for housing, commerce, civic uses, schools, recreation and open spaces.	The project would develop an important historic site into a cultural and educational facility for the benefit the local and regional community.	Potentially Consistent
<b><i>Strategic Growth Principle 1.</i></b> Preserve open space, scenic natural beauty and natural resources. Conserve energy resources. Protect agricultural land and resources.	Development on the portion of the project site designated Agriculture would be limited to rough graded trails and an emergency access road, while continuing to support existing grazing and dry farming uses. Proposed uses on this portion of the site would be consistent with on-going agricultural activities.	Potentially Consistent
<b><i>Strategic Growth Principle 1. Policy 2.</i></b> Keep the amount, location and rate of growth allowed by the Land Use Element within the sustainable capacity of resources, public services and facilities.	The project is not expected to induce population growth in the area. It would incrementally increase the demand on public services and facilities; however, additional service demands would be small and service providers in the project area have indicated sufficient capacities to serve the project.	Potentially Consistent
<b><i>Strategic Growth Principle 1. Policy 3.</i></b> Preserve and sustain important water resources, watersheds and riparian habitats.	Development of the project has the potential to adversely impact surface water quality at the site. Implementation mitigation measures have been proposed, including development of a Stormwater Pollution Prevention Plan (SWPPP) and erosion and sedimentation controls, to minimize the potential for impacts. The project also proposes riparian restoration activities within on-site creek corridors and educational facilities related to the protection of natural and cultural resources.	Potentially Consistent
<b><i>Strategic Growth Principle 1. Policy 4.</i></b> Preserve and protect the air quality of the county by seeking to exceed or at least maintain the minimum state and federal ambient air quality standards.	Construction and operation of the project would generate air emissions that would potentially exceed applicable thresholds. Mitigation has been proposed to reduce project-related emissions to less than significant levels.	Potentially Consistent
<b><i>Strategic Growth Principle 1. Policy 6.</i></b> Encourage the protection and use of agricultural land for the production of food, fiber and other agricultural commodities, and support the rural economy and locally-based commercial agriculture.	The portion of the project site classified as Agricultural land does not currently support intensive agricultural uses. Grazing and dry farming activities could continue after development of the project, and no major change in the agricultural use of the site is anticipated.	Potentially Consistent
<b><i>Strategic Growth Principle 1. Policy 7.</i></b> Give highest priority to	The project has been designed to avoid environmental impacts:	Potentially

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
avoiding significant environmental impacts from development through site and project design. Where such impacts cannot be avoided, minimize them to the maximum extent feasible.	development is primarily proposed on the Recreational parcels in areas that minimize impacts to biological and cultural resources; buffers would be maintained along the on-site creeks (except for a bridge crossing designed to minimize impacts); and the project incorporates Low Impact Development (LID) techniques, erosion controls and facilities to encourage the use of alternative transportation.	Consistent
<b>Strategic Growth Principle 2.</b> Strengthen and direct development toward existing and strategically planned communities.	The project is located at the site of the existing historic Dana Adobe, which is located at the southeastern border of the Nipomo URL. It improves connectivity with surrounding land uses and would provide a key recreational and educational component to the residential areas in southeast Nipomo.	Potentially Consistent
<b>Strategic Growth Principle 2. Policy 1.</b> Maintain rural areas in agriculture, low-intensity recreation, very low-density residential uses, and open space uses that preserve and enhance a well-defined rural character.	The portion of the project site outside of the Nipomo URL would be improved with rough graded trails and an emergency access route. On-site agricultural and open space uses would be preserved.	Potentially Consistent
<b>Strategic Growth Principle 2. Policy 11.</b> Provide adequate community amenities, parks, natural areas and trails in support of new development, which will support a high quality of life and a compact form of community development.	The project would develop a significant historic resource in south San Luis Obispo County into a key cultural and educational facility for County residents and visitors. Its location adjacent to residential development at the edge of the Nipomo URL supports a high quality of life and compact urban development.	Potentially Consistent
<b>Strategic Growth Principle 3.</b> Foster distinctive, attractive communities with a strong sense of place.	The proposed project maintains the urban to rural transition at the Nipomo URL and proposes development appropriate in size and style to the project location.	Potentially Consistent
<b>Strategic Growth Principle 3. Policy 1.</b> Protect and restore the valuable history, cultures, images and identity of communities and rural areas.	The project would develop a key historic site in southern San Luis Obispo County into a substantial historic, cultural and educational facility.	Potentially Consistent
<b>Strategic Growth Principle 3. Policy 3.</b> Establish and maintain a distinct edge between urban and rural areas to enhance community separation while allowing for appropriate and compact urban expansion at the urban edge.	The project proposes development of the Visitor's Center, Rancho Era components, and Chumash Interpretive area within the Nipomo URL. Lands outside of the URL would be improved with rough graded trails and an emergency access road, and existing grazing activities would be preserved.	Potentially Consistent
<b>Strategic Growth Principle 3. Policy 5.</b> Foster a strong local	Design of the Visitor's Center and other Master Plan	Potentially

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
identity through appropriate design of public spaces and buildings.	components would be consistent with traditional Rancho Era and Chumash design styles, providing a strong cultural identity of the site representative of the area's history.	Consistent
<b>Strategic Growth Principle 4. Policy 2.</b> Plan for maximum connectivity between different land uses through walkways or other means.	The project includes a trail system throughout the project site, and would accommodate improved connectivity between adjacent uses and with the future Nipomo Creek Linear Park.	Potentially Consistent
<b>Strategic Growth Principle 5.</b> Provide a variety of transportation choices.	Implementation of the project includes the use of buses and shuttles to transport visitors to the site and associated educational and special events. The site could also be accessed by pedestrians and bicyclists via access roads and trails. Overall, the project is consistent with alternative transportation policies.	Potentially Consistent
<b>Strategic Growth Principle 5. Policy 3.</b> Coordinate land use and transportation planning to ensure that all transportation demands can be safely and adequately accommodated.	Implementation of the project includes the use of buses and shuttles to transport visitors to the site and associated educational and special events. The site could also be accessed by pedestrians and bicyclists via access roads and trails. Overall, the project is consistent with alternative transportation policies. The EIR also incorporates the anticipated effects of upcoming improvements to Mary Avenue and completion of the Willow Road interchange project in its analysis of project-related traffic impacts.	Potentially Consistent
<b>Strategic Growth Principle 5. Policy 4.</b> Provide public transit, bicycle lanes, multi-use trails and pedestrian walkways that connect destinations within and between communities, to encourage alternative transportation.	The project includes a trail system throughout the project site, and would accommodate improved connectivity between adjacent uses and with the proposed Nipomo Creek Linear Park. Implementation of the project also includes the use of buses and shuttles to transport visitors to the site and associated educational and special events. South Oakglen Avenue would be widened consistent with recommendations from the County Department of Public Works. Overall, the project is consistent with alternative transportation policies.	Potentially Consistent
<b>Strategic Growth Principle 5. Implementing Strategy 4.</b> Provide multi-use trails (for walking, bicycling and equestrian travel) between and through communities, and connect them with other means of alternative transportation, consistent with the Parks and Recreation Element.	The project includes a multi-use trail system throughout the project site, includes an equestrian trailer parking area, and would accommodate improved connectivity between adjacent uses and with the proposed Nipomo Creek Linear Park. Implementation of the project also includes the use of buses and shuttles to transport visitors to the site and associated	Potentially Consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
	educational and special events. Overall, the project is consistent with alternative transportation policies, and additional consistency analysis of the project with goals and policies of the Parks and Recreation Element is provided below.	
<b>Resource Management System, Objective 1.</b> Resource Conservation - To minimize impacts of future development on the long-term availability of essential natural resources, and to identify the limits or "carrying capacities" of those resources by studying the relationship between development impacts and resource capacities.	The project has been designed to minimize impacts to natural resources, including on-site drainages and riparian habitat, important agricultural soils, and water resources. The project would also provide educational facilities and opportunities related to resource conservation.	Potentially Consistent
<b>Resource Management System, Objective 2.</b> Public Health and Safety - To support efforts to provide county communities with adequate potable water, air quality facilities for sewage disposal and safe streets and roads, by monitoring their capacities to accommodate development allowed by the Land Use Element.	The EIR concluded that, with implementation of recommended mitigation measures, project-related impacts to water supply, air quality, traffic, and public facilities (including solid waste) would be less than significant.	Potentially Consistent
<b>Resource Management System, Objective 3.</b> Public Services and Facilities - To support the provision and upgrading of public services and facilities at a rate that keeps pace with population growth, by anticipating needs sufficiently in advance so that adequate facilities are available before their lack creates critical necessity.	The project would result in an incremental increase in demand on public services and facilities. This increase would be minimized through implementation of water conservation measures, utilization of LID design techniques, and payment of standard development fees. Service providers have indicated that adequate capacity is available to serve the project. The EIR concluded that impacts would be less than significant.	Potentially Consistent
<b>Resource Management System, Objective 4.</b> Agricultural Lands - To encourage protection of productive agricultural land, by considering the effects of current and future development on areawide water resources needed for agriculture.	Development on the agricultural portion of the project site would be limited to rough graded trails and an emergency access road. Existing grazing and dry farming activities would continue at the site.	Potentially Consistent
<b>Public Services, Policy 1.</b> Keep the amount, location and rate of growth allowed by the Land Use Element within the sustainable capacity of resources, public services and facilities.	The project would draw visitors into the cultural/historic site; however, it is not expected to generate population growth in the area. Proposed developments would be designed to protect natural resources and be within the sustainable capacity of public services.	Potentially Consistent
<b>Public Services, Policy 1, Implementing Strategy a.</b> Avoid the use of public resources, services and facilities beyond their renewable capacities, and monitor new development to ensure that its resource demands will not exceed existing and planned	The project would result in an incremental increase in demand on public services and facilities. This increase would be minimized through implementation of water conservation measures, utilization of LID design techniques, and payment of	Potentially Consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
capacities or service levels.	standard development fees. Service providers have indicated that adequate capacity is available to serve the project. The EIR concluded that impacts would be less than significant.	
<b>Circulation Element, Goals and Objectives 1.</b> Provide for a land use pattern and rate of population growth that will not exceed the financial ability of the county and its residents to expand and maintain the circulation system.	The project enhances an existing land use and does not change the land use pattern of the area. It would not induce substantial population growth and has incorporated necessary road improvements, including widening of South Oakglen Avenue to A-1 rural road design standards, to account for additional traffic trips and project-related impacts to the local circulation system.	Potentially Consistent
<b>Circulation Element, Goals and Objectives 3.</b> Integrate land use and transportation planning so that necessary transportation facilities and services can be provided to accommodate urban and rural development.	Implementation of the project includes the use of buses and shuttles to transport visitors to the site and associated educational and special events. The site could also be accessed by pedestrians and bicyclists via access roads and trails. Overall, the project is consistent with alternative transportation policies. The project has incorporated necessary road improvements, including widening of South Oakglen Avenue to A-1 rural road design standards, to account for additional traffic trips and project-related impacts to the local circulation system. The EIR also incorporates the anticipated effects of upcoming improvements to Mary Avenue and completion of the Willow Road interchange project in its analysis of project-related traffic impacts.	Potentially Consistent
<b>Circulation Element, Goals and Objectives 5.</b> Recognize public transit and carpooling as very important components of the county's strategy to provide adequate circulation and to reduce dependency on the automobile.	Implementation of the project includes the use of buses and shuttles to transport visitors to the site and associated educational and special events. The site could also be accessed by pedestrians and bicyclists via access roads and trails. Overall, the project is consistent with alternative transportation policies.	Potentially Consistent
<b>Circulation Element, Pedestrian Circulation, Implementing Strategy 4.</b> Plan and provide multi-use trails that encourage pedestrian, bicycle and equestrian travel between residential areas and other destinations, to implement the trails section of the Parks and Recreation Element.	The project includes a trail system throughout the project site. Parking facilities for equestrian uses would be provided. Additional consistency analysis of the project with the Parks and Recreation Element is provided below.	Potentially Consistent
<b>Land Use Categories, Guidelines for Amendments to Land Use Ordinance and Planning Area Standards. 1.</b> All developments	The project has been designed with consideration of the site's special characteristics. Proposed development would enhance	Potentially Consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<p>should be designed with maximum consideration of the characteristics of project sites and their surroundings:</p> <ol style="list-style-type: none"> <li>To enhance and achieve full use of special site potentials such as natural terrain, views, vegetation, natural waterways or other features;</li> <li>To respect and mitigate (or avoid) special site constraints such as climatic conditions, noise, flooding, slope stability, significant vegetation or ecologically sensitive surroundings;</li> <li>To be compatible with present and potential adjacent land uses within the context of the area's urban, suburban or rural character.</li> </ol>	<p>the significant cultural and historic resources associated with the historic Dana Adobe and local Chumash culture. On-site agricultural, riparian, and surface water resources would be avoided and/or enhanced with restoration activities, educational interpretive components, and preservation of existing grazing and dry farming activities. Project design is consistent with the transition from urban to rural uses at this location, and incorporates LID design techniques to minimize impacts associated with development of the project.</p>	
<p><b>Land Use Categories, Guidelines for Amendments to Land Use Ordinance and Planning Area Standards. 3.</b> All developments should be designed to provide safe vehicular and pedestrian movement, adequate parking for residents, guests, employees and emergency vehicles.</p>	<p>The project includes improvements to South Oakglen Avenue to current rural road design standards, utilization of alternative modes of transportation, construction of an emergency access road, and development of main, overflow, and horse trailer parking areas, consistent with the recommendations of the County Department of Public Works and California Department of Forestry and Fire Protection/County Fire (CAL FIRE).</p>	<p>Potentially Consistent</p>
<p><b>Combining Designations, Flood Hazard, General Objective 1.</b> Projects in designated portions of flood areas should not be constructed, moved, or remodeled so as to result, directly or indirectly, in adverse stream channel alteration, or diminish the capacity of a designated stream course. In addition:</p> <ol style="list-style-type: none"> <li>The utility and service structures such as water and sanitation pipelines, roads, bridges, and similar facilities should include features for protection from design flood water damage.</li> <li>The ground floor of all commercial, industrial, and residential structures should be located at least one foot above the 100 year storm flood profile level, and should be situated to allow any necessary channel and vegetation maintenance.</li> <li>Special design measures may be required to protect structures from bank erosion and to insure public safety. No use should be permitted that would increase the amount of potentially damaging materials in downstream flood flows or increase flood hazards to neighboring properties.</li> <li>Areas of highest flood hazard should remain undeveloped in accordance with the principles of the Federal Flood Insurance Program.</li> </ol>	<p>A portion of the project site along Nipomo, Adobe and Carrillo Creeks is within the 100-year flood zone. Proposed uses within the flood zone would include the emergency access road bridge over Nipomo Creek and an approximately 800-foot portion of the interpretive path loop. Floodwaters would be able to flow freely over the trails and the proposed bridge maintains a one-foot clearance between the lowest point of the bridge and the water surface during a 100-year flood. No loss in capacity of the creeks would result. Restoration within Carrillo Creek is proposed to address currently-occurring erosion, and County and Land Conservancy of San Luis Obispo County restoration actions would continue.</p>	<p>Potentially Consistent</p>

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<p><b>Combining Designations, Flood Hazard, General Objective 2.</b> Proposed projects should be designed with consideration for natural site features, with particular attention to the following:</p> <ol style="list-style-type: none"> <li>Substantial physical features should be preserved, and natural vegetation (including individual trees and groves) and land contours retained wherever feasible.</li> <li>Necessary vegetation removal and grading should occur in ways which minimize soil erosion. Seeding and mulching, or other appropriate stabilization measures should be used to protect disturbed land following construction.</li> <li>Topsoil should not be removed from a site except where development is actually proposed. Topsoil in these areas should be distributed on the site to provide a suitable base for landscaping after construction.</li> </ol>	<p>The project does not propose alteration of substantial physical features or significant changes in natural land contours. The project would include restoration activities along Nipomo, Adobe and Carillo Creeks to provide resource protection and education regarding those resources. Erosion control measures, including preparation of a SWPPP and erosion and sedimentation control plan and incorporation of LID techniques, would be implemented. Stockpiles and staging areas would not be located within 100 feet of on-site creeks.</p>	<p>Potentially Consistent</p>
<p><b>Combining Designations, Flood Hazard, General Objective 3.</b> Projects in the Flood Hazard combining designation should be designed so they will not:</p> <ol style="list-style-type: none"> <li>Adversely increase the height or duration of flood water in or along a designated stream course beyond county engineering standards, or cause danger to life or property.</li> <li>Result in incompatible land uses, nor be detrimental to the protection of surface and groundwater supplies.</li> <li>Increase the county financial burdens through increasing the floods and overflows of water along the designated stream course.</li> </ol>	<p>A portion of the project site along Nipomo, Adobe and Carillo Creeks is within the 100-year flood zone. Proposed uses within the flood zone would include the secondary access road bridge over Nipomo Creek and an approximately 800-foot portion of the interpretive path loop. Floodwaters would be able to flow freely over the trails and the proposed bridge maintains a one-foot clearance between the lowest point of the bridge and the water surface during a 100-year flood. No loss in capacity of the creeks would result. The trails and bridge are not incompatible land uses and would not cause significant danger to life or property.</p>	<p>Potentially Consistent</p>
<p><b>Combining Designations, Historic Site, General Objective 1.</b> A discretionary land use permit should be required for the construction, alteration or repair of any structure with an Historic designation.</p>	<p>The project would require discretionary approval and issuance of a Conditional Use Permit (CUP) and Development Plan by the County.</p>	<p>Potentially Consistent</p>
<p><b>Combining Designations, Historic Site, General Objective 2.</b> A project should not be approved if the project would adversely affect the character or setting of the historic area.</p>	<p>The project would significantly enhance an existing historic resource, with appropriately-designed Rancho Era and Chumash Interpretive components, educational interpretive facilities, and a Visitor's Center and museum. Proposed components have been found to be consistent with the character and setting of the historic Dana Adobe.</p>	<p>Potentially Consistent</p>
<p><b>Combining Designations, Historic Site, General Objective 3.</b> Projects within or near the Historic designation should be designed</p>	<p>Mitigation has been recommended to ensure the project is designed with consideration for the style, design, features, and</p>	<p>Potentially Consistent</p>

**Table 3-1. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
with consideration for the architectural style, design, arrangement, exterior finishes and other features characteristic of the historic site.	characteristics of the historic site, including limits on selected colors and materials and development of a colors and materials board for review and approval by the County.	
<b><i>San Luis Obispo County Land Use Ordinance – Combining Designation Standards</i></b>		
<p><b><i>Combining Designation Standards. Section 22.14.060 Flood Hazard Area. C. Flood Hazard Area permit and processing requirements.</i></b> Drainage plan approval is required where any portion of the proposed site is located within a Flood Hazard combining designation, in addition to all other permits required by this Title, state and Federal law. In addition to the information called for in Section 22.52.110 (Drainage Plan Required) the drainage plan shall include:</p> <ol style="list-style-type: none"> <li>1. Federal Insurance Administration flood data, including base flood elevations, flood hazard areas and floodway locations.</li> <li>2. In areas where water surface elevation data has not been provided by the Federal Insurance Administration, a normal depth analysis or other equivalent engineering analysis that identifies the location of the floodway and demonstrates to the satisfaction of the Director of Public Works that the structure will not be located within the floodway or be subject to inundation by the 100-year storm. The following information is required to determine the flood elevation and the location of the floodway, except where waived or modified by the Director of Public Works:               <ol style="list-style-type: none"> <li>a. Plans drawn to scale showing the location, dimensions, and elevation of the lot, existing or proposed structures, fill, storage of materials, flood-proofing measures, and the relationship of the above to the location of the floodway.</li> <li>b. Typical valley cross-sections showing the normal channel of the stream, elevation of the land areas adjoining each side of the channel, cross-sections of areas to be occupied by the proposed development, and high-water information sufficient to define the 100-year storm flood profile level.</li> <li>c. A profile showing the slope of the bottom of the channel or flow line of the stream.</li> <li>d. Any previously determined flood data available from any</li> </ol> </li> </ol>	Water Resources mitigation measure WR/mm-4 includes requirements for complete drainage, flood hazard, and erosion and sedimentation control plans for review and approval by the County. The project would comply with all FEMA and County Public Works regulations for work within a Flood Hazard zone.	Potentially Consistent

**Table 3-1. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
state, federal or other source.		
<p><b>Combining Designation Standards. Section 22.14.060 Flood Hazard Area. D. Construction standards.</b></p> <p>1. Construction, general.</p> <ul style="list-style-type: none"> <li>a. No construction or grading shall limit the capacity of the floodway or increase flood heights on existing structures unless the adverse effect of the increase is rectified to the satisfaction of the Director of Public Works. In no case shall flood heights be increased above that allowed under the Federal Flood Insurance Program.</li> <li>b. Structures shall be anchored to prevent collapse, lateral movement or flotation that could result in damage to other structures or restriction of bridge openings and narrow sections of the stream or river.</li> <li>c. Service facilities such as electrical and heating equipment shall be floodproofed or constructed at minimum of one-foot above the 100-year storm flood profile level for the site.</li> <li>d. Water supply and sanitary sewage systems shall be designed to minimize infiltration of flood waters into the system and discharge from systems into flood waters.</li> <li>e. On-site waste disposal systems shall be located to avoid their being impaired or contaminated during flooding.</li> <li>f. All buildings or structures shall be located landward of mean high tide.</li> <li>g. Whenever a watercourse is to be altered or relocated, the Department shall notify adjacent communities and the Department of Water Resources and evidence of such notification shall be sent to the Federal Insurance Administration.</li> <li>h. Fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following criteria: <ul style="list-style-type: none"> <li>1) A minimum of two openings having a total net area of not less than one square inch for every</li> </ul> </li> </ul>	<p>Structures proposed within the 100-year flood zone would be limited to pedestrian trails and foot bridges, which floodwaters could flow freely over, and the emergency access bridge over Nipomo Creek, which has been designed to maintain existing creek capacity and one foot of clearance between the lowest point of the bridge and the water surface during a 100-year flood. No other structures are proposed within the flood zone, project infrastructure would be setback from the flood zone, no watercourses would be altered or relocated, and no specific design standards would be applicable.</p>	<p>Potentially Consistent</p>

**Table 3-1. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<p>square foot of enclosed area subject to flooding.</p> <ul style="list-style-type: none"> <li>2) The bottom of all openings shall be no higher than one foot above grade.</li> <li>3) Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of flood waters.</li> </ul> <ul style="list-style-type: none"> <li>i. On the basis of structural plans and the depth analysis, the lowest floor of all structures shall be constructed at a minimum of one-foot above the 100-year storm flood profile level. Within any AO zone on the Flood Insurance Rate maps, this elevation shall be determined by adding one foot to the depth number specified. If no depth is specified, structures shall be elevated a minimum of two feet above adjacent natural grade.</li> <li>j. Non-residential construction shall either be elevated in conformance with Subsection D.1.i, or together with attendant utility and sanitary facilities, be elevated a minimum of two feet above the highest adjacent grade and be floodproofed to a minimum of one-foot above the 100-year storm flood profile level. Examples of floodproofing include, but are not limited to:               <ul style="list-style-type: none"> <li>1) Installation of watertight doors, bulkheads, and shutters.</li> <li>2) Reinforcement of walls to resist water pressure.</li> <li>3) Use of paints, membranes, or mortars to reduce seepage through walls.</li> <li>4) Addition of mass or weight to structure to resist flotation.</li> <li>5) Armor protection of all fill materials from scour and/or erosion.</li> </ul> </li> <li>k. All structures subject to inundation shall use flood resistant materials up to one foot above base flood elevation.</li> </ul> <p>2. Storage and processing.            The storage or processing of materials that in time of flooding are buoyant, flammable, or explosive; that could be injurious to human, animal, or plant life; or that may unduly affect floodway capacity or unduly increase flood heights is not permitted. Storage of other material or equipment may be allowed if not subject to major</p>		

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
damage by floods and if firmly anchored to prevent flotation, or if readily removable from the area within the time available after flood warning.		
<p><b>Combining Designation Standards. Section 22.14.080, Historic Site. C. Permit and Processing Requirements.</b></p> <p>3. Required Findings for Approval.</p> <p>A land use permit application within an H combining designation shall be approved only where the Review Authority first makes all the following findings, where applicable:</p> <p>a. Archeological resources. Where an H combining designation is applied to identify areas of archeological resources (historic and prehistoric), project approval shall require the following findings:</p> <ol style="list-style-type: none"> <li>1) The site design and development as finally proposed incorporates adequate measures to ensure the archeological resources will be acceptably and adequately protected; or</li> <li>2) Where site design and development proposals cannot feasibly be changed, and intrusion into or disturbance of historic or prehistoric archeological resources will result, that construction will use appropriate methods to protect the integrity of the site, including possible relocation of graves and artifacts.</li> </ol> <p>b. Historic structures, landmarks and districts. Where an H combining designation is applied to identify historic structures, landmarks, or districts, project approval shall require the following findings:</p> <ol style="list-style-type: none"> <li>1) The height, bulk, location, structural materials, landscaping and other aspects of the proposed use will not obstruct public views of the historic structure or of its immediate setting;</li> <li>2) Any proposed alteration or removal of structural elements, or clearing of landscaping or natural vegetation features will not damage or destroy the character of significant historical features and settings;</li> <li>3) Any proposed remodeling or demolition is unavoidable because it is not structurally or</li> </ol>	<p>The Historic (H) designation applies to the Dana Adobe, which would continue to be restored pursuant to Secretary of the Interior's Standards for the Treatment of Historical Properties. Proposed developments would be visible from South Oakglen Avenue and South Thompson Road, though existing mature trees generally block public views from U.S. Highway 101. Additional development at the site would result in the placement of structures and vegetation at the site which may block existing views of the adobe. These project components have been designed to enhance the historic characteristics and setting of the Dana Adobe. No demolition or removal of structural elements is proposed.</p>	Potentially Consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
economically feasible to restore or retain existing structures or features.		
<b>South County Inland Area Plan</b>		
<p><b>Section 22.112.020 Areawide Standards.</b>  <b>A. General Areawide Standards.</b>            2. Groundwater Recharge areas. New development shall be located to preserve existing natural drainage areas and aquifer recharge areas and shall incorporate natural drainage systems in new developments to aid in groundwater recharge.</p>	<p>The project would increase impervious surfaces, which has the potential to reduce the soil's ability to absorb rainfall and aid in groundwater recharge. The project would preserve existing natural drainage areas within on-site creeks and incorporate mitigation measures to minimize adverse effects on groundwater recharge, including implementation of LID techniques and maximization of pervious surfaces.</p>	Potentially Consistent
<p><b>Section 22.112.020 Areawide Standards.</b>  <b>B. Edge of the Nipomo Mesa.</b> The following standards apply to all land located on the edge of the Nipomo Mesa, including the area along Nipomo Creek. The edge of the Nipomo Mesa is defined as the point of change in topography where slope exceeds 15 percent descending directly from the Mesa to the Santa Maria, Cienega, Los Berros and Nipomo Valleys, shown in Figure 112-1. Moderate erosion impacts potentially occur on disturbed slopes of Oceano dune sand (which typifies the Nipomo Mesa) that are steeper than 15 percent.</p> <p>1. Drainage plan requirement. Land use permit and land division applications shall include a drainage plan in compliance with Chapter 22.52. The plan shall identify the point of change to 15 percent slope, in addition to other required drainage plan contents. The drainage plan requirement may be waived through an adjustment approved in compliance with Section 22.70.030, where a development will be located a sufficient distance from the bluff edge to be of no concern.</p> <p>3. Standards for projects requiring Minor Use or Conditional Use Permit and land division approval. Minor Use Permit, Conditional Use Permit and new land division applications shall include proposals to address drainage requirements, erosion concerns and septic effluent issues. In addition, the proposal shall address visual, historical and environmental mitigation.</p>	<p>A portion of the project site is identified in the Area Plan as within the Edge of the Nipomo Mesa, though on-site slopes are generally less than 15% (except adjacent to Nipomo Creek). The project includes several mitigation measures to minimize the potential for sedimentation and erosion, including the requirement for development of complete drainage, flood hazard, and erosion and sedimentation control plans for review and approval by the County. The proposed on-site septic system would be subject to review by the County and consistency with the Basin Plan. Visual, historical and environmental mitigation has been analyzed in the EIR.</p>	Potentially Consistent
<p><b>Section 22.112.020 Areawide Standards.</b>  <b>F. Nipomo Mesa Water Conservation Area.</b></p>	<p>The project site is within the Nipomo Mesa Water Conservation Area. Proposed landscaping would include drought-tolerant</p>	Potentially Consistent

**Table 3-1. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<p>2. Landscape standards.</p> <p>c. Irrigation Systems. Irrigation systems shall include the following components:</p> <ol style="list-style-type: none"> <li>1) Smart controllers. Irrigation controllers that are climatologically controlled without human intervention, that adjust irrigation based on the amount of moisture lost from soil and plant material since the previous irrigation by utilizing climate data (evapotranspiration rates) broadcast to the controller from the California Irrigation Management Information System and other sources, and that have been tested and certified 100% for irrigation adequacy and schedule shall be installed and maintained on all irrigated and landscaped areas.</li> <li>2) Drip Irrigation. Drip irrigation systems shall be utilized for all landscape plant material with the exception of turf.</li> <li>3) A separate meter for outdoor water; and</li> <li>4) An operating manual to instruct the building occupant how to use and maintain the water conservation hardware.</li> </ol> <p>d. Turf area limits.</p> <ol style="list-style-type: none"> <li>1) Multi Family dwellings: The site's total irrigated landscape area shall be limited to 300 square feet per unit.</li> <li>2) All other projects: The maximum amount of turf (lawn) area shall not exceed twenty percent of the site's total irrigated landscape area. In all cases, the site's total irrigated landscape area shall be limited to 1,500 square feet. The review authority may approve exceptions to this requirement in order to allow the minimum amount of irrigated landscaped or turf area needed for schools, parks and other uses that typically require larger irrigated landscape areas when the applicant can demonstrate the need for the additional irrigated landscaped area based on the characteristics of the use and the site.</li> </ol>	<p>native vegetation, oak trees, and demonstration historical orchards and gardens, and the project would incorporate water conservation measures consistent with the LUO and Plumbing Code. No turf or lawn is proposed.</p>	

**Table 3-1. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<p><b>Section 22.112.020 Areawide Standards.</b>  <b>F. Nipomo Mesa Water Conservation Area.</b>                      3. Building Permits. Building permits issued for construction in the Nipomo Mesa Water Conservation Area shall comply with Section 19.07.042.  <b>Plumbing Code Section 19.07.042 Water Conservation Provisions.</b> The requirements in this section shall apply to all new installations and, where specifically required, to existing structures.</p> <ul style="list-style-type: none"> <li>a. Water fixtures. Water fixtures shall comply with current requirements of the California Energy Commission and Department of Water Resources.</li> <li>b. Existing structures. In existing buildings, replacement water fixtures shall conform to the above requirements. In addition, all fixtures in an existing building shall be brought into conformance with these requirements when an alteration of that building meets either of the following criteria, except in the Nipomo Mesa Water Conservation Area and the Los Osos Groundwater Basin as described in Subsections d and e.                             <ul style="list-style-type: none"> <li>1) A bathroom is added;</li> <li>2) The floor area is increased by twenty per cent (20%) or more.</li> </ul> </li> <li>d. Nipomo Mesa Water Conservation Area. : In addition to the requirements in sections a, b and c above, the requirements in paragraphs (1) through (6) below shall apply to all new development that uses water from the Nipomo Mesa Water Conservation Area shown in Figure 7-1.                             <ul style="list-style-type: none"> <li>1) The developer of any new structure that uses water from the Nipomo Mesa Water Conservation Area shall install plumbing fixtures that meet the following requirements:                                     <ul style="list-style-type: none"> <li>i. Toilets rated at no more than 1.28 gallons per flush (HET);</li> <li>ii. Showerheads rated at no more than 2.5 gallons per minute;</li> <li>iii. Bathroom sink aerators with a volume of no more than 2.0 gallons per minute;</li> <li>iv. Hot water circulation systems for master bathrooms and kitchens if the furthest</li> </ul> </li> </ul> </li> </ul>	<p>The project would incorporate water conservation measures consistent with the LUO and Plumbing Code, consistent with this policy.</p>	<p>Potentially Consistent</p>

**Table 3-1. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<p>plumbing fixture unit in these rooms is greater than twenty (20) pipe - feet from the hot water heater;</p> <ul style="list-style-type: none"> <li>v. Commercial structures shall use waterless urinals;</li> <li>vi. New residences shall have washing machines/laundry trays plumbed for grey-water systems pursuant to Chapter 16 of the Uniform Plumbing Code (Greywater Systems).</li> </ul> <p>2) Any remodel of an existing structure or addition to an existing structure that uses water from the Nipomo Mesa Water Conservation Area, that requires a construction permit pursuant to this Title, that is valued at \$20,000 or more as determined by the Building Division of the Department of Planning and Building, and that is not solely for roof replacement or electrical work to bring the structure into compliance with this Title, shall require the replacement of plumbing fixtures in the entire structure with the following types of plumbing fixtures:</p> <ul style="list-style-type: none"> <li>i. Toilets rated at no more than 1.28 gallons per flush (HET);</li> <li>ii. Showerheads rated at no more than 2.5 gallons per minute;</li> <li>iii. Bathroom sink aerators with a volume of no more than 2.0 gallons per minute;</li> <li>iv. All urinals in commercial structures shall be replaced with waterless urinals.</li> </ul> <p>Toilets rated at no more than 1.6 gallons per flush are exempt from this requirement and do not have to be replaced.</p> <p>3) Prior to issuance of a construction permit for a new structure with plumbing fixtures that use water from the Nipomo Mesa Water Conservation Area, the developer of such new structure shall provide evidence to the Department of Planning and Building that the plumbing fixtures in five (5) existing structures within the Nipomo Mesa Water</p>		

**Table 3-1. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<p>Conservation Area with toilets rated at 3.5 or more gallons per flush have been retrofitted by replacing all toilets, showerheads and faucet aerators as follows:</p> <ul style="list-style-type: none"> <li>i. Toilets rated at no more than 1.28 gallons per flush (HET);</li> <li>ii. Showerheads rated at no more than 2.5 gallons per minute;</li> <li>iii. Bathroom sink aerators with a volume of no more than 2.0 gallons per minute;</li> <li>iv. All urinals in commercial structures shall be replaced with waterless urinals.</li> <li>v. Owners of existing structures that are retrofitted under this program shall agree to allow their water purveyors to release water use data to the Department of Planning and Building in order to gauge the effectiveness of the program to the extent allowed by California law.</li> </ul> <p>Upon retrofitting of the required number of plumbing fixtures, the developer shall submit evidence of the completed retrofits to the Department of Planning and Building. This evidence shall consist of a Retrofit Verification Declaration completed and executed by a licensed plumber and/or contractor.</p> <p>Upon submittal to the Department of Planning and Building of a completed and executed Retrofit Verification Declaration accompanied by the required fee, the developer shall be issued a Water Conservation Certificate from the Department of Planning and Building. Once the Water Conservation Certificate is issued, a construction permit may be issued.</p> <p>4) In lieu of retrofitting plumbing fixtures in existing structures as specified in subsection d.3., a developer of a new structure may instead pay to the Nipomo Community Services District (hereinafter referred to as the "District") the amount of \$750.00 per toilet to be installed in the</p>		

**Table 3-1. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<p>new structure. Prior to issuance of a building permit for the new structure specified in subsection d.3., a receipt for the payment to the District shall be submitted to the Department of Planning and Building.</p> <p>5) The District shall use the in lieu fees specified in subsection d.4. for programs that result in measurable water conservation in the Nipomo Mesa Water Conservation Area, including but not limited to the following:</p> <ul style="list-style-type: none"> <li>i. Subsidize toilet/showerhead retrofits.</li> <li>ii. Subsidize interior water audits.</li> <li>iii. Subsidize exterior water audits.</li> <li>iv. Subsidize irrigation system changes that will save water pursuant to the results of a District-sponsored water audit.</li> <li>v. Subsidize removal of high water-using turf and landscape materials and replacement with low water-using landscape material.</li> <li>vi. Provide repairs to irrigation systems at a cost not to exceed \$100.00 per parcel.</li> </ul> <p>Fees collected from new development located within the District boundaries shall only be used for water conservation projects within the District. Fees collected from new development that is located outside of the District boundaries shall be used for water conservation projects outside of the District boundaries.</p> <p>6) As an alternative to Subsection d.4., a developer or developers may choose to fund a water conservation program for public parks, school grounds or other public facilities in the Nipomo Mesa Water Conservation Area. The program to be funded will have been prepared by a California-licensed landscape architect for either the County Parks Department, the Lucia Mar School District or another public entity, as applicable. The program shall be reviewed and approved by the Planning Director and the owner of the public facility, and shall identify water</p>		

**Table 3-1. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<p>savings and associated costs of conservation measures such as irrigation system replacement and/or repairs, installation of "smart controllers," removal of turf, replacement of high water using landscape material and amendments to soils. The water conservation program shall clearly identify the expected water savings from implementation of the program. Each contribution of \$1,500 to the applicable public entity for the water conservation program will satisfy the requirement to retrofit plumbing fixtures in five (5) existing structures prior to issuance of a construction permit for each new structure, in accordance with subsection d.3.</p>		
<p><b>Section 22.112.030 Combining Designations.</b>  <b>B. Historic Area (H) - Dana Adobe.</b> Development of any tourist-related facilities, residential or accessory uses at the site of the Dana Adobe (see Figure 112-6) shall be in an architectural motif compatible with the adobe itself and consistent with the site master plan on file at the Department. This requirement applies to the Dana Adobe site in addition to the requirements of Sections 22.112.080.F.1 through F.4.</p>	<p>Upon approval of the Land use Ordinance Amendment, this text would change. The project is consistent with the existing and proposed language. The EIR includes mitigation that would require the applicant to provide a colors and materials board for review and approval by the County, which includes architectural elements that are consistent with the historical context of the Dana Adobe and colors and materials that blend with the surrounding landscape.</p>	<p>Potentially Consistent</p>
<p><b>Section 22.112.040 Rural Area Standards. A. Areawide standards.</b>            1. Circulation. The following standards apply to the circulation features proposed in applications for all discretionary land use permits including land divisions.            a. Areawide circulation linkages. All land division and Conditional Use Permit applications shall be integrated into areawide circulation and utility easements, providing for future extensions into adjacent undeveloped properties wherever feasible or where known areawide rights-of-way are planned.            c. Equestrian, pedestrian and bike paths - Conditional Use Permits and New Land Divisions. Safe and site-sensitive equestrian, pedestrian and bicycle circulation facilities shall be provided in projects subject to Conditional Use Permits and new land divisions where feasible either within the street right-of-way or in separated locations as illustrated in</p>	<p>The project would improve the existing circulation system with road improvements associated with the Urban area component. Actions within the Rural component are limited to trails, an emergency access road, continued agricultural use and native habitat restoration, and open space. The project is consistent with alternative transportation policies, and includes pedestrian, bicycle, and equestrian trails and parking facilities.</p>	<p>Potentially Consistent</p>

**Table 3-1. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<p>Figure 112-7 subject to the County Parks and Recreation Element. Unless determined to be infeasible or to result in significant effects on the environment, density may be calculated in such new land divisions on the basis of gross site acreage when such facilities are provided, instead of net site acreage as otherwise required by this Title.</p>		
<p><b>Section 22.112.040 Rural Area Standards. A. Areawide standards.</b>                  2. Drainage. The following standards apply to all projects requiring discretionary land use permits including land divisions.                  b. Runoff toward the Nipomo Mesa edge. Developments in areas that are found to potentially drain to the edge of the bluff shall be designed so that runoff will be contained by natural-appearing retention/recharge basins capable of accommodating a 100-year storm. The design of such basins may require percolation testing to establish rates of infiltration.</p>	<p>Development with the Rural portion of the project site would be limited; however, development on the Urban portion may contribute to runoff affecting Nipomo Creek. The County LUO requires management of stormwater flow to ensure rates do not exceed existing conditions. Incorporation of LID strategies, consistent with LUO §22.10.155 (Stormwater Management) would avoid or minimize the project's contribution to water quality and drainage issues affecting surface water bodies in Nipomo and the South County area. The proposed project includes several LID measures to retain and reduce runoff, all which meet County and RWQCB guidelines to reduce off-site runoff.</p>	<p>Potentially Consistent</p>
<p><b>Section 22.112.040 Rural Area Standards. B. Agriculture (AG).</b>                  The following standards apply within the Agriculture land use category.                  1. Nipomo and Santa Maria (Oso Flaco) Valleys. The following standard applies within the Nipomo and Santa Maria valleys (see Figure 112-18).                  a. Limitation on use. Land uses are limited to the following within Agriculture land use category in the Nipomo and Santa Maria (Oso Flaco) Valleys, subject to the land use permit requirements of Section 22.06.030:                  Ag processing                  Agricultural accessory structures                  Animal keeping                  Communications facilities                  Crop production and grazing                  Farm support quarters                  Home occupations                  Mining and concrete batch plants (within the area along the Santa Maria River shown in Figure 112-19 which corresponds to the EX1 or subsequently</p>	<p>The project proposes development of rough graded trails and an emergency access road within the Agricultural-designated portion of the site. These are incidental uses that would not significantly alter existing grazing and dry farming activities at the site, which would continue after project development.</p>	<p>Potentially Consistent</p>

**Table 3-1. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<p>designated EX combining designation)                      Mobile homes                      Nursery specialties (Conditional Use Permit required)                      Outdoor retail sales                      Pipelines and power transmission lines                      Residential accessory uses                      Roadside stands                      Single-family dwellings                      Temporary dwellings</p>		
<p><b>Section 22.112.080 Nipomo Urban Area Standards. A. Community-wide standards.</b> The following standards apply to all land use categories within the Nipomo urban reserve line.</p> <p>5. Creek preservation - Nipomo Creek. Retain Nipomo Creek in an open condition within 50 feet of the floodway and incorporate it into site development with landscaping that is compatible with riparian habitat (as recommended by the Department of Fish and [Wildlife]) as well as compatible with County drainage requirements. All other development, including pedestrian seating and pathways, must be at least 50 feet away from the floodway for Nipomo Creek.</p>	<p>Within the Urban (30-acre) component of the project site, the project incorporates a 50-foot buffer around the mapped flood zone of Nipomo Creek, with the exception of the emergency access road. The proposed road and associated bridge over Nipomo Creek has been designed to be located above flood waters, and would comply with FEMA and County regulations.</p>	<p>Potentially Consistent</p>
<p><b>Section 22.112.080 Nipomo Urban Area Standards. G. Recreation (REC) - Dana Adobe.</b> The following standards apply only to the properties containing and surrounding the Dana Adobe, shown in Figure 112-57 in addition to the Historic combining designation standard in Section 22.12.030.A.</p> <p>1. Limitation on use.</p> <p>a. Prior to completion of a future Southland Street interchange, land uses shall be limited to those identified as allowable, permitted, or conditional in the Residential Suburban land use category by Section 22.06.030, except for nursing and personal care, and residential care.</p> <p>b. After completion of a Southland Street interchange, all land uses that are identified by Section 22.06.030 as allowable, permitted, or conditional in the Recreation land use category may be authorized in compliance with the land use permit requirements of that Section.</p> <p>2. Permit requirement. The development of any non-agricultural or non-residential uses shall comply with the Site Master Plan on</p>	<p>The project would be potentially inconsistent with the Limitation on Use, Subdivision and Development requirements of this section, as currently written; however:</p> <p>The project proposes amendment of this section of the LUO to clarify its intent by addressing emergency access conditions and updating design and approval standards. The proposed amendment would remove the reference to the Southland Street interchange, which is no longer proposed for construction by the County and Caltrans. It would also add a requirement for privately-developed access in the event of an emergency. The proposed amendment would include minor updates to correctly identify land currently owned by DANA, design standards to maintain historical context and ensure continued preservation and restoration of the Dana Adobe, and a requirement for Master Plan and CUP approval. The proposed amendments would not remove any intended impediment to growth.</p>	<p>Potentially Inconsistent only if LUO Amendment is not adopted</p>

**Table 3-1. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<p>file with the Department and shall be subject to Conditional Use Permit approval. The Conditional Use Permit shall identify the area to be developed, the types of uses to be established, and an architectural motif compatible with the adobe itself.</p> <p>3. Subdivision requirement. All new subdivisions on the site of the Dana adobe shall be clustered in compliance with Chapter 22.22. An area shall be located around the Dana adobe site, to be offered for dedication to the County, another agency, or appropriate caretaker organization for maintenance and improvements. Funding shall be provided to contribute to the improvement of the adobe and its site in an amount to be determined through the subdivision review process. The residential lots shall be located a compatible distance from the adobe. The architecture of structures within the subdivision shall be compatible with the adobe, through the use of deed covenants, conditions and restrictions (CC&amp;Rs).</p> <p>4. Development requirements. Siting and architecture of both residential and nonresidential uses shall be visually compatible with the Dana Adobe and located to minimize their appearance from the adobe. Physical linkage with the adobe site shall be designed that encourages pedestrian travel. Landscaping shall be utilized to buffer views between the adobe and development sites. An area shall be located around the Dana adobe site, to be offered for dedication to the County, another agency or appropriate caretaker organization for maintenance and improvements. Funding for the improvement of the adobe and its site at an amount to be determined through permit review shall be provided before occupancy of any proposed development.</p>	<p>Because the proposed amendment would better maintain and preserve the historical context of the Dana Adobe, and remove references to conditions which are no longer accurate, it is unlikely that any potential inconsistency with this section would result in a significant adverse impact to the environment.</p>	
<b><i>San Luis Obispo County General Plan, Agriculture Element</i></b>		
<p><b><i>Agriculture Policy 18: Location of Improvements.</i></b> Locate new buildings, access roads, and structures so as to protect agricultural land.</p>	<p>Proposed development within the Agriculture portion of the project site would be limited to trails, an emergency access road, restoration, and equestrian parking. The project has been designed to be compatible with surrounding agricultural uses by locating proposed development an adequate distance from off-site agricultural resources and operations. Interpretive trails would be located along existing internal roadways away from adjacent agricultural uses.</p>	<p>Potentially Consistent</p>

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<b><i>San Luis Obispo County General Plan, Conservation and Open Space Element</i></b>		
<b><i>Air Quality. Goal AQ 1.</i></b> Per capita vehicle-miles-traveled countywide will be substantially reduced consistent with statewide targets.	Implementation of the project includes the use of buses and shuttles to transport visitors to the site and associated educational and special events. The site could also be accessed by pedestrians and bicyclists via access roads and trails. Overall, the project is consistent with alternative transportation policies.	Potentially Consistent
<b><i>Air Quality. Policy AQ 1.1 Compact development.</i></b> Encourage compact land development by concentrating new growth within existing communities and ensuring complete services to meet local needs.	The project would result in development at an existing site within the Nipomo URL. Developments on the adjoining agricultural parcel would be limited to interpretive trails and an emergency access road.	Potentially Consistent
<b><i>Air Quality. Policy AQ 1.2 Reduce vehicle miles traveled.</i></b> Require projects subject to discretionary review to minimize additional vehicle travel.	Implementation of the project includes the use of buses and shuttles to transport visitors to the site and associated educational and special events. The site could also be accessed by pedestrians and bicyclists via access roads and trails. Overall, the project is consistent with alternative transportation policies.	Potentially Consistent
<b><i>Air Quality. Policy AQ 1.3 Convenient alternative transportation.</i></b> Require new development to provide safe and convenient access to alternative transportation within the project area and safe access to public transportation as feasible.	Implementation of the project includes the use of buses and shuttles to transport visitors to the site and associated educational and special events. The site could also be accessed by pedestrians and bicyclists via access roads and trails. Overall, the project is consistent with alternative transportation policies.	Potentially Consistent
<b><i>Air Quality. Policy AQ 1.7 Bicycle and pedestrian travel.</i></b> Encourage bicycle and pedestrian use by supporting the policies found in the Regional Transportation Plan, County Bikeways Plan, Land Use and Circulation Element, and County Parks and Recreation Element. In addition, support public and private efforts to facilitate bicycling and walking for transportation and recreation.	The project includes a substantial trail system, and would accommodate improved connectivity between the site and the future Nipomo Creek Linear Park (if developed by the County).	Potentially Consistent
<b><i>Air Quality. Goal 3.</i></b> State and Federal Ambient Air Quality Standards will, at a minimum, be attained and maintained.	San Luis Obispo County is currently non-attainment for ozone and inhalable particulate matter. The 2001 Clean Air Plan was developed to provide guidance on how to attain and maintain the state standards for ozone and PM <sub>10</sub> . Under a reasonable “worst-case scenario” the proposed project would generate construction-related and operational emissions that exceed	Potentially Consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
	applicable air quality standards. However, the proposed use is within the range of acceptable land uses for the zoning and land use classification of the site, and implementation of recommended mitigation would reduce impacts to less than significant.	
<b>Air Quality. Implementation Strategy AQ 3.1.1 Air Quality Mitigation Measures.</b> Coordinate with the San Luis Obispo Air Pollution Control District and cities to identify feasible, cost-effective, consistent, and comprehensive air quality mitigation measures and programs to reduce short-term, operational, and cumulative impacts of new development on air quality.	The proposed project has been assessed through consultation with the APCD and consistent with the APCD's CEQA Air Quality Handbook.	Potentially Consistent
<b>Air Quality. Policy AQ 3.7 Reduce vehicle idling.</b> Encourage the reduction of heavy-vehicle idling throughout the county, particularly near schools, hospitals, senior care facilities, and areas prone to concentrations of people, including residential areas.	Air quality mitigation measure AQ/mm-1 limits diesel idling to less than five minutes, and prohibits idling within 1,000 feet of identified sensitive receptors.	Potentially Consistent
<b>Air Quality. Policy AQ 3.8 Reduce dust emissions.</b> Reduce PM <sub>10</sub> and PM <sub>2.5</sub> emissions from unpaved and paved County roads to the maximum extent feasible.	The EIR recommends mitigation measures to reduce construction-related fugitive dust emissions as well as those associated with use of unpaved overflow parking areas and roadways (refer to AQ/mm-2 and AQ/mm-3). Use of a dust suppressant is required to ensure fugitive dust emissions do not impact off-site areas and do not exceed the APCD's 20% opacity limit.	Potentially Consistent
<b>Air Quality. Policy AQ 4.4 Development projects and land use Activities.</b> Reduce greenhouse gas emissions from development projects and other land use activities.	Based on emission estimates calculated with CalEEMod, development of the project would not generate GHG emissions that exceed the APCD's threshold. In addition, the project incorporates many of the APCD's standard measures for GHG reduction, including the creation of multi-use paths, use of buses to shuttle visitors and students, use of drought-tolerant and native landscaping, use of alternative energy including solar, incorporation of water conservation measures, and location of the project within and adjacent to an urban area.	Potentially Consistent
<b>Air Quality. Policy AQ 5.2 Public awareness.</b> Increase public awareness about climate change and lifestyle changes that will reduce greenhouse gas emissions.	The project incorporates sustainable construction techniques and includes an educational component that would identify and address the consequences of human interaction with the land over time, as well as modern day environmental and sustainability issues.	Potentially Consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<b>Biological Resources. Goal 1.</b> Native habitat and biodiversity will be protected, restored, and enhanced.	The project proposes restoration activities within Nipomo, Adobe and Carrillo Creeks and would enhance the riparian habitat within the creek corridors. Additional proposed landscaping would be drought-tolerant and composed of native species.	Potentially Consistent
<b>Biological Resources. Policy BR 1.1 Protect Sensitive Biological Resources.</b> Protect sensitive biological resources such as, wetlands, migratory species of the Pacific flyway, and wildlife movement corridors through: 1. environmental review of proposed development applications, including consideration of cumulative impacts, 2. participation in comprehensive habitat management programs with other local and resource agencies, and 3. acquisition and management of open space lands that provide for permanent protection of important natural habitats.	The EIR analyzed the project's potential effect on biological resources, including consideration of cumulative impacts. The project has been designed to maintain the 100-acre portion primarily in open space, and mitigation measures have been recommended to reduce impacts to wetland areas and wildlife migratory corridors.	Potentially Consistent
<b>Biological Resources. Policy BR 1.2 Limit Development Impacts.</b> Regulate and minimize proposed development in areas that contain essential habitat for special-status species, sensitive natural communities, wetlands, coastal and riparian habitats, and wildlife habitat and movement corridors as necessary to ensure the continued health and survival of these species and protection of sensitive areas.	On-site riparian corridors and grasslands provide important habitat for a variety of wildlife species. The project has been designed to avoid sensitive habitat and resources to the extent feasible. Mitigation measures have been recommended to further minimize potential impacts to sensitive biological resources. The project would also include interpretive trails that furnish education regarding the site's important natural, historical, and agricultural resources.	Potentially Consistent
<b>Biological Resources. Policy BR 1.4 No Net Loss.</b> Require that development projects are approved with conditions and mitigation measures to ensure the protection of sensitive resources and to achieve "no net loss" of sensitive habitat acreage, values, and function. Give highest priority to avoidance of sensitive habitat. When avoidance is not feasible, require provision of replacement habitat onsite through restoration and/or habitat creation. When onsite mitigation is not feasible, provide for offsite mitigation that reflects no net loss.	The project would require consultation with and permits from U.S. Army Corps of Engineers (USACE), U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and RWQCB for restoration work within Carrillo Creek and construction of a span bridge over Nipomo Creek. No net loss of habitat would occur, based on the design of the proposed project and implementation of mitigation measures addressing habitat restoration.	Potentially Consistent
<b>Biological Resources. Policy BR 1.11 Protect Wildlife Nursery Areas and Movement Corridors.</b> Identify, protect, and enable the management of connected habitat areas for wildlife movement. Features of particular importance to wildlife for movement may include, but are not limited to, riparian corridors, shorelines of the	On-site riparian corridors support wildlife movement through the project site. Construction activities would disrupt wildlife activities at the site, though mitigation has been recommended to minimize impacts, including continued coordination with appropriate regulatory agencies, minimization of disturbance,	Potentially Consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
coast and bay, and ridgelines. Identification and designation of wildlife corridors will not interfere with agricultural uses on private lands. (Refer to AGP 29 in the Agriculture Element).	pre-construction surveys, restoration and re-vegetation activities, and implementation of sedimentation and erosion control measures. The project includes riparian restoration activities along Nipomo, Adobe and Carillo Creeks, which would improve habitat within the corridors. The increase in human traffic in the area could impact wildlife movement, but educational components of the project and signs directing people to remain on the trail would minimize impacts.	
<b>Biological Resources. Policy BR 1.15 Restrict Disturbance in Sensitive Habitat during Nesting Season.</b> Avoid impacts to sensitive riparian corridors, wetlands, and coastal areas to protect bird-nesting activities.	BIO/mm-4 restricts construction activities to the non-nesting season, consistent with this policy. In the event this cannot be achieved, pre-construction surveys would be required to ensure avoidance of nesting species.	Potentially Consistent
<b>Biological Resources. Goal 2.</b> Threatened, rare, endangered, and sensitive species will be protected.	The project site has the potential to support a variety of special-status plant and wildlife species. Mitigation has been proposed to avoid and minimize impacts to the extent feasible, including pre-construction surveys, biological monitoring of construction activities, limits on the time and season of construction activities, designation of approved limits of disturbance, and project-specific approvals from resource agencies.	Potentially Consistent
<b>Biological Resources. Policy BR 2.1 Coordinate with Trustee Agencies.</b> The County will consult with trustee and other relevant state and federal agencies during environmental review when special-status species, sensitive natural communities, marine resources, or wetlands may be affected.	Preparation of the Initial Study included information consultation and coordination with USFWS, CDFW, and RWQCB. BIO/mm-10 requires consultation with appropriate regulatory agencies, likely including USACE, USFWS, CDFW, and RWQCB.	Potentially Consistent
<b>Biological Resources. Policy BR 2.6 Development Impacts to Listed Species.</b> Ensure that potential adverse impacts to threatened, rare, and endangered species from development are avoided or minimized through project siting and design. Ensure that proposed development avoids significant disturbance of sensitive natural plant communities that contain special-status plant species or provide critical habitat to special-status animal species. When avoidance is not feasible, require no net loss of sensitive natural plant communities and critical habitat areas.	The project has been designed avoid development within sensitive habitats. The emergency access road bridge over Nipomo Creek would be located in an area that does not currently support vegetation, and would span across the creek to avoid structural development along the creek bank. These design measures would avoid potential impacts to sensitive species and riparian habitat. Other potential impacts would be minimized by mitigation measures discussed above and in the Biological Resources section of the EIR.	Potentially Consistent
<b>Biological Resources. Implementation Strategy BR 2.8.2 Prohibit Invasive Species in Landscaping.</b> Prohibit use of invasive plant species in landscaping of proposed development. Revise the	The proposed project does not include the use of invasive or non-native species in the preliminary landscape plan.	Potentially Consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
County's invasive plant list by the end of 2010 in cooperation with County Parks and the County Department of Agriculture consistent with Implementation Strategies B.R. 2.8.4 and 2.8.5. Consider including in that list invasive plants listed in the state's Noxious Weed List, the California Invasive Plant Council's Invasive Plant Inventory, and other priority species identified by the San Luis Obispo County Agricultural Commissioner and California Department of Agriculture.		
<b>Biological Resources. Goal 3.</b> Maintain the acreage of native woodlands, forests, and trees at 2008 levels.	The proposed project would not require the removal of native trees, and incorporates additional plantings of oak trees onsite.	Potentially Consistent
<b>Biological Resources. Policy BR 3.1 Native Tree Protection.</b> Protect native and biologically valuable trees, oak woodlands, trees with historical significance, and forest habitats to the maximum extent feasible.	The project includes the protection of native trees, including oak trees, sycamore, and the riparian corridor.	Potentially Consistent
<b>Biological Resources. Goal 4.</b> The natural structure and function of streams and riparian habitat will be protected and restored.	As discussed above, the project would not result in adverse effects to Nipomo Creek or its tributaries through design, compliance with existing regulations, proposed restoration actions, and implementation of mitigation measures.	Potentially Consistent
<b>Biological Resources. Policy BR 4.1 Protect Stream Resources.</b> Protect streams and riparian vegetation to preserve water quality and flood control functions and associated fish and wildlife habitat.	As discussed above, the project would not result in adverse effects to Nipomo Creek or its tributaries through design, compliance with existing regulations, proposed restoration actions, and implementation of mitigation measures (refer to Biological Resources section of the EIR).	Potentially Consistent
<b>Biological Resources. Policy BR 4.2 Minimize Impacts from Development.</b> Minimize the impacts of public and private development on streams and associated riparian vegetation due to construction, grading, resource extraction, and development near streams.	Actions within Nipomo Creek, Carrillo Creek, and Adobe Creek include construction of an emergency access road and span bridge and pedestrian trail crossings. Based on the design of the project, no long term impacts would occur, and short-term, construction related impacts (i.e., disturbance, pollutant discharge) would be addressed by compliance with a SWPPP, the County LUO, and identified mitigation measures.	Potentially Consistent
<b>Biological Resources. Implementation Strategy BR 4.2.1 Setbacks from streams and riparian vegetation.</b> Set back development on public lands and all private development subject to discretionary review a minimum of 50 feet from the top of the bank of any stream or outside the dripline of riparian vegetation,	Aside from the emergency access road and bridge, and pedestrian trails, no structural development would occur within 50 feet of Nipomo Creek, Carrillo Creek, or Adobe Creek. In addition to compliance with the County LUO, LID strategies, and a RWQCB-approved SWPPP, mitigation is identified that	Potentially Consistent

**Table 3-1. Consistency with Plans and Policies**

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<p>whichever distance is greater, as shown in Figures BR-6 and BR-7. (Top of creek bank is the uppermost ground elevation paralleling a creek or watercourse where the gradient changes from a more defined vertical component to more horizontal.) Locate buildings and structures outside the setback; public trails may be located within this required setback only if trail design and construction avoid or mitigate environmental impacts. Provide for adjustments where alternatives are infeasible or more environmentally damaging, but require a minimum 30-foot building setback consistent with the requirements of the Regional Water Quality Control Board's Basin Plan. The following apply to applications subject to this strategy:</p> <ol style="list-style-type: none"> <li>1. Do not grade inside the established setback, unless the applicant provides justification that alternatives are infeasible or more environmentally damaging. When grading is permitted within the setback, require erosion control during construction and habitat restoration following grading.</li> <li>2. Limit the alteration of riparian vegetation.</li> <li>3. Allow stream alterations for water supply and flood control projects, road maintenance, maintenance of existing channels, improvement of fish and wildlife habitat, or where no practical alternative is available.</li> <li>4. Assure that stream diversion structures protect habitats.</li> <li>5. When there is no practical alternative to a significant impact to stream or riparian resources, implement a County-approved mitigation and monitoring plan that will lessen the impact. The plan shall be prepared and implemented by a qualified professional funded by the applicant.</li> <li>6. Where a nexus exists with the proposed project, restore damaged riparian habitats as a condition of approval.</li> <li>7. Where possible, protect stream corridors and setback areas through easements or dedications.</li> <li>8. Locate parcel lines in land divisions that include stream or riparian corridors to optimize resource protection as shown in Figure BR 7.</li> <li>9. Direct polluting drainage away from the creek or include appropriate filters consistent with Low Impact Development (LID) and Stormwater Pollution Prevention Program (SWPP) requirements.</li> <li>10. Minimize all ground disturbance and native vegetation removal.</li> </ol>	<p>would address proposed grading activities including implementation of Best Management Practices and the presence of a biological monitor.</p>	

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
11. To offset possible losses of riparian woodland, provide and maintain similar quality and quantity of replacement habitat or in-kind funds to an approved wildlife habitat improvement and acquisition fund in San Luis Obispo County.		
<b>Biological Resources. Goal 5.</b> Wetlands will be preserved, enhanced, and restored.	The project would not adversely affect wetland habitat, and includes restoration actions within Carrillo Creek.	Potentially Consistent
<b>Biological Resources. Policy BR 5.1 Protect Wetlands.</b> Require development to avoid wetlands and provide upland buffers.	Proposed development would avoid wetland habitat, with the exception of identified restoration actions. Buffers are identified for all structures (with the exception of the Nipomo Creek bridge crossing).	Potentially Consistent
<b>Biological Resources. Implementation Strategy BR 5.1.1 Wetland delineations for new development.</b> Require development applications to include wetland delineation for sites with jurisdictional wetlands and wetlands that support rare, threatened, or endangered species and to demonstrate compliance with these wetlands policies, standards, and criteria, and with state and federal regulations.	The Biological Report prepared for the project (refer to EIR Appendix) includes an assessment of potential riparian and wetland habitat, and quantifies potential effect due to restoration actions.	Potentially Consistent
<b>Biological Resources. Policy BR 5.2 No Net Loss of Wetlands.</b> Ensure that all public and private projects avoid impacts to wetlands if feasible. If avoidance is not feasible, ensure no net loss of wetlands, consistent with state and federal regulations and this Element.	As proposed, the project would not result in a loss of wetlands or Waters of the United States.	Potentially Consistent
<b>Cultural Resources. Goal 1.</b> The County will have a strong, positive community image that honors our history and cultural diversity.	The project supports continued restoration of the Dana Adobe and community and visitor education regarding the pre-history and history of the historic site and the region.	Potentially Consistent
<b>Cultural Resources. Policy CR 1.1 Cultural Identity.</b> Establish and support programs that enhance the county's sense of community and identity, such as the collection of oral histories, cultural and genealogical research, and the acquisition of collections of historic artifacts, documents, and memorabilia relevant to the history of the county.	The intent of this project is to develop facilities that support restoration of the Dana Adobe, protection and preservation of archaeological and historical resources, and provide educational opportunities about the Dana Adobe, Chumash pre-history and living history, and connection of the site to the landscape.	Potentially Consistent
<b>Cultural Resources. Goal 2.</b> The County will promote public awareness and support for the preservation of cultural resources in order to maintain the County's uniqueness and promote economic	The proposed project promotes public education and awareness about cultural resources.	Potentially Consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
vitality.		
<b>Cultural Resources. Implementation Strategy CR 2.1.2 Outreach to Schools.</b> Support education programs through local historical societies, schools, and other groups that provide information to the community regarding the rich history of the county and the importance of preserving it for future generations to appreciate.	The proposed project would continue to provide education tours and activities for local school children and organizations interested in the Dana Adobe and Chumash Native Americans.	Potentially Consistent
<b>Cultural Resources. Implementation Strategy CR 2.1.4 Interpretive Signage.</b> Require the incorporation of monuments, plaques, signs, or artwork into public and private development projects in areas associated with history or cultural resources in order to identify and interpret the county's diverse history and cultural resources. Promote such interpretive signage in existing public and private sites.	The proposed project's interpretive program would include signage consistent with this strategy.	Potentially Consistent
<b>Cultural Resources. Goal 3.</b> The County's historical resources will be preserved and protected.	The proposed project incorporates the continued restoration and preservation of the Dana Adobe, is designed to avoid archaeological resources to the maximum extent feasible, and includes an interpretive program that would enhance community understanding of Native American and historical resources.	Potentially Consistent
<b>Cultural Resources. Policy CR 3.1 Historic Preservation.</b> The County will provide for the identification, protection, enhancement, perpetuation, and use of features that reflect the County's historical, architectural, Native American, archaeological, cultural, and aesthetic heritage.	The Dana Adobe is currently identified in the County General Plan as a Historic resource (H). Analysis of the project included the preparation of a site-specific surface survey and subsurface investigation and evaluation of historic (archaeological) resources. Though this process, measures to protect, enhance, and preserve significant resources were identified and are incorporated into the current project design and mitigation measures (refer to the Cultural Resources section of the EIR).	Potentially Consistent
<b>Cultural Resources. Goal 4.</b> The County's known and potential Native American, archaeological, and paleontological resources will be preserved and protected.	The proposed project is designed to preserve and protect archaeological resources to the maximum extent feasible, and includes an interpretive program that would enhance community understanding of Native American and paleontological resources.	Potentially Consistent
<b>Cultural Resources. Policy CR 4.2 Protection of Native American Cultural Sites.</b> Ensure protection of archaeological sites	Analysis of the project included the preparation of a site-specific surface survey and subsurface investigation and	Potentially Consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
that are culturally significant to Native Americans, even if they have lost their scientific or archaeological integrity through previous disturbance. Protect sites that have religious or spiritual value, even if no artifacts are present. Protect sites that contain artifacts, which may have intrinsic value, even though their archaeological context has been disturbed.	evaluation of archaeological resources. This process included, and will continue to include, consultation with Native American representatives regarding the resources identified onsite, their significance, and cultural importance of the site to the Chumash. Though this process, measures to protect, enhance, and preserve significant resources were identified and are incorporated into the current project design and mitigation measures (refer to the Cultural Resources section of the EIR).	
<b>Cultural Resources. Policy CR 4.4 Development Activities and Archaeological Sites.</b> Protect archaeological and culturally sensitive sites from the effects of development by avoiding disturbance where feasible. Avoid archaeological resources as the primary method of protection.	The proposed project is designed to preserve and protect archaeological resources to the maximum extent feasible, and mitigation measures including a treatment program and monitoring plan would be implemented to ensure further protection of significant resources during construction.	Potentially Consistent
<b>Cultural Resources. Policy CR 4.5 Paleontological Resources.</b> Protect paleontological resources from the effects of development by avoiding disturbance where feasible.	Based on analysis of the project site, proposed depth of disturbance, and underlying soils, the potential for significant paleontological resource discovery is low.	Potentially Consistent
<b>Cultural Resources. Policy CR 4.6 Resources-Based Sensitivity.</b> Protect archaeological resources near streams, springs and water sources, rock outcrops, and significant ridgetops, as these are often indicators of the presence of cultural resources.	Analysis of the project included the preparation of a site-specific surface survey and subsurface investigation and evaluation of historic (archaeological) resources. Though this process, measures to protect, enhance, and preserve significant resources were identified and are incorporated into the current project design and mitigation measures (refer to the Cultural Resources section of the EIR).	Potentially Consistent
<b>Cultural Resources. Implementation Strategy CR 4.6.1 Resource-Based Surveys.</b> a. Require a preliminary site survey to determine the likelihood of resources with all development subject to a discretionary permit that is proposed within 1) 100 feet of the bank of a creek or spring or 2) 300 feet of a creek where the slope of that area is less than 10 percent. Require that a professional archaeologist who meets the Secretary of the Interior's Professional Qualifications for Archaeology conduct the preliminary survey. Recommendations made by the archaeologist may be applied as mitigation measures. b. As significant rock outcrops and ridge tops are identified, determine the distances within which or the circumstances under which proposed discretionary development would be	Analysis of the project included the preparation of a site-specific surface survey and subsurface investigation and evaluation of historic (archaeological) resources. Though this process, measures to protect, enhance, and preserve significant resources were identified and are incorporated into the current project design and mitigation measures (refer to the Cultural Resources section of the EIR).	Potentially Consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
subject to a preliminary site survey, based on site-specific conditions.		
<b>Energy. Goal 3.</b> Energy efficiency and conservation will be promoted in both new and existing development.	The proposed project includes the use of solar panels and water conservation measures.	Potentially Consistent
<b>Energy. Policy E 3.1 Use of renewable energy.</b> Ensure that new and existing development incorporates renewable energy sources such as solar, passive building, wind, and thermal energy. Reduce reliance on non-sustainable energy sources to the extent possible using available technology and sustainable design techniques, materials, and resources.	The proposed project includes the use of solar panels and water conservation measures.	Potentially Consistent
<b>Energy. Goal 4.</b> Green building practices will be integrated into all development.	The proposed project includes green building practices such as roof-mounted solar panels, rain gardens, and use of native vegetation.	Potentially Consistent
<b>Energy. Policy E 4.1 Integrate green building practices.</b> Integrate green building practices into the design, construction, management, renovation, operations, and demolition of buildings, including publicly funded affordable housing projects, through the development review and building permitting process.	The proposed project includes green building practices such as roof-mounted solar panels, rain gardens, and use of native vegetation.	Potentially Consistent
<b>Energy. Policy E 4.4 Solar exposure.</b> Orient new buildings to maximize solar resources, shading, ventilation, and lighting.	The proposed Visitor's Center would be located in an area with adequate exposure to solar resources, shading from nearby oak trees, and breezes through the Nipomo Valley.	Potentially Consistent
<b>Energy. Goal 5.</b> Recycling, waste diversion, and reuse programs will achieve as close to zero waste as possible.	The proposed project would comply with County standards related to solid waste, and would incorporate recycling of waster during operation of the Visitor's Center and during special events.	Potentially Consistent
<b>Energy. Policy E 5.1 Source reduction and waste diversion.</b> Encourage source reduction and diversion of solid waste generated to as near zero waste as possible, in order to reduce energy consumption.	The proposed project would comply with County standards related to solid waste, and would incorporate recycling of waster during operation of the Visitor's Center and during special events.	Potentially Consistent
<b>Open Space Resources. Goal 1.</b> Important open space areas will be identified, protected, sustained, and where necessary, restored and reclaimed.	The 100-acre portion of the site within the Agriculture land use category, and outside of the Nipomo URL would be maintained in open space. Actions within this portion of the site would include an emergency access road, trails, agricultural/grazing activities, and habitat restoration.	Potentially Consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<p><b>Open Space Resources. Policy OS 1.1 Future Open Space Protection.</b> Continue to identify and protect open space resources with the following characteristics:</p> <ul style="list-style-type: none"> <li>Recreation areas</li> <li>Ecosystems and environmentally sensitive resources such as natural area preserves, streams and riparian vegetation, unique, sensitive habitat, natural communities;</li> <li>significant marine resources</li> <li>Archaeological, cultural, and historical resources</li> <li>Scenic areas</li> <li>Hazard areas</li> <li>Rural character</li> </ul>	<p>The 100-acre portion of the site and the eastern edge of the 30-acre site support native habitat including oak woodland, grasses, and riparian corridors. These resources would be protected for ecological and scenic value. Any development within these areas would avoid direct effects to the maximum extent feasible, such as construction of the Nipomo Creek emergency access road and bridge and trail system.</p>	<p>Potentially Consistent</p>
<p><b>Open Space Resources. Goal 3.</b> Ongoing public education programs about conservation, protection, and stewardship of open space resources will be encouraged.</p>	<p>Operation of the proposed project would include educational programs about conservation, protection, and stewardship of open space resources, including natural, historical, and Native American resources.</p>	<p>Potentially Consistent</p>
<p><b>Open Space Resources. Policy OS 3.1 Ongoing education and outreach.</b> Support and participate in ongoing educational and outreach programs regarding the value, significance, and role of open space resources.</p>	<p>Operation of the proposed project would include educational programs about conservation, protection, and stewardship of open space resources, including natural, historical, and Native American resources.</p>	<p>Potentially Consistent</p>
<p><b>Open Space Resources. Goal 4.</b> Urban sprawl and inappropriate development of rural areas will be prevented.</p>	<p>Implementation of the project would not result in urban sprawl and would maintain the rural character of the 100-acre portion of the project site.</p>	<p>Potentially Consistent</p>
<p><b>Open Space Resources. Policy OS 4.1 Define urban areas to prevent sprawl.</b> Prevent urban sprawl by maintaining a well-defined boundary between urban/village boundaries and surrounding rural areas.</p>	<p>Proposed development would occur within the 30-acre portion of the site, which is within the Nipomo URL. The 100-acre portion of the site, outside of the URL, would be maintained under ownership by the County (leased by DANA), and would support open space, trails, an emergency access road, and restoration actions.</p>	<p>Potentially Consistent</p>
<p><b>Open Space Resources. Policy OS 4.2 Maintain community separators.</b> Maintain permanent separations between communities in order to retain the rural character of the county. (Also refer to the Community Separators section of Visual Resources Chapter.)</p>	<p>As described above (Policy OS 4.1), the project would maintain a clear distinction between the portion within the Nipomo URL and the portion outside the URL.</p>	<p>Potentially Consistent</p>

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<b>Soil Resources. Goal 1.</b> Soils will be protected from wind and water erosion, particularly that caused by poor soil management practices.	The proposed project includes construction and operational erosion and sedimentation control and LID strategies (thought project design, compliance with a SWPPP and the LUO, and mitigation measures), which would protect soils from erosion.	Potentially Consistent
<b>Soil Resources. Policy SL 1.2 Promote Soil Conservation Practices in All Land Uses.</b> Require erosion and sediment control practices during development or other soil-disturbing activities on steep slopes and ridgelines. These practices should disperse stormwater so that it infiltrates the soil rather than running off, and protect downslope areas from erosion.	The proposed project includes construction and operational erosion and sedimentation control and LID strategies (thought project design, compliance with a SWPPP and the LUO, and mitigation measures), which would protect soils from erosion.	Potentially Consistent
<b>Soil Resources. Implementation Strategy SL 1.2.1 Retain natural vegetation and topography.</b> Retain natural vegetation and topography to the maximum extent feasible for all discretionary projects adjacent to blue line streams or in areas designated with at least moderate erosion potential.	The proposed project would not include any major changes to natural topography, and would protect natural vegetation by preserving oak woodland and riparian habitat. In addition to compliance with existing regulations, mitigation is identified to protect water quality and aquatic habitat from accidental pollutant discharge including sediments.	Potentially Consistent
<b>Soil Resources. Goal 3.</b> Important agricultural soils will be conserved.	The existing Dana Adobe and proposed uses would be located within the 30-acre area west of Nipomo Creek on Oceano Sand (0 to 9 and 9-30 percent slopes), and within areas designated as Farmland of Statewide Importance. Uses east of Nipomo Creek (within the 100-acre area), and within areas designated as Prime Farmland if irrigated and Farmland of Statewide Importance, would include rough-graded trails and the secondary access road extending to Thompson Avenue. Based on the location and nature of proposed uses, conservation of important agricultural soils would occur.	Potentially Consistent
<b>Soil Resources. Policy SL 3.1 Conserve Important Agricultural Soils.</b> Conserve the Important Agricultural Soils mapped in Figure SL-1 and listed in Table SL-2. Proposed conversion of agricultural lands to non-agricultural uses shall be evaluated against the applicable policies in this COSE and in the Agriculture Element, including policies such as Policies AGP 18 and AGP 24.	Implementation of the project would not convert prime agricultural land to non-agricultural uses. Master Plan development would occur within lands considered Farmland of Statewide Importance; however, these areas are not currently used for production agriculture. The 100 acres of land east of Nipomo Creek is not irrigated, and historically supported cattle grazing and dry farming. The development of trails and the creation of an emergency access road would not hinder grazing and other potential agricultural activities in the future. Within the 30-acre area, proposed uses include education about the historical and modern agricultural uses at the project site, and	Potentially Consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
	the Nipomo Rancho, including the historic tallow vat, an equestrian arena, recreated barn, and interpretive gardens, orchard, and vineyard. Lands east of Nipomo Creek would support open space and agricultural uses, including crop production and livestock grazing outside of County and Land Conservancy restoration areas. Based on the location and nature of proposed uses, the project is consistent with this policy.	
<b>Visual Resources. Goal 1.</b> The natural and agricultural landscape will continue to be the dominant view in rural parts of the county.	The proposed project would retain the 100-acre, rural portion of the project site in open space.	Potentially Consistent
<b>Visual Resources. Goal 2.</b> The natural and historic character and identity of rural areas will be protected.	Proposed development would create new structural components open to public view in the predominantly agricultural project area. Mitigation is identified to ensure visual consistency with the landscape and historical context of the Dana Adobe.	Potentially Consistent
<b>Visual Resources. Policy VR 2.1 Develop in a manner compatible with Historical and Visual Resources.</b> Through the review of proposed development, encourage designs that are compatible with the natural landscape and with recognized historical character, and discourage designs that are clearly out of place within rural areas.	Proposed development would create new structural components open to public view in the predominantly agricultural project area. Structures near the Dana Adobe would include a demonstration arena and reconstructed Rancho Era buildings, consistent with the historical character. Mitigation is identified to ensure visual consistency with the landscape and historical context of the Dana Adobe (refer to the Aesthetics section of the EIR).	Potentially Consistent
<b>Visual Resources. Policy VR 2.2 Site Development and Landscaping Sensitively.</b> Through the review of proposed development, encourage designs that emphasize native vegetation and conform grading to existing natural forms. Encourage abundant native and/or drought-tolerant landscaping that screens buildings and parking lots and blends development with the natural landscape. Consider fire safety in the selection and placement of plant material, consistent with Biological Resources Policy BR 2.7 regarding fire suppression and sensitive plants and habitats.	The proposed project incorporates the use of native and drought-tolerant plants and trees in the landscape plan, which is consistent with this policy.	Potentially Consistent
<b>Visual Resources. Goal 3.</b> The visual identities of communities will be preserved by maintaining rural separation between them.	The project would not change the rural separation between the community of Nipomo and City of Santa Maria, because structural development would be limited to the 30-acre portion within the Nipomo URL.	Potentially Consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<p><b>Visual Resources. Policy VR 3.1 Identify and Protect Community Separators.</b> Identify Community Separators and propose land use strategies and development standards to maintain separate, identifiable cities and communities with intervening rural land. Involve landowners and communities in this process. Identification and designation of Community Separators shall not interfere with agricultural uses on private lands consistent with AGP 30.</p>	<p>The 100-acre portion of the project site is identified as a community separator outside of the Nipomo urban area, and would be maintained in open space and agricultural use.</p>	<p>Potentially Consistent</p>
<p><b>Water Resources. Goal 1.</b> The County will have a reliable and secure regional water supply.</p>	<p>Please refer to Water Resources section of EIR for a discussion of the history and status of the Santa Maria Groundwater Basin. The project would not interfere with the County's attainment of this goal through compliance with Nipomo Mesa Management Area (NMMA) ordinance requirements.</p>	<p>Potentially Consistent</p>
<p><b>Water Resources. Policy WR 1.2 Conserve Water Resources.</b> Water conservation is acknowledged to be the primary method to serve the county's increasing population. Water conservation programs should be implemented countywide before more expensive and environmentally costly forms of new water are secured.</p>	<p>In addition to compliance with the NMMA ordinance, the project incorporates water conservation measures and LID strategies through design and implementation of mitigation measures (refer to Water Resources section of the EIR).</p>	<p>Potentially Consistent</p>
<p><b>Water Resources. Policy WR 1.7 Agricultural operations.</b> Groundwater management strategies will give priority to agricultural operations. Protect agricultural water supplies from competition by incompatible development through land use controls.</p>	<p>The onsite wells on the 100-acre portion of the site would continue to be used for agricultural and open space management uses.</p>	<p>Potentially Consistent</p>
<p><b>Water Resources. Policy WR 1.12 Impacts of new development.</b> Accurately assess and mitigate the impacts of new development on water supply. At a minimum, comply with the provisions of Senate Bills 610 and 221.</p>	<p>The EIR includes quantification of water demand, and an assessment of potential impacts to the Nipomo Community Services District (NCSD) and Santa Maria Groundwater Basin. Based on the analysis, the project demand would not result in a significant project-specific or cumulative effect to water supply.</p>	<p>Potentially Consistent</p>
<p><b>Water Resources. Policy WR 1.14 Avoid net increase in water use.</b> Avoid a net increase in non-agricultural water use in groundwater basins that are recommended or certified as Level of Severity II or III for water supply. Place limitations on further land divisions in these areas until plans are in place and funded to ensure that the safe yield will not be exceeded.</p>	<p>The resulting water demand would be 1.28 acre feet per year. The NCSD reviewed the water use projection, and determined that the project would require an equivalent amount of water as currently permitted by the NCSD's Water Service Limitations if the parcels were developed as residential. Therefore, the project would not increase non-agricultural water demand more than the amount otherwise available based on the land uses</p>	<p>Potentially Consistent</p>

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
	possible under the County General Plan. The NCSD notes that the project includes elements of water conservation education that would complement the NCSD's conservation efforts. In addition to compliance with the NMMA ordinance, the project incorporates measures and LID strategies to maximize water conservation and support NCSD's compliance with this policy.	
<b>Water Resources. Goal 3.</b> Excellent water quality will be maintained for the health of people and natural communities.	Based on the design of the project and implementation of mitigation measures, the project would not result in an adverse effect to water quality (refer to the Water Resources section of the EIR).	Potentially Consistent
<b>Water Resources. Policy WR 3.1 Prevent water pollution.</b> Take actions to prevent water pollution, consistent with federal and state water policies and standards, including but not limited to the federal Clean Water Act, Safe Drinking Water Act, and National Pollutant Discharge Elimination System (NPDES).	Construction and operation of the project may have an adverse impact on water quality, including the accidental discharge of sediments, oils, fuels, and other pollutants. In addition to compliance with existing regulations (i.e., SWPPP, County LUO) and incorporation of LID strategies and habitat restoration, mitigation including implementation of a drainage, erosion, and sedimentation control plan, identification of storage and staging areas, and prevention, containment, and clean-up of incidental spills or leaks would be implemented. These measures are consistent with applicable policies and regulations.	Potentially Consistent
<b>Water Resources. Implementation Strategy WR 3.1.3 Minimize construction-related impacts to water quality.</b> Minimize construction and post-construction impacts of development through implementation of the County's Stormwater Management Program and Stormwater Pollution Prevention and Discharge Control Ordinance in compliance with Phase II of the National Pollutant Discharge Elimination System (NPDES).	The project would comply with the County's Stormwater Management Program and Stormwater Pollution Prevention and Discharge Control Ordinance (refer to the Water Resources section of the EIR).	Potentially Consistent
<b>Water Resources. Policy WR 3.2 Protect watersheds.</b> Protect watersheds, groundwater and aquifer recharge areas, and natural drainage systems from potential adverse impacts of development projects.	Incorporation of LID strategies, consistent with LUO §22.10.155 (Stormwater Management) would avoid or minimize the project's contribution to water quality and drainage issues affecting watersheds in Nipomo and the South County area. The proposed project includes several LID measures to retain and reduce runoff, all which meet County and RWQCB guidelines to reduce off-site runoff (i.e., rain gardens for stormwater capture, maximization of pervious surfaces, and additional oak tree plantings and native landscaping throughout	Potentially Consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
	the site). Based on compliance with existing regulations, including preparation and implementation of drainage, stormwater management (construction and operational), and an erosion and sedimentation control plan, the project would be consistent with this policy.	
<b>Water Resources. Implementation Strategy WR 3.2.1 Minimize runoff from new development.</b> Ensure that public and private developments subject to discretionary review are designed to minimize runoff from such sources as homes, golf courses, swimming pools, and roadway maintenance.	Through project design and incorporation of mitigation measures, the project would minimize stormwater runoff.	Potentially Consistent
<b>Water Resources. Implementation Strategy WR 3.2.2 Permeable Materials.</b> Encourage the use of permeable materials in areas where hardscape is proposed.	The project would incorporate the use of permeable materials where applicable, including trails and overflow parking areas.	Potentially Consistent
<b>Water Resources. Goal 4.</b> Per capita potable water use in the county will decline by 20 percent by 2020.	The project includes water conservation measures and would comply with the NMMA ordinance, which supports this goal.	Potentially Consistent
<b>Water Resources. Policy WR 4.1 Reduce water use.</b> Employ water conservation programs to achieve an overall 20% reduction in per capita residential and commercial water use in the unincorporated area by 2020. Continue to improve agricultural water use efficiency consistent with Policy AGP 10 in the Agricultural Element.	The project includes water conservation measures and would comply with the NMMA ordinance, which supports this goal.	Potentially Consistent
<b>Water Resources. Goal 6.</b> Damage to life, structures, and natural resources from floods will be avoided.	As discussed in more detail above (see Flood Hazard designation), Implementation of the project would not result damage to life, structures, or natural resources from flooding.	Potentially Consistent
<b>San Luis Obispo County General Plan, Noise Element</b>		
<b>Goal 1.</b> To protect the residents of San Luis Obispo County from the harmful and annoying effects of exposure to excessive noise.	Based on the project design and incorporation of mitigation measures during special events, the project would not result in exposure to excessive noise.	Potentially Consistent
<b>Goal 5.</b> To avoid or reduce noise impacts through site planning and project design, giving second preference to the use of noise barriers and/or structural modifications to buildings containing noise-sensitive land uses.	Based on the location of the project site, it is not exposed to noise exceeding identified thresholds for the land use category and proposed use.	Potentially Consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<b>Policy 3.3.1</b> The noise standards in this chapter represent maximum acceptable noise levels. New development should minimize noise exposure and noise generation.	Based on the project design and incorporation of mitigation measures during special events, the project would not result in noise exceeding identified thresholds.	Potentially Consistent
<b>Policy 3.3.3</b> Noise created by new transportation noise sources, including roadway improvement projects, shall be mitigated so as not to exceed the levels specified in Table 3-1 within the outdoor activity areas are interior spaces of existing noise sensitive land uses.	The project would not generate significant levels of transportation-related noise affecting noise-sensitive land uses.	Potentially Consistent
<b>Policy 3.3.6</b> San Luis Obispo County shall consider implementing mitigation measures where existing noise levels produce significant noise impacts to noise-sensitive land uses or where new development may result in cumulative increases of noise upon noise-sensitive land uses.	As discussed further in the Noise section of the EIR, the project would only generate noise exceeding identified thresholds during special events and use of amplified sound. Mitigation is identified that would control the noise level at the source and attenuate the sound to a less than significant level as measured from the property line.	Potentially Consistent
<b>Implementation Measure 4.2</b> When mitigation must be applied to satisfy the policies in Chapter 3.3, the following mitigation measures shall be considered and preference shall be given where feasible to the measures in following item a: a. Site layout, including setbacks, open space separation and shielding of noise-sensitive uses with non-noise-sensitive uses. b. Acoustical treatment of buildings. c. Structural measures: construction of earthen berms or wood or concrete barriers.	As proposed, the project includes design features that would reduce off-site noise exposure. Mitigation is identified that would control the noise level at the source and attenuate the sound to a less than significant level as measured from the property line.	Potentially Consistent
<b>San Luis Obispo County General Plan, Parks and Recreation Element</b>		
<b>Recreation. GOAL #2:</b> Recreation that serves the County's residents and visitors, various age groups, varying economic situations and physical abilities.	The proposed project provides recreational and educational opportunities for all demographics, consistent with this policy.	Potentially Consistent
<b>Trails Policy 3.8</b> To protect the interests of adjacent land uses (both public and private) and the environment, trail projects shall: 1. Be consistent with the standards in the General Plan including the County's Agriculture and Open Space Element. 2. Stay as far away as reasonable from production agriculture, commercial activities and residences.	The proposed trail system is consistent with this policy because it would not be located to minimize potential land use conflicts, would minimize impacts to sensitive habitat associated with Nipomo, Carrillo, and Adobe Creeks, include educational and interpretive signage, provide a potential connection to the future Nipomo Linear Park, and would be consistent with the policies identified in the Agriculture Element and COSE.	Potentially Consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<p>3. Be built to minimize impacts to sensitive resources.</p> <p>4. Provide signs that identify permitted trail uses; directions to relevant public areas; and, provide for safety and protection of trail users and adjacent private property.</p> <p>5. Provide trail fencing where necessary to discourage trespass onto neighboring land and to protect sensitive resources.</p> <p>6. Impose enforceable limitations on the trail use, as appropriate.</p> <p>7. Be designed and constructed consistent with the trails standards contained in Appendix B of this document.</p>		
<b>San Luis Obispo County General Plan, Safety Element</b>		
<p><b>GOAL S-2</b> : Reduce damage to structures and the danger to life caused by flooding, dam inundation and tsunami.</p>	<p>The project site is not located in an area at risk for tsunami or seiche. Portions of the site are at risk from flooding associated with Nipomo, Carillo and Adobe Creeks. No habitable structures would be located within the 100-year flood zone and the emergency access road bridge would be constructed above the flood elevation to allow for emergency evacuation. Based on the location of features associated with the project, the potential for loss, injury, or death as a result of flooding would be low.</p>	Potentially Consistent
<p><b>Policy S-8 Flood Hazards.</b> Strictly enforce flood hazard regulations both current and revised. FEMA regulations and other requirements for the placement of structures in flood plains shall be followed. Maintain standards for development in flood-prone and poorly drained areas.</p>	<p>The FEMA Flood Hazard follows the Nipomo, Carillo and Adobe Creeks through the project site. Uses within the flood hazard zone would include the emergency access road bridge crossing over Nipomo Creek, and an approximately 800-foot portion of the interpretive path loop. All other uses and structures would be outside of the flood zone. Floodwaters would be able to freely flow over the path. As discussed in the Water Resources section of the EIR, there would be no change in surface water elevation downstream of the proposed bridge. Final analysis of the bridge design, based on construction-level detail, would be required to ensure the bridge is designed to avoid potential flooding impacts, consistent with FEMA regulation and the LUO and Building Code.</p>	Potentially Consistent
<p><b>Standard S-16</b> To the extent practicable, do not allow development in areas of high flood hazard potential.</p>	<p>Please see above (Policy S-8 Flood Hazards)</p>	Potentially Consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Determination
<b>Standard S-17</b> Discourage single road access into remote areas that could be closed during floods. Additional access ways should be planned.	The proposed project includes an emergency access road, which would include a bridge constructed to meet FEMA and County LUO FH standards.	Potentially Consistent
<b>GOAL S-4:</b> Reduce the threat to life, structures and the environment caused by fire.	Based on review by CAL FIRE, compliance with the Fire Code, and construction of an emergency access road, the project would contribute to the County's achievement of this goal.	Potentially Consistent
<b>GOAL S-5:</b> Minimize the potential for loss of life and property resulting from geologic and seismic hazards.	No significant geologic or seismic hazards were identified, and the project would comply with existing regulations identified in the County LUO and Building Code.	Potentially Consistent
<b><i>RWQCB Water Quality Control Plan for the Central Coast Basin</i></b>		
<b>Sediment.</b> The suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses.	As noted above, and discussed in the Water Resources section of the EIR, compliance with existing regulations (i.e., County LUO, SWPPP, LID strategies) and identified mitigation measures applicable during construction and operation would minimize the potential for sediment discharge into Nipomo Creek and its tributaries.	Potentially Consistent
<b>Turbidity.</b> Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses.	The project does not include any features that would result in increased turbidity of surface waters.	Potentially Consistent

### 3.4 CUMULATIVE STUDY AREA

#### 3.4.1 CEQA Requirements

Section 15355 of the CEQA Guidelines defines “cumulative impact” as two or more individual effects that, when considered together, are considerable or will compound other environmental impacts. Cumulative impacts are changes in the environment that result from the incremental impact of development of the proposed project and all other nearby “related” projects. For example, the traffic impacts of two projects in close proximity may be insignificant when analyzed separately, but could have a significant impact when the projects are analyzed together.

CEQA Guidelines §15130 indicates that cumulative impacts shall be discussed when they are significant. The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as much detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness. The CEQA Guidelines state the following:

*“Cumulative impacts include either option:*

- 1. A list of past, present, and probable future projects producing related or cumulative impacts, including those projects outside the control of the agency, or*
- 2. 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. Any such planning document shall be referenced and made available to the public at a location specified by the Lead Agency (§15130 (b)(1)).”*

The discussion shall also include a summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available, and a reasonable analysis of the cumulative impacts of the relevant projects. An EIR shall examine reasonable options for mitigating or avoiding any significant cumulative effects of a proposed project.

### 3.5 CUMULATIVE DEVELOPMENT SCENARIO

For the purposes of this EIR, past, present, and reasonably anticipated future projects will be used for the cumulative analysis (CEQA Guidelines §15130, Option 1) (refer to Table 3-3).

Cumulative impacts are assessed in Chapter 4, Environmental Impact Analysis, under each resource issue, where appropriate. The cumulative analysis for each of the appropriate issue areas is based on the list of projects provided by the County Department of Planning and Building. These projects are in various stages of planning and development and are expected to contribute to cumulative impacts in the community of Nipomo. The specific environmental impacts of each individual project are not known at this time. Therefore, based on the level of detail represented in the Cumulative Development Scenario, several assumptions are used for each individual environmental issue area for determining the potential for cumulative impacts.

**Table 3-2. Cumulative Projects List**

<b>Project Name</b>	<b>Project Location</b>	<b>Project Description</b>
<b><i>Projects Recently Completed</i></b>		
Luis CUP	750 Grande Street	52-unit affordable housing project.
Community Health Centers of the Central Coast CUP	150 North Tejas Place	15,000-square-foot addition to existing medical clinic, and conversion of existing clinic to administration offices.
<b><i>Projects Under Construction</i></b>		
691 West Tefft LLC Vesting Tentative Tract Map and CUP	691 West Tefft Street, 0.25 miles west of US 101	Condominium subdivision of 2.85-acre parcel into six parcels (0.14 to 1.04 acres each), and 20 residential condominium units. Individually-owned residential live/work units will vary in size from 1,018 to 2,644 square feet.
<b><i>Projects Recently Approved</i></b>		
Shapiro Vesting Tract Map and CUP	170 South Frontage Road, at the southwest corner of Hill Street and South Frontage Road	Mixed-use planned development including the subdivision of an existing 5.2-acre parcel into nine parcels ranging in size from 8,307 square feet to 1.32 acres, and development of 12,000 square feet of office space, 44,000 square feet of retail space, 4,500 square feet of restaurant space, and 51 multi-family residential units, resulting in the disturbance of the entire 5.2-acre parcel.
Conoco Phillips – Modification of Conditions of Approval	State Route 1 / Willow Road	Allow refinery operations to be conducted at 48,950 barrels/day.
LanDev LLC Tentative Tract Map and CUP	Southeastern side of Juniper Street, approximately 90 feet west of North Frontage Road	Subdivision of five parcels totaling 19.1 acres into 24 lots ranging in size from 0.2 to 5.0 acres; mixed-use development including a three-story, 112-unit, 97,600-square-foot assisted living/memory support facility, 16,000-square-foot themed restaurant and conference facility, 130,000 square feet of retail, office, and professional buildings, and improvements to Mary Avenue, Magenta Avenue, and Juniper Street, and construction of 733 parking spaces and two stormwater retention basins (total area of disturbance would be 21 acres).

Table 3-2. Cumulative Projects List

Project Name	Project Location	Project Description
Nipomo Center Vesting Tentative Tract Map and CUP	Between Hill Street and Grande Avenue, west of US 101	Subdivision of 10.98-acre parcel into 59 residential parcels ranging in size from 0.03 to 0.12 acres and ten commercial parcels ranging in size from 0.21 to 0.84 acres. Includes 59 duplex, triplex, and fourplex residential units and 75,868 square feet of commercial space (two phases). Includes improvements to Hill Street and Grande Avenue, a 0.67-acre drainage basin, 0.43-acre open space parcel, and on-site frontage road (total area of disturbance 10.98 acres).
Gray Trust Planned Development	Northeast corner of Grande Avenue and Blume Street	Subdivision of 3.8-acre parcel into 39 lots ranging in size from 2,600 to 5,280 square feet and construction of 38 single family residences, an on-site park, underground detention basin, and three on-site roads (total area of disturbance 3.8 acres).
Chestnut Villas, LLC Vesting Tentative Tract Map and CUP	186 North Thompson Road and Chestnut Street	Subdivision of 1.14-acre lot into 16 parcels ranging in size from 1,155 to 4,931 square feet. Includes commercial lease space on the street level and residential units on the second and third level, and improvements to Thompson Road and Chestnut Street (total area of disturbance 1.14 acres).
Mariani CUP	549 Hill Street, 300 feet west of South Frontage Road	Three-story 71-unit motel in two buildings totaling 38,500 square feet (total area of disturbance 1.2 acres).
Yettman Tract Map and CUP	365 Butterfly Lane, 200 feet southeast of Grande Avenue	Subdivision of 1.14-acre parcel into planned development of eight 1,500-square-foot parcels, and construction of eight detached multi-family residences, and one 35,000-square-foot open space lot.
Holloway Vesting Tentative Tract Map and CUP	561 Oakglen Avenue, southeast of Amando Road	Cluster subdivision of 20.3-acre parcel into 18 half-acre residential parcels, one 10.4-acre open space parcel, and on-site road (total area of disturbance 20.3 acres).
Allshouse Vesting Tentative Tract Map and CUP	Southwest corner of the intersection of Avenida de Amigos and Grande Avenue.	Subdivision of 1.19-acre parcel into 15 residential condominium parcels ranging in size from 1,000 to 1,200 square feet, one 0.3-acre parcel (existing four-unit apartment building), and one 0.47-acre parcel for recreation, parking, and drainage, and improvements to Avenida de Amigos and Grande Avenue. 15 single family residences will range in size from 1,189 to 1,330 square feet.

**Table 3-2. Cumulative Projects List**

<b>Project Name</b>	<b>Project Location</b>	<b>Project Description</b>
Vista Roble, LLC Vesting Tract Map and CUP	Southwestern corner of West Tefft Street and Thompson Road	Subdivision of four parcels totaling 1.57 acres into three 619-square-foot residential parcels, 15,516-square-foot common area parcel for residential development and four commercial/retail parcels. Residential units will be 912 square feet each and commercial structures will range from 400 to 5,237 square feet each.
Nipomo Hills Low Income Residential Project	East Knotts Street	900-unit low income housing project.
Jack's Helping Hand, Inc. CUP	South end of Illinois Way	Community park focusing on universal accessibility, including a universally-accessible playground, three restrooms, shelter and gazebo, parking areas, therapeutic horse riding center with 30,000-square-foot covered arena, horse stalls and hay storage, 100-square-foot office, 1,200-square-foot caretaker's residence, 41,800-square-foot grass sports field area, sand volleyball court, paved basketball court, community garden, and special events.
<b><i>Proposed Projects Pending Approval</i></b>		
Crystal Oaks Specific Plan	Northwest of Sandysdale Drive, west of US 101 and the North Frontage Road, and south of proposed Willow Road extension and interchange.	Urban expansion area for commercial service, commercial retail, and residential uses. Size of area – 288 acres.
Vista Grande Vesting Tentative Tract Map and CUP	Southeast corner of Avenida de Amigos and Grande Avenue, 200 feet west of South Frontage Road	Subdivision of 1.14-acre parcel into 18 residential parcels (765 to 1,509 square feet each) and construction of 18 single family residences (1,348 to 1,635 square feet each), and one parcel for recreation, parking, and drainage, and improvements to Avenida de Amigos and Grande Avenue. Total area of disturbance, 1.14-acres.
Promesa, LLC Tract Map	n/a	Ten 5-acre lots.
South and North Oak Glen Specific Plan	n/a	n/a
Cypress Ridge II Vesting Tentative Tract Map and CUP		Subdivision of 60-acre site into 21 lots and 37 acres of open space.

Table 3-2. Cumulative Projects List

Project Name	Project Location	Project Description
Conoco Phillips – Rail Spur Project	State Route 1 / Willow Road	The proposed rail spur extension includes a request by Phillips 66 Company for a Development Plan / Coastal Development Permit to allow for the extension of an existing rail spur at the Santa Maria Refinery and construction of a railcar off-loading facility, above-ground conveyance pipeline, restroom facility, and an unpaved emergency vehicle access road from the end of the proposed rail spur to State Route 1.
Laetitia Agricultural Cluster Vesting Tentative Tract Map and CUP	Los Berros Road, east of US 101	Subdivision of 1,910 acres into 102 clustered residential lots (one acre each) and four open space parcels, Ranch Headquarters (HOA facility and private recreation center).
Brushpopper's Riding Club CUP	2285 Fowler Lane, east of Highway 1	Riding area, warm-up arena, parking, and attendant facilities
Community Health Centers of the Central Coast CUP	150 North Tejas Place	15,000-square-foot addition to existing medical clinic, and conversion of existing clinic to administration offices.

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# CHAPTER 4

## ENVIRONMENTAL IMPACTS ANALYSIS

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### ENVIRONMENTAL IMPACTS ANALYSIS SECTION ORGANIZATION

The Environmental Impacts Analysis chapter of this Environmental Impact Report (EIR) has been divided into sub-sections, as follows:

- **Existing Conditions:** The description of the physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Preparation (NOP) is published (baseline physical conditions).
- **Regulatory Setting:** The regulations in force at the time the NOP is published. These are the applicable regulations governing each environmental topic, such as the Clean Air Act and its requirements for maintaining air quality. This is not an exhaustive analysis of the regulations, but rather information to assist the reader in understanding the potential impacts of the project from a regulatory perspective.
- **Thresholds of Significance:** The thresholds used to evaluate each environmental topic usually are based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines, or are standard procedures related to existing regulations or are standards in the industry.
- **Impact Assessment and Methodology:** Methodology used to determine the impacts associated with the project, such as measurements or field investigative processes.
- **Project-Specific Impacts and Mitigation Measures:** These include the significant environmental effects of the proposed project, as further defined below. The impacts are identified and then are followed by the mitigation measures that can minimize significant impacts; mitigation measures must be enforceable and feasible. Where more than one mitigation measure could be used to reduce significant effect, each should be discussed and rationale given for determining the preferable mitigation measure. In addition, there must be an essential nexus between the mitigation measure and a legitimate governmental interest, and the mitigation measure also must be “roughly proportional” to the impacts of the project.
- **Residual Impacts:** The statement of the level of impact, significant or insignificant, that is residual once mitigation is applied.
- **Cumulative Impacts:** The cumulative effects of the project when the project’s effect is cumulatively considerable.
- **Secondary Impacts:** If a mitigation measures would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure must be discussed but in less detail than the significant effects of the project as proposed. (*Stevens v. City of Glendale* (1981) 125 Cal.App.3d 986).

All residual impacts in the EIR have been classified according to the following criteria (note: CEQA does not recognize a beneficial effect as an impact):

- **Class I – Significant, unavoidable, adverse impacts:** Significant impacts that cannot be fully and effectively mitigated. No measures could be taken to avoid or reduce these adverse effects to insignificant or negligible levels.
- **Class II – Significant, but mitigable impacts:** These impacts are potentially similar in significance to those of Class I, but can be reduced or avoided by the implementation of mitigation measures.
- **Class III – Less than significant impacts:** Mitigation measures may still be required for these impacts as long as there is rough proportionality between the environmental impacts caused by the project and the mitigation measures imposed on the project.
- **Class IV – Beneficial impact:** Project would have a beneficial environmental impact.

The term “significance” is used throughout the EIR to characterize the magnitude of the projected impact. For the purpose of this EIR, a significant impact is a substantial or potentially substantial change to resources in the local proposed project area or the area adjacent to the proposed project. In the discussions of each issue area, thresholds are identified that are used to distinguish between significant and insignificant impacts. To the extent feasible, distinctions are also made between local and regional significance and short-term versus long-term duration. Where possible, measures have been identified to reduce project impacts to less than significant levels. CEQA requires that public agencies should not approve projects as proposed if there are feasible mitigation measures available which would substantially lessen the environmental effects of such projects (CEQA Statute §21002). Included with each mitigation measure are the plan requirements needed to ensure that the mitigation is included in the plans and construction of the project and the required timing of the action (e.g., prior to development of final construction plans, prior to commencement of construction, prior to operation, etc.).

## **LUO AMENDMENT AND PLANNING AREA STANDARDS**

This proposed project evaluated in this EIR includes both an LUO Amendment and development project (Conditional Use Permit request). Approval of the LUO Amendment alone would not result in any physical effects, because the language does not permit a project to occur prior to approval of the Master Plan and a CUP. Approval of a CUP is a discretionary action, and CEQA review is required. The LUO Amendment would be approved following certification of this EIR, which includes project-specific analysis of potential impacts on the environment and mitigation measures that are required to reduce identified adverse impacts to less than significant. Approval of the CUP would occur following certification of the Final EIR and approval of the LUO Amendment. In summary, the following steps are required for approval of the project:

1. County certifies Final EIR
2. County approves LUO Amendment
3. County approves CUP request

As documented in this Chapter of the EIR, development of the project site would result in adverse impacts to the environment, and mitigation is required. The Dana Adobe itself is currently protected by existing standards applicable to the Historic (H) combining designation.

Section 22.112.080G of the proposed LUO Amendment includes language addressing aesthetics and visual compatibility (refer to Chapter 2, Project Description).

In addition to the LUO Amendment language proposed by the applicant, the following (or comparable) language (refer to Exhibit A on the following page) is recommended for inclusion as planning area standards to 1) address potential impacts that may occur as a result of land development occurring subsequent to approval of the LUO Amendment and 2) provide a connection to the project-specific mitigation measures identified for the project identified in the CUP request (proposed Master Plan). The mitigation measures recommended for incorporation into the LUO Amendment are commensurate to the level of review, address potential impacts that may occur during implementation of a future project allowable subsequent to approval of the LUO Amendment, and allow for flexibility when considering future project-specific impacts. Additional project-specific mitigation measures are also identified in this Chapter, which apply to the Master Plan and Conditional Use Permit.

**EXHIBIT A**

**Section 22.112.080G – Proposed Additional Planning Area Standards**

b. Air Quality

(1) The proposed project shall include measures to reduce construction-related air emissions, operational air emissions, and greenhouse gas emissions based on the current air quality model approved by the County of San Luis Obispo Air Pollution Control District (APCD), such as CalEEMod and guidance provided in the APCD's CEQA Handbook.

c. Biological Resources

(1) The proposed project shall include to avoid or minimize impacts to special status species and sensitive habits, such as pre-construction surveys, biological monitoring, construction avoidance during wet season and nesting bird season, oak tree protection and replanting for impacted trees, habitat restoration, and coordination with appropriate regulatory agencies.

d. Cultural Resources

(1) The proposed project shall include measures to address potentially significant impacts to cultural resources based on analysis by a County-approved archaeologist. Measures may include, but are not limited to, avoidance by design, protective soil capping, detailed research design and data recovery, surface documentation, archaeological monitoring, an operational management program, and an interpretive program.

(2) The proposed project shall include measures to address potentially significant impacts to paleontological resources, such construction monitoring by a County-approved paleontologist.

e. Geology and Soils

(1) The proposed project shall include measures to reduce erosion and sedimentation and ensure water quality standards are met, such as provision of a SWPPP.

f. Noise

(1) The proposed project shall include measures to reduce potential noise impacts, such as limitations on maximum noise level, duration of special events, noise monitoring, and remediation for complaints.

g. Transportation and Circulation

(1) The proposed project shall include measures to reduce impacts to roads and intersections in the area, such as adjustments to peak hour trip generation, payment of road fees, and street improvements based on consultation with the County Department of Public Works.

h. Water Resources

(1) The proposed project shall include measures as required or recommended by the County's Stormwater Management Program to promote groundwater recharge through the application of Low Impact Development (LID) design techniques, such as directing parking lot and roof runoff to vegetated swales and rain gardens, and maximum pervious surfacing where feasible.

## 4.1 AESTHETICS/VISUAL RESOURCES

This section of the EIR identifies and evaluates potential visual resource (aesthetic) impacts resulting from implementation of the project. The analysis focuses on the potential for the project to result in impacts to visual resources as seen from public vantage points in the area, and from the Dana Adobe.

Although the project would be implemented over a medium- to long-range timeframe as the project budget allows, the timing of development of specific facilities and infrastructure is not yet known. As a result, the aesthetics section analyzes the complete build-out of the project.

### 4.1.1 Existing Conditions

The project site is located on the east side of South Oakglen Avenue, and immediately southwest of South Thompson Avenue, approximately 1 mile south of Tefft Street. The 30-acre portion of the project site is located within the urban reserve line of the community of Nipomo. These 30 acres include the historic Dana Adobe, which is currently under renovation, a caretaker's unit, unpaved driveway and parking area, fencing, and landscaping. The adjacent 100-acre portion of the project site is located outside the Nipomo urban reserve line, is undeveloped and supports horse pasture and agricultural roads. Past, current, and forthcoming restoration of Nipomo Creek and uplands are implemented by the County of San Luis Obispo (County) and Land Conservancy of San Luis Obispo County, including bank stabilization and oak woodland mitigation.

The visual character of the project site and surrounding area is primarily agricultural with scattered residences. West of U.S. Highway 101 (US 101), uses include the Southland Wastewater Treatment Facility, and residential and commercial development within the community of Nipomo. The project site is located approximately 0.15 mile east of US 101. Rows of mature trees along the highway and South Oakglen Avenue generally block views of the project site from the highway, as seen from both north and southbound travel lanes. The affected section of US 101 is not a designated scenic roadway, and the project site is not located within an area subject to Highway Corridor Design Standards, or a visually Sensitive Resource Area.

### 4.1.2 Regulatory Setting

The proposed project is located within the jurisdiction of the County. The regulatory setting pertaining to visual resources includes review of the proposed development's consistency with various elements of the County General Plan and Land Use Ordinance (LUO), in addition to the review of findings made in this document per CEQA Guidelines.

### 4.1.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Pursuant to the County's CEQA Initial Study Checklist, a substantial impact to visual/aesthetic resources would occur if the project would:

- a. Create an aesthetically incompatible site open to public view.
- b. Introduce a use within a scenic view open to public view.
- c. Change the visual character of the area.
- d. Create glare or night lighting, which may affect surrounding areas.

- e. Impact unique geological or physical features.

Each of these thresholds is discussed under Section 4.1.5, Project-specific Impacts and Mitigation Measures, below.

#### **4.1.4 Impact Assessment and Methodology**

This visual impact analysis focused on the identification of sensitive visual resources in the project area, and assessment of the potential changes in those resources that would result from development of the project. Surrounding public viewing areas from which the project site would be visible were identified and a general description of the visual character of the area was developed. Potential changes in the existing visual setting, including potential viewshed blockage or an alteration in community character, were compared to the thresholds described above to determine whether particular sensitive resources would be impacted.

#### **4.1.5 Project Specific Impacts and Mitigation Measures**

##### **4.1.5.1 Land Use Ordinance Amendment**

The proposed LUO Amendment would modify §22.112.080(G) South County, Recreation land use category, Dana Adobe, development standards. The modified language deletes a requirement that residential and non-residential uses shall be located “to minimize their appearance from the adobe.” Proposed language would encourage “interpretation of the site’s resources” and use of landscaping to buffer views “between the adobe and support buildings and project infrastructure such as parking lots”. Implementation of the amendment would retain the historical context of the Dana Adobe, including views from public roads and the adobe site itself. No significant visual impacts would occur as a result of the proposed LUO Amendment, and no additional planning area standards are recommended.

##### **4.1.5.2 Conditional Use Permit**

###### Create an Aesthetically Incompatible Site Open to Public View

The proposed project includes an approximately 6,266-square-foot visitor and education center, administrative office, and curator’s building; an approximately 1.4-mile-long interpretive nature trail system (including landscaping, benches, and fencing); Native American interpretive features; a native habitat interpretation and restoration area; two picnic areas; support facilities; and associated infrastructure (i.e., parking area, trash enclosures, restrooms, fencing, landscaping and irrigation, lighting, utility connections, walkways, on-site wastewater treatment, and drainage/erosion control). The proposed project would include crossings of Nipomo Creek (emergency access), Adobe Creek (new foot bridge), and Carillo Creek (new foot bridge). All structure development (aside from the multi-use trail, exhibits/educational features along the multi-use trail, and emergency access road) would be located on the 30-acre area.

Proposed development would be primarily visible from South Oakglen Avenue, a local road serving the existing Dana Adobe and surrounding residences and agricultural uses. The development would also be visible from South Thompson Road. Existing mature trees would generally block views of the development from US 101. Proposed development would create new structural components open to public view in the predominantly agricultural project area, which could create incompatible views unless appropriate design measures are implemented.

**AES Impact 1 Proposed development could create an aesthetically incompatible land use in the rural suburban/agricultural area, resulting in a significant, long-term impact.**

*AES/mm-1 Upon application for construction permits on the 30-acre site, the applicant shall provide a colors and materials board for review and approval by the County Department of Planning and Building. Selected colors shall be dark, earth-toned, and selected to blend in with the natural surrounding vegetation. Selected materials shall primarily be natural-appearing and consistent with the historical adobe and agricultural setting, such as wood, adobe, and stone (or similar compatible materials). Approved colors and materials shall be shown on the project plans. The Department of Planning and Building will verify compliance prior to final inspections.*

Residual Impacts

With implementation of the above mitigation, the proposed uses would be generally aesthetically compatible with surrounding uses, and would not change the rural/urban fringe character of the area, as seen from public roadways. Proposed architectural elements would be generally consistent with the historical context of the Dana Adobe, while maintaining a clear distinction between the modern structures and adobe. Use of exterior colors and materials consistent with the surrounding landscape would further enhance visual compatibility. Parking areas would be located adjacent to South Oakglen Avenue, a dead-end road, and would generally be shielded from views along US 101. The proposed secondary access road would generally be screened from view by existing topography and vegetation.

Based on incorporation of mitigation measures identified above, residual impacts would be *less than significant with mitigation (Class II)*.

Introduce a Use within a Scenic View Open to the Public

As discussed above, the proposed project would introduce new uses within an area visible from surrounding public roadways. Scenic views, as seen from US 101 and South Oakglen Avenue, include the gently rolling topography of the Nipomo Valley, rising up to prominent ridgelines to the east. The project area includes agricultural production and rangeland, which is not generally considered a sensitive scenic resource. However, the agricultural industry in San Luis Obispo County has historically played, and continues to play, an important role in local lifestyles and the economy, and many local residents have heightened aesthetic appreciation for the vast agricultural fields in the area.

The project site is not visible from any designated scenic highways and existing mature trees partially obstruct views from US 101, which is where the highest number of potential viewers would be located. Development would not obstruct views of the distant ridgelines. The proposed project is not set within a visually sensitive viewshed, and proposed developments would protect the historic context of the area. Therefore, this impact is considered *less than significant (Class III)*.

Change the Visual Character of the Area

The visual character of the area represents a transition from urban development within Nipomo to larger residential lots, agricultural production, and rangeland extending to the northern edge of Santa Maria. The Master Plan would concentrate future development and parking areas closer to South Oakglen Avenue, and would protect and enhance existing on-site open space

uses. As proposed, the project would not change the visual character of the area as seen from public roads, and mitigation is identified to ensure that the proposed uses are visually compatible with the setting.

The character of the project site, as seen from the Dana Adobe, represents an important visual resource, particularly the views from the eastern side of the adobe looking across the valley towards the Temettate Ridge. A viewpoint is proposed to direct visitors to the scenic view, and no development is proposed that would obstruct this viewshed. As currently proposed, the visitor's center would be located a minimum of approximately 500 feet south of the adobe, outside of the 180-degree viewshed looking east. Views from the adobe, looking south towards the visitor's center and parking area, would be partially obstructed by proposed rancho-era structures (replications or reconstructions consistent with the adobe), existing mature trees to remain, and proposed native, drought-tolerant landscaping. Based on the layout of the proposed project, potential impacts to visual character, from both on- and off-site viewing locations, would be *less than significant (Class III)*. In addition, mitigation is identified (refer to AES/mm-1), which addresses visual compatibility. No additional measures are necessary.

### Create Glare or Night Lighting

The proposed use includes special events, which may be held during nighttime hours. Exterior lighting within the Rancho Era, visitor center, Chumash Interpretive Area, and associated parking areas may be visible from US 101 and other local surrounding roadways, and would create glare in the immediate area, affecting dark night skies.

#### **AES Impact 2    Visibility of night lighting would affect views resulting in a significant, long-term impact.**

*AES/mm-2        Upon application for construction permits on the 30-acre site, the applicant shall submit an exterior lighting plan to the County Department of Planning and Building for review and approval. The plan shall provide graphic details for all proposed permanent and temporary (i.e., special event) exterior lighting fixtures. Exterior lighting fixtures shall be "dark sky" certified or equivalent. Fixtures must be dark-colored and designed such that the bulb and reflective surfaces are obscured from off-site view.*

### Residual Impacts

Implementation of mitigation will not eliminate the presence of additional light, but would reduce the intensity of the lighting and minimize visibility as seen from public roads. The identified measure would also reduce adverse effects to the night sky by directing light towards the ground. Based on incorporation of mitigation measures identified above, residual impacts would be *less than significant with mitigation (Class II)*.

### Impact Unique Geological or Physical Features

The most prominent scenic features in the area include the Nipomo Valley and Temettate Ridge. Views of the valley are intermittent, depending on mature trees, landscaping, and rolling topography. Views of the ridge are clear as seen from US 101, the Dana Adobe, and surrounding areas. Implementation of the project would not block views of the ridge, and the applicant proposes to maintain historical views as seen from the Dana Adobe. Based on the design of the project, potential impacts would be *less than significant (Class III)*.

#### **4.1.6 Cumulative Impacts**

The US 101 corridor through southern San Luis Obispo County has undergone visual changes within the last several years with new residential and commercial development. These changes have resulted in an increased built-character through the corridor. As development proposals continue to be advanced between Nipomo and Santa Maria, the visual benefits of the remaining open space and agricultural land increase in terms of preserving county scenic goals.

The proposed project would place development near South Oakglen Avenue, in line with existing structures along the roadway. Existing vegetation would remain, which partially shields views of the site, as seen from US 101. Based on the location of the project, and continued preservation of the 100 acres to the east of Nipomo Creek, implementation of the project would not result in a significant cumulative impact to visual resources.

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## 4.2 AIR QUALITY

The following section describes the existing air quality setting in San Luis Obispo County and the potential short-term and long-term air quality impacts associated with development of the proposed project. Short-term construction emissions would result from grading and construction operations, transport of materials, and construction-related vehicle emissions. Long-term operational emissions would result from vehicle emissions, and operation and maintenance of proposed structures and facilities.

### 4.2.1 Existing Conditions

San Luis Obispo County constitutes a land area of approximately 3,316 square miles with varied vegetation, topography, and climate. From a geographical and meteorological standpoint, the county can be divided into three general regions: the Coastal Plateau, the Upper Salinas River Valley, and the East County Plain. Air quality in each of these regions is characteristically different, although the physical features that divide them provide only limited barriers to the transport of pollutants between regions. The proposed project is located within the Coastal Plateau. Motor vehicles are the primary source of long-term emissions (San Luis Obispo County Air Pollution Control District [SLOAPCD] 2012b). Approximately 75% of the county population and a corresponding portion of the commercial and industrial facilities are located within the Coastal Plateau. Due to higher population density and closer spacing of urban areas, emissions of air pollutants per unit area are generally higher in this region than in other regions of the county.

#### 4.2.1.1 San Luis Obispo County Air Quality Monitoring

The county's air quality is measured by multiple ambient air quality monitoring stations, including one within Nipomo Community Park, approximately 1.5 miles east of the project site. There are four permanent stations operated by the SLOAPCD, two state-operated permanent stations, two special stations, and one station operated by Tosco Oil Refinery for monitoring sulfur dioxide (SO<sub>2</sub>) emissions. Air quality monitoring is rigorously controlled by federal and state quality assurance and control procedures to ensure data validity. Gaseous pollutant levels are measured continuously and averaged each hour, 24 hours a day. Particulate matter is monitored in two ways: PM<sub>10</sub> (inhalable particulate matter 10 microns or less in size) and PM<sub>2.5</sub> (inhalable particulate matter 2.5 microns or less in size). Particulate pollutants are generally sampled by filter techniques for averaging periods of 3 to 24 hours. PM<sub>10</sub> and PM<sub>2.5</sub> are sampled for 24 hours every sixth day on the same schedule nationwide.

#### 4.2.1.2 San Luis Obispo County Existing Air Quality

The significance of a given pollutant can be evaluated by comparing its atmospheric concentration to state and federal air quality standards. These standards represent allowable atmospheric contaminant concentrations at which the public health and welfare are protected, and include a factor of safety. In San Luis Obispo County, ozone and fine particulate are the pollutants of main concern, since exceedances of state health-based standards for those pollutants are experienced in some areas of the county.

#### San Luis Obispo County Attainment Status

Table 4.2-1 summarizes the attainment status in San Luis Obispo County for the major criteria pollutants. The county is designated as a non-attainment area for the state ozone and PM<sub>10</sub> standards.

Table 4.2-1. San Luis Obispo County Attainment Status

Pollutant	Averaging Time	California Standards*		Federal Standards*	
		Concentration*	Attainment Status	Concentration	Attainment Status
Ozone (O <sub>3</sub> )	1 Hour	0.09 ppm (180 µg/m <sup>3</sup> )	Non-Attainment	--	Non-Attainment Eastern SLO County – Attainment Western SLO County***
	8 Hour	0.070 ppm (137 µg/m <sup>3</sup> )		0.075 ppm (147 µg/m <sup>3</sup> )	
Respirable Particulate Matter (PM <sub>10</sub> )	24 Hour	50 µg/m <sup>3</sup>	Non-Attainment	150 µg/m <sup>3</sup>	Unclassified*/ Attainment
	Annual Arithmetic Mean	20 µg/m <sup>3</sup>		--	
Fine Particulate Matter (PM <sub>2.5</sub> )	24 Hour	No State Standard	Attainment	35 µg/m <sup>3</sup>	Unclassified*/ Attainment
	Annual Arithmetic Mean	12 µg/m <sup>3</sup>		15.0 µg/m <sup>3</sup>	
Carbon Monoxide (CO)	8 Hour	9.0 ppm (10 mg/m <sup>3</sup> )	Attainment	9 ppm (10 mg/m <sup>3</sup> )	Unclassified*
	1 Hour	20 ppm (23 mg/m <sup>3</sup> )		35 ppm (40 mg/m <sup>3</sup> )	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m <sup>3</sup> )		--	
Nitrogen Dioxide (NO <sub>2</sub> )	Annual Arithmetic Mean	0.030 ppm (57 µg/m <sup>3</sup> )	Attainment	0.053 ppm (100 µg/m <sup>3</sup> )	Unclassified*
	1 Hour	0.18 ppm (330 µg/m <sup>3</sup> )		--	
Sulfur Dioxide (SO <sub>2</sub> )	Annual Arithmetic Mean	--	Attainment	0.030 ppm (80 µg/m <sup>3</sup> )	Unclassified*
	24 Hour	0.04 ppm (105 µg/m <sup>3</sup> )		0.14 ppm (365 µg/m <sup>3</sup> )	
	3 Hour	--		0.5 ppm (1300 µg/m <sup>3</sup> )**	
	1 Hour	0.25 ppm (655 µg/m <sup>3</sup> )		--	
Lead*	30 Day Average	1.5 µg/m <sup>3</sup>	Attainment	--	No Attainment Information
	Calendar Quarter	--		1.5 µg/m <sup>3</sup>	
	Rolling 3-month Average*	--		0.15 µg/m <sup>3</sup>	
Visibility Reducing Particles	8 Hour	Extinction coefficient of 0.23 per kilometer – visibility of 10 miles or more (0.07-30 miles or more for Lake Tahoe) due to particles when relative humidity is less than 70%. Method: Beta Attenuation and Transmittance through Filter Tape.	Attainment	No Federal Standards	
Sulfates	24 Hour	25 µg/m <sup>3</sup>	Attainment		
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m <sup>3</sup> )	Attainment		
Vinyl Chloride*	24 Hour	0.01 ppm (26 µg/m <sup>3</sup> )	No Attainment Information		

\* Unclassified (EPA/Federal definition): Any area that cannot be classified on the basis of available information as meeting or not meeting the national primary or secondary ambient air quality standard for that pollutant.

\*\* Secondary Standard

\*\*\* San Luis Obispo County has been designated non-attainment east of the -120.4 deg Longitude line, in areas of SLO County that are south of 35.45 degrees, and east of the -120.3 degree Longitude line, in areas of SLO County that are north of latitude 35.45 degrees. Map of non-attainment area is available upon request from the APCD.

Source: SLOAPCD 2012c

### 4.2.1.3 Greenhouse Gas Emissions and Climate Change

Climate change refers to any significant change in measures of climate such as temperature, precipitation, or wind, lasting for decades or longer (U.S. Environmental Protection Agency [EPA] 2007). Climate change may result from:

- Natural factors, such as changes in the sun's intensity or slow changes in the Earth's orbit around the sun;
- Natural processes within the climate system (e.g., changes in ocean circulation); or,
- Human activities that change the atmosphere's composition (e.g., through burning fossil fuels) and the land surface (e.g., deforestation, reforestation, urbanization, desertification, etc.).

Human activities, such as fossil fuel combustion and land use changes release carbon dioxide (CO<sub>2</sub>) and other compounds, cumulatively termed GHG emissions. GHGs are effective in trapping infra-red radiation which otherwise would have escaped the atmosphere, thereby warming the atmosphere, the oceans, and earth's surface (EPA 2007).

GHGs are any gas that absorbs infrared radiation in the atmosphere (EPA 2007). GHGs, as defined in Assembly Bill (AB) 32, include the following gases: CO<sub>2</sub>, methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). A brief summary of each GHG is summarized below (EPA 2007).

A series of reports issued by the United Nations Intergovernmental Panel on Climate Change (UNIPCC) have synthesized recent scientific studies of climate change (UNIPCC 2007a, 2007b, 2000c). Key findings of these reports include the following:

- Global atmospheric concentrations of CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O have increased markedly as a result of human activities since 1750, and now are at about double pre-industrial levels. Global increases in CO<sub>2</sub> concentration are due primarily to fossil fuel use and land use change, and global increases in CH<sub>4</sub> and N<sub>2</sub>O are due primarily to agriculture.
- Warming of the global climate due to GHGs is unequivocal, as evidenced by increases in air and water temperatures, widespread melting of snow and ice, and rising global average sea level. Most of the increase in global average temperatures since the mid-20th century is very likely due to increases in GHGs from human activities. GHG emissions increased 70% between 1970 and 2004.
- Numerous long-term climate changes observed have included changes in arctic temperatures and ice, precipitation, ocean salinity, wind pattern, and the frequency of extreme weather events such as droughts, heavy precipitation, heat waves, and tropical cyclone intensity.

- Continued GHG emissions at current rates would cause further warming and climate change during the 21<sup>st</sup> century that would very likely be larger than that observed in the 20<sup>th</sup> century.
- Climate change is expected to have adverse impacts on water resources, ecosystems, food and forest products, coastal systems and low-lying areas, urban areas, and public health. These impacts will vary regionally, and may be very expensive for agriculture and human activities. In some areas sea level rise may completely inundate now inhabited areas (e.g., river deltas, Pacific Islands).

In California, the main sources of GHG emissions are from the transportation and energy sectors. According to the California Air Resources Board (CARB) draft GHG emission inventory for the year 2004, 39% of GHG emissions result from transportation and 25% of GHG emissions result from electricity generation. California produced 497 million metric tons of CO<sub>2</sub> equivalent (MMtCO<sub>2</sub>e) in 2004 (CARB 2007). California produces about 2% of the world's GHG emissions, with about 0.55% of the population.

The potential effects of future climate change on California resources include:

- Air temperature: Increases of 3 to 10.4 degrees Fahrenheit (°F) by the end of the century, depending on aggressiveness of GHG emissions mitigation.
- Sea level rise: 6 to 30 inches by the end of the century, depending on aggressiveness of GHG emissions mitigation.
- Water resources: Reduced Sierra snowpack, reduced water supplies, increased water demands, changed flood hydrology.
- Forests: Changed forest composition, geographic range, and forest health and productivity; increased destructive wild fires.
- Ecosystems: Changed habitats, increased threats to certain endangered species.
- Agriculture: Changed crop yields, increased irrigation demands, increased impacts from tropospheric ozone.
- Public health: Increased smog and commensurate respiratory illness and weather-related mortality (California Climate Change Portal [CCCP] 2007).

## 4.2.2 Regulatory Setting

### 4.2.2.1 Federal Policies and Regulations

Air quality protection at the national level is provided through the Clean Air Act (CAA), enacted in 1970 and significantly amended in 1990. These amendments represent the fifth major effort by the U.S. Congress to improve air quality. The federal CAA is generally less stringent than the California Clean Air Act. However, unlike the California law, the CAA set statutory deadlines for attaining federal standards. The 1990 amendments added several new sections to the law, including requirements for the control of toxic air contaminants, reductions in pollutants responsible for acid deposition, development of a national strategy for stratospheric ozone and global climate protection, and requirements for a national permitting system for major pollution sources.

#### 4.2.2.2 State Policies and Regulations

The California Clean Air Act (CCAA) was signed into law in September of 1988. It requires all areas of the state to achieve and maintain the California ambient air quality standards by the earliest practicable date. These standards are generally more stringent than the federal standards; thus, emission controls to comply with the state law are typically more stringent than necessary for attainment of the federal standards. The CCAA requires that all Air Pollution Control Districts adopt and enforce regulations to achieve and maintain the state ambient air quality standards for the area under its jurisdiction. Pursuant to the requirements of the law, the SLOAPCD adopted a Clean Air Plan (CAP) for its jurisdiction in 2001.

The California Global Warming Solutions Act of 2006 (AB 32, Health and Safety Code §38500 et seq.) requires the CARB to design and implement emission limits, regulations, and other measures. These will reduce, by 2020, statewide GHG emissions in a technologically feasible and cost-effective manner to 1990 levels (representing a 25% reduction). The following summarizes the process and schedule for implementing AB 32:

- June 30, 2007: CARB publishes a list of discrete early action GHG emission reduction measures that can be implemented prior to the measures and limits to be adopted to meet the 2020 limit.
- September 7, 2007: CARB released a list of additional early action measures and discrete early actions.
- January 1, 2008: CARB determines what the statewide GHG emissions level was in 1990 and approves a statewide GHG limit that is equivalent to that level.
- January 1, 2008: CARB adopts regulations requiring the reporting and verification of statewide GHG emissions.
- January 1, 2009: CARB adopts a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in GHG emissions from sources or categories of sources of GHGs by 2020.
- January 1, 2010: CARB adopts and enforces regulations to implement the GHG emission reduction measures identified on the early action list in 2007.
- January 1, 2011: CARB adopts regulations to achieve the required reduction of GHG emissions to 1990 levels by 2020.
- January 1, 2012: GHG emission limits and emission reduction measures adopted by January 1, 2011, become enforceable.

Senate Bill (SB) 1368 (Public Utilities Code §8340 et seq.) is an AB 32 companion bill that was signed into law in 2006. It requires the California Public Utilities Commission (CPUC) to establish a GHG performance standard for base load generation from investor-owned utilities, and the California Energy Commission (CEC) to establish a similar standard for publicly-owned utilities. These standards may not exceed the GHG emission rate from a base load combined-cycle natural gas fired plant. The bill also requires all imported electricity provided to California to be generated from plants meeting CPUC and CEC standards.

By enacting SB 97 in 2007, California's lawmakers expressly recognized the need to analyze GHG emissions as a part of the CEQA process. SB 97 required the California Office of Planning and Research to develop, and the Natural Resources Agency to adopt, amendments to the CEQA Guidelines addressing the analysis and mitigation of GHG emissions. Those CEQA Guidelines amendments clarified several points, including the following:

- Lead agencies must analyze the GHG emissions of proposed projects, and must reach a conclusion regarding the significance of those emissions. (See CEQA Guidelines §15064.4.)
- When a project's GHG emissions may be significant, lead agencies must consider a range of potential mitigation measures to reduce those emissions. (See CEQA Guidelines §15126.4(c).)
- Lead agencies must analyze potentially significant impacts associated with placing projects in hazardous locations, including locations potentially affected by climate change. (See CEQA Guidelines §15126.2(a).)
- Lead agencies may significantly streamline the analysis of GHGs on a project level by using a programmatic GHG emissions reduction plan meeting certain criteria. (See CEQA Guidelines §15183.5(b).)
- CEQA mandates analysis of a proposed project's potential energy use (including transportation-related energy), sources of energy supply, and ways to reduce energy demand, including through the use of efficient transportation alternatives. (See CEQA Guidelines, Appendix F.)

As part of the administrative rulemaking process, the Natural Resources Agency developed a Final Statement of Reasons explaining the legal and factual bases, intent, and purpose of the CEQA Guidelines amendments. Other rulemaking documents can be accessed on the Natural Resources Agency's rulemaking website (<http://ceres.ca.gov/ceqa/guidelines/>). The amendments to the CEQA Guidelines implementing SB 97 became effective on March 18, 2010 (State of California 2011).

#### **4.2.2.3 Local Policies and Regulations**

The 2001 CAP is a comprehensive planning document intended to provide guidance to the SLOAPCD and other local agencies, including the County, on how to attain and maintain the state standards for ozone and PM<sub>10</sub>. The CAP presents a detailed description of the sources and pollutants which impact the jurisdiction, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality.

Local efforts to quantify and reduce GHG emissions have primarily been undertaken by the SLOAPCD. Many of the programs currently implemented by SLOAPCD to reduce emissions and exposure to criteria and toxic air pollutants may also reduce GHG emissions. The following is a brief summary of these programs:

- Rules and Regulations: Numerous rules adopted by the County Board of Supervisors and implemented by SLOAPCD to address criteria pollutant emissions also have the side benefit of reducing GHGs. For instance, several SLOAPCD rules address conventional emissions from combustion sources such as boilers, heaters, and engines

that often result in equipment modifications or replacement that improves the energy efficiency of those units and reduces fossil fuel use. Similarly, rules that regulate or prohibit open burning activities reduce CO<sub>2</sub> emissions from that activity. SLOAPCD Rule 426 regulates landfill emissions of methane.

- Clean Fuels: SLOAPCD is actively involved in and supports the efforts of the Central Coast Clean Cities Coalition (C5), a local nonprofit coalition which promotes the use of cleaner alternative fuel technologies. With over 40% of the GHG emissions coming from mobile sources, these efforts are an essential tool in reducing fossil fuel use and associated CO<sub>2</sub> emissions.
- Development Review: Through the CEQA review process, SLOAPCD evaluates impacts from land use development projects and recommends measures to reduce emissions. Mitigation measures focus on reducing emissions from motor vehicles and improving energy efficiency, both of which directly reduce criteria pollutants and GHGs. Such strategies include incorporation of energy efficiency measures (increased insulation, high efficiency appliances and lighting, passive and active solar systems, etc.) that go beyond current building standards, and including Smart Growth principles into the project design to reduce vehicle trips and increase the viability of alternative transportation.
- Grant Programs: Many emission reduction projects funded through the various grant programs administered by SLOAPCD result in replacement or retrofit of older, high emission engines with cleaner and more efficient engines that simultaneously reduce fuel use, thus reducing CO<sub>2</sub> emissions. Conversion of stationary and mobile diesel engines to natural gas or electric motors also serves to reduce CO<sub>2</sub> emissions.
- Transportation Choices Program: In partnership with San Luis Obispo Regional Rideshare, Ride-On, and SLOAPCD, the Transportation Choices Program (TCP) is a free program offered to businesses and organizations throughout San Luis Obispo County to reduce employee and student commute trips and promote the use of alternative transportation.
- Pollution Prevention: The Pollution Prevention Program promotes the use of, and publicly recognizes small businesses which successfully employ, pollution prevention and emission reduction techniques as part of routine operating procedures. Many of the businesses so recognized have incorporated operational changes that reduce their emissions through efficiency improvements that also reduce fuel and product use and save energy.
- Public Outreach: SLOAPCD implements a number of outreach campaigns to promote a variety of clean air programs, including backyard burning reduction programs, clean car awareness, pollution prevention, energy efficiency, and transportation alternatives, all of which promote community consciousness and lifestyle choices that can help reduce our impacts on climate change.

The County has prepared an EnergyWise Plan (Climate Action Plan) – Designing Energy and Climate Solutions for the Future. This plan identifies strategies to reduce the county's GHG emissions by 15% below the baseline year of 2006 by the year 2020. This goal is consistent with AB 32. The plan includes the following:

- Scientific and regulatory framework for addressing climate change and GHGs at the local level.
- Identifies sources of GHG emissions from sources within the unincorporated county and estimates how these emissions may change over time.
- Forecasts emissions to reflect the County's desired growth projections without regulatory or technical intervention to reduce GHG emissions and provides an emissions reduction target consistent with AB 32 and the County's General Plan.
- Provides energy use, transportation, land use, water use, and solid waste strategies to reduce San Luis Obispo County's GHG emissions and quantifies the potential emissions reductions that will be achieved by implementing each strategy.
- Identifies existing and proposed strategies to reduce emissions from County operations and facilities.
- Addresses adaptation to climate change – climate adaptation is an adjustment in natural or human systems in response to actual or expected climatic change and its effects.
- Presents an implementation program to assist with monitoring and prioritization of the reduction strategies through 2020.

### **4.2.3 Thresholds of Significance**

The significance of potential air quality impacts is based on thresholds identified within Appendix G of the CEQA Guidelines, the San Luis Obispo County Initial Study Checklist, and standards established within the SLOAPCD CEQA Air Quality Handbook (2012b). The specifics of these guidelines are defined below.

#### **4.2.3.1 County of San Luis Obispo**

The significance of potential impacts is based on thresholds identified within Appendix G of the CEQA Guidelines and the County Initial Study Checklist, which provide the following thresholds for determining impact significance with respect to air quality and climate change. Impacts would be considered significant if the proposed project would:

- a. Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by the SLOAPCD;
- b. Expose any sensitive receptor to substantial air pollutant concentrations.
- c. Create or subject individuals to objectionable odors.
- d. Be inconsistent with the District's Clean Air Plan.
- e. Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.
- f. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs.

**4.2.3.2 SLOAPCD CEQA Air Quality Handbook**

The SLOAPCD has developed the 2012 CEQA Air Quality Handbook to assist lead agencies, planning consultants, and project proponents in assessing the potential air quality impacts from residential, commercial and industrial development. The CEQA Handbook defines the criteria used by the SLOAPCD to determine when an air quality analysis is necessary, the type of analysis that should be performed, the significance of the impacts predicted by the analysis, and the mitigation measures needed to reduce the overall air quality impacts. According to the CEQA Handbook, project impacts may also be considered significant if one or more of the following special conditions apply:

- If the project has the ability to emit hazardous or toxic air pollutants in the close proximity of sensitive receptors, such that an increased cancer risk affects the population;
- If the project has the potential to emit diesel particulate matter in an area of human exposure, even if overall emissions are low;
- If the project proposes remodeling or demolition operations where asbestos-containing materials will be encountered;
- If naturally occurring asbestos has been identified in the project area;
- If project has the ability to emit hazardous or toxic air pollutants in the close proximity of sensitive receptors, such as schools, churches, hospitals, etc.; or,
- If the project results in a nuisance odor problem to sensitive receptors.

Significance of Short-term Construction Emissions

Heavy equipment and earth-moving operations can generate construction dust and combustion emissions. These may have substantial temporary impacts on local air quality. Table 4.2-2 summarizes the level of construction-related emissions requiring mitigation.

**Table 4.2-2. Thresholds of Significance for Construction Operations**

Pollutant	Threshold		
	Daily (lbs)	Quarterly Tier 1 (tons)	Quarterly Tier 2 (tons)
Reactive Organic Gases (ROG) and Nitrates of Oxygen (NOx) (combined)	137	2.5	6.3
Diesel Particulate Matter (DPM)	7	0.13	0.32
Fugitive Particulate Matter (PM <sub>10</sub> ), Dust <sup>(2)</sup>	N/A	2.5	N/A
Greenhouse Gases (CO <sub>2</sub> , CH <sub>4</sub> , N <sub>2</sub> O, HFC, CFC, F <sub>6</sub> S)	Amortized and Combined with Operational Emissions (see below)		

1. Daily and quarterly emission thresholds are based on the California Health & Safety Code and CARB Carl Moyer Guidelines.

2. Any project with a grading area greater than 4.0 acres of worked area can exceed the 2.5-ton PM10 quarterly threshold.

Source: County of San Luis Obispo, APCD CEQA Air Quality Handbook, 2012b

Mitigation of construction activities is required when the emission thresholds are equaled or exceeded by fugitive and/or combustion emissions as follows:

#### *Reactive Organic Gases (ROG) and Nitrates of Oxygen (NO<sub>x</sub>) Emissions*

- **Daily:** For construction projects expected to be completed in less than one quarter (90 days), exceedance of the 137 pounds per day (lbs/day) threshold requires Standard Mitigation Measures;
- **Quarterly – Tier 1:** For construction projects lasting more than one quarter, exceedance of the 2.5 tons per quarter (ton/qtr) threshold requires Standard Mitigation Measures and Best Available Control Technology (BACT) for construction equipment. If implementation of the Standard Mitigation and BACT measures cannot bring the project below the threshold, off-site mitigation may be necessary; and,
- **Quarterly – Tier 2:** For construction projects lasting more than one quarter, exceedance of the 6.3 ton/qtr threshold requires Standard Mitigation Measures, BACT, implementation of a Construction Activity Management Plan (CAMP), and off-site mitigation.

#### *Diesel Particulate Matter Emissions*

- **Daily:** For construction projects expected to be completed in less than one quarter, exceedance of the 7 lbs/day threshold requires Standard Mitigation Measures;
- **Quarterly – Tier 1:** For construction projects lasting more than one quarter, exceedance of the 0.13 ton/qtr threshold requires Standard Mitigation Measures, and BACT for construction equipment; and,
- **Quarterly – Tier 2:** For construction projects lasting more than one quarter, exceedance of the 0.32 ton/qtr threshold requires Standard Mitigation Measures, BACT, implementation of a CAMP, and off-site mitigation.

#### *Fugitive Particulate Matter (PM<sub>10</sub>), Dust Emissions*

- **Quarterly:** Exceedance of the 2.5 ton/qtr threshold requires Fugitive PM<sub>10</sub> Mitigation Measures and may require the implementation of a CAMP.

#### *Greenhouse Gas Emissions*

- GHGs from construction projects must be quantified and amortized over the life of the project. The amortized construction emissions must be added to the annual average operational emissions and then compared to the operational thresholds in Section 3.5.1 of the Handbook – Significance Thresholds for Project-Level Operational Emissions. To amortize the emissions over the life of the project, calculate the total GHG emissions for the construction activities, divide it by the project life (i.e., 50 years for residential projects and 25 years for commercial projects), then add that number to the annual operational phase GHG emissions.

#### *Special Conditions for Construction Activity*

In addition to the construction air quality thresholds defined above, there are a number of special conditions, local regulations, or state and federal rules that apply to construction

activities. These conditions must be addressed in proposed construction activity and are summarized below.

Sensitive Receptors

The proximity of sensitive individuals (receptors) to a construction site constitutes a special condition and may require a more comprehensive evaluation of toxic diesel PM impacts and, if deemed necessary by the SLOAPCD, more aggressive implementation of mitigation measures than described below in the diesel idling section. Areas where sensitive receptors are most likely to spend time include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling unit(s). The types of construction projects that typically require a more comprehensive evaluation include large-scale, long-term projects that occur within 1,000 feet of a sensitive receptor location(s).

Permits

Portable equipment and engines 50 horsepower (hp) or greater, used during construction activities will require California statewide portable equipment registration (issued by the CARB) or an Air Pollution Control District permit.

Significance of Long-term Operational Emissions

The threshold criteria established by the SLOAPCD to determine the significance and appropriate mitigation level for long-term operational emissions (i.e., vehicular and area source emissions) from a project are presented in Table 4.2-3, below. Emissions that equal or exceed the designated threshold levels are considered potentially significant and should be mitigated. As shown in the table, the level of analysis and mitigation recommended follows a tiered approach based on the overall amount of emissions generated by the project. For projects requiring air quality mitigation, the SLOAPCD has developed a list of both standard and discretionary mitigation strategies tailored to the type of project being proposed: residential, commercial, or industrial.

**Table 4.2-3. Thresholds of Significance for Operational Emissions**

Pollutant	Threshold <sup>1</sup>	
	Daily	Annual
Ozone Precursors (ROG+NOx) <sup>2</sup>	25 lbs/day	25 tons/year
Diesel Particulate Matter (DPM) <sup>2</sup>	1.25 lbs/day	n/a
Fugitive Particulate Matter (PM <sub>10</sub> ), Dust	25 lbs/day	25 tons/year
CO	550 lbs/day	n/a
Greenhouse Gases (CO <sub>2</sub> , CH <sub>4</sub> , N <sub>2</sub> O, HFC, CFC, F <sub>6</sub> S)	Consistency with a Qualified GHG Reduction Plan OR 1,150 metric tons of carbon dioxide equivalent (CO <sub>2</sub> e)/year OR 4.9 CO <sub>2</sub> e/service population/year (residents + employees)	

1. Daily and annual emission thresholds are based on the California Health & Safety Code Division 26, Part 3, Chapter 10, §40918, and the CARB Carl Moyer Guidelines for DPM.

2. CalEEMod – use winter operational emission data to compare to operational thresholds.

Source: County of San Luis Obispo, APCD CEQA Air Quality Handbook, 2012a, 2012b

### *Ozone Precursor Emissions*

- If the project's ozone precursor emissions are below the APCD's **25 lbs/day** (combined ROG+NO<sub>x</sub> emissions) no ozone mitigation measures are necessary. The Lead Agency will prepare the appropriate, required environmental document(s).
- Projects that emit **25 lbs/day** or more of ozone precursors (ROG+NO<sub>x</sub> combined) have the potential to cause significant air quality impacts, and should be submitted to the SLOAPCD for review. On-site mitigation measures, following the guidelines in §3.7 of the CEQA Air Quality Handbook (*Operational Emission Mitigation*), are recommended to reduce air quality impacts to a level of insignificance.

If all feasible mitigation measures are incorporated into the project and emissions can be reduced to less than 25 lbs/day, then the Lead Agency will prepare the appropriate, required environmental document(s).

If all feasible mitigation measures are incorporated into the project and emissions are still greater than 25 lbs/day, then an EIR should be prepared. Additional mitigation measures, including off-site mitigation, may be required depending on the level and scope of air quality impacts identified in the EIR.

- Projects which emit **25 tons/year** or more of ozone precursor (ROG+NO<sub>x</sub> combined), require the preparation of an EIR. Depending upon the level and scope of air quality impacts identified in the EIR, mitigation measures, including off-site mitigation, may be required to reduce the overall air quality impacts of the project to a level of insignificance.

### *Diesel Particulate Matter Emissions*

Diesel particulate matter (DPM) is seldom emitted from individual projects in quantities, which lead to local or regional air quality attainment violations. DPM is, however, a toxic air contaminant and carcinogen, and exposure to DPM may lead to increased cancer risk and respiratory problems. Certain industrial and commercial projects may emit substantial quantities of DPM through the use of stationary and mobile on-site diesel-powered equipment as well diesel trucks and other vehicles that serve the project.

Projects that emit more than **1.25 lbs/day** of DPM need to implement on-site BACT measures. If sensitive receptors are within 1,000 feet of the project site, a Health Risk Assessment (HRA) may also be required.

### *Fugitive Particulate Matter (Dust) Emissions*

Projects which emit more than **25 lbs/day** or **25 tons/year** of fugitive particulate matter need to implement permanent dust control measures to mitigate the emissions below these thresholds or provide suitable off-site mitigation approved by the APCD. Operational fugitive dust emissions from a proposed project are calculated using the California Emissions Estimator Model (CalEEMod) model discussed in §3.6.1 of the CEQA Handbook. Typical sources of operational emissions included the following:

- **Paved roadways:** Vehicular traffic on paved roads that are used to access large residential, commercial, or industrial projects can generate significant dust emissions.

- **Off- and/or on-site unpaved roads or surfaces:** Even at low traffic volume, vehicular traffic on unpaved roads or surfaces that are used to accesses residential, commercial, or industrial operations or that accesses special events, etc., can generate significant dust emissions.
- **Industrial and/or commercial operations:** Certain industrial operations can generate significant dust emissions associated with vehicular access, commercial or industrial activities.

Any of the above referenced land uses or activities can result in dust emissions that exceed the SLOAPCD significance thresholds, cause violations of an air quality standard, or create a nuisance impact in violation of SLOAPCD Rule 402 *Nuisance*. In all cases where such impacts are predicted, appropriate fugitive dust mitigation measures shall be implemented.

### *Carbon Monoxide Emissions*

Carbon monoxide (CO) is a colorless, odorless, tasteless gas emitted during combustion of carbon-based fuels. While few land use projects result in high emissions of CO, this pollutant is of particular concern when emitted into partially or completely enclosed spaces such as parking structures and garages. Projects that emit more than 550 lbs/day of carbon monoxide (CO) and occur in a confined or semi-confined space (e.g., parking garage or enclosed indoor stadium) must be modeled to determine their significance. In confined or semi-confined spaces where vehicle activity occurs, CO modeling is required. If modeling shows the potential to violate the state CO air quality standard, mitigation or project redesign is required to reduce CO concentrations to a level below the health-based standard.

### *Greenhouse Gas Emissions*

GHGs from all projects subject to CEQA must be quantified and mitigated to the extent feasible. The thresholds of significance for a project's amortized construction plus operational-related GHG emissions are:

- For land use development projects, the threshold is compliance with a qualified GHG Reduction Strategy; OR annual emissions less than 1,150 metric tons per year (MT/yr) of carbon dioxide equivalent (CO<sub>2</sub>e); OR 4.9 MT CO<sub>2</sub>e/service population (SP)/year (residents + employees). Land use development projects include residential, commercial and public land uses and facilities. Lead agencies may use any of the three options above to determine the significance of a project's GHG emission impact to a level of certainty.
- For stationary-source projects, the threshold is 10,000 MT/yr of CO<sub>2</sub>e. Stationary-source projects include land uses that would accommodate processes and equipment that emit GHG emissions and would require an APCD permit to operate.

The APCD's GHG threshold is defined in terms of CO<sub>2</sub>e, a metric that accounts for the emissions from various greenhouse gases based on their global warming potential. If annual emissions of GHGs exceed these threshold levels, the proposal project would result in a cumulatively considerable contribution of GHG emissions and a cumulatively significant impact to global climate change.

## Guidelines for Applying ROG, NO<sub>x</sub> and PM<sub>10</sub> Mitigation Measures

In general, projects that do not exceed the 25 lbs/day ROG+NO<sub>x</sub> threshold do not require mitigation. For projects that exceed this threshold, the SLOAPCD has developed a list of mitigation strategies for residential, commercial, and industrial projects. The project proponent may suggest alternate mitigation measures if the APCD-suggested measures are not feasible.

The recommended standard air quality mitigation measures have been separated according to land use (i.e., residential, commercial and industrial), measure type (i.e., site design, energy efficiency and transportation) and pollutant reduced (i.e., ozone, particulate matter, DPM, and GHGs). Any residential, commercial, or industrial project generating 25 lbs/day or more of ROG+NO<sub>x</sub> or PM<sub>10</sub> should select the applicable number of mitigation measure as outlined below from Table 3-5 of the CEQA Air Quality Handbook (2012) to reduce the air quality impacts from the project below the significance thresholds.

### **4.2.4 Impact Assessment and Methodology**

In the course of preparing the Initial Study for this project (April 2012), potential air quality emissions were estimated through the use of the URbAn EMISsions (URBEMIS) (version 9.2.4) air quality modeling program. Based on consultation with SLOACPD, the air emission modeling was updated using CalEEMod (refer to Appendix B for output data sheets). Although the timing of development phases is currently unknown, the total area of disturbance was used to model a reasonable “worst case scenario” for air emissions. These emission estimates have been compared to the thresholds described above to determine the nature and extent of potential adverse air quality impacts. The project components were also reviewed to identify whether or not SLOAPCD regulations regarding issues such as developmental burning and disturbance of naturally-occurring asbestos, among others, are relevant. Finally, the proposed project was evaluated for consistency with the County’s CAP.

### **4.2.5 Project Specific Impacts and Mitigation Measures**

#### **4.2.5.1 Land Use Ordinance Amendment**

The proposed amendments do not include language that would have an adverse effect to air quality, aside from project-specific emissions (refer to discussion below). The proposed amendments do not include a change in the land use category, allowable uses, or density of uses. The clarifications would not result in growth inducing effects or a change in land use patterns inconsistent with the adopted CAP.

In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific air quality impacts, a planning area standard is recommended that requires the project applicant to quantify air and greenhouse gas emissions and incorporate mitigation into the project (refer to Chapter 4, Environmental Impacts Analysis, Exhibit A).

#### **4.2.5.2 Conditional Use Permit**

The proposed project would result in both short-term construction-related impacts and long-term operational impacts. Grading and construction activities would result in the creation of construction dust, as well as short-term construction vehicle emissions. Fugitive dust emissions would result from land clearing, demolition, ground excavation, cut and fill operations, and equipment traffic. Combustion emissions, such as NO<sub>x</sub> and DPM, are most significant when using large diesel fueled scrapers, loaders, dozers, haul trucks, compressors, generators, and other types of equipment. Operational impacts would include increased vehicle traffic and area

source emissions from various project components. Construction-related and operational emissions are analyzed separately under each threshold below.

### 4.2.5.3 Violate Ambient Air Quality Standards, or Exceed SLOAPCD Air Quality Emission Thresholds

#### Construction-Related Emissions

As proposed, the project would result in the disturbance of approximately 8.3 acres. Disturbance would occur in phases, as development can be funded and implemented. While the timing of development phases is currently unknown, a reasonable “worst-case scenario” for construction-related air emissions was generated using CalEEMod (including daily, quarterly, and annual emissions). Table 4.2-4 below identifies the potential emissions, prior to implementation of default mitigation options identified in CalEEMod. Estimated emissions after implementation of mitigation are shown in Table 4.2-5. Based on the results of the modeling, construction of the project would not exceed ROG and NO<sub>x</sub> daily thresholds, but would exceed quarterly Tier 1 thresholds, if construction occurs over a quarter (90 days). Construction would not exceed Tier 2 thresholds (6.3 tons). Based on implementation of Standard Mitigation Measures, quarterly ROG and NO<sub>x</sub> emissions would be reduced to 0.02 tons and no additional mitigation is necessary (refer to Table 4.2-5).

Although the project would not exceed quarterly thresholds for fugitive dust (PM<sub>10</sub>), site disturbance would exceed 4.0 acres within an area designated as non-attainment for fugitive dust. Therefore, in order to prevent a dust nuisance and contribute to fugitive dust generation, standard mitigation will be implemented.

In the event construction activities occur over a quarter (90 days), the project would exceed quarterly Tier 1 DPM thresholds (0.13 tons), requiring mitigation, including Standard Mitigation Measures and BACT. In addition, the project is located within 1,000 feet of potentially sensitive receptors (residences), who may be adversely affected by exposure to DPM emitted by idling construction equipment. As shown in Table 4.2-5, mitigation would reduce potential impacts below the identified threshold.

**Table 4.2-4. Construction Emissions (Unmitigated)**

	ROG	NO <sub>x</sub>	PM <sub>10</sub>	DPM	CO <sub>2e</sub>
Winter (lbs/day)	9.53	75.08	18.35	3.61	8,194.39
Threshold (lbs/day)	137		n/a	7	n/a
Mitigation Required	No		n/a	No	n/a
Quarterly (lbs/90 days)	3.8		.83	0.21	n/a
Quarterly Tier 1 (tons)	2.5		2.5	0.13	n/a
Mitigation Required	<b>Yes</b>		No	<b>Yes</b>	n/a
Quarterly Tier 2 (tons)	6.3		n/a	0.32	n/a
Mitigation Required	No		n/a	No	n/a
Annual (tons/yr)	0.69	4.88	0.16	0.29	543.29
Annual Threshold (tons/yr)	25		25	n/a	n/a
Mitigation Required	No		No	n/a	No

**Table 4.2-5. Construction Emissions (Mitigated)**

	ROG	NO <sub>x</sub>	PM <sub>10</sub>	DPM	CO <sub>2e</sub>
Winter (lbs/day)	0.16	0.20	8.41	0.01	8,194.39
Threshold (lbs/day)	137		n/a	7	n/a
Additional Mitigation	No		n/a	No	n/a
Quarterly (lbs/90 days)	0.02		0.38	0.0005	n/a
Quarterly Tier 1 (tons)	2.5		2.5	0.13	n/a
Additional Mitigation	No		No	No	n/a
Annual (tons/yr)	0.00	0.00	0.08	0.00	543.29
Annual Threshold (tons/yr)	25		25	n/a	n/a
Mitigation Required	No		No	n/a	No

Based on the APCD CEQA Air Quality Handbook, standard mitigation and BACT would be required. Standard mitigation is recommended to reduce potential emissions to a less than significant level.

**AQ Impact 1** In the event construction activities occur over a quarter (over 90 days), use of construction equipment would generate reactive organic gases (ROG) and nitrates of oxygen (NO<sub>x</sub>) exceeding the 2.5 tons/quarter threshold (Quarterly Tier 1), resulting in a significant, short-term impact.

*AQ/mm-1* Prior to issuance of construction permits, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:

**Construction Equipment**

- a. Maintain all construction equipment in proper tune according to manufacturer's specifications;
- b. Fuel all off-road and portable diesel powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- c. Maximize to the extent feasible, the use of diesel construction equipment meeting the CARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;

- d. *Use on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;*
- e. *Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;*
- f. *All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;*
- g. *Diesel idling within 1,000 feet of sensitive receptors is not permitted;*
- h. *Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;*
- i. *Electrify equipment when feasible;*
- j. *Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,*
- k. *Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.*

#### **Best Available Control Technology**

- l. *Further reducing emissions by expanding use of Tier 3 and Tier 4 off-road and 2010 on-road compliant engines;*
- m. *Repowering equipment with the cleanest engines available; and,*
- n. *Installing California Verified Diesel Emission Control Strategies. These strategies are listed at: <http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm>.*

#### Residual Impacts

The project will generate emissions during grading and construction activities, including the ROG and NO<sub>x</sub>. Standard Mitigation Measures and BACT measures identified in the SLOAPCD CEQA Handbook (2012) will be applied, which would mitigate the level of emissions below significance thresholds, resulting in an impact that is *less than significant with mitigation (Class II)*.

**AQ Impact 2**     **Site preparation, ground disturbance, grading, and construction activities would result in the generation of fugitive dust (PM<sub>10</sub>), potentially creating a nuisance and exacerbating the current non-attainment status for PM<sub>10</sub>, resulting in a significant, short-term impact.**

AQ/mm-2

*Upon application for construction permits, all required PM10 measures shall be shown on applicable grading or construction plans, and made applicable during grading and construction activities as described below.*

- a. Reduce the amount of the disturbed area where possible;*
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour (mph);*
- c. Reclaimed (non-potable) water should be used whenever possible;*
- d. All dirt stock pile areas should be sprayed daily as needed;*
- e. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;*
- f. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;*
- g. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;*
- h. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;*
- i. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;*
- j. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code §23114;*
- k. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; and,*
- l. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.*

*All of these fugitive dust mitigation measures shall be shown on grading, construction and building plans; and the contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the*

*implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust off-site. Their duties shall include monitoring the effectiveness of the required dust control measures (as conditions dictate), and shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.*

### Residual Impacts

The project will generate emissions during grading and construction activities, including the creation of fugitive dust. Standard Mitigation Measures identified in the SLOAPCD CEQA Handbook (2012) will be applied, which would mitigate the potential for a fugitive dust nuisance and contribution to the County's non-attainment status, resulting in an impact that is *less than significant with mitigation (Class II)*.

**AQ Impact 3      In the event construction activities occur over a quarter (over 90 days), use of equipment would result in diesel particulate matter (DPM) emissions exceeding quarterly (Tier 1) (0.13 tons/quarter) thresholds, and would potentially affect residents within 1,000 feet of the site, resulting in a significant, short-term impact.**

*Implement AQ/mm-1.*

### Residual Impacts

The project will generate emissions during grading and construction activities, including the DPM. Standard Mitigation Measures and BACT measures identified in the SLOAPCD CEQA Handbook (2012) will be applied, which would mitigate identified impacts to *less than significant (Class II)*.

### Operational Emissions

Based on the traffic report conducted for the project, which considered a “worst case scenario,” the average additional daily trips generated by the project would be 38 during the week days (Monday through Friday), and approximately 20 trips on weekend days (Rick Engineering 2012). Special events would generate an additional 66 trips on weekdays and 18 trips on the weekends. Operational emissions that would result from the proposed project were calculated using CalEEMod, pursuant to the CEQA Handbook (2012), before and after application of standard mitigation (refer to Tables 4.2-6 and 4.2-7 below). In general, projects that do not exceed APCD thresholds for ozone precursor emissions or dust do not require mitigation for long-term operational effects on air quality. APCD's recommended levels of mitigation for these pollutants are shown below in Table 4.2-8.

Operation of the project includes the use of an unpaved parking area (arena) during special events, and an unpaved parking area for equestrian trailer (approximately 20,620 square feet). The main parking area would be paved, and the primary overflow parking area would have a gravel base. Use of the arena and equestrian parking area would generate fugitive dust, and would exceed the daily threshold when in use (refer to Table 4.2-6 below). The APCD has developed mitigation measures specific to road dust and for the use of overflow parking during special events, which would reduce this impact to less than significant.

**Table 4.2-6. Operational Emissions (Unmitigated)**

	ROG	NO <sub>x</sub>	DPM	PM <sub>10</sub>	CO	CO <sub>2e</sub> (MT)
Winter Daily (lbs)	0.55	0.92	0.03	45.58	4.79	525.84
Threshold (lbs/day)	25		1.25	25	550	n/a
Mitigation Required	No		No	<b>Yes</b>	No	n/a
Annual (tons/year)	0.07	0.13	0.00	6.58	0.69	71.00
Annual Amortized (MT/yr)	n/a	n/a	n/a	n/a	n/a	81.87
Threshold (tons/year)	25		n/a	25	n/a	1,150
Mitigation Required	No		No	No	n/a	No

**Table 4.2-7. Operational Emissions (Mitigated)**

	ROG	NO <sub>x</sub>	DPM	PM <sub>10</sub>	CO	CO <sub>2e</sub> (MT)
Winter Daily (lbs)	0.54	0.91	0.03	45.13	4.75	520.78
Threshold (lbs/day)	25		1.25	25	550	n/a
Additional Mitigation	No		No	<b>Yes</b>	No	n/a
Annual (tons/year)	0.07	0.13	0.00	6.51	0.69	70.00
Annual Amortized (MT/yr)	n/a	n/a	n/a	n/a	n/a	80.99
Threshold (tons/year)	25		n/a	25	n/a	1,150
Additional Mitigation	No		No	No	n/a	No

**AQ Impact 4**      **Operation of the project would result in the generation of fugitive dust (PM<sub>10</sub>) exceeding daily thresholds (25 lbs/day), resulting in a significant, short-term and long-term impact during use of unpaved parking areas and the arena.**

*AQ/mm-3*      *The following mitigation is required on the day(s) of the special event, when use of unpaved overflow parking areas will occur:*

- a. *The unpaved parking area shall be treated with a dust suppressant such that fugitive dust emissions do not impact offsite areas and do not exceed the APCD 20% opacity limit (see Technical Appendix 4.3 of the SLOAPCD CEQA Handbook);*

- b. Any unpaved roads/driveways that will be used for the special event shall be maintained with an APCD-approved dust suppressant such that fugitive dust emissions do not impact offsite areas and do not exceed the APCD 20% opacity limit; and
- c. The applicant may propose alternative measures of equal effectiveness by contacting the APCD Planning Division.

AQ/mm-4

To minimize nuisance impacts and to reduce fugitive dust emissions from the arena for the life of the project the following mitigation measures shall be incorporated into the project, and are applicable to the demonstration arena:

- a. Reduce the amount of the disturbed area where possible;
- b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency whenever wind speeds exceed 15 mph;
- c. Reclaimed (non-potable) water shall be used whenever possible;
- d. Permanent dust control measures shall be implemented as soon as possible following completion of any soil disturbing activities;
- e. 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 Air District; and
- f. A person or persons shall be designated to monitor for dust and implement additional control measures as necessary to prevent transport of dust offsite. The monitor's duties shall include holidays and weekend. The name and telephone number of such persons shall be provided to the Air District prior to operation of the arena.

#### Residual Impacts

Use of unpaved areas for parking and the arena would generate fugitive dust. Standard Mitigation Measures identified in the SLO APCD CEQA Handbook (2012) will be applied, which would mitigate identified impacts to *less than significant (Class II)*.

#### **4.2.5.4 Expose Sensitive Receptor to Substantial Air Pollutant Concentrations**

As noted above, ground disturbance would generate dust potentially resulting in a nuisance for adjacent residential and agricultural land uses. Projects which emit more than 25 lbs/day or 25 tons/year of fugitive particulate matter need to implement permanent dust control measures to mitigate the emissions below these thresholds or provide suitable off-site mitigation approved by the APCD. Any land uses or activities can result in dust emissions that exceed the APCD significance thresholds, cause violations of an air quality standard, or create a nuisance impact in violation of APCD Rule 402, Nuisance. In all cases where such impacts are predicted, appropriate fugitive dust mitigation measures shall be implemented. Driveways, paths, and trails within the area proposed for developed would be paved or surfaced with decomposed granite or gravel, which would reduce the creation of dust. The existing driveway to the Dana Adobe, existing ranch roads on the 100-acre area, and proposed trails on the 100-acre area would not

be paved or surfaced, which may create dust when used. Operation of the arena would generate dust, and would require suppression measures.

Based on the estimated emissions, the project would not generate substantial air pollutant concentrations affecting sensitive receptors. In addition, implementation of mitigation measures AQ/mm-2, AQ/mm-3, and AQ/mm-4 would further reduce the potential for emissions. Therefore, the potential impact would be *less than significant (Class III)*.

#### **4.2.5.5 Create or Expose People to Objectionable Odors**

Construction of the proposed project would not generate objectionable odors. Use of the proposed arena may generate odors; however, the existing use of the site includes equestrian grazing, and surrounding areas are agricultural in nature. This use would be consistent with other uses in the area, and would not generate substantial odors affecting adjacent landowners. Therefore, potential short-term and long-term impacts would be *less than significant (Class III)*.

#### **4.2.5.6 Consistency with the SLOAPCD's Clean Air Plan**

The project is consistent with the general level of development anticipated and projected in the CAP. The project is consistent with the CAP's land use planning strategies, including the provision of educational and recreational opportunities within and adjacent to the Nipomo urban area. Therefore, potential impacts would be *less than significant (Class III)*.

#### **4.2.5.7 Hazardous or Toxic Air Pollutants in Proximity of Sensitive Receptors, Increased Cancer Risk**

The APCD has set thresholds for ozone precursor emissions, DPM, fugitive particulate matter emissions (dust), and CO emissions. Ozone precursor emissions are measured as combined ROG and NO<sub>x</sub> emissions. DPM is seldom emitted from individual projects in quantities which lead to local or regional air quality attainment violations. DPM is, however, a toxic air contaminant and carcinogen, and exposure to DPM may lead to increased cancer risk and respiratory problems. Certain industrial and commercial projects may emit substantial quantities of DPM through the use of stationary and mobile on-site diesel-powered equipment as well diesel trucks and other vehicles that serve the project.

##### Construction-Related Emissions

Construction of the proposed project would not generate or result in public exposure to hazardous or toxic air pollutants in the proximity of sensitive receptors. Exposure to DPM is addressed below and in AQ Impact 3. Therefore, potential impacts would be *less than significant (Class III)*.

##### Operational Emissions

The project site is located 0.15 mile (792 feet) from US 101, and is not located in an area at risk for exposure to hazardous or toxic air pollutants. The project does not include any features that would generate toxic air pollutants. Therefore, potential impacts would be *less than significant (Class III)*.

#### **4.2.5.8 Emission of Diesel Particulate Matter**

##### Construction-Related Emissions

As noted above (refer to AQ Impact 3), construction of the proposed project would generate DPM within 1,000 feet of residences (sensitive receptors). In the event construction activities

occur over a quarter (over 90 days), use of equipment would generate DPM emissions exceeding quarterly (Tier 1) (0.13 tons/quarter) thresholds. Implementation of AQ/mm-1 would address this impact by mitigating DPM to a level below the threshold of significance.

### Operational Emissions

The project site is located 0.15 mile (792 feet) from US 101, and is not located in an area at risk for exposure to hazardous or toxic air pollutants. The project does not include any features that would generate toxic air pollutants. Therefore, potential impacts would be *less than significant (Class III)*.

#### **4.2.5.9 Asbestos-Containing Materials**

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines. If utility pipelines are scheduled for removal or relocation or a building(s) is proposed to be removed or renovated, various regulatory requirements may apply, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40 Code of Federal Regulations [CFR] 61, Subpart M – Asbestos, National Emission Standards for Hazardous Air Pollutants [NESHAPs]). These requirements include but are not limited to: 1) notification to the APCD, 2) an asbestos survey conducted by a Certified Asbestos Inspector, and 3) applicable removal and disposal requirements of identified ACM.

**AQ Impact 5      In the event construction of the project requires remodeling or demolition of structures, utilities, or pipelines, asbestos-containing material may occur, resulting in a significant, short-term impact.**

*AQ/mm-5            Proposed demolition activities can result in potentially negative air quality impacts, especially where material exists containing asbestos material. Prior to issuance of any construction permit to remove or demolish any buildings or utility pipes on the subject property, the applicant shall provide evidence they have contacted APCD to determine: a) what regulatory jurisdictions apply to the proposed demolition, such as the National Emission Standard for Hazardous Air Pollutants (40 CFR 61, Subpart M – Asbestos NESHAP); b) District notification requirements; c) the need for an asbestos survey conducted by Certified Asbestos Inspector; and d) applicable removal and disposal requirements of the asbestos-containing material.*

### Residual Impacts

Based on implementation of standard mitigation identified above, potential impacts related to exposure to asbestos-containing materials would be *less than significant with mitigation (Class II)*.

#### **4.2.5.10 Naturally Occurring Asbestos**

Naturally Occurring Asbestos (NOA) has been identified as a toxic air contaminant by CARB. Under the CARB Airborne Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities a geologic evaluation should be conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the APCD. If NOA is found at the

site, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Based on Technical Appendix 4.4 of the SLOAPCD's CEQA Handbook, the project site is within a location of potentially occurring NOA, and standard mitigation would apply. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include but are not limited to: development of an Asbestos Dust Mitigation Plan which must be approved by the APCD before operations begin, and development and approval of an Asbestos Health and Safety Program. If NOA is not present, an exemption request must be filed with the APCD. Based on review of the Soils Engineering Report (GeoSolutions 2011), the 30-acre portion of the site does not include serpentine, ultramafic, or Franciscan soils, which are known to contain NOA.

**AQ Impact 6      Grading and ground disturbance within the 100-acre portion of the project site may result in exposure to naturally-occurring asbestos, resulting in a significant, short-term impact.**

*AQ/mm-6      Prior to issuance of grading permit, the applicant shall submit a geologic evaluation of naturally occurring asbestos on the 100-acre portion of the project site to the APCD. If naturally occurring asbestos is present onsite, the applicant shall comply with all requirements outlined in the Asbestos Airborne Toxic Control Measures (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan that shall be approved by the APCD prior to construction, and 2) an Asbestos Health and Safety Program. Prior to development on the 30-acre portion of the site, the applicant shall submit a Naturally Occurring Asbestos Construction and Grading Permit Exemption Request Form to the APCD. If the applicant has any questions regarding these requirements, they shall contact the APCD.*

Residual Impacts

Based on implementation of standard mitigation identified above, potential impacts related to exposure to NOA would be *less than significant with mitigation (Class II)*.

**4.2.5.11 Hazardous or Toxic Air Pollutants in Proximity of Sensitive Receptors, Such as Schools, Churches, Hospitals**

Construction-Related Emissions

Construction of the proposed project would not generate or result in public exposure to hazardous or toxic air pollutants in the proximity of sensitive receptors. The project site is not located in proximity to any schools, churches, or hospitals. Exposure to DPM is addressed below and in AQ Impact 3. Therefore, potential impacts would be *less than significant (Class III)*.

Operational Emissions

The project site is located 0.15 mile (792 feet) from US 101, and is not located in an area at risk for exposure to hazardous or toxic air pollutants. The project does not include any features that would generate toxic air pollutants. Therefore, potential impacts would be *less than significant (Class III)*.

#### 4.2.5.12 Nuisance Odor Problem

As noted above, construction of the proposed project would not generate objectionable odors creating a nuisance. Use of the proposed arena may generate odors; however, the existing use of the site includes equestrian grazing, and surrounding areas are agricultural in nature. This use would be consistent with other uses in the area, and would not generate substantial odors affecting adjacent landowners. Therefore, potential short- and long-term impacts would be *less than significant (Class III)*.

#### 4.2.5.13 Greenhouse Gas Emissions and Climate Change

In California, the main sources of GHGs are from the transportation and energy sectors. GHGs remain in the atmosphere for periods ranging from decades to centuries; the main GHGs emitted by human activities include CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, HFCs, PFCs, and SF<sub>6</sub>.

A warming trend of approximately 1.0 to 1.7°F occurred during the 20th Century. It is generally agreed that human activity has been increasing the concentration of GHGs in the atmosphere, mostly CO<sub>2</sub> from the combustion of coal, oil and gas (National Climatic Data Center [NCDC] 2008). The effect of each GHG on climate change is measured as a combination of the volume or mass of its emissions, and the potential of a gas or aerosol to trap heat in the atmosphere (global warming potential), and is expressed as a function of how much warming would be caused by the same mass of CO<sub>2</sub>. The potential effects on future climate change on California resources include increases of air temperature, sea level rise, reduced water resources and changed flood hydrology, changed forest composition and productivity, increased wild fires, changed habitats and ecosystems, changed crop yields and increased irrigation demands, and increased smog and public health issues.

Based on emission estimates calculated with CalEEMod (refer to Table 4.2-6 above), development of the project would generate approximately 79.45 MT of CO<sub>2e</sub> per year for the lifetime of the project. This would not exceed the APCD's adopted threshold (1,150 MT/year). In addition, the proposed project incorporates many of APCD's standard measures for GHG reduction, including: the creation of multi-use paths; use of buses to shuttle visitors and students; drought-tolerant and native landscaping; use of alternative energy including solar; water conservation measures; and, the location of the project within and adjacent to an urban area. Based on the location and design of the project, potential short-term and long-term impacts would be *less than significant (Class III)*.

#### 4.2.6 Cumulative Impacts

The cumulative study area for air quality impacts is the South Central Coast Air Basin (SCCAB). The project would contribute criteria pollutants during project construction and long-term operational use, including ozone precursors and particulate matter. Several land development projects are either under consideration by the County, under construction, or recently built, including mixed-use, residential, commercial, health facility projects. Some of these projects may be under construction simultaneously with the project and, in the long term, would be generating similar air emissions due to use of construction equipment, increased traffic trips, and energy use.

Depending on construction schedules and actual implementation of projects in the air basin, generation of fugitive dust and pollutant emissions during construction could result in short-term increases in air pollutants. Analysis conducted specifically for this project concluded that implementation of the proposed project would not significantly contribute to cumulative long-

term operational air quality impacts because it would not exceed identified thresholds upon implementation of mitigation. GHG impacts, including those described above, all contribute cumulatively with those produced worldwide, to affect climate change. As proposed, the project includes design elements that would reduce the potential for GHG emissions, and would not result in a significant contribution to cumulative GHG emissions, and subsequent climate change. Cumulative effects would be *less than significant (Class III)*.

## 4.3 BIOLOGICAL RESOURCES

This section of the EIR identifies and evaluates potential impacts to biological resources resulting from implementation of the project.

### 4.3.1 Existing Conditions

The project site is located near the southern boundary of San Luis Obispo County, within and adjacent to the community of Nipomo. Elevations within the project site range from approximately 76 to 95 meters or 250 to 310 feet above mean sea level (msl). The project site is located adjacent to agricultural fields and a few private residences. Three creek corridors occur on the project site: Nipomo Creek, Adobe Creek, and Carillo Creek.

The project site was surveyed by Terra Verde biologists on May 31, 2010, and May 19 and 25, 2011. Additional focused visits to Carillo Creek and the surrounding areas were conducted in the summer and fall of 2011. The results of the surveys are documented in the *Dana Adobe Stories of the Rancho Project Biological Resources Assessment* (Terra Verde 2011) and are incorporated into the discussion and analysis below. The full report is also included in Appendix C of this EIR.

#### 4.3.1.1 Native and Important Vegetation

Four vegetation communities were observed within the survey area. The area west of Nipomo Creek includes the Dana Adobe and associated uses, access driveway and informal parking area, and fenced equestrian pasture. Habitat and vegetation within this portion of the 30-acre area includes coastal scrub (yellow bush lupine scrub), individual coast live oak (*Quercus agrifolia*) trees, locust (*Robinia* sp.) trees, and a eucalyptus (*Eucalyptus* sp.) tree.

Agricultural/rangeland is present within the area east of Nipomo Creek. Vegetation communities within this area, including Nipomo Creek, include: ruderal/disturbed, grassland (wild oats grassland, perennial ryegrass fields), riparian (seasonal drainage/arroyo willow scrub, riparian oak woodland/coast live oak woodland), and seasonal wetland (creeping rye grass turfs). Current and proposed agency restoration efforts on the 100-acre portion of the site include: riparian corridor restoration by the Land Conservancy, and oak woodland restoration to be implemented by the County as mitigation for the Willow Road project (an approximately 3-mile road extension and US 101 interchange project approximately 2.5 miles northwest of the project site).

#### 4.3.1.2 Special-Status Species

Several species known to occur within or in the vicinity of the project area are accorded “special-status” designation because of their recognized rarity or vulnerability to various causes of habitat loss or population decline. Some of these receive specific protection defined in federal or State endangered species legislation. Others have been designated as “sensitive” on the basis of adopted policies and expertise of State resource agencies or organizations with acknowledged expertise, or policies adopted by local governmental agencies such as counties, cities, and special districts to meet local conservation objectives. These species are referred to collectively as “special-status species” in this EIR, a collective term indicating some level of local, state or federal concern for populations or habitats.

The *Biological Resources Assessment* determined that the survey area contains suitable habitat for 21 sensitive plants. No sensitive plant species were observed on-site during the seasonal field surveys.

Based on surveys of the project site and assessment of habitat, the project site supports potential habitat for 14 special status species, which are discussed below. Only one special status species was observed during field surveys, white-tailed kite (*Elanus leucurus*). The following species are not expected to occur due to the lack of suitable breeding habitat in the project vicinity: California tiger salamander (*Ambystoma californiense*) (Federal and State Threatened, State Species of Special Concern) and western spadefoot toad (*Spea hammondi*) (State Species of Special Concern [SSC]). Southern steelhead (*Oncorhynchus mykiss irideus*) (Federally Protected Species) are also not expected to occur at the project site due to significant downstream barriers to their upstream migration.

### American Badger

American badger (*Taxidea taxus*), an SSC, is a non-migratory species that occurs throughout most of California. It occurs in more open and arid habitats including grasslands, meadows, savannahs, open-canopy desert scrub, and open chaparrals. It requires friable soils in areas with low to moderate slopes. American badger typically breeds from May through September, but it may not breed every year. This species has not been previously documented within a 5-mile radius of the project site (California Department of Fish and Wildlife [CDFW] 2011). The grasslands within and surrounding the survey area are considered suitable habitat for American badger, although suitable burrows for this species were not observed. This species was not observed within the survey area during the field surveys.

### Pallid Bat

Pallid bat (*Antrozous pallidus*), an SSC, is typically found in arid desert habitats and utilizes protective landscape features for roosting such as rock crevices, caves, tree hollows, mines, old buildings, and bridges. They also occur in oak and pine forested areas and open farmland. This species uses semi-dark day-roosts which provide some protective cover. Pallid bats prefer darkness, shelter from wind and rain, and an easy escape if they are disturbed. Although not a requirement, roosts are generally found near a source of water. Breeding begins in October and continues sporadically throughout the winter. This species has not been previously documented within a 5-mile radius of the project site (CDFW 2011). The open agricultural lands and the riparian corridor are considered suitable foraging lands for this species. This species was not observed within the survey area during the field surveys.

### California Red-legged Frog

California red-legged frogs (*Rana draytonii*), a Federal Threatened species and SSC, require permanent or semi-permanent bodies of water such as lakes, streams, or ponds with plant cover for foraging and breeding habitat. These frogs also use lowland and grassland areas to hunt and forage for food. Frogs have been documented more than 1 mile away from waterbodies. Reproduction occurs in aquatic habitats and occurs from late November to early April. Egg masses are laid in the water, often under the protection of emergent vegetation. California red-legged frog is known to occur near the project site. This species has been documented within a 5-mile radius of the project site (CDFW 2011).

The riparian corridor is not considered suitable breeding habitat for this species due to the variable source of water and lack of deep pools. The dense riparian vegetation around the creek and the surrounding open grassland provide suitable foraging and upland habitat for this species. This species was not observed within the survey area during the field surveys; however, a documented occurrence is known near the project site.

### Coast Range Newt

Coast range newts (*Taricha torosa torosa*), an SSC, are typically found in slow moving streams, ponds, and lakes with surrounding evergreen and oak forests, chaparral, and rolling grasslands along the coast. In southern California, drier chaparral, oak woodland, and grasslands are also used as habitat. Adults migrate from terrestrial habitats to ponds, reservoirs, and sluggish pools in streams to breed, typically between December and February, depending on rainfall amounts. This species is endemic to California, found along the coast and Coast Range Mountains from Mendocino County south to San Diego County. This species has not been previously documented within a 5-mile radius of the project site (CDFW 2011). The riparian corridor and adjacent grasslands are considered suitable habitat for this species. This species was not observed within the survey area during the field surveys.

### Southern Pacific Pond Turtle

Southern Pacific pond turtle (*Actinemys marmorata pallida*), an SSC formerly known as the western pond turtle, occupies a wide range of habitats including wetlands, rivers, streams, lakes, and stock ponds for feeding and basking sites. These turtles also require upland areas for aestivation, wintering, and nesting sites. Nesting typically occurs along the edges of lakes or ponds but may also occur up to 500 meters from water. This species starts nesting in April with a peak in May through July and typically concludes in August. Turtles have been documented as traveling up to 60 meters into upland areas for aestivation sites. This species has not been previously documented within a 5-mile radius of the project site (CDFW 2011). The project area lacks deep pools and basking sites required by turtles. However, the riparian corridor and the adjacent upland areas are considered marginally suitable habitat for this species. No pond turtles were observed during the surveys.

### Silvery Legless Lizard

Silvery legless lizard (*Anniella pulchra pulchra*), an SSC, requires sandy or loose loamy soils within coastal dune scrub, coastal sage scrub, chaparral, woodland, riparian, or forest habitats. It requires cover such as debris, logs, leaf litter, or rocks and will cover itself with loose soil. Silvery legless lizard is thought to be a diurnal species that breeds between the months of March through July. It gives live birth to young in the early fall. This species has not been previously documented within a 5-mile radius of the project site (CDFW 2011). The coastal scrub community on the western side of the survey area is suitable habitat for this species. Silvery legless lizard was not observed within the survey area during the field surveys.

### Coast Horned Lizard

Coast horned lizards (*Phrynosoma blainvillii*), an SSC, inhabit open areas of sandy soil and low vegetation in valleys, foothills, and semi-arid mountains from sea level to 82,438 meters in elevation. They are typically found in grasslands, coniferous forests, woodlands, and chaparral, with open areas and patches of loose soil. Additionally, they are often found in lowlands along sandy washes with scattered shrubs and along dirt roads, and are frequently found near ant hills. This species has been documented within a 5-mile radius of the project site (CDFW 2011). The sandy soils and shrubs on the western side of the survey area are suitable habitat for this species. This species was not observed within the survey area during the field surveys.

### Two-Striped Garter Snake

Highly aquatic, two-striped garter snakes (*Thamnophis hammondi*), an SSC, forage primarily in and along streams hunting fishes, especially trout and sculpins and their eggs, and amphibians

and amphibian larvae. The preferred nocturnal retreats of this active diurnal snake are thought to be holes, especially mammal burrows, crevices, and surface objects (Rathburn et al. 1993). During the day, this garter snake often basks on streamside rocks or on densely vegetated stream banks. When disturbed it usually retreats rapidly to water. In milder areas, mammal burrows and surface objects such as rocks and rotting logs serve as winter refuges. Courtship and mating normally occur soon after spring emergence. Young are born alive in the late summer, usually in secluded sites such as under the loose bark of rotting logs or in dense vegetation near pond or stream margins (Cunningham 1959; Rossman, et al. 1996). Historically common, it is associated with permanent or semi-permanent bodies of water in a variety of habitats from sea level to 2,400 meters. This species has not been previously documented within a 5-mile radius of the project site (CDFW 2011). Nipomo Creek and the riparian corridor is suitable habitat for this species. This species was not observed within the survey area during the field surveys.

### Sharp-Shinned Hawk

Sharp-shinned hawk (*Accipiter striatus*), a Federal Threatened species and SSC, inhabits a variety of natural and urban habitat communities, including aspen, pine, and fir forests and urban, rural, and agricultural areas. This species typically nests in conifer trees, 20 to 60 feet above the ground where there is sufficient overhead shading. Peak nesting season for this species is from March to June, but often extends through the summer. Breeding range for this species typically occurs in colder areas, including high elevation forests in the Rocky Mountains, large areas of Canada, Alaska, and most of the northeastern United States. Breeding grounds also extend into portions of northern California, Nevada, and Washington. Much of the Canadian territory for sharp-shinned hawk is utilized only during the breeding season. This species has been documented within a 5-mile radius of the project site (CDFW 2011). The agricultural fields and upland habitat occurring on and near the project site are considered potential foraging habitat for this species. This species was not observed during the field surveys.

### Burrowing Owl

Burrowing owls (*Athene cunicularia*), an SSC, are yearlong residents of open, dry grasslands and desert habitats, and in grass, forb, and open shrub stages of pinyon-juniper woodland and ponderosa pine forest habitats. Burrowing owls eat mostly insects, but will also eat small mammals, reptiles, birds, and carrion. They use rodent or other burrows for roosting and nesting cover, moving between perches and burrows to thermoregulate as temperatures change throughout the day. Nesting occurs in old burrows of small mammals but they may dig their own burrows in soft soils. These owls may also use pipes, culverts, or nest boxes when burrows are sparse. Breeding occurs from March through August, with a peak in April and May (Zeiner, et al. 1990). This species is typically a winter resident in the western portion of San Luis Obispo County, with breeding occurring in the eastern portion of the county. This species has not been previously documented within a 5-mile radius of the project site (CDFW 2011). The agricultural fields on and near the project site are considered suitable habitat for this species. However, no suitable burrows were observed, and the vegetation of the grasslands is taller than that typically used by these owls. This species was not observed during the field surveys.

### White-tailed Kite

White-tailed kites (*Elanus leucurus*), a State Fully Protected Species, require coastal and valley lowlands along with herbaceous open space habitats. Suitable habitat for this species consists of three components; nesting, foraging, and roosting. Kites will nest in various types of trees

including dense oaks, willows, or other tree stands. Nests are placed atop trees at least 6 to 20 meters above the ground and are made from sticks, twigs, or other ground litter. This species forages for small mammals during long-distance flights over a wide variety of terrain including grasslands, meadows, and farmlands. Kites hover above the ground at 30 meters then descend onto prey with wings held high. Kites spend the majority of time perched in roosting and nesting sites that are adjacent or close to foraging habitats. Kite nesting season is typically from February to October with a peak from May to August. This species has not previously been documented within a 5-mile radius of the project site (CDFW 2011). However, a white-tailed kite was observed foraging on the east side of the property on several occasions. The open grassland and agricultural fields provide foraging habitat for this species. As noted above, it appears white-tailed kites use the eastern grasslands of the property for foraging purposes as they were observed frequently hovering over this area.

### Southwestern Willow Flycatcher

Southwestern willow flycatcher (*Empidonax traillii extimus*), a Federally Endangered and State Endangered species, requires dense riparian habitats with microclimatic conditions dictated by the local surroundings. Saturated soils, standing water, or nearby streams, pools, or cienegas are a component of nesting habitat that also influences the microclimate and density of the vegetation component. Habitat not suitable for nesting may be used for migration and foraging. This species eats primarily flying insects.

The flycatcher is a summer breeder within its range in the United States. It migrates to wintering areas in Central America by the end of September. Nest territories are set up for breeding, and there is some site fidelity to nest territories. Southwestern willow flycatchers arrive on breeding grounds in late April to early May. Nesting begins in late May and early June, with fledging from late June to mid-August. Human disturbances at nesting sites may result in nest abandonment (U.S. Fish and Wildlife Service 2011). This species has not been previously documented within a 5-mile radius of the project site (CDFW 2011). The willow riparian corridor is suitable habitat for southwestern willow flycatcher. This species was not observed or heard during the field surveys.

### Prairie Falcon

Prairie falcons (*Falco mexicanus*), an SSC, utilize a variety of habitats, including dry grasslands, woodlands, savannahs, cultivated fields, lake shores, and rangelands. These birds are aerial foragers, often feeding in canyons on rodents and smaller birds. Nesting sites are typically on south-facing, overhanging cliffs and rock outcrops, up to 500 feet high. This species has a nesting period that lasts between one and two months, typically between February and April, but sometimes extending into the summer. This species has not been previously documented within a 5-mile radius of the project site (CDFW 2011). The agricultural fields and upland habitat occurring on and near the project site are considered potential foraging habitat for this species. No prairie falcons were observed during the surveys.

### Least Bell's Vireo

Least Bell's vireo (*Vireo bellii pusillus*), a Federally Endangered and State Endangered species, primarily occupies riparian habitats along open water or dry parts of intermittent streams, generally below 460 meters in elevation (USFWS 1986; Small 1994, as cited in Dudek and Associates 2005; Kus 2002). They are generally associated with the following vegetation types: southern willow scrub, cottonwood forest, mule fat scrub, sycamore alluvial woodland, coast live oak riparian forest, arroyo willow riparian forest, wild blackberry scrub, and mesquite scrub in

desert localities (Kus 2002). Kus (2002) indicates that vireo typically forage in riparian and adjoining upland habitat. Critical habitat for the species has been designated in Santa Barbara, Ventura, Los Angeles, San Bernardino, Riverside, and San Diego Counties (USFWS 1992). Critical habitat patches occur on the Santa Ynez, Santa Clara, Santa Margarita, San Luis Rey, Sweetwater, San Diego, and Tijuana Rivers (USFWS 1992). This species has not been previously documented within a 5-mile radius of the project site (CDFW 2011). The willow riparian corridor is suitable habitat for least Bell's vireo. This species was not observed or heard during field surveys.

#### **4.3.1.3 Wetland and Riparian Habitat**

Several small areas dominated by native grasses including creeping wild rye (*Leymus triticoides*) and salt grass (*Distichlis spicata*) were observed just east of Nipomo Creek. Salt grass is a facultative wetland species and usually occurs in wetlands, and creeping wild rye is commonly found in wetlands, although it is equally likely to occur in non-wetlands. Observed non-native species include black mustard (*Brassica nigra*) and Italian thistle (*Carduus pycnocephalus*) occasionally within the community and abundant in the surrounding vegetation.

There are two creek corridors at the project site that drain to Nipomo Creek, which runs from the northwest to the south through the site. Both drainage corridors show similar species composition and signs of active restoration, including irrigation lines and recently planted shrubs, trees, and flowers. The dominant species within this community is arroyo willow (*Salix lasiolepis*). Other native shrubs and trees such as blue elderberry (*Sambucus nigra*) and coyote brush (*Baccharis pilularis*) are co-dominants in the canopy and shrub layer. The herbaceous understory is composed of a mix of native and non-native species such as mugwort (*Artemisia douglasiana*), yellow monkeyflower (*Mimulus guttatus*), California wild rose (*Rosa californica*), and poison hemlock (*Conium maculatum*).

The vegetation of Nipomo Creek above and below the survey area is composed of a mixed tree layer dominated by coast live oak, California box elder (*Acer negundo* var. *californica*), and arroyo willow. The canopy is continuous with an intermittent shrub layer and sparse to absent herbaceous understory. Dominant understory species include poison oak (*Toxicodendron diversilobum*) and creeping snowberry (*Symphoricarpos mollis*). Within the creek, watercress (*Nasturtium officinale*), a native perennial herb, is abundant. Outside of the canopy and along the streambank, Harding grass (*Phalaris aquatic*), a non-native perennial grass is abundant.

#### **4.3.1.4 Wildlife Corridors and Migration**

Grasslands often provide important habitat for a variety of wildlife species. Raptors, such as red-tailed hawk (*Buteo jamaicensis*), barn owl (*Tyto alba*), and American kestrel (*Falco sparverius*), commonly use open grassland areas extensively for foraging purposes, while species such as western meadowlark (*Sturnella neglecta*) and red-winged blackbirds (*Agelaius phoeniceus*) use open grasslands for nesting. In addition, a white-tailed kite has been observed foraging in the grasslands of the property. Reptiles which commonly breed within grassland habitats include western fence lizard (*Sceloporus occidentalis*), gopher snake (*Pituophis catinifer*), and western rattlesnake (*Crotalus viridis*). Grasslands can also provide habitat for a variety of small mammal species such as Botta's pocket gopher (*Thomomys bottae*), California mouse (*Peromyscus californicus*), and western harvest mouse (*Reithrodontomys megalotis*). Larger mammals such as bobcat (*Lynx rufus*), coyote (*Canis latrans*), and mule deer (*Odocoileus hemionus*) may occur. Bird species that are expected to occur in or frequent this habitat include California towhee (*Pipilo crissaliss*), spotted towhee (*Pipilo maculates*), white-crowned sparrow

(*Zonotricha leucophrys*), wrenit (*Chamaea fasciata*), California thrasher (*Toxostoma redivivum*), and western scrub jay (*Aphelocoma californica*).

Riparian woodlands provide excellent habitat for a wide variety of species, often including reptiles and amphibians. These habitats are expected to provide suitable habitat for a diverse assemblage of semi-aquatic and terrestrial wildlife species. A variety of amphibian and reptile species, including Pacific chorus frog (*Pseudacris regilla*), bullfrog (*Rana catesbiana*), and common garter snake (*Thamnophis sirtalis*), were observed or are to be expected to frequent or benefit from the riparian habitat onsite. Riparian plant communities are an important component of ecosystems found along stream channels. Trees help to shade the streams, keeping water temperatures low. They also provide important nesting and foraging habitat for songbirds, while the roots help hold the soil and provide in-stream cover for aquatic species. As noted above, one sensitive species that has been documented as occurring in the riparian area along Nipomo Creek is California red-legged frog.

## 4.3.2 Regulatory Setting

### 4.3.2.1 Federal Policies and Regulations

#### Section 404 of the Clean Water Act of 1977

Pursuant to §404 of the Clean Water Act (33 United States Code [USC] 1344), the U.S. Army Corps of Engineers (USACE) is responsible for the issuance of permits for the placement of dredged or fill material into “Waters of the United States.” As defined by USACE at 33 CFR 328.3(a)(parts 1-6), the following summarizes Waters of the United States:

*“Those waters that are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide; tributaries and impoundments to such waters; all interstate waters including interstate wetlands; and territorial seas.”*

Waters of the United States are typically identified by the presence of an Ordinary High Water Mark (OHWM) and connectivity to traditional navigable waters or other jurisdictional features. If a project would result in dredge or fill of USACE jurisdictional waters, the project would be subject to USACE review under §404 of the Clean Water Act. Based on the site characteristics, the proposed construction of recreation facilities would not be subject to §404 of the Clean Water Act.

#### Section 401 of the Clean Water Act of 1977

Section 401 of the Clean Water Act and its provisions ensure that federally permitted activities comply with the federal Clean Water Act and state water quality laws. Section 401 is implemented through a review process that is conducted by the Regional Water Quality Control Board (RWQCB), and is triggered by the §404 permitting process. The RWQCB certifies via the §401 process that a proposed project complies with applicable effluent limitations, water quality standards, and other conditions of California law. Evaluating the effects of the proposed project on both water quality and quantity falls under the jurisdiction of the RWQCB. Based on the site characteristics, the proposed construction of recreation facilities would not be subject to §401 of the Clean Water Act.

### Federal Endangered Species Act

The Federal Endangered Species Act (ESA) of 1973 provides legislation to protect federally-listed plant and animal species. Impacts to listed species resulting from the implementation of a project would require the responsible agency or individual to formally consult with the U.S. Fish and Wildlife Service (USFWS) or National Oceanic and Atmospheric Administration National Marine Fisheries Service (NOAA Fisheries) to determine the extent of impact to a particular species. If USFWS or NOAA Fisheries determine that impacts to a federally-listed species would likely occur, alternatives and measures to avoid or reduce impacts must be identified. USFWS and NOAA Fisheries also regulate activities conducted in federal critical habitat, which are geographic units designated as areas that support primary habitat constituent elements for listed species. The proposed construction of recreation facilities is not expected to affect any species protected by the ESA; therefore, coordination with USFWS or NOAA Fisheries is not necessary.

### Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) protects all migratory birds, including their eggs, nests, and feathers. The MBTA was originally drafted to put an end to the commercial trade in bird feathers, popular in the latter part of the 1800s. The MBTA is enforced by the USFWS, and potential impacts to species protected under the MBTA are evaluated by the USFWS in consultation with other federal agencies. The proposed construction of recreation facilities has potential to impact nesting bird species that are protected by the MBTA. Pre-disturbance nesting bird surveys are recommended to avoid impacts to nesting birds.

#### **4.3.2.2 State Policies and Regulations**

### California Endangered Species Act

The California Endangered Species Act (CESA) ensures legal protection for plants listed as rare or endangered, and wildlife species formally listed as endangered or threatened, and also maintains a list of SSC. SSC status is assigned to species that have limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, the CDFW is empowered to review projects for their potential to impact special-status species and their habitats. Under CESA, CDFW reserves the right to request the replacement of lost habitat that is considered important to the continued existence to CESA protected species. The project is not anticipated to affect any species listed under the CESA; however, several SSC species could be affected by the project including Monterey dusky-footed woodrat (*Neotoma fuscipes luciana*), silvery legless lizard, and Coast horned lizard. Avoidance measures are recommended to avoid any adverse affects on SSC species.

### California Fish and Game Code

California Fish and Game Code §3511 includes provisions to protect Fully Protected species, such as: (1) prohibiting take or possession “at any time” of the species listed in the statute, with few exceptions; (2) stating that “no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to “take” the species; and (3) stating that no previously issued permits or licenses for take of the species “shall have any force or effect” for authorizing take or possession. The CDFW is unable to authorize incidental take of “fully protected” species when activities are proposed in areas inhabited by those species. §§3503 and 3503.5 of the Fish and Game Code state that it is unlawful to take, possess, or destroy the nest or eggs of any bird, with occasional exceptions. In addition, §3513 states that it is unlawful to take or possess any migratory bird as designated in the MBTA or any part of such migratory

birds except as provided by rules and regulations under provisions of the MBTA. CDFW also manages the California Native Plant Protection Act of 1977 (Fish and Game Code §1900, et seq.), which was enacted to identify, designate and, protect rare plants. In accordance with CDFW guidelines, California Native Plant Society (CNPS) 1B list plants are considered “rare” under the CESA, and are evaluated in CEQA documents.

#### *Other Sections of the Fish and Game Code*

Fully Protected species may not be taken or possessed without a permit from the Fish and Game Commission and/or CDFW. Information on these species can be found within §3511 (birds), §4700 (mammals), §5050 (reptiles and amphibians), and §5515 (fish) of the Fish and Game Code.

#### Senate Bill 1334 Oak Woodlands Conservation

Under SB 1334, county governments are responsible for conserving oak woodlands within their jurisdiction. During the CEQA review process, SB 1334 requires county governments to determine if a proposed project would result in the conversion of oak woodland. If the County determines that the proposed project would result in the conversion of oak woodland, the County is mandated to require implementation of specified mitigation as outlined in an oak woodland management plan. In San Luis Obispo County, oak woodlands are defined as areas containing greater than 10% oak canopy cover. The County oak management plan defines conversion as cutting or removing 10% or more of the oak woodland canopy or removing more than 10 oak trees. The proposed project would result in the conversion of oak woodland; therefore, is subject to mitigation as mandated by SB1334 and the County oak management plan.

#### **4.3.3 Thresholds of Significance**

The significance of potential biological impacts is based on County thresholds, in accordance with Appendix G of the CEQA Guidelines. Biological impacts would be considered significant if the proposed project would:

- a. Result in a loss of unique or special status species or their habitats;
- b. Reduce the extent, diversity, or quality of native or other important vegetation;
- c. Impact wetland or riparian habitat;
- d. Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife.

#### **4.3.4 Impact Assessment and Methodology**

Impact assessment focused on identifying potential project-related impacts associated with implementation of the project, and was based on details presented within the project description. Identified impacts represent a reasonable worst case scenario based on the provided conceptual project plans. Potential impacts were expected to occur where proposed construction or development activities would result in temporary or permanent modification of sensitive communities or habitats occupied by special-status species. Impacts to biological resources within the study area were evaluated by determining the sensitivity, significance, or rarity of each resource that would be adversely affected by the proposed project, and thresholds of significance were applied to determine if the impact constituted a significant impact. The significance threshold may be different for each habitat or species and is based on the

resource's rarity or sensitivity and the level of impact that would result from the proposed project. Where potential project-related impacts to sensitive resources were identified, measures for avoiding or minimizing adverse effects to these resources were recommended.

### **4.3.5 Project Specific Impacts and Mitigation Measures**

#### **4.3.5.1 Land Use Ordinance Amendment**

The proposed amendments do not include language that would specifically result in an adverse effect to biological resources. Any future development of the site may have adverse effects on special status species and habitats, depending on the location and type of development. Pursuant to the amendment, future development would require a Master Plan and issuance of a Conditional Use Permit (CUP), which would trigger CEQA and project-specific analysis of impacts to biological resources.

In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific biological resource impacts, a planning area standard is recommended that requires the project applicant to avoid or minimize impacts to special status species and sensitive habits, and implement measures such as pre-construction surveys, biological monitoring, construction avoidance during wet season and nesting bird season, oak tree protection and replanting for impacted trees, habitat restoration, and coordination with appropriate regulatory agencies (refer to Chapter 4, Environmental Impacts Analysis, Exhibit A).

#### **4.3.5.2 Conditional Use Permit**

The proposed project will indirectly impact the riparian woodland along Nipomo Creek, which roughly follows the boundary between the 30-acre and 100-acre areas. Development of the 30 acre area would affect portions of coastal scrub habitat and individual coast live oak trees. The development of proposed trails and the emergency access drive would directly impact Nipomo, Carillo, and Adobe Creeks, and portions of the surrounding grasslands and fallow agriculture fields. No potentially occurring sensitive plant species were observed within the project area during field surveys.

Although considered unlikely, the proposed project has the potential to impact 14 sensitive wildlife species and migratory nesting birds, should they be present during construction. Direct impacts to these species could result from take (e.g., injury, death) via construction-related disturbances such as trampling or crushing from equipment or construction workers. Indirect impacts to the wildlife species could result from noise, harassment, or other disruption during construction activities or through modifications to the species' habitat. The project has been specifically designed to avoid and minimize impacts to the creek systems on the property, including through the utilization of free span bridges.

Short-term impacts are those associated with construction activities and a limited period of post-construction restoration. The proposed project would include grading, grubbing, vegetation clearing, and infrastructure improvements on the site in preparation of construction. Short-term impacts to wildlife may include take (e.g., injury, death) as a result of construction traffic (i.e., equipment, trucks, pedestrian) or harassment and disturbance resulting from elevated noise levels and habitat modification. Additionally, ground and tree nesting birds may be impacted during construction activities. Short-term impacts to plants and vegetation communities may occur as a result of trampling due to increased traffic, trimming for access purposes, or elimination of portions of some communities and individuals. Short-term impacts to Carillo Creek and Nipomo Creek will occur during the headcut repair of Carillo Creek and any dissipation needed to protect the western bank of Nipomo Creek.

The current condition of the site is such that human traffic (pedestrian and vehicular) is regular, with approximately 3,000 annual visitors. The proposed development will significantly alter the long-term use of the site to further encourage and invite regular visitor traffic at the site. In addition to a small complex of educational and administrative facilities, a system of nature trails will be established throughout the project site and open to the public. As such, it is expected that pedestrian traffic throughout the site will increase, possibly doubling to 6,000 annual visitors. This impact will likely result in long-term alterations to portions of the vegetation communities and may impede some wildlife presence on-site.

The following specific impacts were identified as having the potential to result from the proposed project, based on the thresholds discussed above.

### Result in a loss of unique or special status species or their habitats

#### *Construction-Related Impacts*

One sensitive species, white-tailed kite, was documented as occurring on or near the proposed project site. There is the potential for 13 additional sensitive wildlife species and/or nesting birds to occur at the project site. The proposed project could result in direct impacts to American badger, pallid bat, California red-legged frogs, coast range newts, southern Pacific pond turtles, coast horned lizards, two-striped garter snakes, and silvery legless lizards if present during clearing and grading activities. Likewise, elevated noise levels, increased traffic and human activity, and construction-related disturbance (e.g., erosion and sedimentation into the riparian corridor) associated with implementation of the proposed project could result in indirect impacts to these species if they are present during construction.

The proposed project has the potential to impact sensitive birds and migratory nesting birds if construction activities occur during the nesting season (approximately February 1 through August 15). Activities associated with the proposed project (e.g., ground disturbance and vegetation removal) could impact nesting birds if their nests are located within or near the work area. Likewise, increased human activity and traffic, elevated noise levels, and operation of machinery could also impact nesting birds if nests are located within the vicinity of the project area.

**BIO Impact 1      Construction of the project would directly and/or indirectly affect special status species, including terrestrial, aquatic, and avian species, resulting in a significant, short-term impact.**

*BIO/mm-1      Prior to grading and construction within 100 feet of Nipomo Creek, Adobe Creek, or Carillo Creek, a qualified biologist shall conduct pre-construction surveys for sensitive amphibian and reptile species within all portions of the project site containing suitable habitat. The surveys shall include at least two nighttime surveys and one daytime survey immediately preceding construction. If any sensitive species are detected, the following actions shall occur:*

- a. Any detected adults will be relocated to a nearby suitable aquatic habitat. The location shall be in suitable habitat not subject to disturbance or known threats to the species. Terrestrial habitat surrounding the proposed relocation site shall be as similar in type, aspect, and density to the location of the existing riparian corridor. Sensitive species, such as California red-legged frog, will only be*

*moved if prior approval has been granted by the USFWS (see d below).*

- b. A qualified biological monitor will be present during any clearing, grading, or creek activities. Additionally, a qualified biological monitor will be on-site during construction activities to ensure no sensitive species have entered the work area overnight or throughout the day (i.e., they will conduct a morning clearance survey and regular daily checks of the work areas).*
- c. The work areas will be clearly marked to ensure that no work occurs outside of the approved limits of disturbance (i.e., lathe and flagging, t-posts and yellow ropes, and temporary signage).*
- d. The qualified biologist will receive project-specific approvals from resource agencies prior to handling any wildlife species, especially any sensitive species.*
- e. Speed limits shall be restricted to 15 mph.*
- f. Work will occur only during daylight hours.*

*BIO/mm-2*

*Upon application for construction permits, the following measures shall be included on applicable plans in order to avoid erosion and sedimentation impacts to the creeks and water quality:*

- a. Construction should be limited to the typical dry season (April 15 to October 15).*
- b. If work must occur during the rainy season, the applicant shall install adequate erosion and sedimentation controls to prevent any sediment-laden run-off from entering Nipomo Creek.*
- c. Upon completion of construction, disturbed areas will be stabilized or vegetated as detailed in the project's re-vegetation plan.*

*BIO/mm-3*

*A qualified biologist shall conduct a pre-construction survey within 30 days prior to the onset of construction activities within all potentially impacted areas of suitable badger habitat (grasslands and agricultural fields). If badger dens are discovered, they will be inspected to determine if they are currently occupied. If dens are discovered and are inactive, they will be excavated to prevent re-occupation prior to construction. If badgers are found during their breeding and rearing season (February to July), these dens shall be avoided with an appropriate buffer to protect them from construction activities. If badgers are found outside of their breeding period, CDFW will be contacted regarding the accepted approach to exclude and excavate the den prior to equipment and other ground disturbing activity on the site.*

*BIO/mm-4*

*All work shall be avoided during the nesting bird season (approximately February 1 through August 15), including ground and tree-nesting birds. If any construction activities are scheduled to occur during the nesting season,*

*pre-construction bird surveys shall be conducted by a qualified biologist. The pre-construction bird surveys shall be conducted within 250 feet of any proposed construction activity within both the 30-acre and 100-acre areas. The surveys shall be conducted no more than 1 week prior to the scheduled onset of construction activities.*

*If nesting bird species are observed within 250 feet of the construction area during the surveys, the biologist shall determine the appropriate exclusion zone for the specific species. A buffer of 250 feet shall be maintained around any nesting raptors. The nesting bird exclusion zones shall be completely avoided until the qualified biologist determines that the young have successfully fledged. A qualified biologist shall conduct periodic site inspections to ensure that the exclusion zone is maintained and to monitor the nesting progression. In the event that sensitive bird species are discovered, the USFWS and/or CDFW will be contacted to determine the appropriate protective measures prior to any construction beginning.*

*If construction activities must occur within 250 feet of a nesting raptor nest, a qualified biologist shall be consulted to determine if the buffer can be reduced. If, in the opinion of the qualified biologist, the buffer cannot be safely reduced, a full-time avian monitor shall be present during all construction activities occurring within the established buffer to ensure no impacts occur. The avian monitor will have the authority to halt or re-direct work if raptors show signs of disturbance.*

### Residual Impacts

Based on the results of the biological surveys conducted for the project, mitigation was identified to ensure that no special-status species are present prior to construction. Mitigation measures include procedures for species identification and protection. Based on incorporation of mitigation measures identified above, residual impacts would be *less than significant with mitigation (Class II)*.

### Operational Impacts

In the long term, operation of the project would increase the amount of human activity in the immediate area, including the 100-acre portion to remain in open space and for trail use, which may affect wildlife behavior. The applicant proposes several design features and components of the project that aim to preserve the cultural, historical, and environmental resources present at the site to the extent feasible, including: on-site storm water management, use of recycled materials, native and drought-tolerant landscaping, and on-site wastewater treatment. Additionally, a significant component of the proposed project is the riparian restoration effort being implemented in conjunction with the County and Land Conservancy of San Luis Obispo County. It is also anticipated that the actions proposed to resolve the headcut on Carillo Creek will improve the adjacent habitat communities and reduce erosion and sedimentation into Nipomo Creek. Based on the design of the project, general avoidance of sensitive habitats, and restoration of sensitive habitat, the project would have a *less than significant impact (Class III)* on special-status species and their habitat.

### Reduce the extent, diversity, or quality of native or other important vegetation

The applicant proposes to remove one mature locust tree; all other trees, including sycamore, cypress, and coast live oak, would remain onsite. Eight coast live oak trees are located in close

proximity to the proposed Chumash interpretive area within the 30-acre portion of the project site. Actions potentially within the dripline of mature oak trees include ground disturbance and construction of a pedestrian path and low stone wall. The County's standard mitigation ratio for impacts to mature oak trees is 2:1. The proposed landscape plan includes the planting of 23 5-gallon coast live oak trees onsite, which would mitigate any impacts resulting from potential disturbance of existing oak trees, and would exceed the standard 2:1 replacement ratio.

In the long-term, implementation of the project would not adversely affect Land Conservancy and County restoration efforts. Existing agricultural roads, and the proposed emergency access drive and trails on the 100-acre portion of the site were designed in consultation with the County to ensure existing and future restoration and mitigation efforts would not be adversely affected.

**BIO Impact 2      Project construction activities have the potential to result in indirect impacts to eight mature coast live oak trees, resulting in a significant, short-term and long-term impact.**

*BIO/mm-5      All existing oak trees to remain on-site that are within 50 feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading or site grubbing. The outer edge of the tree root zone to be fenced will be outside of the canopy half the distance as measured between the tree trunk and outer edge of the canopy (i.e., 1.5 times the distance from the trunk to the drip line of the tree). Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas to the maximum extent feasible. If grading, compaction, or placement of fill in the root zone of an existing oak tree cannot be avoided, retaining walls may be constructed to minimize cut and fill impacts to existing oak trees. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.*

*BIO/mm-6      All oak trees identified to remain shall not be removed, unless otherwise regulated by County LUO §22.56.020.A.4 (Tree Removal Permit Required, Zoning Clearance Exemption for trees in a hazardous condition). Unless previously approved by the County, the following activities are not allowed within the root zone of existing or newly planted oak trees:*

- a. year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years);*
- b. grading (includes cutting and filling of material);*
- c. compaction (e.g., regular use of vehicles);*
- d. placement of impermeable surfaces (e.g., pavement); or,*
- e. disturbance of soil that impacts roots (e.g., tilling).*

*BIO/mm-7      The trimming of oaks can be detrimental and shall be minimized as follows:*

- a. removal of larger lower branches should be minimized to:*

- i. *avoid making tree top heavy and more susceptible to “blow-overs;”*
  - ii. *reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation;*
  - iii. *retain the wildlife that is found only in the lower branches;*
  - iv. *retain shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers); and,*
  - v. *retain the natural shape of the tree.*
- b. *The amount of trimming (roots or canopy) done in any one season should be limited as much as possible to limit tree stress/shock (10% or less is best, 25% maximum).*
  - c. *Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant shall either use a skilled arborist or apply accepted arborist's techniques when removing limbs.*
  - d. *Unless a hazardous or unsafe situation exists, trimming of deciduous species shall be done only during the winter.*
  - e. *Smaller oak trees (smaller than five inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.*

*BIO/mm-8*

*Newly planted oak trees shall be maintained until successfully established as determined by a qualified professional. This shall include protection (e.g., tree shelters, caging) from animals (e.g., deer, rodents) and adequate watering (e.g., drip-irrigation system). During the timeframe when the oaks are being established on the 30-acre area, weed removal shall occur as follows:*

- a. *no herbicides shall be used;*
- b. *installation of either 1) a securely staked “weed mat” (covering at least a 3-foot radius from center of plant), or 2) hand removal of weeds (covering at least a 3-foot radius from center of plant) and use of weed-free mulch (at least 3 inches deep, 3-foot radius) with regular replenishment, shall be completed for each new plant. If the hand removal weeding option is selected it shall be kept up on a regular basis (at least once in late spring [April] and once in early winter [December]).*
- c. *Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a 3-year period.*

- d. *If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.*

*Once oak trees have been planted and prior to final inspection of building permits, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating when the above planting occurred, what was planted and all measures implemented to improve the long-term success of these trees. This letter shall be submitted to the County Environmental Coordinator.*

*To guarantee the success of the new oak trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than 7 years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator 1 year after the initial planting and, thereafter, on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established (for oak woodlands, no less than 7 years). Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.*

#### Residual Impacts

Implementation of the project would not require the removal of any native or important vegetation, including oak trees. The proposed landscape plan includes oak trees and native vegetation, consistent with the landscape. Identified mitigation includes protection measures to avoid inadvertent impacts during construction and maintenance of oak trees to be planted. Based on incorporation of mitigation measures identified above, residual impacts would be *less than significant with mitigation (Class II)*.

#### Impact Wetland or Riparian Habitat

The proposed project will result in disturbance to a small portion of Nipomo Creek, where the bridge will be constructed along the emergency access drive. The proposed bridge design would minimize impacts to riparian habitat and wetlands by utilizing a railroad flatcar that would span the creek and avoid the need for construction activities within the creek channel. The location of the crossing would not require riparian vegetation removal; however trimming may be necessary. Grading and construction activities may result in sedimentation and run-off into Nipomo Creek. The western bank of Nipomo Creek at this location may be permanently impacted by installation of rip rap or other dissipation measures. This dissipation may be needed in order to avoid erosion to the western bank where Carillo Creek enters Nipomo Creek.

The project includes a 0.36-acre riparian restoration effort being implemented in conjunction with the County and Land Conservancy of San Luis Obispo County. The actions proposed to resolve the headcut on Carillo Creek will improve the adjacent habitat communities and reduce erosion and sedimentation into Nipomo Creek, which would have a beneficial effect on wetland and riparian habitat.

**BIO Impact 3**      **Development of the emergency access road and bridge over Nipomo Creek would result in disturbance of riparian habitat and/or wetland areas adjacent to the creek, resulting in significant short- and long-term impacts.**

*BIO/mm-9*      *Upon application for construction permits for the emergency access drive, the following measures shall be incorporated into project plans:*

- a. Disturbance shall be minimized to what is necessary to safely install the emergency access bridge over Nipomo Creek.*
- b. Appropriate exclusion and erosion control measures shall be installed and maintained during construction activities to minimize sedimentation into the creek and impacts to sensitive habitat.*
- c. Appropriate permanent sedimentation and erosion control structures shall be included in the bridge design in order to minimize long-term impacts associated with vehicular traffic near the creek (e.g., sedimentation and erosion into the creek due to increased runoff associated with soil compaction and/or installation of impermeable surfaces).*
- d. The applicant shall restore and revegetate any disturbed areas along the access bridge in order to stabilize the streambank.*

*BIO/mm-10*      *Prior to work within creek channels, the applicant shall coordinate with the appropriate regulatory agencies in order to obtain permits prior to the start of construction. These agencies are likely to include: USACE, USFWS, CDFW, and RWQCB.*

*Residual Impacts*

The proposed project includes actions within and adjacent to wetland and riparian habitat. The site proposed for the bridge crossing, and trail pedestrian bridges, would avoid disturbance within the bed and bank of the creeks, and vegetation removal to the maximum extent feasible while achieving the crossing. Based on incorporation of mitigation measures identified above, residual impacts would be *less than significant with mitigation (Class II)*.

**Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife**

Construction of the proposed project has the potential to impact resident fish and wildlife species as a result of elevated noise levels and operation of machinery during construction activities. The project could also impact migratory nesting birds if construction activities occur during the nesting season (approximately February 1 through August 15) (refer to BIO Impact 1). The mitigation measures identified above would reduce potential construction-related impacts to less than significant through water quality protection and species avoidance and protection measures (refer to BIO/mm-1).

Long-term operational impacts associated with increased human activity, noise, light, and traffic may occur. Project design details would mitigate the potential for long-term daytime and nighttime hindrances to the normal activities of wildlife, including the use of existing agricultural

roads as trails, protection and enhancement of on-site riparian, open space and agricultural uses, and exterior light standards. Although additional human traffic would be present at the project site, users would be directed to remain on designated trails, which would provide educational information regarding the site's natural resources and the consequences of human interaction with the land. Based on the design of the project, long-term impacts to wildlife would be *less than significant (Class III)*.

#### **4.3.6 Cumulative Impacts**

Construction-related disturbance to vegetation and wildlife on the project site will cause a shift in the overall structure of suitable habitat present. This otherwise temporary impact will be sustained by the significant alteration to the land use within the survey area. Thus, the short-term and long-term impacts associated with this project will cumulatively result in a significant change to the habitat structure, vegetation communities, and wildlife present on site. However, existing open space, riparian and agricultural uses at the project site would be protected and enhanced by project restoration activities. At this time, no other projects are known that would add to cumulative impacts as a result of this project.

The specific impacts resulting from the proposed project identified above would be mitigated to a less than significant level, and the project would not contribute to cumulatively significant impacts. Cumulative impacts would be *less than significant (Class III)*. No additional mitigation is required.

## 4.4 CULTURAL RESOURCES

This section summarizes the results of the cultural resources studies conducted for the project, including information and documents peer reviewed during the preparation of the EIR. The information in this section is based on and includes excerpts from the following documents, including associated records, which are confidential but available for review by qualified persons at the County Department of Planning and Building:

- *Phase I Archaeological & Paleontological Survey* (Cultural Resources Management Services [CRMS] 2011)
- *Extended Phase I Report* (SWCA 2012)
- *Assessment of Cultural Resource Data Compiled for the Environmental Impact Report (EIR) for the Dana Adobe Nipomo Amigos (DANA) Land Use Ordinance Amendment and Conditional Use Permit* (Albion Environmental, Inc. [Albion] 2013a)
- *Phase II Archaeological Evaluation of CA-SLO-97/142/H* (Albion 2013b)

### 4.4.1 Existing Conditions

The following summary of existing conditions has been incorporated by reference from the *Assessment of Cultural Resource Data* (Albion 2013a) and *Phase II Archaeological Evaluation of CA-SLO-97/142/H* (Albion 2013b).

#### 4.4.1.1 Pre-historic Resources

The project site is located in an area historically occupied by the Obispeño Chumash. Numerous surveys have been conducted within and in the vicinity of the Dana Adobe. Archaeologists working in central California have generally recognized six major prehistoric periods of cultural adaptation within the last 10,000 years. The initial period, Paleoindian, originated during the Late Pleistocene and continued until approximately 9950 Before Present (B.P.). This was followed by the Millingstone (9950-5450 B.P.), during which milling equipment (manos and metates) become increasingly abundant in the archaeological record and populations apparently followed a generalized subsistence pattern. The ensuing period, the Early Period (5450-2550 B.P.), was a time of new subsistence emphases, including a greater reliance on hunting and the exploitation of acorns. The Middle Period (2500-950 B.P.) was marked by the intensification of subsistence practices, especially a greater reliance on marine and littoral foods.

During the Middle/Late Transition (950-700 B.P.), central Californian populations may have experienced deteriorating environmental conditions, and apparently underwent major adaptive shifts in both subsistence and settlement. Finally, the Late Period (700-181 B.P.) was a time marked by the appearance of numerous projectile points, including small side-notched (Desert side-notched), triangular (Cottonwood series), and leaf-shaped points.

At the time of Euroamerican contact, a substantial Native American population inhabited the South Coast Range and surrounding areas. The Obispeño Chumash occupied most of San Luis Obispo County. Prehistorically, the San Luis Obispo, Santa Barbara, and Ventura regions were home to the maritime Chumash, considered one of the most complex hunter-gatherer societies on earth (Fagan 2003:147; Kroeber 1925). Chumash territory encompassed the coastal stretches and inland valleys of what are now Ventura, Santa Barbara, and San Luis Obispo

Counties, as well as parts of Los Angeles County. They also occupied the northern Channel Islands (i.e., Anacapa, Santa Cruz, Santa Rosa, and San Miguel). Several prominent villages were distributed throughout this range, including Humaliwo (Malibu), Shisholop (Ventura), Syukhtun (Santa Barbara), Mishopshnow (Carpinteria), and Nipumu (Nipomo).

The Chumash occupying the northern San Luis Obispo region are known as the Obispeño, this designation being derived from the name of the nearest Spanish Mission, San Luis Obispo de Tolosa. The community now often refers to itself as the Northern Chumash.

Traditionally, the geographic territory of the Obispeño was thought to extend from the Santa Maria River in the south to Point Estero in the north (Kroeber 1925; Grant 1978). However, recent archaeological evidence and archival research of Spanish diaries and mission records suggest that the northern Obispeño territorial boundary may have extended north to San Carpoforo Creek, an area which has traditionally been regarded as Salinan territory (Gibson 1983; Breschini, Haversat, and Hampson 1983; Rivers and Farris in Jones et al. 1994:10). Gibson (1983) reports that there were 15 major Obispeño villages in San Luis Obispo County, each of which spoke their own sub-dialects.

The first European voyager to encounter the region's indigenous inhabitants was Sebastian Cermeño who arrived at Port San Luis in 1595 (Krieger 1988). Over 170 years passed before the next major European expedition reached the San Luis Obispo region. In 1769, Captain Don Gaspar de Portolá and Father Junípero Serra led the first overland journey through Alta California in order to locate suitable sites for settlements and missions. With a contingent of soldiers, priests, and Christianized Indians, they reached the San Luis Obispo area in September 1769.

In 1772, Father Serra established Mission San Luis Obispo de Tolosa, the first of five Franciscan missions built in Chumash territory. As the Spanish presence in California grew and the missions gradually established greater sway over native peoples, traditional Obispeño lifeways were drastically altered. At the missions, the Chumash were trained in European culture and traditions and their own political leadership was replaced with complete control by the mission padres. The native hunting, gathering, and fishing economy gave way to mission agriculture and animal husbandry. Rectangular adobe houses replaced dome-shaped tule houses. The near absence of clothing favored by the Chumash was superseded by woolen garments woven in mission workshops. Once indoctrinated into the Catholic faith, the Chumash attended daily Mass, where prayers were recited in both their native tongue and in Spanish. By the early 1800s, the entire Chumash population, except for those who actively resisted conversion, had been incorporated into the mission system.

In 1834, under the new Mexican government, secularization of the mission lands began in earnest. The indigenous population scattered away from the mission centers, and the few that were given rancherías from the mission lands were ill-equipped to maintain or work their land. Most of the former mission land was divided among loyal Mexican subjects, and the few Obispeño who chose to remain in their ancestral territory were obligated to become squatters. Some were given jobs as manual laborers or domestic servants on Mexican, or later American, cattle ranches. Others remained near the pueblo, where work was easier to find as foreign settlers began to pour into the region. By this time, the Chumash population had suffered a serious decline. Introduced European diseases such as smallpox and syphilis took a heavy toll and, by the early 20th Century, there were few Chumash left (Grant 1978:507).

Despite historical social and economic pressures, the Chumash peoples have maintained their identities, actively advocating for the preservation of all aspects of their traditional lifeway, as well as their position as native peoples in a modern, multi-cultural society. Two Chumash groups, of the many in San Luis Obispo County, have taken an active role in the proposed project, specifically addressing the prehistoric archaeological site that underlies the historic adobe complex. Both the Northern Chumash Tribal Council (NCTC) and yak tityu tityu have provided ongoing comments on the project plans, treatment of the archaeological resources, and interpretation of Chumash traditional life at the project site.

#### CA-SLO-97/142/H

Site CA-SLO-97/142/H is a complex prehistoric resource that contains two loci representing prehistoric occupation. The first, identified as Locus A, contains intact cultural deposits representing the Early Period, a time span of roughly 3,000 years, from 5450 B.P. to 2550 B.P. The second, Locus B represents the Middle Period, a time span of 1,600 years, from 2550 B.P. to 950 B.P. Additional data from Locus A suggest this locale may also have an earlier Millingstone (9950-5450 B.P.) component. The upper portions of the site have been disturbed to varying degrees by historical development and land use, such that prehistoric materials in these upper strata are mixed with historic materials, indicating that the prehistoric deposit has lost its stratigraphic integrity. Cultural deposits below the level of disturbance, however, particularly in the two identified loci, appear to be intact thus providing important information about prehistoric occupation of the landscape. Because of the presence of important intact cultural deposits, Albion has found that the site is eligible for inclusion on the California Register of Historic Places (CRHP) under criterion D: “sites that have yielded, or may be likely to yield, information important in prehistory or history.”

The evaluation also indicates that the site is not uniform, with concentrations of cultural materials interspersed with areas of relatively low levels of material. The depth of historical disturbance also varies widely across the site. Similarly, impacts from the proposed project are widespread with project facilities such as a visitor’s center, outbuildings, restrooms, roads, trails, septic treatment systems, and trails dispersed across the landscape.

Aside from determining eligibility on the CRHP, the current effort had two other important evaluation goals: 1) to determine whether the site has the ability to address regionally important research questions, and 2) to assess the significance of the prehistoric component of CA-SHA-97/142H with regard to previous impacts, and to make recommendations concerning proposed impacts. Following a discussion of the site within its regional context, management considerations and recommendations are presented.

The evaluation provided information regarding prehistoric activities undertaken at the site and a rough assessment of site age. Two, or possibly three, components were tentatively identified at the site. The larger one, which primarily dates to the Early Period, Locus A, is located north of the main access road that is planned for the development (a possible Millingstone component is also proposed for this locale). A smaller, Middle Period component, Locus B is recognized at the southern end of the parcel.

Subsistence remains are present in several contexts across the site. Faunal bone remains were analyzed from a single unit located within the Early Period component. These consist primarily of medium-sized, non-diagnostic mammal remains, which could not be identified to more specific taxonomic categories. Nonetheless, these suggest that the procurement and processing of animals was an important prehistoric activity at the site. Shellfish remains were analyzed from a single, heavily-disturbed context. All identified shell was derived from marine contexts. The

shellfish is predominately Pismo clam, which is common in historic contexts but also found in prehistoric contexts. Other shellfish remains include abalone and mussel, two taxa that are common to highenergy rocky coasts. These taxa were routinely exploited by prehistoric hunter-gatherers, and are commonly found at numerous California archaeological sites.

There are three possible explanations for the presence of marine shell at CA-SLO-97/142/H. First, it is likely that the site's prehistoric inhabitants made forays to the coast (located approximately 15 kilometers to the west) during certain times of the year in order to exploit shellfish (and possibly other marine resources). In this scenario, shell was transported back to the site, processed, and consumed. The second explanation is that coastal groups made periodic forays into the interior (to exploit terrestrial plants and animals and acquire workable stone) bringing with them shellfish. Finally, it is also possible that interior groups acquired shellfish through trade or exchange networks.

A variety of tools was recovered from the project site, most of these related to hunting activities. The analyzed debitage indicates an emphasis on tool finishing. Heat treatment of chert stone material was apparently practiced at the site as represented by the abundant potlid fragments; however, no intact hearth features were identified that would provide direct evidence of this activity. Biface thinning debris is the next most prevalent flake category, and this supports an interpretation of the site being used by hunter-gatherers of the Early and Middle Periods when this flaked stone technology was common. Based on the types of tools and debitage encountered, it appears that the site was used mainly for reworking existing tools likely in preparation of hunting forays. The lack of features suggests that site occupations were relatively short term.

Several factors suggest that the site functioned primarily as a short-term camp, or "station," rather than a long-term habitation site. These include a limited and non-diverse tool assemblage geared mainly toward hunting, only moderate quantities of organic remains, poorly developed midden soils, and lack of cultural features and other items, such as milling equipment. The location of the site, intermediate between the coast and interior foothills, further suggests that the site may have been used by people travelling between the coast and interior, perhaps during the normal course of a seasonal round. The single handstone suggests some limited plant processing occurred at the site. This interpretation is in keeping with the proposed dates for the site (mainly the Early Period and potentially the Middle Period), which have been interpreted (especially the Early Period) as a time of relatively mobile hunter-gatherers focused on hunting.

The presence of obsidian at CA-SLO-97/142/H is an especially important element in establishing the research potential of the site (and hence its eligibility for inclusion on the CRHP). Obsidian specimens obtained from the site are derived primarily from two locales: the southern Coast Range and the eastern slope of the Sierra Nevada Mountains. The presence of Napa Valley obsidian, a North Coast Range source, conforms well to an Early or Millingstone age for the northern site area (Locus A), as this obsidian source is more common in older contexts along the central coast of California. Greatest source diversity is usually found in samples dating to the Early Period. A diversity of sources suggests that the prehistoric populations engaged in extensive mobility and social interaction during this time. Analysis of two pieces of obsidian from Locus B indicates that they are from the Coso Volcanic Field, and have hydration readings that conform well to a Middle Period occupation. This may indicate a more stable settlement pattern, whereby people had perhaps limited opportunities to trade and exchange with other groups.

The NCTC has identified three areas that they believe to be Chumash ceremonial sites, or a “Great Gathering Ceremonial site of the Chumash Nation” (Memorandum, Fred Collins, Tribal Administrator, NCTC, July 16, 2012). The claim is based on the tribe’s study of historical documents, in particular the *diseño*, filed by William Goodwin Dana in support of his claim to Rancho Nipomo. The *diseño* is a hand drawn oblique representation of the Rancho lands, indicating distant hills, creeks, and improvements such as the adobe structure. The *diseño* includes three large areas defined as a circular point with lines radiating out to a larger circle in the fashion of a wagon wheel. The NCTC has calculated these areas to be between 0.5 and 0.6 miles in diameter. The circular areas are shown to the east of Nipomo Creek, although the exact location is difficult to determine since the hand-drawn map was meant only as a schematic representation of the Rancho lands, is not drawn to any reliable scale, and is an oblique, not a plan view. The NCTC has proposed that several thousand ancestral Chumash converged periodically at these sites for ceremonial observances, thus the sites themselves were and remain sacred places to the Chumash peoples.

John Johnson, Curator of Anthropology at the Santa Barbara Museum of Natural History, and a specialist in Chumash prehistory and history, has reviewed the NCTC materials and unequivocally refutes the claim. The purported ceremonial circles are well to the east of the project currently under investigation; therefore, Albion has not collected any data on the area that would contribute to the discussion. Johnson makes a strong argument, however, based on the sum of ethnographic data for both the Chumash area and pre-contact California as a whole that “there is no evidence for pan-tribal gatherings of 10,000 individuals” anywhere in pre-contact California. Johnson also notes that, at the time of contact, the Chumash population totaled roughly 25,000 scattered in 150 or more largely autonomous, unaffiliated villages (Letter, Johnson to Steve McMasters, Senior Planner, County of San Luis Obispo, July 17, 2012). Multiple village gatherings or “big times” were common in California, but these were localized and at a vastly smaller scale. The claim also implies a pan-Chumash political or social identity, when in fact Chumash is a linguistic term, signifying similarity in languages and dialects, while political and social identity was limited to the local village or cluster of affiliated villages.

#### **4.4.1.2 Historic Resources**

The Dana Adobe is located on a 0.25-acre parcel (Assessor’s Parcel Number 090-171-011), and within the Historic (H) combining designation. The Dana Adobe (P-40-040847) is the most salient historic resource within the project area (CRMS 2011). It is on the National Register of Historic Places (NRHP) as well as the CRHP. It was also recorded as part of the Historic American Building Survey, number 265-6907 (1936). The Pacific Coast Railroad Right of Way (P-42-040711) marks the eastern edge of the project area. This resource is still visible as a cut bank or an elevated earthen berm in various locations. It has been cut through in at least two locations by erosion from substantial drainages that feed into Nipomo Creek. Two previously-documented sites (CA-SLO-2030H and CA-SLO-2031H) are located in the vicinity of the project area. These resources include a diffused scatter of historic artifacts, which were not relocated, and may have been destroyed by flooding. CA-SLO-2031H includes a low knoll where the first Dana house was built; this site is outside of the project area.

A summarized history of California, San Luis Obispo County, Rancho Nipomo, and the Dana Adobe is provided below.

In 1821, Mexico achieved her independence from Spain, and word of this event reached Alta California the following year. Secularization was set in motion by the Mexican Governor Echeandia in 1826, but was not carried out in earnest until 1834 when Governor José Figueroa

issued an official proclamation ordering the secularization of the California missions. His proclamation turned the mission properties over to Mexican civil authorities, allowed for the disbursement of mission property, opened mission land for settlement by petitioners, and created a series of pueblos. Indian neophytes were freed from their role as personal servants to the padres; however, in reality, the purpose of secularization throughout California was to deprive a large percentage of the remaining mission Indians of their property. This resulted in the creation of a relatively large population of landless Indian tenants, many of whom sought work in the newly created rancherías. The new rancherías that sprang up as a result of secularization created a wholly new culture in California, one that was centered on the raising and maintaining of vast herds of cattle. These rancherías were usually owned by individual families who supervised a veritable army of Indian laborers and vaqueros. The ranch owners owed their livelihood to the sale and trade of the products, primarily hide and tallow, derived from their cattle. Between 1833 and 1846, Mexican governors awarded approximately 700 land grants in California, several of these to naturalized citizens (Cleland 1975).

One of the earliest grants in the San Luis Obispo region was made to William Goodwin Dana (Dana), a cousin of the famous American author and mariner William Henry Dana, who wrote *Two Years Before the Mast*. Dana was a sea captain who married a Mexican woman, Maria Carrillo, and had gained Mexican citizenship. In 1837, Dana petitioned Governor Juan Bautista Alvarado and was granted 37,887.91 acres of the then-called Rancho Nipomo (Dana and Harrington 1999). It was one of the first and largest of the Mexican land grants in San Luis Obispo County (Maki 1999:7).

Even before Dana and his family took up residence of the rancho in 1839, Dana began to develop the property, building several small adobes on the land. Originally, the main residence, now known as the Dana Adobe, was a three-room adobe structure with a flat roof. The Dana Adobe was significantly expanded in the late 1840s with a second story and the addition of two westward projecting wings on the north and south. A cupola for viewing the surrounding countryside was also added, and other outbuildings were constructed. For several years after its construction, the Dana Adobe became an especially important meeting place in the area and a main stopping place for travelers moving north or south on the El Camino Real (Maki 1999; Foster and Hale 2009). It was also the only residence between the missions at San Luis Obispo and Santa Ines. In 1849, the Dana Adobe was one of the voting places that helped decide the issue of California statehood (Foster and Hale 2009).

Herds of cattle and sheep roamed the rancho, supplying meat, hides, tallow, and wool. Other products supplied to the missions and neighboring ranchos included furniture, agricultural implements, fabrics, and soap. Ground penetrating radar has indicated that there may be subsurface remains of foundations of outbuildings to the west of the residence. A tallow processing area is still clearly visible on the surface. The processing of hides and tallow was a vital component of life on the ranch particularly during the early years. The slaughtering of the cattle was performed at a *matanza*, a lightly framed and covered structure northeast and below the residence. The processing of cattle for hides and tallow was heavily dependent upon the Chumash workers on the rancho. Other activities that the Chumash performed included the formation of adobe bricks, construction of the adobe buildings, gathering firewood, collecting refined salt from the head waters of the Salinas River, serving as vaqueros, weaving, leather and metal work, and providing escorts for the younger members of the Dana family. The Chumash employees did not build their dwellings in the immediate vicinity of the main residence but rather “around the outskirts of the rancho;” they are also described as living “in a ranchería about four miles north of the adobe”.

After Dana died, the Dana Adobe underwent several new incarnations, first as a post office and later as a stagecoach stop. An “adobe barn” and associated corrals were used by the stagecoach line and provided a place where six horse teams were kept in readiness to be swapped out with exhausted ones. The old stagecoach road passed in front of the east facade of the house and west of the tallow processing area.

On April 8, 1882, the rancho was divided among the surviving heirs. Fred Dana took possession of the main house and surrounding parcel. It was during this period that a windmill was put in on the floodplain below the house and a well in the west patio area was abandoned. Another structure associated with the ranch is a metal tower. A section of the rancho was also sold to the Pacific Coast Railway to provide for a 10-mile long rail-line (Maki 1999). A railway depot was subsequently built on the ranch. One of the plots of land near the newly constructed rail-line eventually became part of the town of Nipomo.

In 1900, the house passed to a family by the name of Fry about who little is known. In 1906, the house again changed hands. The Hourihans took possession and are believed to have lived there until 1915 after which time the ownership and history of the house is unclear. A 1954 aerial photograph shows the residence, tallow vat, water tower, and an outbuilding that has since been removed, and the cement foundation was taken out in 2006. In the 1960s and 1970s the Dana Adobe was the focus of a renewed interest in restoring and preserving the historic structure. These activities involved some studies and assessments as well as active interventions and construction. The applicant, DANA, obtained ownership of the Dana Adobe in 1999, and is conducting restoration of the structure under a California Cultural and Historical Endowment Grant, pursuant to the Secretary of the Interior standards.

There are remnants of outbuildings and structures associated with the historic activities of the Rancho, including the tallow vat (1840-1860s). A row of stones visible on the surface runs north to south between the tallow vat and the east facade of the Dana Adobe, which may have served as a foundation for a raised adobe wall. The wall is now covered with dark sandy soil but possesses a three-step stairway through the middle. These steps are aligned on the front entrance and rear entrance of the Dana Adobe. Approximately 150 feet south of the south facade of the Dana Adobe is what appears to be the foundation stones of an “adobe barn.” It appears that some of the foundation stones have been pulled up and piled in a circle inside the outline of the barn.

Modern developments at the Dana Adobe include an excavated septic system and leach field, drains and utility trenches, and relocation of a metal windmill onsite. There have been a number of excavations and earthmoving activities in and around the Dana Adobe as part of its operation and modernization over the years. Scattered around the Dana Adobe are a large number of badly fragmented historic artifacts, primarily ceramic or glass.

#### **4.4.1.3 Paleontological Resources**

The Dana Adobe and the associated prehistoric site are located along the eastern edge of the Nipomo Mesa, a land form of highly stabilized dunes overlying an elevated Pleistocene terrace. The Pleistocene stabilized dunes composing the Nipomo Mesa are overlain by relatively recent aeolian (windblown) sands. Neighboring bedrock is composed of shale, chert, and other melange components, typical of the Monterey and Franciscan formations. A paleontological surface survey was conducted in tandem with the CRMS archaeological survey, and no paleontological resources were noted.

## 4.4.2 Regulatory Setting

### 4.4.2.1 Federal Policies and Regulations

#### National Historic Preservation Act of 1966

Significant archaeological and built environment resources are protected by the National Historic Preservation Act (NHPA) of 1966. Section 106 of the NHPA states that if a federal agency is involved in a proposed project through initiation, funding, and/or issuance of permits, the agency is required to consult with the State Historic Preservation Officer (SHPO).

When a cultural resource is reported to the SHPO, further study and/or preparation of a mitigation and monitoring plan may be required and the resource may be listed in the NRHP. The NRHP is an inventory of the historic resources of the United States and is maintained by the National Park Service. The inventory includes buildings, structures, objects, sites, districts, and archeological resources.

NHPA §106 (16 USC 470f) requires federal agencies to take into account the effects of their undertakings on any site, structure or object that is included in or eligible for inclusion in the NRHP and to afford the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment on such undertakings (36 CFR 800.1). Under §106, the significance of any adversely affected cultural resource is assessed and mitigation measures are proposed to reduce any impacts to an acceptable level. Significant cultural resources are those resources that are listed on, or are eligible for listing on, the NRHP per the criteria listed at 36 CFR 60.4 (ACHP 2000) below.

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling and association and that:

- Are associated with events that have made a significant contribution to the broad patterns of our history; or,
- Are associated with the lives of persons significant in our past; or,
- Embody the distinctive characteristics of a type, period, or method of installation, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or,
- Have yielded, or may be likely to yield, information important in prehistory or history.

Cultural resources are considered during federal undertakings chiefly under §106 of the NHPA through one of its implementing regulations, 36 CFR 800 (Protection of Historic Properties), as well as the National Environmental Policy Act (NEPA) of 1969. Properties of traditional religious and cultural importance to Native Americans are considered under §101(d)(6)(A) of NHPA. Other relevant federal laws include the Archaeological Data Preservation Act of 1974, American Indian Religious Freedom Act (AIRFA) of 1978, Archaeological Resources Protection Act (ARPA) of 1979, and Native American Graves Protection and Repatriation Act (NAGPRA) of 1989, among others.

#### 4.4.2.2 State Policies and Regulations

##### Office of Historic Preservation

The California Office of Historic Preservation (OHP) is the governmental agency primarily responsible for the statewide administration of the historic preservation program in California. The mission of the OHP and the State Historical Resources Commission, in partnership with the people of California and governmental agencies, is to “preserve and enhance California’s irreplaceable historic heritage as a matter of public interest so that its vital legacy of cultural, educational, recreational, aesthetic, economic, social, and environmental benefits will be maintained and enriched for present and future generations.” The OHP’s responsibilities include:

- Identifying, evaluating, and registering historic properties;
- Ensuring compliance with federal and state regulatory obligations;
- Cooperating with traditional preservation partners while building new alliances with other community organizations and public agencies;
- Encouraging the adoption of economic incentives programs designed to benefit property owners; and,
- Encouraging economic revitalization by promoting a historic preservation ethic through preservation education and public awareness and, most significantly, by demonstrating leadership and stewardship for historic preservation in California.

The Central Coast Information Center is under contract to the OHP and helps implement the California Historical Resources Information System (CHRIS). It integrates information on new resources and known resources into the CHRIS, supplies information on resources and surveys to the government, and supplies lists of consultants qualified to do historic preservation fieldwork within the area. The California Archeological Site Inventory is the collection of Site Records, which has been acquired and managed by the regional Information Centers and the OHP since 1975.

##### California Register of Historical Resources

California Public Resources Code (PRC) §5024.1 establishes the California Register of Historical Resources (CRHR) and charges the State Historical Resources Commission with overseeing its implementation. It requires that any properties that can be expected to be directly or indirectly affected by a proposed project be evaluated for CRHR eligibility. The purpose of the register is to maintain listings of the state’s historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from material impairment and substantial adverse change. The term “historical resources” includes a resource listed in, or determined to be eligible for listing in, the CRHR, a resource included in a local register of historical resources, and any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant (CEQA Guidelines §15064.5[a]). The criteria for listing properties in the CRHR were expressly developed in accordance with previously established criteria developed for listing in the NRHP.

According to PRC §5024.1(c)(1–4), a resource may be considered historically significant if it retains integrity and meets at least one of the following criteria. A property may be listed in the CRHR if the resource:

- a. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- b. Is associated with the lives of persons important in our past;
- c. Embodies the distinctive characteristics of a type, period, region or method of installation, or represents the work of an important creative individual, or possesses high artistic values; or,
- d. Has yielded, or may be likely to yield, information important in prehistory or history.

Under CEQA, if an archeological site is not a historical resource but meets the definition of a "unique archeological resource" as defined in PRC §21083.2, then it should be treated in accordance with the provisions of that section. A unique archaeological resource is defined as follows:

*An archaeological 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.*
- *Has a special and particular quality such as being the oldest of its type or the best available example of its type.*
- *Is directly associated with a scientifically recognized important prehistoric or historic event or person.*

Resources that neither meet any of these criteria for listing on the CRHR nor qualify as a "unique archaeological resource" under CEQA PRC §21083.2 are viewed as not significant. Under CEQA, "A non-unique archaeological resource need be given no further consideration, other than the simple recording of its existence by the lead agency if it so elects" (PRC §21083.2[h]).

Impacts that adversely alter the significance of a resource listed on or eligible for listing on the CRHR are considered to have a significant effect on the environment. Impacts to historical resources are thus considered significant if the project physically destroys or damages all or part of a resource, changes the character of the use of the resource or a physical feature within the setting of the resource which contributes to its significance, or introduces visual, atmospheric, or audible elements that diminish the integrity of significant features of the resource.

#### California Environmental Quality Act

CEQA (PRC §21000 et seq.) requires consideration of a project's impacts on significant historical and archaeological resources. Significant impacts on such resources are to be avoided or mitigated to less than significant levels. Other state laws govern actions affecting cemeteries and human remains. Similarly, County regulations require protection of archaeological and historical resources to the greatest extent feasible.

CEQA §15064.5 describes the process for determining the significance of impacts to archeological and historical resources. Any project effect that may cause a substantial adverse change in the significance of an historical resource is potentially significant. Achieving CEQA compliance with regard to treatment of impacts to significant cultural resources requires that a mitigation plan be developed for the resource(s). Preservation in place is the preferred manner of mitigating impacts to archaeological resources. California PRC §5097.9 stipulates that it is contrary to the free expression and exercise of Native American religion to interfere with or cause severe irreparable damage to any Native American cemetery, place of worship, religious or ceremonial site, or sacred shrine. California Coastal Act §30244 states: "Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required."

#### **4.4.2.3 Local Policies and Regulations**

Section 22.10.040 of the LUO states that if archaeological resources are unearthed or discovered during any construction activities, construction activities shall halt until the resource can be recorded by a qualified archaeologist, the appropriate authorities can be notified, and disposition of the discovery is completed. If the discovery consists of human remains, the County Coroner must also be notified. While the County is not subject to LUO standards, compliance is recommended as mitigation for future development where applicable to ensure that specific issues identified during preparation of the EIR are addressed during future development.

#### **4.4.3 Thresholds of Significance**

CEQA directs lead agencies to protect and preserve resources with cultural, historic, scientific, or educational value. In accordance with §15064.5 (Determining the Significance of Impacts to Archaeological and Historical Resources) and Appendix G of the CEQA Guidelines, the County identified the following questions to determine a project's impact on cultural resources. Would the project:

- a. Disturb archaeological resources;
- b. Disturb historical resources; or,
- c. Disturb paleontological resources.

CEQA applies to historic and archaeological sites. When a project will impact an archaeological site, the lead agency must first determine whether the site is an historical resource. A substantial adverse change in the significance of a historical resource would occur if the project results in the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resources would be materially impaired. The significance of an historical resource is materially impaired when a project:

1. Demolishes 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, or eligibility for, inclusion in the CRHR; or,
2. Demolishes or materially alters in an adverse manner those physical characteristic that account for its inclusion in a local register of historical resources pursuant to PRC §5020.1(k) or its identification in an historical resources survey meeting the requirements

of PRC §5024.1(g), unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or

3. Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the CRHR as determined by a lead agency for the purposes of CEQA.

#### **4.4.4 Impact Assessment and Methodology**

Potential impacts to historical resources (archaeological and historic) were evaluated pursuant to CEQA, and with input from the Native American consultation process. All available background information, project-specific survey reports (Phase I surface and limited Extended Phase I subsurface surveys), records search documents, collected artifact records, and verbal information from the applicant and Native American representatives was compiled and peer reviewed by Albion archaeologists. This information was reviewed to identify previous survey coverage, archaeological site boundaries (current and previous configurations), historic era features, and prior activities that may have affected site deposits (e.g., previous archaeological excavations, utility projects, maintenance activities). Provided documents indicated that the entire Master Plan area has been previously surveyed for cultural resources, and nine cultural resource sites are mapped within the Master Plan area. Albion also reviewed previous archaeological studies conducted within the project boundary in order to assess methods, findings, and appropriateness of recommendations. Resource and impact data was presented in an overlay on project plans.

Records indicate that boundaries for three sites near the adobe (CA-SLO-97, CA -SLO-141, and CA-SLO-142) have been revised several times. Field verification was conducted on February 18 and 19, 2013, to assess accuracy of existing site boundaries, identify additional features or artifact concentrations, and to assess variation in artifact density across the parcel. Albion Principal Investigator Jennifer Farquhar, M.A., directed work, assisted by Ryan Brady, M.A., and John Ellison. Mona Tucker and Johnny Odem from the Northern Chumash group yak tityu tityu and Donna Gillett from the DANA group accompanied the reconnaissance crew on both days.

Based on review of available information, Albion determined that significance evaluation (as defined by CEQA Guidelines §15064.5) had not yet been completed. A Work Plan was developed to satisfy the analysis requirements identified in CEQA, and included the following steps:

**Confirm presence/absence of an archaeological deposit in cases where the nature of deposit is unclear.** The purpose of this effort was to: 1) determine if a subsurface deposit is associated with surface materials or features; and/or 2) to search for archaeological deposits in areas of high sensitivity where deposits may be buried or obscured by sediment deposition, vegetation, or modern development. Identified cultural deposits will need to be evaluated for significance under CEQA.

The field effort commenced with an intensive survey of seven selected transects across the project area to assess accuracy of existing archaeological site boundaries. Three survey transects were located in the northwestern portion of the parcel (Rancho Era Site Plan), and another three were placed near the proposed Visitor Center and Chumash Interpretive Area. These six transects measured 30 meters (m) in width, ranging in length from 65-170 m, and extending from the property fence along South Oakglen Avenue to the edge of the creek

terraces along Nipomo Creek. Within each transect, survey crew were spaced no more than 5 m apart. A seventh transect was located parallel to South Oakglen Avenue, between the property fence line and the paved road; it measured about 10 m wide and 280 m long. The survey team flagged individual artifacts and flaked stone debitage. The crew then recorded individual items using the Global Position System (GPS). In areas of high flake density, Albion recorded concentration boundaries rather than individual flakes.

Upon completion of the survey, the field team placed six Surface Observation Units (SOUs) across the site to better assess artifact site density. Most of the SOUs measured 5 m<sup>2</sup> (one measured 2 m<sup>2</sup>); all cultural materials within the unit were flagged and counted. Six SOUs were placed within survey transects and one was placed outside a transect in the proposed location of the Visitors Center.

**Conduct Phase II Evaluations.** Between May 6 and May 15, 2013, crews from Albion conducted a Phase II archaeological evaluation at CA-SLO-97/142. All fieldwork was conducted according to guidelines contained in “Treatment of Archaeological Properties: A Handbook (ACHP 1980) and *Recommended Approach for Consultation on Recovery of Significant Information from Archaeological Sites* (Federal Register [FR], Vol. 64, No. 95, May 18, 1999). Supervisory personnel including the Principal Investigator and Project Archaeologist met or exceeded professional qualification standards for archaeology set forth in the Secretary of the Interior’s Standards and Guidelines for Historic Preservation projects (48 FR 44738-44739).

The purpose of the evaluation was to identify whether CA-SLO-97/142 is a significant historic resource as recognized under CEQA. Excavation techniques were used to: 1) assess the areal extent of cultural debris; 2) identify areas with rich or sparse cultural deposit; and 3) recognize the extent of subsurface disturbance across the parcel and the degree to which these disturbances have impacted significant prehistoric cultural deposits (i.e., of a Historic Resource).

The Phase II evaluation program involved excavation of 25 1-mx0.5-m Surface Transect Units (STUs), three Shovel Test Pits (STPs) (each 30 centimeters [cm] in diameter) and one 2-mx1-m backhoe trench. The distribution of excavation units was intended to cover most areas under investigation in order to fully characterize the subsurface deposit to aid in planning decisions. Specifically, the evaluation focused on areas expected to receive subsurface impacts from the proposed project, as well as other areas less likely to experience those impacts. STUs were excavated in arbitrary 20 cm levels and all material was dry-screened through 3-millimeter (mm) (1/8-inch) mesh. Each STU was oriented to true north along the long axis. All cultural material identified in the screens was retained; however, fire affected rock was simply weighed and discarded at the end of each level. Artifacts and ecofacts from each level were placed in plastic bags and all material recovered from a level was kept within a single paper level bag. Upon completion of each level, a standard level record form was completed that detailed the sediment structure, presence of fire affected rock, artifacts recovered, and disturbances, along with other observations. Each unit was terminated when the recovery of cultural material became negligible, or the maximum safe depth of 140 cm was reached; the minimum depth excavated was 40 cm. Other units excavated were three STPs and a backhoe trench. Two STPs were dug at the location of proposed bridge footings on either bank of Nipomo Creek, southeast of the adobe structure. The third STP was placed in the northeastern portion of the parcel and was excavated to 60 cm. Due to the presence of subsurface cultural materials in an STP, a STU was placed adjacent to the test pit. Finally, the backhoe trench was excavated in the northwestern edge of the parcel, where the installation of a septic pit was planned (Farquhar 2013b). The trench extended to 3 m deep and eight 0.06 m<sup>3</sup> samples that were taken at 1-foot intervals were dry-screened through 3 mm mesh, similar to the STUs and STPs. A Trimble GeoExplorer XH

unit provided provenience control for the evaluation effort. GPS points were recorded at the southwest corner of each STU and the backhoe trench, while STPs and surface artifacts were simply recorded at their midpoint.

Initial processing of archaeological specimens, including sorting and washing, was conducted at the Albion laboratory facility in Santa Cruz, California. After initial processing, individual artifacts were assigned a specimen number, while entire lots of flaked stone debitage and non-artifactual bone and shell from a specific provenience were assigned a single specimen number. The data were catalogued in a project-specific Microsoft® Access 2010 database. Following initial cataloging, basic metric analyses were accomplished for most artifacts. All analytical information was entered into Access 2010 tables for presentation in the report. Specimens were placed in 4-mm-thick, labeled, plastic bags and organized in cardboard bin-part boxes by artifact class. All collected artifacts were then stored in archive boxes in preparation for curation.

Excavations produced an array of lithic material types that were grouped into four broad categories. These categories include cryptocrystalline silicates (CCS) and a variety of other metamorphic varieties, plutonic igneous stone, obsidian, and even modified historic glass. Situated in the geologically complex South Coast Ranges, several geologic formations occur in the project vicinity, which allowed prehistoric populations access to several varieties of rock types.

For analysis purposes, a more specific stone material classification system than the general categories presented above was used. In addition to general CCS, more specific Monterey (MCT) and Franciscan (FCT) cherts were identified. MCT is common to the project area and originates from the Monterey Shale Formation, which is generally present east of the San Andreas Fault. FCT is associated with the Franciscan Formation, which is present west of the San Andreas Fault. MCT is generally translucent with alternating layers of brown, white, black, and or gray. FCTs, by contrast, are generally more dull and opaque and are found in a variety of colors that include green, red, orange, yellow, brown, and tan. The origin of the remaining CCS materials is less certain; however, it is likely that at least some of the stone materials were acquired from stream beds in the site vicinity.

Other varieties of toolstone recovered include metamorphic materials such as quartzite, general metamorphic, and general metasedimentary. Plutonic igneous rocks include igneous and quartz specimens. One final variety of toolstone identified is historic glass, which was encountered in nine of the STUs. Project chronometrics were determined through the use of temporally diagnostic projectile points and source specific obsidian hydration measurements. Neither of these measures provided absolute chronometric dates.

It appears that the prehistoric component of CA-SLO-94/142H dates largely to the Early Period, with some activity possibly occurring both before and after that time. The small leaf-shaped point suggests the site may have been occupied during the Middle-Late Transition as well. The variety of surface-collected projectile points that were inspected in the field overwhelmingly is attributed to variants of the Central Coast Stemmed series and variants of Large Side-notched forms. These support the interpretation of the site as inhabited primarily during the Early Period; however, due to the lack of provenience of these items their temporal assignments should be viewed with caution. Obsidian hydration data also point to a predominantly Early Period occupation at the site. Interestingly, the only two Middle Period hydration measurements were recovered from a STU at the southern end of the parcel. Albion interprets these as indicating a possible Middle Period component in this area.

The ceramic evidence points to occupation centering around the late 1800s and early 1900s. Similar to the obsidian estimates, other lines of evidence could provide better chronological resolution.

Archaeological treatment of CA-SLO-97/142 followed protocols developed in consultation with project stakeholders including the applicant (DANA), County, and two Native American groups (the NCTC and yak tityu tityu). Archaeological evaluations involved a concurrent program of mapping and controlled hand excavation. The primary objective of the fieldwork was to determine the abundance, distribution, chronology, and temporal integrity of site constituents. This program employed a series of STUs, STPs, and a backhoe trench. The purpose of the work was to define site boundaries, probe the deposit depth, and sample subsurface assemblages. Altogether, a total of 12.7 m<sup>3</sup> was excavated. The site contains an array of flaked and ground stone tools along with ecofacts that include vertebrate and invertebrate faunal remains. A variety of historic and modern material was also recovered. A total of 29 prehistoric artifacts, 5,224 pieces of debitage, 697 pieces of bone, and 616.6 grams of shell were recovered. Historic artifacts recovered include one glass bead, 75 ceramic shards, three buttons, glass shards, metal fragments, and a handful of other historic and modern items.

The array of artifacts recovered from CA-SLO-97/142/H suggests that the site underwent several episodes of apparently short-term occupation. No intact cultural features or substantial dietary remains were encountered. Although the recovered artifact assemblage had a modest amount of formed flaked stone tools (1.2/m<sup>3</sup>), the overall artifact density (408 items/m<sup>3</sup>) is relatively high. The paucity of ground stone implements highlights an emphasis on activities associated with flaked stone tools, such as hunting. This interpretation corresponds with expectations derived from the chronometric data, which place much of the site use in the Early Period (Locus A), with a smaller Middle Period component located in Locus B. The skewed distribution by depth of obsidian hydration measurements and dateable historic ceramics suggests that much of the cultural deposit has been disturbed by historic and modern activities. Nevertheless, there do appear to be some areas of the site that have not been disturbed and retain a high degree of structural integrity. These can provide information to better understand a variety of research questions pertinent to the prehistoric Native American occupation of California's central coast.

**Determine Eligibility.** The data generated from the Phase II evaluation was used to evaluate the site for CRHR eligibility. These data are important for understanding the prehistoric occupation at the site, and contributing to research questions such as: who lived there and how long ago, what kinds of things did people do at the site, why did they choose to inhabit this area, and what was the site's role in the larger system of settlements and camps throughout the region. The eligibility assessment also accounts for the potential of the site to contribute additional data to understanding important research questions about the past, as well as to account for the cultural significance of the area. The effects of past and present impacts are also addressed in the management recommendations, which focus on distinct elements of the proposed development.

Albion carefully considered the potential effects of each project element, specifically the extent to which the project component might have an adverse effect on subsurface deposits that have both retained integrity (are not disturbed by historic period activities) and may yield valuable archaeological data. Albion also considered tentative mitigation measures that have been proposed for the project; specifically, a proposal to cap all or portions of the site with a layer of sterile soil.

Albion's evaluation resulted in a finding that the site is complex, has components representing two (Early and Middle) or possibly three (Millingstone) periods in prehistory, is not uniform over the extent of the site, and has been disturbed to varying depths by historical development and land use. Despite these findings, Albion believes that the site is eligible for inclusion on the CRHP under criterion D, "Sites that have yielded, or may be likely to yield, information important in prehistory or history."

#### **4.4.5 Project Specific Impacts and Mitigation Measures**

CEQA requires a lead agency to determine whether a project may have a significant effect on historical resources. CEQA Statutes §§21083.2 and 21084.1, PRC §5024.1, and §15064.5 of the CEQA Guidelines are used as guidelines to determine if: 1) a resource is historically significant, and 2) if the project would result in an adverse effect to the historic resource. PRC §5024.1 requires that any properties that can be expected to be directly or indirectly affected by a proposed project be evaluated for CRHR eligibility. The purpose of the CRHR is to maintain listings of the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from material impairment and substantial adverse change. The term "historical resources" includes a resource listed in, or determined to be eligible for listing in, the CRHR; a resource included in a local register of historical resources; and any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant (CEQA Guidelines §15064.5[a]). The criteria for listing properties in the CRHR were expressly developed in accordance with previously established criteria developed for listing in the NRHP.

According to PRC §5024.1(c)(1–4), a resource may be considered historically significant if it retains integrity and meets at least one of the following criteria. A property may be listed in the CRHR if the resource:

- A. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- B. Is associated with the lives of persons important in our past;
- C. Embodies the distinctive characteristics of a type, period, region or method of installation, or represents the work of an important creative individual, or possesses high artistic values; or,
- D. Has yielded, or may be likely to yield, information important in prehistory or history.

Under CEQA, if an archeological site is not a historical resource but meets the definition of a "unique archeological resource" as defined in PRC §21083.2, then it should be treated in accordance with the provisions of that section. A *unique archaeological resource* is defined as follows:

*An archaeological 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:*

1. *Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.*

2. *Has a special and particular quality such as being the oldest of its type or the best available example of its type.*
3. *Is directly associated with a scientifically recognized important prehistoric or historic event or person.*

Resources that neither meet any of these criteria for listing on the CRHR nor qualify as a “unique archaeological resource” under CEQA PRC §21083.2 are viewed as not significant. Under CEQA, “A nonunique archaeological resource need be given no further consideration, other than the simple recording of its existence by the lead agency if it so elects” (PRC §21083.2[h]).

Impacts that adversely alter the significance of a resource listed on or eligible for listing on the CRHR are considered a significant effect on the environment. Impacts to historical resources from the proposed project are thus considered significant if the project physically destroys or damages all or part of a resource, changes the character of the use of the resource or physical feature within the setting of the resource which contribute to its significance or introduces visual, atmospheric, or audible elements that diminish the integrity of significant features of the resource.

Applying criteria identified above, the archaeological site is eligible for inclusion on the CRHP under criterion D, “Sites that have yielded, or may be likely to yield, information important in prehistory or history.” This is in addition to the Dana Adobe, which is currently listed on the National and State Registers. Potential impacts to these resources are discussed below.

#### **4.4.5.1 Land Use Ordinance Amendment**

The proposed amendment includes language addressing the Dana Adobe Historic designation (§22.122.030.B.). The language clarifies development standards specific to the historic site itself, and encourages consistency with historical context, including interpretive and educational components. Implementation of the proposed amendment would not have an adverse effect on cultural resources, because it includes standards to maintain historical context and provides for the continued maintenance of the Dana Adobe in the event DANA is no longer able to continue ownership of the parcel. Project-specific impacts to cultural resources are discussed below.

In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific cultural resource impacts, a planning area standard is recommended that requires the project applicant to avoid or minimize impacts to significant historic, archaeological, and paleontological resources by design, soil capping, detailed research design and data recovery, documentation, monitoring, an operational management program, and an educational interpretive program (refer to Chapter 4, Environmental Impacts Analysis, Exhibit A).

#### **4.4.5.2 Conditional Use Permit**

##### Disturb Archaeological Resources

Trail and emergency road development on the 100-acre portion of the site was designed and located to avoid direct impacts to known archaeological and historical sites; therefore, the analysis focuses on the Master Plan, which would be implemented on the 30-acre portion of the site. Site CA-SLO-97/142/H is a complex prehistoric resource that contains two loci representing prehistoric occupation. The first, identified as Locus A, contains intact cultural deposits representing the Early Period, a time span of roughly 3,000 years, from 5450-2550 B.P. The

second, Locus B represents the Middle Period, a time span of 1,600 years, from 2550-950 B.P. Additional data from Locus A suggest this locale may also have an earlier Millingstone (9950-5450 B.P.) component. The upper portions of the site have been disturbed to varying degrees by historical development and land use, such that prehistoric materials in these upper strata are mixed with historic materials, indicating that the prehistoric deposit has lost its stratigraphic integrity. Cultural deposits below the level of disturbance, however, particularly in the two identified loci, appear to be intact thus providing important information about prehistoric occupation of the landscape. As noted above, because of the presence of important intact cultural deposits, the site is eligible for inclusion on the CRHP under criterion D: "sites that have yielded, or may be likely to yield, information important in prehistory or history."

The evaluation also indicates that the site is not uniform, with concentrations of cultural materials interspersed with areas of relatively low levels of material. The depth of historical disturbance also varies widely across the site. Similarly, impacts from the proposed project are widespread with project facilities such as a visitor's center, outbuildings, restrooms, roads, trails, septic treatment systems (vertical or horizontal), and trails dispersed across the landscape.

Within Locus A, the soil is disturbed at varying depths (40 to 90 cm). Near the Dana Adobe, the depth of disturbance varies from 20 to 40 cm. Ground disturbance occurring at depths of 40 cm or greater (or 20 cm near the Dana Adobe) would impact archaeological features that contribute to the eligibility of the site, and would result in a potentially significant impact. Project components within Locus A include the Rancho outbuildings, caretaker's residence, shade ramada, arena, overflow parking area, restroom near overflow parking area, onsite septic system, portions of the trail system, landscaping and historical gardens, and portions of the emergency access road.

Within Locus B, the soil is disturbed down to depths of 40 cm. Ground disturbance occurring at depths of 40 cm or greater would impact archaeological features that contribute to the eligibility of the site, and would result in a potentially significant impact. Project components within Locus B include the Chumash Interpretive Area and portions of the trail system.

Grading and construction activities within areas outside of identified Locus A and Locus B would not result in a potentially significant impact to archaeological resources. Project components that are located outside the identified loci include the Visitor's Center and outdoor amphitheater, portions of the trail system, and the Nipomo Creek bridge.

In addition to an evaluation of project impacts, the study considered the applicant's proposed measures to minimize impacts to archaeological resources, including the proposed capping plan and vertical septic systems. Since all areas of the site show evidence of disturbance to between 20 cm to 40cm, and even deeper, the capping plan is unnecessary and provides little additional protection to the deeper, intact, and thus more important portions of the deposit. Elimination of the capping plan would not result in additional significant impacts to cultural resources. In addition, as discussed in Section 4.12 (Issues with Less than Significant Impacts, Wastewater), due to the depth to groundwater, the site may not meet the requirements for a vertical system. Compliance with the Plumbing Code and Central Coast Basin Plan requires a minimum of 10 feet of separation between groundwater and the leach pit or field. Therefore, a horizontal system may be constructed. Based on an assessment of the affected area and characteristics of the archaeological site, the installation of either system would result in similar impacts to archaeological resources within Locus A, and would require implementation of mitigation measures identified below.

Based on the evaluation, implementation of a data recovery program is recommended, which will retrieve important additional and corroborating data from the site that will address regional research questions (i.e., who lived there and how long ago, what kinds of things did people do at the site, why did they choose to inhabit this area, and what was the site's role in the larger system of settlements and camps throughout the region). Data recovery conducted under the recommended program would supplement information obtained during the Phase II Evaluation. The number of excavation units and percentage of recovery was determined based on the estimated volume of the archaeological site and the characteristics and integrity of resources that would be affected by development of the project. The identified percentage is applicable regardless of the final volume of disturbance that would occur during grading activities, because it represents a percentage of the site as a whole.

The data recovery program should include controlled excavations including three 1×1-m excavation units in Locus A and two 1×1-m units in Locus B. All units should terminate at the bottom of the cultural deposit. Material retrieved from these units should be subjected to the full range of analysis, including stratigraphic, chronometric, lithic, faunal, and paleobotanical studies. Methods and findings should be presented in a formal report, which summarizes the data recovery effort, and provides all project data. This effort will provide sufficient information to fully characterize the site, address pertinent regional research questions, and meet the requirements for mitigating impacts to less than significant.

In addition to data recovery within Locus A and Locus B, monitoring is recommended for all initial ground disturbance pursuant to a County-approved Monitoring Plan. Protocols for monitoring include:

- Archaeological monitors will collect formal artifacts and note provenience (source or origin) and context of isolated finds.
- Archaeological monitors will stop construction activities when they encounter potentially significant, intact features; monitors will then quickly evaluate the feature to determine if it is significant and requires mitigation; monitors will then consult with the project team to determine if the feature can be avoided or if rapid data recovery is required.
- Archaeological monitors will maintain a daily log of activities and findings and will report frequently to the Project team and the Native American community.

In addition, because site CA-SLO-97/142/H contains important and intact cultural deposits, and is likely eligible for the CRHP, Albion recommends the preparation of a project-specific Cultural Resources Treatment Plan, which would apply to all aspects of the project, including on and off-site improvements, utility connections, and road improvements. The purpose of the Treatment Plan is to ensure proper and consistent management of cultural resources and to avoid or significantly reduce damage to the environment and cultural resources. The Treatment Plan would summarize information about known resources; provide an overview of the various prehistoric and historic contexts; and describe proposed collection, excavation, laboratory, curation, and reporting methodologies. Archaeological Treatment Plans are intended to emphasize research and discovery of resources prior to project activities. The Treatment Plan would establish a formal research design for data recovery, define a monitoring strategy, provide methods for the treatment of unanticipated resources discovered during construction, and specify protocols for interaction with the concerned Native American community. The Treatment Plan will serve as the basic background reference for the project, and will provide a

programmatic and/or possible specific treatment options. Native American participation is encouraged and should continue as the project progresses.

**CR Impact 1**      **Proposed grading activities would impact portions of site CA-SLO-97/142/H determined to be eligible for inclusion on the California Register of Historic Places under criterion D: “sites that have yielded, or may be likely to yield, information important in prehistory or history.” This would result in a significant, long-term impact.**

*CR/mm-1*      *Prior to issuance of grading and construction permits, the applicant shall submit to the Environmental Coordinator (and possibly subject to peer review) for the review and approval, a detailed research design for a Phase III (data recovery) archaeological investigation. The Phase III program shall be prepared by a subsurface qualified archaeologist approved by the Environmental Coordinator. The consulting archaeologist responsible for the Phase III program shall be provided with a copy of the previous archaeological investigations (Albion Environmental, July 2013). The Phase III program shall include at least the following:*

- a. three control units in Locus A and two control units in Locus B pursuant to the Phase II Archaeological Evaluation of CA-SLO-97/142/H (Albion Environmental, July 2013);*
- b. standard archaeological data recovery practices;*
- c. recommendation of sample size adequate to mitigate for impacts to archaeological site, including basis and justification of the recommended sample size. Sample size should be 0.01% of the total volume (disturbed and non-disturbed matrix) in Locus A and 0.05% of the total volume (disturbed and non-disturbed matrix) in Locus B. The sample size shall include 0.04% of the volume of undisturbed site deposit in Locus A and 0.05% of the volume of undisturbed site deposit in Locus B. If a lesser sample size is recommended, supporting information shall be presented that justifies the smaller sample size.*
- d. identification of location of sample sites/test units;*
- e. detailed description of sampling techniques and material recovery procedures (e.g. how sample is to be excavated, how the material will be screened, screen size, how material will be collected);*
- f. disposition of collected materials;*
- g. proposed analysis of results of data recovery and collected materials, including timeline of final analysis results; and,*
- h. list of personnel involved in sampling and analysis.*

*Once approved, these measures shall be shown on all applicable construction drawings and implemented during construction. **Prior to final***

**inspection/occupancy**, the applicant shall provide to the County a final report on the investigation work conducted during construction.

CR/mm-2

Prior to issuance of grading and construction permits, the applicant shall submit to the Environmental Coordinator (and possibly subject to peer review) for the review and approval, a project-specific Cultural Resources Treatment Plan. The Treatment Plan shall incorporate by reference the County-approved Phase III data recovery plan and County-approved Monitoring Plan. The Treatment Plan will serve as the basic background reference for the project, and will provide a programmatic and/or possible specific treatment options. Specifically, and at minimum, the Treatment Plan shall contain the following:

- a. *Compilation of background data;*
- b. *Regional research questions (e.g., who lived there and how long ago; what kinds of things did people do at the site; why did they choose to inhabit this area; what was the site's role in the larger system of settlements and camps throughout the region);*
- c. *Data recovery methodology, including field methods, analysis, reporting;*
- d. *Monitoring program;*
- e. *Strategies for the treatment of unanticipated discoveries;*
- f. *Protocols for continued consultation with interested Native American participants; and,*
- g. *Guidelines for long-term curation.*

CR/mm-3

Prior to issuance of grading and construction permits, the applicant shall submit a Monitoring Plan, prepared by a County-approved archaeologist, for review and approval by the County Department of Planning and Building. The intent of this Plan is to monitor all earth-disturbing activities in areas identified as potentially sensitive for cultural resources, per the approved monitoring plan. The monitoring plan shall include at a minimum:

- a. *list of personnel involved in the monitoring activities;*
- b. *inclusion of involvement of the Native American community, as appropriate;*
- c. *description of how the monitoring shall occur;*
- d. *description of frequency of monitoring (e.g., full-time, part time, spot checking);*
- e. *description of what resources are expected to be encountered;*

- f. *description of circumstances that would result in the halting of work at the project site (e.g., What is considered “significant” archaeological resources?);*
- g. *description of procedures for halting work on the site and notification procedures;*
- h. *provisions defining education of the construction crew;*
- i. *protocol for treating unanticipated finds (refer to Treatment Plan); and,*
- j. *description of monitoring reporting procedures.*

*CR/mm-4 Prior to ground disturbance and construction activities, in consultation with a County-approved archaeologist, the applicant shall provide cultural resources awareness training to all field crews and field supervisors. This training will include a description of the types of resources that may be found in the project area, the protocols to be used in the event of an unanticipated discovery, the importance of cultural resources to the Native American community, and the laws protecting significant archaeological and historical sites. In addition, the applicant shall provide all field supervisors with maps showing those areas sensitive for potential buried resources.*

*CR/mm-5 During all initial ground disturbing construction activities, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and Native American to monitor all initial earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources not previously identified in the Monitoring and Treatment Plan, or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.*

*CR/mm-6 Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first), the qualified archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met. If the analysis included in the Phase III program is not complete by the time final inspection or occupancy will occur, the applicant shall provide to the Environmental Coordinator, proof of obligation to complete the required analysis.*

### Residual Impacts

The recommended mitigation plan emphasizes additional data recovery in two locations at the site. A well-planned, focused data recovery program will mitigate any adverse project effects to less than significant. The Phase II evaluation program has provided a baseline from which to develop a fine-grained data recovery methodology; however, in and of itself, it is not sufficient to mitigate adverse impacts to the resource. Data recovery is an accepted mitigation measure, whereby the data potential of a resource is retrieved through controlled excavation, full analysis, and reporting. In addition, a project-wide monitoring program is recommended for all activities

requiring ground disturbance. Many of the project components will require minimal ground disturbance, likely within the vertical zone of disturbed soils. Other components will require deeper impacts, potentially into intact site strata. The monitoring program will address any significant features discovered during project development with a rapid evaluation, and if necessary, expedited data recovery effort. Based on incorporation of mitigation measures identified above, residual impacts would be *less than significant with mitigation (Class II)*.

### Disturb Historical Resources

The County LUO includes the following required findings for approval for land use permit applications within a Historic (H) combining designation related to a historic structure:

- (1) The height, bulk, location, structural materials, landscaping and other aspects of the proposed use will not obstruct public views of the historic structure or of its immediate setting;
- (2) Any proposed alteration or removal of structural elements, or clearing of landscaping or natural vegetation features will not damage or destroy the character of significant historical features and settings;
- (3) Any proposed remodeling or demolition is unavoidable because it is not structurally or economically feasible to restore or retain existing structures or features.

Implementation of the project will include continued restoration of the Dana Adobe and associated historical features, consistent with Secretary of the Interior Standards. Interpretive and educational amenities will further educate the public about this significant historic resource, and encourage future restoration and preservation. Use of the Old Stagecoach Road will represent an impact and a thorough documentation and attempt to establish its alignment and construction is recommended. Continued preservation and restoration of historic structures and features (i.e., tallow vat, barn foundation) is included in the proposed project.

### **CR Impact 2      Proposed grading and construction activities may result in in advertent adverse effects to historical features associated with the Dana Adobe, resulting in a significant, long-term impact.**

*CR/mm-7      Upon application for construction permits for development on the 30-acre site, the applicant shall submit plans verifying the preservation of documented historic resources onsite, including the tallow vat, retaining wall, barn foundation, and windmill (refer to CRMS 2011).*

*CR/mm-8      Upon application for construction permits for development on the 30-acre site, additional study including archival and field investigation shall verify the presence of the stagecoach roadbed. In the event the presence of the roadbed is determined, the applicant shall avoid the resource to the maximum extent feasible, and the site shall be addressed pursuant to the approved Phase III Data Recovery Plan and Monitoring Plan.*

### Residual Impacts

Based on the proposed continuation of preservation and restoration of the Dana Adobe, preservation and incorporation of elements consistent with the historical context of the structure and surrounding views, educational facilities to encourage historic preservation, and separation of uses (i.e., Dana Adobe and Visitor's Center), implementation of the project would not impair the integrity of the Dana Adobe or result in a significant adverse effect to the historic resource.

In addition, the proposed project appears to meet the Historic finding requirements identified above. Based on incorporation of mitigation measures identified above, residual impacts would be *less than significant with mitigation (Class II)*.

#### Disturb Paleontological Resources

No paleontological resources were noted onsite; however, significant resources may be encountered at a depth of 6 feet within the Diablo clay, Diablo and Cibo clays, Marimel silty clay loam, Tierra loam, or Zaca clay soil units. Impacts may occur upon installation of septic systems.

**CR Impact 3      Proposed grading and construction activities may result in in advertent adverse effects to paleontological resources, resulting in a significant, long-term impact.**

*CR/mm-9      In the event ground disturbance exceeds 6 feet in depth within Diablo clay, Diablo and Cibo clays, Marimel silty clay loam, Tierra loam, or Zaca clay, the applicant shall retain a qualified paleontologist to monitor initial excavation activities. Upon completion of all monitoring/mitigation activities, and prior to final inspection, the consulting paleontologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met and include analysis of all discoveries.*

#### Residual Impacts

Based on implementation of monitoring during deep ground disturbance (if proposed within these identified soil units), potential impacts would be *less than significant with mitigation (Class II)*.

#### **4.4.6 Cumulative Impacts**

The Nipomo Mesa and Los Berros areas contain more square meters of light density cultural deposits than any other areas in southern San Luis Obispo County (Gibson 2006). Documented surveys indicate a seasonal pattern of occupational movement between interior regions near oak woodland and along good sources of water to the coastal dunes, and permanent habitation sites in key locations. Past and current developments in the immediate region have impacted archaeological sites and degraded the value of cultural materials by direct disturbance, removal of artifacts during testing, displacement, and looting. The individual effects to separate, known, significant archaeological sites in the South County area combined with the incremental effect of the proposed project's significant and unavoidable effect to archaeological resources collectively result in a significant and unavoidable cumulative impact to archaeological resources. Implementation of the proposed project would contribute to the cumulative degradation of significant archaeological resources in the South County area. The LUO requires protection of cultural resources, and the County typically requires implementation of mitigation measures including avoidance by design, intensive field investigations such as testing and data recovery programs, monitoring during construction, and long-term protection of known sensitive areas. As proposed and with incorporation of identified mitigation measures, implementation of the proposed project would not result in a significant, adverse impact to historic, archaeological, or cultural resources. Potential impacts would not be cumulatively considerable, and in the long-term, the proposed project provides an opportunity for further education facilitating the protection of cultural resources in the County. Therefore, potential cumulative impacts would be *less than significant (Class III)*.

## 4.5 GEOLOGY AND SOILS

This section discusses existing geologic and soils-related conditions and the natural and manmade drainage conditions within the project site. The section is based on existing published geologic and soils data and the *Engineering Geology Investigation* (Geosolutions 2011a), *Soils Engineering Report* (Geosolutions 2011c), and *Review of Proposed Visitor Center Building* (Geosolutions 2012) prepared for the project, and identifies potential geologic impacts including local geologic conditions. These reports are available for review at the County Department of Planning and Building. This section also considers erosion and sedimentation impacts resulting from the proposed project.

Aside from the proposed emergency access road and trail network to be located on the 100-acre portion of the project area, development will be primarily limited to the 30-acre site. While the analysis considers all affected areas, the geotechnical investigations focused on the areas proposed for grading and structural development. Information from these reports is incorporated by reference into the analysis below.

### 4.5.1 Existing Conditions

#### 4.5.1.1 Regional Geology

The project site is located in the vicinity of the San Luis Range of the Coast Range Geomorphic Province of California. The Coast Ranges lie between the Pacific Ocean and the Sacramento-San Joaquin Valley and trend northwesterly along the California coast for approximately 600 miles between Santa Maria and the Oregon border.

The project site is situated within the Nipomo Mesa, a 33-square-mile area between the Arroyo Grande Plain to the north and the Santa Maria River Coastal Plain to the south. The eastern portion of the Mesa rises more than 400 feet and slopes westward to the Pacific Ocean. The Mesa is part of a system of elevated marine terraces between Morro Bay and the northeastern boundary of the Santa Maria Valley. Terraces in this area are buried beneath a thick mantle of eolian sand and alluvium (Geosolutions 2011a).

#### 4.5.1.2 Local Geology

The Engineering Geology Report prepared for the project describes the project site geography as consisting of Eolian deposits of late Pleistocene to Holocene age (1.8 million years to present) and Fluvial and alluvial deposits of late Pleistocene to Holocene age. These Eolian deposits consist of unconsolidated active dune sand and slightly to weakly cemented older stabilized dune sand. Fluvial and alluvial deposits consist of undifferentiated cobbles, pebbles, sand, silt and clay in active stream channels and floodplains and in fluvial terraces inset within the margins of the stream valleys.

#### 4.5.1.3 Site Conditions

The project site is gently to moderately sloping. No notable geologic features are present at the project site. Landslide risk and liquefaction potential are considered low to moderate and the shrink/swell potential of on-site soils is low. The closest known mapped active portion of a Holocene-age fault is the Hosgri fault, located approximately 20 miles west of the project site. The project site is not known to contain serpentine or ultramafic rock or soils.

Soil type, amount of disturbance and slopes are key aspects to analyzing potential sedimentation and erosion issues. The project would result in the disturbance of approximately

8.3 acres. The following section describes the on-site soil types and descriptions. On-site soils are considered well-drained, and as described in the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Soil Survey, the project's soil erodibility is low to moderate.

#### **4.5.1.4 Soils**

Soil types and the boundaries of the Flood Hazard designation are shown in Figure 4.5-1 below. The soil type(s) and characteristics on the 30-acre portion of the project site include:

- 170 – Marimel silty clay loam, 0-2 percent slopes (irrigated Class 1, non-irrigated Class 3). The Marimel component makes up approximately 13 percent of the map unit. The parent material of this soil type is alluvium derived from sedimentary rock. The natural drainage class of this unit is well drained, and it is composed of silty clay loam and stratified loam to clay loam to silty clay loam. Marimel soils tend to occur on alluvial fans and in valleys. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.
- 184 – Oceano sand, 0-9 percent slopes (irrigated Class 4, non-irrigated Class 6). The Oceano (0-9 percent slopes) component makes up approximately seven percent of the map unit. The parent material of this soil type is Eolian deposits. The natural drainage class of this unit is excessively drained, and it is composed entirely of sand. Oceano soils tend to occur on dunes and toeslopes. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.
- 185 – Oceano sand, 9-30 percent slopes (irrigated Class 4, non-irrigated Class 6). The Oceano (9-30 percent slopes) component makes up approximately five percent of the map unit. The parent material of this soil type is Eolian deposits. The natural drainage class of this unit is excessively drained, and it is composed entirely of sand. Oceano soils tend to occur on dunes and toeslopes. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.

The soil type(s) and characteristics on the 100-acre portion of the project site include:

- 129 – Diablo clay, 5-9 percent slopes (irrigated Class 2, non-irrigated Class 3). The Diablo clay component makes up approximately 10 percent of the map unit. The parent material of this soil type is residuum weathered from mudstone, sandstone, and/or shale. The natural drainage class of this unit is well drained, and it is composed of clay over weathered bedrock. Diablo clay soils tend to occur on backslopes and summits.
- 130 – Diablo and Cibo clays, 9-15 percent slopes (irrigated Class 3, non-irrigated Class 3). The Diablo and Cibo clay component makes up approximately five percent of the map unit. The parent material of this soil type is residuum weathered from mudstone, sandstone, and/or shale. The natural drainage class of this unit is well drained, and it is composed of clay over weathered bedrock. Diablo and Cibo clay soils tend to occur on backslopes and summits.
- 170 – Marimel silty clay loam, 0-2 percent slopes (irrigated Class 1, non-irrigated Class 3). The Marimel component makes up approximately 13 percent of the map unit. The parent material of this soil type is alluvium derived from sedimentary rock. The natural drainage class of this unit is well drained, and it is composed of silty clay loam and stratified loam to clay loam to silty clay loam. Marimel soils tend to occur on alluvial fans

and in valleys. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.

- 218 – Tierra loam, 15-30 percent slopes (irrigated Class 6, non-irrigated Class 6). The Tierra component makes up approximately 11 percent of the map unit. The parent material of this soil type is alluvium derived from sedimentary rock. The natural drainage class of this unit is moderately well drained, and it is composed of loam, clay, and sandy clay loam. Tierra loam soils tend to occur on terraces, backslopes, summits, and toeslopes. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.
- 224 – Zaca clay, 9-15 percent slopes (irrigated Class 3, non-irrigated Class 3). The Zaca component makes up approximately 49 percent of the map unit. The parent material of this soil type is residuum weathered from calcareous mudstone, sandstone, and/or shale. The natural drainage class of this unit is well drained, and it is composed of clay and silty clay over weathered bedrock. Zaca soils tend to occur on summits and backslopes.

## 4.5.2 Regulatory Setting

### 4.5.2.1 Federal and State Regulations

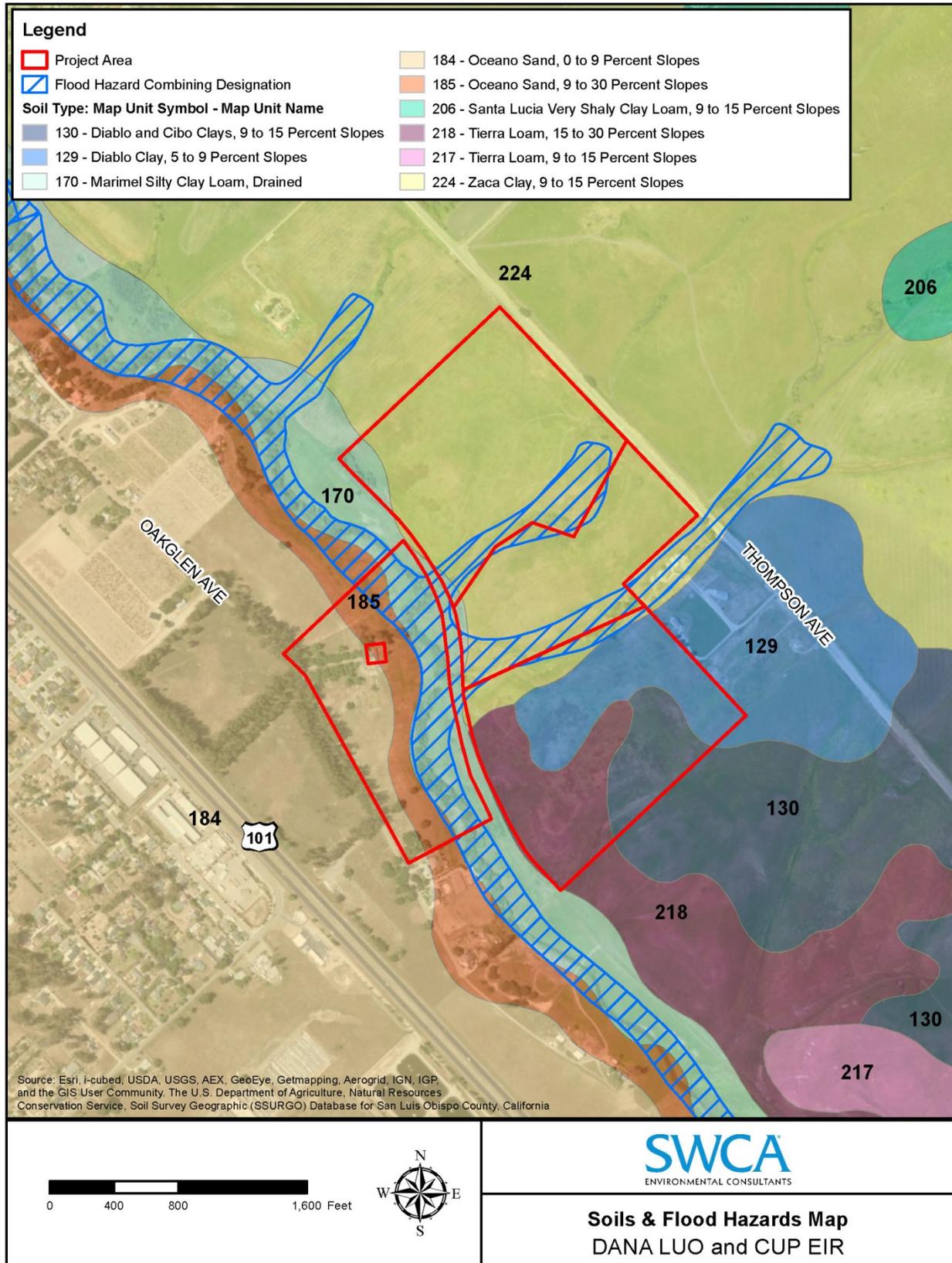
The Alquist-Priolo Earthquake Hazard Zone Act was developed by the State to regulate development near active faults and mitigate the surface fault rupture and other hazards. The Act identifies active earthquake fault zones and restricts building habitable structures over known active or potentially active faults.

Water quality protection is regulated by the Federal National Pollutant Discharge Elimination System (NPDES) Program established by the Clean Water Act. The EPA establishes stormwater permit requirements based on compliance with a NPDES permit. Discharges of stormwater associated with construction activity that results in a disturbance of one acre or more of total land area requires a NPDES General Permit for Discharges of Stormwater Associated with Construction Activity. This permit requires developers to implement Best Management Practices (BMPs) to prevent the discharge of sediment-laden or otherwise contaminated water off site. The site-specific plan to implement BMPs is called the Stormwater Pollution Prevention Plan (SWPPP). The plan must include a description of soil stabilization and sediment load control methods that would be implemented to minimize erosion and sediment loading during construction of the project. The SWPPP also includes descriptions of post-construction BMPs. The State of California administers stormwater permits through the State Water Resources Control Board (SWRCB) and its local RWQCB – Central Coast Region. A SWPPP would be required for the proposed project. The proposed project would result in the disturbance of over 1 acre; therefore, a SWPPP would be required.

### 4.5.2.2 Local Regulations

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO §22.52.090) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts.

Figure 4.5-1. Soils and Flood Hazard Map



The two primary principles of the County Safety Element are emergency preparedness and development appropriately managed to reduce risk. The Safety Element identifies potential emergency situations and natural disaster risks within the county, and includes goals and policies for response during an emergency or natural disaster and measures for the avoidance of unnecessary risk.

### 4.5.3 Thresholds of Significance

The County thresholds of significance are based on the criteria set forth in Appendix G of the CEQA Guidelines. According to those criteria, a project would result in a significant geology, soils or drainage-related impact if it would:

- a. Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards;
- b. Be within a California Geological Survey “Alquist-Priolo” Earthquake Fault Zone or other known fault zone;
- c. Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill;
- d. Include structures located on expansive soils;
- e. Be inconsistent with the goals and policies of the County’s Safety Element relating to Geologic and Seismic Hazards; or
- f. Preclude the future extraction of valuable mineral resources.

### 4.5.4 Impact Assessment and Methodology

Potential geologic, soils and drainage impacts were evaluated based upon a review of the County’s Geographic Information Systems (GIS) database of local geologic and soils conditions, the *Engineering Geology Investigation, Soils Engineering Report, and Review of Proposed Visitor Center Building* prepared for the project and field review of the project site. The assessment considers compliance with regulations, such as the Uniform Building Code (UBC). In addition, while the County is not subject to ordinance standards, preparation of reports and plans such as drainage and erosion control plans are recommended as mitigation for future development where applicable to ensure that specific issues identified during preparation of the EIR are included in the plans.

### 4.5.5 Project Specific Impacts and Mitigation Measures

#### 4.5.5.1 Land Use Ordinance Amendment

The proposed amendments do not include language that would result in an adverse effect to geology and soils. Potential impacts would be project specific, depending on location, size, and type of development, and areas proposed for disturbance. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project-specific analysis of geology and soils impacts.

In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific geology and soils impacts, a planning area standard is recommended that

requires the project applicant to include measures to reduce erosion and sedimentation and ensure compliance with water quality standards (refer to Chapter 4, Environmental Impacts Analysis, Exhibit A).

#### **4.5.5.2 Conditional Use Permit**

##### **Unstable Earth Conditions, such as Landslides, Earthquakes, Liquefaction, Ground Failure, Land Subsidence or other Similar Hazards**

Based on County GIS data, the project site is mapped as having low to high potential for landslide hazards and low to moderate liquefaction potential. No known landslides have occurred at the project site and the potential for a landslide is considered low due to the lack of steep slopes at the site. The potential for subsidence or hydrocollapse of subsurface materials is considered low due to the presence of medium dense to dense older sand dune deposits. The project site may be affected by moderate to major earthquakes centered on one of three active faults within 40 miles of the project site. Although a significant event on these faults could result in moderate to severe ground shaking, the potential for ground failure is considered low due to the medium dense to dense subsurface material.

There is a potential for slope instability in the immediate vicinity of Nipomo Creek (where the slope of the creek bank exceeds 15%); therefore, the project incorporates a 50-foot setback from the creek bank (not including trails, emergency access drive, and associated creek crossing). No significant geologic hazards were identified.

Regarding land subsidence, the project would obtain water from the Nipomo Community Services District (NCSD), a community water provider within the Nipomo Mesa Water Conservation Area (NMWCA). Based on the *Nipomo Mesa Management Area 5<sup>th</sup> Annual Report Calendar Year 2012* “there is currently no evidence of land subsidence within the Nipomo Mesa Management Area (NMMA), although small amounts of subsidence might go undetected” (NMMA 2013). Based on the proposed water demand (1.28 acre feet/year), this amount of water use would not directly result in land subsidence.

Recommendations provided in the geology and soils engineering reports include, but are not limited to, site preparation, foundations, and slope stability, similar to those required by the UBC. Compliance with the LUO and UBC will ensure that no significant geologic impacts occur as a result of construction and operation of the project. Therefore, potential impacts would be *less than significant (Class III)*.

##### **Alquist-Priolo Earthquake Fault Zone**

The project site is not included within a designated Alquist-Priolo Earthquake Fault Zone and no known faults pass through the site. Therefore, there would be no impact. Potential impacts related to earthquake rupture and ground-shaking are discussed in Section 4.5.5.2, above.

##### **Soil Erosion, Topographic Changes, Loss of Topsoil or Unstable Soil Conditions**

As proposed, the project will result in the disturbance of approximately 8.3 acres. Construction activities, including ground disturbance and vegetation removal have the potential to result in erosion and down-gradient sedimentation. The applicant is required to comply with LUO §22.52.120 (Erosion and Sedimentation Control Plan Required) and submit an erosion control plan, and will also be required to prepare a SWPPP for review and approval by the RWQCB, pursuant to state regulations and LUO §22.52.130 (SWPPP Required). Preparation and implementation of these required plans would mitigate potential impacts to *less than significant*

(Class II). Additional measures, applicable to significant biological resources (Nipomo Creek) are identified in Section 4-3, Biological Resources, and would further minimize potential erosion impacts.

The proposed project may include a capping plan, which was preliminarily evaluated (Geosolutions 2012; Smith Structural Group, LLP 2012). Based on the engineering review, the site soils are suitable for use of the proposed foundations for the site structures, including the reinforced mat slab foundation proposed for the Visitor's Center. The applicant proposes to incorporate the engineer's recommendations for site preparation, including removal of surface vegetation, application of water, and placement of a geotextile fabric. Fill material would be placed and compacted, and may include benches on natural slopes.

Based on compliance with existing regulations and recommendations identified in the soils and geology reports, potential impacts related to soil erosion, topographic changes, and soil stability would be *less than significant (Class III)*.

#### Include Structures Located on Expansive Soils

Underlying soils are classified as having very low expansion potential based on laboratory testing during preparation of the project soils engineering report (Geosolutions 2011c). No impact would result.

#### Consistency with County's Safety Element

Geologic and seismic hazards at the project site are considered to be low as discussed above. Project developments would comply with the most recent UBC requirements and would not place structures or people in areas of high geologic or seismic risk. Impacts would be *less than significant (Class III)*.

#### Mineral Resources

The project site is not located within an Extractive Resource Area combining designation for mineral extraction and is not known to support valuable mineral resources. Therefore, no impacts would occur.

### **4.5.6 Cumulative Impacts**

Additional development in the project vicinity, including the proposed project, would increase the number of people and structures exposed to a variety of geologic and soils hazards within the county, including landslides and ground shaking. Potential impacts related to geologic, soils, and seismic hazards are all site-specific, and mitigation measures are applied to each project to minimize the potential for significant geologic impacts. All development projects are required to comply with State and local regulations regarding grading and construction; therefore, no cumulative impacts related to these issues have been identified. Based on the proposed water demand (1.28 acre feet/year), this amount of water use would not result in cumulatively considerable impact related to land subsidence.

Implementation of mitigation measures identified above and compliance with existing regulations would mitigate impacts to less than significant, and no additional measures are necessary. Potential cumulative geology and soils impacts would be *less than significant (Class III)*.

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## 4.6 HAZARDS AND HAZARDOUS MATERIALS

This section of the EIR addresses non-geologic and non-air quality related hazards, such as hazardous material exposure, secondary and emergency access, airport hazards, fire hazards, and risks from road traffic. Preparation of this section included review of California Environmental Protection Agency (CalEPA) Department of Toxic Substances Control (DTSC) records and databases including the Cortese list (DTSC 2013a, 2013b, 2013c), EnviroStor (DTSC 2007), and GeoTracker (DTSC 2013a). In addition to these resources, documents related to a cleanup program within Nipomo Creek were reviewed, and are incorporated by reference, including:

- *Subsurface Investigation Report Nipomo Creek Pipeline Line 300 San Luis Obispo County, California* (Terra Pacific Group, January 6, 2006)
- *Supplemental Subsurface Investigation Report Nipomo Creek Pipeline Line 300 (RM&R Site No. 3788) Nipomo, California* (Terra Pacific Group, January 31, 2007)
- *Additional Assessment Report Nipomo Creek Pipeline Line 300 (RM&R Site No. 3788) Nipomo, California* (Terra Pacific Group, September 27, 2007)
- *Feasibility Study and Corrective Action Plan Nipomo Creek Pipeline Line 300 (RM&R Site No. 3788) Nipomo, California* (Terra Pacific Group, February 13, 2009)
- *Corrective Action Plan Nipomo Creek Pipeline Line 300 (RM&R Site No. 3788) Nipomo, California* (Terra Pacific Group, May 21, 2010)
- *Corrective Action Completion Report Nipomo Creek Pipeline Line 300 (RM&R Site No. 3788) Nipomo California* (Terra Pacific Group, October 29, 2012)

### 4.6.1 Existing Conditions

#### 4.6.1.1 Hazardous Materials

A hazardous material is defined by the CalEPA DTSC as a material that poses a significant present or potential hazard to human health and safety or the environment if released because of its quantity, concentration, or physical or chemical characteristics (26 California Code of Regulations [CCR] §25501). Worker safety and public health are potentially at risk whenever hazardous materials are used or exposed. It is often helpful to distinguish between the “hazard” associated with these materials and the “risk” they pose to human health or the environment. A hazardous material has the potential to cause damage upon accident or incidental exposure. The risk of an event is determined by a combination of the probability of exposure to hazardous materials and the severity of consequences should exposure occur (California Office of Emergency Services [OES] 1989). The likelihood of exposure to a hazardous material coupled with its inherent hazardous properties determines the degree of risk to public health or the environment. To be of high risk, exposure to a hazardous material must be both likely and have negative consequences.

The site is not listed on the Envirostor Hazardous Waste and Substances Site “Cortese” List (DTSC 2007), List of “active” Cease and Desist Orders and Cleanup and Abatement Orders from the Water Board (DTSC 2013c), or sites identified with waste constituents above hazardous waste levels outside the Waste Management Unit (DTSC 2013b). There is a hazardous spill remediation project within the project site, at Nipomo Creek, approximately 300

feet east of the Dana Adobe (Line 300, RM&R Site No. 3788, SL0607907605) (refer to Figure 4.6-1). The site is listed in the GeoTracker database (DTSC 2013a) as a “Cleanup Program Site”. A more detailed summary is provided below.

### Nipomo Creek Pipeline – Line 300

The Cleanup Program Site status is identified as “Open – Remediation as of September 1, 2011,” and contaminants of concern include benzene and crude oil. The leak was detected, reported, and stopped in 2003, and a monitoring program was initiated in 2008. A Cleanup and Abatement Order was issued in 2010. The site is identified as a Category 1, which “includes most leaking underground fuel tank (LUFT) sites and many small commercial facilities, such as dry cleaners.”

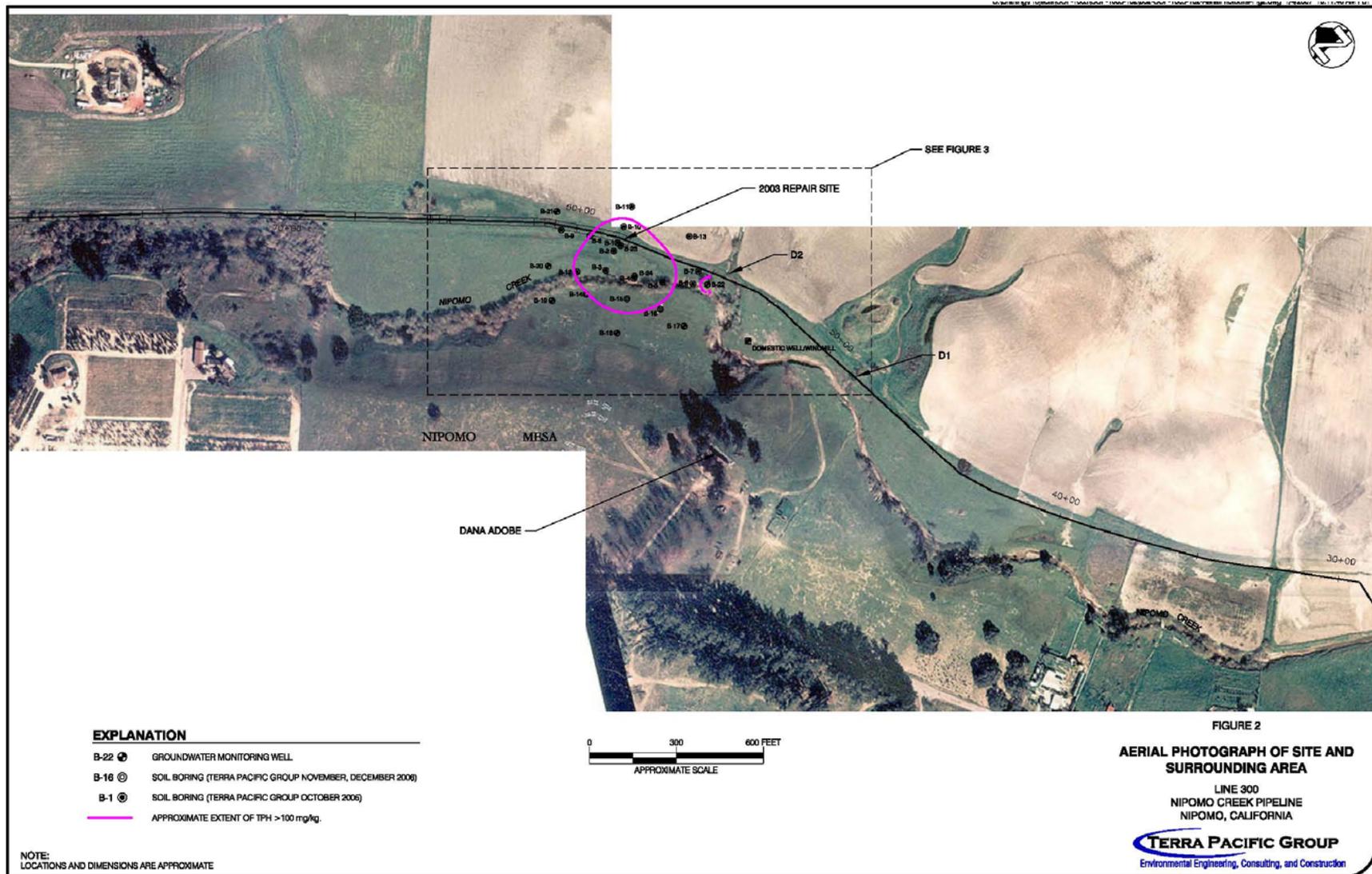
Category 1 sites are characterized by soil or groundwater contamination that does not pose an immediate human health threat and does not extend off-site onto neighboring properties. Off-site groundwater plumes that extend only into the public right-of-way are also included in this category (SWRCB 2013).

The 12-inch diameter pipeline (Line 300) was previously owned and operated by Unocal, and is currently owned by ConocoPhillips to transport crude oil to the Santa Maria Refinery. The pipeline is located within the Pacific Coast Narrow Gauge Railway (PCR) right-of-way. PCR operated from 1882 to 1941, and between 1901 and 1920 the railroad was used for transporting shipments of crude oil. The first crude oil pipeline was installed within the railway right-of-way by Standard Oil Company in 1904-1905 followed by Union Oil Company in 1905-1906. In addition to Line 300, there is an idle 8-inch crude oil pipeline located approximately 30 feet west of the active pipeline. This pipeline was operated by Unocal until 1992 when a smart pig survey detected several areas along the pipeline in need of repair, and was discontinued in 1992.

In May 2003, an anomaly in Line 300 was discovered via “smart pig” technology, and during excavation of the site to repair the pipeline petroleum-impacted soil was observed. Subsurface investigation was conducted to define the extent of petroleum-impacted soil and groundwater (Terra Pacific Group 2006). The investigation included collection and analysis of soil samples, soil borings, and groundwater sampling. Soil analytical results detected Total Extractable Petroleum Hydrocarbons (TEPH), trace concentration of benzene and toluene, volatile organic compounds (VOC), and polycyclic aromatic hydrocarbon (PAH). The report documented that “none of the detected VOCs or PAHs exceeded EPA Region 9’s Preliminary Remediation Goals (PRGs) for soils at residential sites, and the overall carbon range distribution and very low concentrations of few volatile and semivolatile organic compounds is typical of crude oil” (Terra Pacific Group 2006). Hydrocarbon, PAH, and VOCs was also present in tested groundwater.

Based on the results of the 2006 investigation, additional study was recommended to complete the plume delineation, obtain more details about a domestic well in the immediate area, install monitoring wells to monitor plume stability, and obtain creek water samples. A *Supplemental Subsurface Investigation Report* (Terra Pacific Group 2007a) was completed, including additional borings west of Nipomo Creek, installation of groundwater monitoring wells east and west of the creek, and collection of soil and water samples from the creek. The supplemental investigation identified TEPH, VOC, and PAH in the soil samples, and hydrocarbons in the groundwater samples. Low concentrations of TEPH were present in the creek water samples.

Figure 4.6-1. Line 300 (Terra Pacific Group, 2007a)



As shown in Figure 4.6-2, the extent of petroleum-impacted soil was defined in all directions by borings with no detectable hydrocarbons. The impacted area created a broad plume that extended approximately 330 feet along the pipeline easement. Crude oil-impacted soil was observed at varying depths, starting at a minimum depth of 7 feet below the ground surface (bgs) and extending downward below the water table to a maximum depth of 29 feet bgs. Southwest of Nipomo Creek, the contaminated interval occurred between the depths of 10 to 29 feet bgs. The plume extended approximately 250 southwest from the pipeline easement across Nipomo Creek, covering an area of approximately 2.5 acres. The contaminated interval was approximately 18 to 20 feet thick along the central axis of the plume. Crude oil occurred as disconnected globules within the pores of the fine and coarse grained soils. The analysis notes that the pipeline was continually monitored and periodically replaced or repaired; therefore, there is no continuing source to cause further migration of the viscous oily residuum beneath the site. The report notes that the petroleum present beneath Nipomo Creek is considered low risk to human health (Terra Pacific Group 2007a). At the time of the study, the crude oil had likely been in the ground for at least 14 years and possibly more than 30; therefore, the potential for future migration of viscous oil residuum beneath the site is very low. The report noted a potential future exposure of impacted soil due to erosion within Nipomo Creek.

The 2007 evaluation also notes a separate area of contamination consisting of high molecular weight hydrocarbon characteristic of weathered crude oil with little or no volatile or semivolatile organic components (refer to Figure 4.6-2, Boring B-22). The report notes that this is consistent with historical information indicating that crude oil pipelines have been installed, renewed, and replaced along the PCR right-of-way since 1904 (Terra Pacific Group 2007a, 2007b).

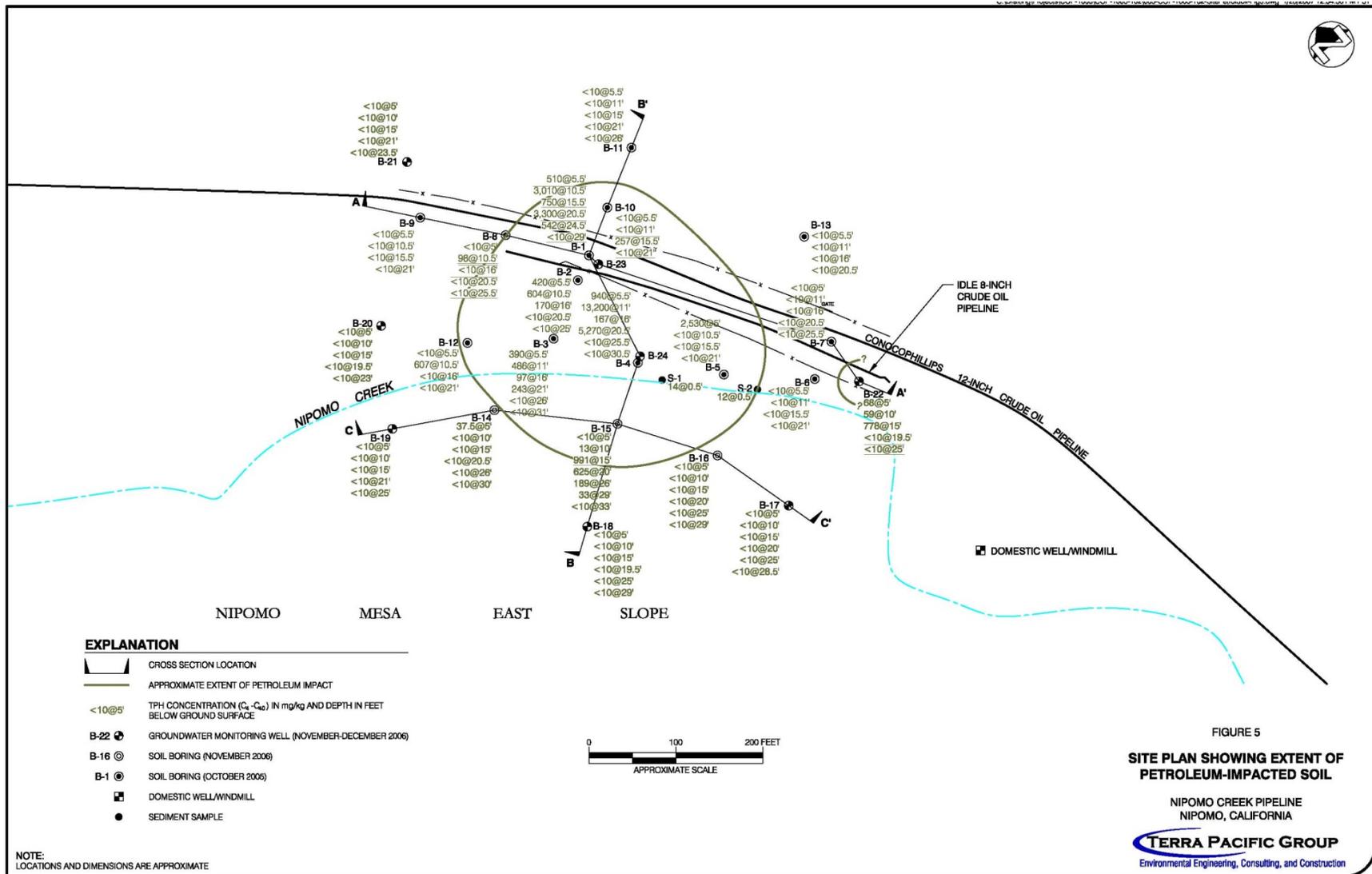
The 2007 report provides the following conclusion: "Of the compounds detected in soil during the 2005 and 2006 investigation, none exceed EPA Region 9's PRGs for residential sites. In groundwater, only one sample collected from within the crude oil-impacted area contained a trace concentration of acenaphthene. No other VOCs or PAHs were detected. Hence, from a human health risk standpoint, the petroleum present beneath the Nipomo Creek site is considered low risk" (Terra Pacific Group 2007b).

Following site evaluation, Terra Pacific Group (on behalf of ConocoPhillips) submitted a *Feasibility Study and Corrective Action Plan* (February 13, 2009) to the RWQCB. The 2009 Feasibility Study included a risk assessment, which assumed a maximum exposure scenario (residential land use). The assessment considered preliminary plans discussed with DANA, including continued open space management east of Nipomo Creek and development west of the creek. The report notes that potential exposure pathways include:

- Inhalation of vapors and particulates
- Soil ingestion
- Dermal (skin) absorption from direct contact with impacted soil
- Groundwater/surface water ingestion

In summary, the cancer and noncancer hazard (based on a residential land-use scenario) was determined to be "acceptable", and petroleum-impacted groundwater does not pose a significant or unacceptable cancer risk or noncancer hazard to hypothetical residential consumers of groundwater.

Figure 4.6-2. Petroleum Impacted Soils (Terra Pacific Group, 2007a)



The RWQCB approved the Feasibility Study and required submittal of a Corrective Action Plan for remediation of the site (RWQCB 2010). The *Corrective Action Plan* (Terra Pacific Group 2010) identified “Limited Excavation, Erosion Control, and Groundwater Monitoring” as the preferred remedial alternative. Remediation was completed, and documented in the *Corrective Action Completion Report* (Terra Pacific Group 2012). The construction phase of the remediation project was conducted between August 29 and November 10, 2011, and post-construction revegetation was completed on December 20, 2011.

The corrective action included the removal of approximately 2,100 cubic yards of hydrocarbon-impacted (or potentially impacted) soil from the bottom of Nipomo Creek, installation of a 60-mil impermeable liner, and installation of an articulating concrete block revetment system (ArmorFlex®) as an erosion control measure. Excavated soil was transported to the Santa Maria Regional Landfill for disposal. The erosion control system was then covered with clean overburden segregated during excavation. During construction, groundwater was pumped and treated to ensure protection of downstream surface water. Prior to the start of construction, numerous permits and notifications were received by various agencies including: a USACE §404 Determination, Nationwide Permit No. 38 with §401 Water Quality Certification conditions; Biological Opinion issued by the USFWS, County Major Grading Permit and Temporary Facilities Permit; CDFW Streambed Alteration Agreement; RWQCB General Waiver of Waste Discharge Requirement for Specific Types of Discharges; SWRCB Erosivity Waiver Certification for exclusion from the Storm Water Construction General Permit; APCD Permit to Operate; and Underground Service Alert – Northern California. Follow-up actions include revegetation monitoring (5 years) and continual groundwater monitoring including submittal of annual reports to the RWQCB.

On behalf of ConocoPhillips, Terra Pacific submitted a Feasibility Study in January 2010 and a Corrective Action Plan in June 2010. RWQCB staff approved the Corrective Action Plan on July 30, 2010. ConocoPhillips partially excavated the bank adjacent to Nipomo Creek to remediate soil contaminated by benzene and crude oil. Restoration of the creek bank was completed, and restoration monitoring is underway.

#### **4.6.1.2 Secondary and Emergency Access and Road Traffic Hazards**

The western boundary of the project site is currently accessible by vehicles from South Oakglen Avenue, and the east side of the project site is accessible from South Thompson Avenue. Internal roads include a short, unpaved driveway to the Dana Adobe, within the western portion of the site, and unpaved ranch roads in grazing areas. The current site entrances are not signalized.

#### **4.6.1.3 Airport Hazards**

The project site is not located within an Airport Review Area, or within 2 miles of a private or public airport.

#### **4.6.1.4 Fire Hazards**

The project is in a State Responsibility Area within a moderate fire hazard severity zone with a 5-minute emergency response time from the nearest County fire station. The nearest fire station is Nipomo Fire Station 20, located approximately 1.3 miles northwest of the project site at 450 Pioneer Avenue. Nipomo Station 20 houses a State Type III wildland fire engine, as well as a County Type I fire engine and Type III rescue. During the declared fire-season, the station also houses Engine 3467, a Type III 4x4 wildland fire apparatus.

The Safety Element of the County General Plan describes the Nipomo area as primarily developed with low-density residential areas with interspersed supporting commercial uses. The Safety Element notes that the fire response needs of Nipomo are increased because of the presence of various wooded and urban area interfaces. The Safety Element uses the term “urban/wildland interface” to describe an area where urban development has been located in proximity to open space, or “wildland” areas. The most common type of urban/wildland interface results when urban development occurs on the fringe of existing urban areas, adjacent to wildland vegetation. The Safety Element specifically identifies Nipomo as an area with intermixed urban/wildland interface areas. This represents a higher risk of fire than other unincorporated communities, and the areas west of Nipomo have historically experienced a high number of smaller fires (50 to 300 acres in size).

The project was referred to California Department of Forestry and Fire Protection/County Fire (CAL FIRE) for review at the time the Initial Study was prepared, and CAL FIRE did not identify any significant fire hazard concerns. However, the department recommended preparation of a Wildland Fire/Vegetation Management Plan and written emergency plan for the project, as well as compliance with the California Fire Code, the 2010 California Building Code, the PRC, and any other applicable fire laws.

Please refer to Section 4-8, Public Services and Utilities, for further discussion of fire hazards and risks within the project area.

## **4.6.2 Regulatory Setting**

### **4.6.2.1 Hazardous Materials**

#### Federal Policies and Regulations

The EPA is the Federal agency responsible for enforcement and implementation of Federal laws and regulations pertaining to hazardous materials. In addition, the EPA provides oversight and supervision for some site investigation/remediation projects. For disposal of certain hazardous wastes, the EPA has developed land disposal restrictions and treatment standards. Legislation includes the Resources Conservation and Recovery Act of 1986 (RCRA), the Superfund Amendments and Reauthorization Act of 1986 (SARA), and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). The Federal regulations are primarily codified in CFR Title 40. These laws and regulations include specific requirements for facilities that handle, generate, use, store, treat, transport, and/or dispose of hazardous materials, as well as for investigation and cleanup of contaminated property.

#### State Policies and Regulations

California regulations are equal to or more stringent than federal regulations. EPA has granted the State of California primary oversight responsibility to administer and enforce hazardous waste management programs. State regulations require planning and management to ensure that hazardous wastes are handled, stored, and disposed of properly to reduce risks to human health and the environment. In California, the DTSC, a branch of CalEPA, works in conjunction with or in lieu of the EPA to enforce and implement specific hazardous materials laws and regulations. California has enacted its own legislation pertaining to the management of hazardous materials. The California legislation for which the DTSC has primary enforcement authority are the Hazardous Waste Control Act, a statute that primarily regulates the management of hazardous waste, and the Hazardous Substance Account Act, a statute that governs the cleanup of contaminated property and is modeled after CERCLA. CCR Title 22, enacted pursuant to the Hazardous Waste Control Act, establishes criteria for identifying

hazardous wastes and presents hazardous waste management requirements. These regulations are reprinted in CCR Title 26, Toxics. The DTSC acts as the Lead Agency for some soil and groundwater cleanup projects. For sites where water quality is potentially endangered, the DTSC consults with the RWQCB on technical and regulatory issues.

Section 65962.5(f) of the California Government Code states that “before a lead agency accepts as complete an application for any development project which will be used by any person, the applicant shall consult the lists sent to the appropriate city or county and shall submit a signed statement to the local agency indicating whether the project and any alternatives are located on a site which is included on any of the lists compiled pursuant to this section and shall specify any list. If the site is included on a list, and the list is not specified on the statement, the lead agency shall notify the applicant pursuant to Section 65943”. The applicant signed and submitted an Information Disclosure Form, including a Hazardous Waste and Substance Sites and Landfill Disclosure upon application for the Conditional Use Permit (November 14, 2011), based on the County’s available list. During preparation of the Initial Study for the project, environmental analysis included review of the CalEPA website, including all available lists and data sources such as GeoTracker, and additional information regarding Line 300, RM&R Site No. 3788, SL0607907605 was provided in the publically-circulated Initial Study and proposed Mitigated Negative Declaration. This information was also provided in the Initial Study and Notice of Preparation (NOP) of an EIR, and the NOP was available to the public and circulated to agencies including (but not limited to) the Air Resources Board, Department of Toxic Substances Control, State Water Resources Control Board, Regional Water Quality Control Board, and County Environmental Health.

In addition, the applicant signed and submitted an updated “Hazardous Waste and Substances Statement”, which is provided at the end of this EIR section, and specifically identifies Line 300, RM&R Site No. 3788, SL0607907605 consistent with the list of requirements identified in Section 65962.5(f) of the California Government Code.

Under the Emergency Services Act, the state developed an emergency response plan to coordinate emergency services provided by federal, state, and local agencies. Rapid response to incidents involving hazardous materials or hazardous waste is an important part of the plan, which is administered by the California OES. The office coordinates the responses of other agencies, including EPA, the California Highway Patrol (CHP), RWQCBs, air quality management districts, and County disaster response offices.

### Local Policies and Regulations

Pursuant to State law and local ordinance, the Environmental Health Services division of the County Health Agency conducts inspections to ensure proper handling, storage, and disposal of hazardous materials and proper remediation of contaminated sites. In addition, information is collected under the Business Plan Act is collected and certified by the County Environmental Health Services for emergency response purposes.

The County OES is an emergency management agency with responsibilities that include coordination of emergency and disaster preparedness planning, response, and recovery with and between local, state, and federal agencies. To address the potential for an uncontrolled hazardous material release in San Luis Obispo County, and to ensure that adequate resources are available to respond to a significant hazardous materials release, the County OES has prepared a Hazardous Materials Emergency Response Plan (updated 2003).

The County OES has also adopted an Emergency Operations Plan (revised 2008), an extension of the State Emergency Plan, which addresses the government's responsibility to preserve life, property, and the environment by anticipating and identifying events that would require emergency management and response. The plan includes the following potential hazards and threats: earthquakes, hazardous materials, storm damage and flooding, dam or levee failure, nuclear power plant, fire, transportation emergencies, tsunami, aircraft incidents, civil disturbance, and terrorism.

#### **4.6.2.2 Secondary and Emergency Access and Road Traffic Hazards**

CAL FIRE Access Road Standards (August 2011) include standards for residential and commercial projects. Standard requirements include, but are not limited to, an all-weather surface, 24-foot-wide, 13-foot, 6-inch vertical clearance, and no parking within the 10-foot-wide through lane (each way). In addition to compliance and consistency with the 2010 California Fire Code, these standards are in place to ensure that in the event of a fire, persons can exit and emergency personnel and fire trucks can enter the location. Vegetative fuel modification is required within 10 feet of the access road. Dead end road lengths are also established by these published standards.

Road traffic hazards are regulated by the County Department of Public Works, through consistency review with the Road Improvement Standards. These standards include safe sight distance at intersections, road widths, road surfacing requirements, shoulders, striping, and stormwater management.

#### **4.6.2.3 Wildland Fire Hazards**

The California PRC defines hazardous fire areas, restrictions on fire use, and minimum fire protection requirements for the state. The Code is administered by CAL FIRE, and sets forth provisions for the reduction of fire hazards and utilization of firebreaks around buildings, removal all flammable vegetation or combustible growth around buildings or electrical transmission poles and towers, and additional provisions under extra-hazardous conditions. Firebreak clearance is also required around electrical transmission poles and towers.

In addition to the PRC, several local ordinances direct fire prevention activities within San Luis Obispo County. Sections 22.50.010 through 22.50.040 of the County LUO is devoted entirely to Fire Safety and includes standards pertaining to the preparation and review of fire safety plans and application of fire safety standards. In addition, the Safety Element of the County General Plan includes goals, policies, implementation measures, and standards for pre-fire management, reduction of the threat of fires, readiness and response to fires, and loss prevention.

### **4.6.3 Thresholds of Significance**

As defined by the County, in accordance with CEQA Guidelines Appendix G, hazards and hazardous materials impacts would be considered significant if the project would:

- a. Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- b. Create a hazard to the public or the environment through reasonably foreseeable upset and accidental conditions involving the release of hazardous materials into the environment;

- c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school;
- d. Be located on, or adjacent to, a site which is included on a list of hazardous material/waste sites compiled pursuant to Government Code 65962.5 (“Cortese List”), and result in an adverse public health condition;
- e. Impair implementation or physically interfere with an adopted emergency response or evacuation plan;
- f. If within the Airport Review designation, or near a private airstrip, result in a safety hazard for people residing or working in the project area;
- g. Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions;
- h. Be with a “very high” fire hazard severity zone; or,
- i. Be within an area classified as a “state responsibility” area as defined by CAL FIRE.

#### **4.6.4 Impact Assessment and Methodology**

The impact analysis focuses on potential health risks associated with the proposed project, particularly from on-site and surrounding land uses where the potential for hazardous material release could be encountered.

Potential hazards and public safety issues associated with development of the Master Plan include increased risk for fire hazard, adequate secondary and emergency access, potential for crime, risks from road traffic, and exposure due to a known crude oil contamination site. These impacts are discussed below.

#### **4.6.5 Project Specific Impacts and Mitigation Measures**

##### **4.6.5.1 Land Use Ordinance Amendment**

The proposed amendments do not include language that would result in an adverse effect related to hazards and hazardous materials. The amendment includes a clarification regarding the Southland Interchange project, which is no longer proposed by the County and California Department of Transportation (Caltrans). Development is required to demonstrate adequate emergency access, as determined by CAL FIRE. No additional planning area standards are necessary.

##### **4.6.5.2 Conditional Use Permit**

###### **Create a Hazard Through Routine Transport, Use, or Disposal of Hazardous Materials**

The project does not propose the use of hazardous materials, aside from legal storage of standard materials including but not limited to paints, cleaners, oils, and fuels for construction and operation of the project and maintenance of the Dana Adobe. There is no potential for further hazardous materials contamination related to the ConocoPhillips remediation site, as implementation of the approved remediation measures eliminates the potential exposure to hazardous materials. Therefore, potential impacts related to hazardous materials would be *less than significant (Class III)*.

### Create a Hazard to the Public/Environment Through Upset/Accidental Conditions

Construction of the project would require the use of heavy equipment, which may leak fluids, oils, or hydrocarbons resulting in a potential hazard to the public and the environment. Compliance with the required SWPPP, LUO, and implementation of standard BMPs to prevent, contain, and clean-up any potential accidents, leaks, or spills during construction would address this impact.

**HM Impact 1**      **During construction of the project, the use of heavy equipment may result in accidental spill or leakage of potentially hazardous materials (i.e., fuels, oil), resulting in a significant, short-term impact.**

*Implement BIO/mm-2, BIO/mm-9, BIO/mm-10, WR/mm-1, and WR/mm-2.*

#### Residual Impacts

Based on incorporation of mitigation measures identified above, including compliance with the County LUO and an RWQCB-approved SWPPP, residual impacts would be *less than significant with mitigation (Class II)*.

### Emit Hazardous Emissions or Handle Hazardous Materials Within ¼ Mile of School

The project would not emit hazardous emissions or require handling hazardous materials within 0.25 mile of a school. The closest school is Nipomo Elementary School, approximately 1 mile from the site. The site does host school-aged children for educational opportunities; however, operation of the site would not require the handling of hazardous materials and no elements would emit hazardous emissions.

As noted in Section 4.2 (Air Quality), potential air quality hazards during construction include diesel particulates from the heavy construction equipment, potential exposure to material-containing asbestos, and potential exposure to naturally occurring asbestos. These impacts are addressed in the Air Quality section (4.2), and would be mitigated to less than significant. Based on the distance from the site to the nearest school, potential impacts would be *less than significant (Class III)*.

### Be Located On, Or Adjacent to “Cortese List” Site

As discussed in detail in Section 4.6.1.1 Hazardous Materials, the site is not listed on the Envirostor Hazardous Waste and Substances Site “Cortese List” (DTSC 2007), List of “active” Cease and Desist Orders and Cleanup and Abatement Orders from the Water Board (DTSC 2013c), or sites identified with waster constituents above hazardous waste levels outside the Waste Management Unit (DTSC 2013b). There is a hazardous spill remediation project within the project site, at Nipomo Creek, approximately 300 feet east of the Dana Adobe (Line 300, RM&R Site No. 3788, SL0607907605) (refer to Figure 4.6-1). The site is listed in the GeoTracker database (DTSC 2013a) as a “Cleanup Program Site”.

The site is identified as a Category 1, which includes most LUFT sites and many small commercial facilities, such as dry cleaners. Category 1 sites are characterized by soil or groundwater contamination that does not pose an immediate human health threat and does not extend off-site onto neighboring properties (SWRCB 2013).

Remediation occurred within the contaminated area, including the removal of approximately 2,100 cubic yards of hydrocarbon-impacted (or potentially impacted) soil, and an impermeable

liner was placed within the ground. All actions occurred pursuant to numerous permits and notifications, and the project was completed in December 20, 2011. Revegetation monitoring and groundwater monitoring is ongoing.

All proposed development, including all grading, construction, vegetation plantings, and trails would be located outside of the delineated plume and isolated soil contamination site (Boring B-22) by at least approximately 100 feet, and such actions would be limited to surface disturbance for trail development. Based on the Category 1 classification of the soil contamination, completion of remediation actions, on-going annual groundwater monitoring conducted by ConocoPhillips and the RWQCB, and proposed location of development and trails, potential impacts would be *less than significant (Class III)*.

### Emergency Response or Evacuation Plan

The project is not expected to conflict with any regional evacuation plan. The project includes primary access from South Oakglen Avenue, and a 0.6-mile emergency access drive between South Oakglen Avenue to Swallow Court and on to South Thompson Avenue. The emergency access drive would cross over Nipomo Creek via a flatcar bridge. The emergency access drive would provide a secondary exit route for visitors and staff, and a secondary route for access by emergency responders, including County Sheriff and CAL FIRE. The project site is not located within 2 miles of a private or public airport and would not interfere with air traffic.

Impacts associated with emergency response or evacuation plans would be *less than significant (Class III)*.

### Airport Review Designation/Private Airstrip Safety Hazards

The project site is not located with an airport land use plan or within 2 miles of a public or private airport or airstrip. Modern solar panels are not reflective to maximize solar energy absorption, and the project does not include any features that would result in a significant air traffic safety hazard. Therefore, potential impacts would be *less than significant (Class III)*.

### Fire Hazard Risk/High Fire Hazard Severity Zone/State Responsibility Area

The project site is located within a moderate fire hazard severity zone and is within a State Responsibility Area (CAL FIRE 2011b). The proposed project was referred to CAL FIRE for review. The project site is located within a 5-minute response time from the nearest County Fire Station. The applicant is required to comply with existing regulations, including the 2010 California Fire Code and 2010 California Building Code. Fire safety regulations address roofing and roof access, fire flow (water) infrastructure, installation of fire hydrants, fire protection systems (sprinklers, alarms), fire extinguishers, and structure exits. In addition, the project must comply with access requirements (primary and secondary), provide adequate fire lanes, and maintain 100 feet of defensible space around all structures. Additional requirements specific to the project include signage on the hiking trails to aid emergency response, and preparation of a Wildland Fire/Vegetation Management Plan and Emergency Plan for review and approval by CAL FIRE, and submittal of the special event calendar and associated descriptions and public health and safety measures.

As noted above, the project includes an emergency access drive, which would be used for secondary egress from the site, and ingress by emergency responders. CAL FIRE reviewed the project, including the access plan, determined that the emergency access drive would be adequate, and noted that the proposed railcar bridge over Nipomo Creek is allowed, provided it

can support a 20-ton fire engine (CAL FIRE 2011b). Standard requirements, including provision of an all-weather surface and roadside vegetation management, would be required for the life of the project. Therefore, potential impacts associated with fire hazard risks would be *less than significant (Class III)*.

#### **4.6.6 Cumulative Impacts**

Due to the type of project proposed, and lack of hazards or hazardous materials within or near the project site, construction and operation of the project would not significantly contribute to environmental impacts related to hazards. Cumulative impacts would be *less than significant (Class III)*.



## San Luis Obispo County

Department of Planning and Building  
Environmental Division

### HAZARDOUS WASTE AND SUBSTANCES STATEMENT:

The development project and any alternatives proposed in this application are contained on the lists compiled pursuant to Section 65962.5 of the Government Code. Accordingly, the project applicant is required to submit a signed statement that contains the following information:

Name of applicant: Dana Adobe Nipomo Amigos, Marina Washburn, Executive Director  
Address: 671 South Oakglen Avenue, Nipomo, CA  
Phone number: 805-929-5679  
Address of site: 671 South Oakglen Avenue, Nipomo, CA 93444  
Local agency: County of San Luis Obispo  
Assessor's book, page, and parcel number: 090-171-011, -036, -030, -031, -032

Specify any list pursuant to Section 65962.5 of the Government Code: List of Leaking Underground Storage Tank Sites by County and Fiscal Year from Water Board GeoTracker database, found at <http://www.calepa.ca.gov/sitecleanup/corteselist/>

Regulatory identification number: Line 300, RM&R Site No. 3788, SL0607907605

Date of list: June 14, 2013

Source: California Environmental Protection Agency (CalEPA) Department of Toxic Substances Control (DTSC). 2013a. Geotracker [Nipomo Creek Pipeline, Line 300 (RM&R Site No. 3788) (SL0607907605)]. Available at: <https://geotracker.waterboards.ca.gov>. Accessed June 14, 2013.

Marina B. Washburn  
Name

7/29/2013  
Date

[Signature]  
Signature

## 4.7 NOISE

The effects of noise are considered in two ways: 1) how a proposed project may increase existing noise levels and affect surrounding land uses, and 2) how a proposed land use may be affected by noise from existing and surrounding land uses. This section of the EIR addresses: the existing noise environment of the project area; federal, state, and local noise guidelines and policies; potential impacts resulting from implementing the proposed project; and potential noise impacts that would be encountered throughout the area. Preparation of this section of the EIR is based on the *Noise Study Dana Adobe Master Plan* (David Dubbink Associates, February 17, 2012), and the technical analysis is incorporated by reference. The report is available for public review at the County Department of Planning and Building.

### 4.7.1 Existing Conditions

Noise is generally defined as unwanted sound. Noise meters are instruments that detect small changes in atmospheric pressure. These meters cannot distinguish between noise that is wanted (e.g., birds singing, waves on a beach, etc.) and noise that is not (e.g., traffic or railroad noise). Thus, measurements of noise are more accurately described as measurements of sound pressure.

Noise sources and sound intensities can vary significantly over an urban area. Motor vehicles are usually the primary noise source in California cities. Variables that affect traffic noise include traffic volumes, proximity to the noise source, time of day, speed, and pavement condition. Topography also plays a significant role in the perception of traffic-related noise emissions. Road segments that are cut below or significantly elevated above the grade at which noise is measured (or heard) will generally produce a quieter noise environment.

Sites that have abundant vegetation and an undulating profile (soft sites) will absorb sound pressure waves more fully than an area that is predominantly asphalt or concrete (hard site). Under normal conditions on hard sites, noise will attenuate (drop-off) at an approximate rate of 3.0 dBA (A-weighted decibel [dB]) per doubling of distance (DD) for a line source (i.e., traffic sources) and about 6.0 dBA/DD for a point (stationary) source. An excess ground attenuation value of 1.5 dBA/DD over standard conditions would be assumed for undeveloped areas.

The only way to ascertain the noise level at a given site is to actually measure it. Qualified persons, using laboratory-certified sound meters, conduct noise studies. Often noise studies gather measurements for several days, and this data is used to calculate the Day/Night Sound Level (Ldn) and/or the Community Noise Exposure Level (CNEL). These two metrics penalize nighttime noise to reflect normal sleep patterns. Having noise exposure information allows better site planning and architectural treatments (e.g., quiet windows) as needed.

The project site is located approximately 0.15 mile east of US 101, which is the primary source of noise in the area. Based on review of the County General Plan Noise Element, the project site is located within the 60 to 65 Ldn noise contour. Surrounding uses include agricultural and residential land uses.

The Dana Adobe is currently open to the public and has hosted non-profit events including educational series, school bus tours, concerts, open house and member events, art shows, cultural celebrations, and scheduled and unscheduled tours. Approximately 3,000 visitors are hosted each year.

## **4.7.2 Regulatory Setting**

Noise is regulated at the federal, state, and local levels through regulations, policies, and/or local ordinances. Local policies are commonly adaptations of federal and state guidelines based on prevailing local conditions or special requirements.

### **4.7.2.1 Federal Policies and Regulations**

#### **Congressional: The Federal Noise Control Act of 1972**

This law states that controlling noise protects the health and welfare of the Nation's population. It recognizes that transportation vehicles, machinery, and appliances are noise sources, and responsibility for controlling these noise sources rests with state and local governments. Moreover, the federal government will coordinate and adopt standards for inter-state commerce projects (e.g., airports).

#### **Federal Highway Administration: 23 CFR 772**

Federal code provides uniform procedures to evaluate highway noise and implement abatement measures. Interpretation of what constitutes 'substantial noise' is left to individual states.

### **4.7.2.2 State and Local Policies and Regulations**

#### **California Government Code**

The State General Plan Guidelines require that local governments identify major noise sources and areas containing noise-sensitive land uses. Noise must be quantified by preparing generalized noise exposure contours for current and projected conditions. Contours may be prepared in terms of either the CNEL or Ldn. The State's version of the compatibility standards identified in the Guidelines for the Preparation and Content of the Noise Element of the General Plan (2003) indicate that "detailed studies" may be required for outdoor activity areas when levels exceed 50 dB. The Guidelines indicate that mitigations may be appropriate under such conditions and accordingly, this analysis will recommend steps that can be taken to lessen impact. The State's compatibility guidelines for exposure to transportation noise exposure suggest that noise becomes a problem for outdoor activity areas when levels are in excess of 50 decibels (Ldn/Leq).

### **4.7.2.3 County of San Luis Obispo Noise Element**

The Noise Element of the County General Plan provides a policy framework for addressing potential and existing noise impacts during the planning process. Its purpose is to minimize future and existing noise conflicts. Among the most significant policies found in the Noise Element are numerical noise standards that limit noise exposure within noise-sensitive land uses resulting from transportation sources. An increase in the ambient stationary noise level surrounding the project site would result from the addition of the new facility, which could potentially result in a stationary noise impact that would exceed the thresholds defined in the County Noise Element. Specific thresholds are discussed in the section below.

## **4.7.3 Thresholds of Significance**

In accordance with Appendix G of the CEQA Guidelines, the County thresholds state that noise impacts would be considered significant if the proposed project would:

- a. Expose people to noise levels that exceed the County Noise Element thresholds;

- b. Generate increases in the ambient noise levels for adjoining areas;
- c. Cause a temporary or periodic increase in ambient noise in the project vicinity;
- d. Expose people to severe noise or vibration;
- e. Expose people residing or working in the project area to severe noise levels as a result of an airport or private airstrip.

**Transportation Noise Sources**

Policy 3.3.2 of the Noise Element states that “new development of noise-sensitive land uses shall not be permitted in areas exposed to existing or projected future levels of noise from transportation noise sources which exceed 60 dB Ldn or CNEL for outdoor activity areas and 45 Ldn or CNEL for interior spaces unless the project includes effective mitigation measures to reduce noise in outdoor activity areas and interior spaces to or below the levels for the given land use” (refer to Tables 4.7-1 and 4.7-2).

Policy 3.3.3 of the Noise Element states that “noise created by new transportation noise sources, including roadway improvement projects, shall be mitigated so as not to exceed the levels specified in [Table 4.7-1] within the outdoor activity areas and interior spaces of existing noise sensitive land uses.”

**Table 4.7-1. Maximum Allowable Noise Exposure Transportation Noise Sources**

Land Use	Outdoor Activity Areas <sup>1</sup> Ldn/CNEL, dB	Interior Spaces	
		Ldn/CNEL, dB	L <sub>EQ</sub> , dB <sup>2</sup>
Residential (Except Temporary)	60 <sup>3</sup>	45	–
Bed and Breakfast, Hotels, Motels	60 <sup>3</sup>	45	–
Hospitals, Nursing and Personal Care	60 <sup>3</sup>	45	–
Public Assembly and Entertainment	–	–	35
Offices	60 <sup>3</sup>	–	45
Churches, Meeting Halls	–	–	45
Schools, Libraries, Museums	–	–	45
Outdoor Sports and Recreation	70	–	–

<sup>1</sup> Where the location of outdoor activity areas is unknown, the exterior noise level standard shall be applied to the property line of the receiving land use.

<sup>2</sup> As determined for a typical worst-case hour during periods of use.

<sup>3</sup> For other than residential uses, where an outdoor activity area is not proposed, the standard shall not apply. Where it is not possible to reduce noise in outdoor activity areas to 60 dB Ldn/CNEL or less using a practical application of the best-available noise reduction measures, an exterior noise level of up to 65 dB Ldn/CNEL may be allowed.

Source: Noise Element, County of San Luis Obispo, General Plan

**Table 4.7-2. Land Use Compatibility for New Development near Transportation Sources**

Land Use	Exterior Noise Exposure Threshold Ldn or CNEL, dB					
	55	60	65	70	75	80
Residential, Public Assembly, Entertainment	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required
	Acceptable, no mitigation required	Acceptable, no mitigation required	Conditionally Acceptable, mitigation required			
	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Unacceptable, mitigation may not be feasible	Unacceptable, mitigation may not be feasible
Bed and Breakfast, Hotel, Motel	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required
	Acceptable, no mitigation required	Acceptable, no mitigation required	Conditionally Acceptable, mitigation required			
	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Unacceptable, mitigation may not be feasible	Unacceptable, mitigation may not be feasible
Schools, Libraries, Museums, Hospitals	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required
	Acceptable, no mitigation required	Acceptable, no mitigation required	Conditionally Acceptable, mitigation required			
	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Unacceptable, mitigation may not be feasible	Unacceptable, mitigation may not be feasible
Outdoor Sports and Recreation	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required
	Acceptable, no mitigation required	Acceptable, no mitigation required	Conditionally Acceptable, mitigation required			
	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Unacceptable, mitigation may not be feasible	Unacceptable, mitigation may not be feasible
Offices	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required
	Acceptable, no mitigation required	Acceptable, no mitigation required	Conditionally Acceptable, mitigation required			
	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Acceptable, no mitigation required	Unacceptable, mitigation may not be feasible	Unacceptable, mitigation may not be feasible
	Acceptable, no mitigation required					
	Conditionally Acceptable, mitigation required					
	Unacceptable, mitigation may not be feasible					

Source: Noise Element, County of San Luis Obispo, General Plan

### Stationary Noise Sources

Policy 3.3.4 of the Noise Element states that “new development of noise-sensitive land uses shall not be permitted where the noise level due to existing stationary noise sources would exceed the noise level standards included in the Noise Element unless effective noise mitigation measures have been incorporated into the design of the development to reduce noise exposure to or below the levels specified.” The hourly daytime stationary noise standard for a residential development is 50 dBA, while the maximum is 70 dBA. The hourly nighttime stationary noise standard for a residential development is 45 dBA, while the maximum is 60 dBA (refer to Table 4.7-3).

Policy 3.3.5 of the Noise Element states that “new proposed stationary noise sources or existing stationary noise sources that undergo modifications that may increase noise levels shall be mitigated as follows and shall be the responsibility of the developer of the stationary noise source. Policy 3.3.5 can be found in its entirety on page 3-3 of the County Noise Element, applicable standards from Policy 3.3.5 are provided below as follows:

- b. Noise levels shall be reduced to or below the noise level standards in [Table 4.7-3] where the stationary noise source will expose an existing noise-sensitive land use (which is listed in the Land Use Element as an allowable use within its existing land use category) to noise levels that exceed the standards in [Table 4.7-3].

- c. Noise levels shall be reduced to or below the noise level standards in [Table 4.7-3] where the stationary noise source will expose vacant land in the Agriculture, Rural Lands, Residential Rural, Residential Suburban, Residential Single Family, Residential Multi-Family, Recreation, Office and Professional, and Commercial Retail land use categories to noise levels that exceed the standards in [Table 4.7-3] (note: This policy may be waived when the Director of Planning and Building determines that such vacant land is not likely to be developed with a noise sensitive land-use).

**Table 4.7-3. Maximum Allowable Noise Exposure-Stationary Noise Sources<sup>1</sup>**

Level	Daytime (7 am – 9 pm)	Nighttime (9 pm – 7 am)
Hourly Average Sound Level (Leq), dbA <sup>2</sup>	50	45
Maximum Level, dbA <sup>2</sup>	70	60
Maximum Level, Impulsive Noise, dbA <sup>3</sup>	65	60

<sup>1</sup> As determined at the property line of the of the receiving land use.

<sup>2</sup> Sound level measurements shall be made with slow meter response.

<sup>3</sup> Sound level measurements shall be made with fast meter response.

Source: Noise Element, County of San Luis Obispo, General Plan

In addition to these standards, the County Winery Ordinance (LUO §22.30.070) identifies noise thresholds for special events, which can be used as a reference threshold of significance for this project:

*“Any special event proposing outdoor amplified music shall only be allowed from 10 a.m. to 5 p.m. No outside amplified sound shall occur before 10 a.m. or after 5 p.m. The standard relating to amplified music may only be waived or modified where a finding can be made by the Review Authority that the noise at the property line will not exceed 65dB.”*

#### 4.7.4 Impact Assessment and Methodology

The noise investigation was conducted taking noise measurements in four locations at the project site. These measurements were compared to the maximum allowable noise exposure levels set forth in the County Noise Element to determine if a significant change in the noise environment would occur and if an exceedance of the threshold value would be expected. The 1-hour average sound level (Leq) threshold outlined in the Noise Element is 50 dBA at the property line of the nearest sensitive receptor location, with a maximum noise level of 70 dBA allowed for short periods of time so long as the hourly average is maintained at 50 dBA Leq. The analysis also includes an assessment of surrounding land uses and their sensitivity to noise exposure. The compatibility of the proposed project with surrounding sensitive noise receptors was analyzed.

General guidelines for determining community noise impacts typically include:

- A 3-dB change is barely perceptible, and is the minimum most people will notice in most environments.

- A 5-dB change is a readily perceptible increase or decrease in sound level.
- A 10-dB increase in sound level is perceived as an approximate doubling of the loudness of the sound and represents a substantial change in loudness.

## **4.7.5 Project Specific Impacts and Mitigation Measures**

### **4.7.5.1 Land Use Ordinance Amendment**

The proposed amendments do not include language that would result in an adverse effect related to noise. Any future development may be affected by transportation-related noise, and may generate noise, potentially affecting nearby noise sensitive land uses. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project specific analysis of noise impacts.

In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific noise impacts, a planning area standard is recommended that requires the project to include measures to reduce potential noise impacts, such as limitations on maximum noise level, duration of special events, noise monitoring, and remediation for complaints (refer to Chapter 4, Environmental Impacts Analysis, Exhibit A).

### **4.7.5.2 Conditional Use Permit**

#### Expose People to Noise Levels that Exceed County Thresholds

Due to the presence of a major noise source in the area (US 101), and sensitive noise receptors in the immediate area (i.e., residential uses), the applicant provided a *Noise Study* (Dubink 2012). The results of the noise study are incorporated by reference in the discussion below.

There are two issues of noise exposure: 1) transportation noise generated by US 101 affecting the proposed project; and 2) proposed on-site activities that include amplified sound, generation of traffic and use of busses, and other uses that would generate noise, potentially affecting sensitive receptors in the immediate area.

*Transportation Noise.* The acceptable threshold of exposure to transportation noise source is 60 Ldn for residential uses and schools (including museums) and 70 Ldn for outdoor sports and recreation (County Noise Element 1992). In addition to County standards, the State guidelines identify a threshold of 50 dB for outdoor exposure to transportation-related noise. For the purposes of this analysis, the County standards are applied as the threshold of significance, and the State standards are considered advisory only, because they are guidelines and not regulated.

The County Noise Element and Ordinance identify thresholds of exposure to stationary noise as measured at the property boundary of the receiving noise sensitive use. The hourly noise level threshold is 50 Leq between the hours of 7:00 a.m. and 10:00 p.m. (daytime hours) and 45 Leq between the hours of 10:00 p.m. and 7:00 a.m. (nighttime hours). Noise associated with construction is exempted by the County Noise Ordinance between the hours of 7:00 a.m. and 9:00 p.m. (weekdays) and 8:00 a.m. to 5:00 p.m. (weekends). The nearest sensitive receptors (residences) are located approximately 450 feet south and 2,200 feet to the northeast of the proposed visitor center area.

Noise measurements were taken in four locations at the project site, and distances ranging from 592 to 1,233 feet from US 101. The average noise level ranged from 46 to 55 dB Leq. Noise

measurements showed that the area proposed for the Chumash interpretive area, and adjacent properties to the south of the project site are subjected to highway noise exceeding 45 dB. Based on the noise study, the project site would not be exposed to transportation-related noise from US 101 exceeding allowable County thresholds. The noise level would exceed advised State guidelines in the southern portion of the site. Incorporation of a vegetated berm would attenuate noise exposure by approximately 4 dB within State-advised guidelines; however, mitigation is not required because the project would not be exposed to noise levels exceeding the identified and regulated threshold of significance (County standards).

Generally speaking, doubling the traffic volume will produce a 3 dB increase in the ambient noise environment. Based on the traffic study prepared for the project (Rick Engineering 2012), the project would not generate traffic resulting in a substantial increase above existing conditions, and would therefore not result in a noticeable increase in transportation-related noise (refer to Table 4.7-4 below).

**Table 4.7-4. Estimated Traffic Increase (Baseline Plus Project)**

Location	Baseline ADT	Baseline Plus Project ADT	ADT Increase (%)
West Tefft Street w/o Mary Avenue	18,300	18,320	0.11
West Tefft Street, Mary Avenue, US 101 SB Ramp	19,700	19,722	0.11
West Tefft Street, US 101 SB Ramp to NB Ramp	18,500	18,556	0.30
West Tefft Street, US 101 NB Ramp – South Oakglen Avenue	12,400	12,494	0.76
West Tefft Street, South Oakglen Avenue to Thompson Avenue	9,200	9,210	0.11
Mary Avenue n/o West Tefft Street	7,600	7,600	0
Mary Avenue s/o West Tefft Street	7,100	7,102	0.03
North Oakglen Avenue n/o West Tefft Street	800	800	0
South Oakglen Avenue s/o West Tefft Street	2,400	2,504	4.33
North Thompson Avenue, n/o West Tefft Street	5,300	5,308	0.15
South Thompson Avenue s/o West Tefft Street	5,700	5,702	0.04

*Stationary and Amplified Sound.* The noise study includes use of amplified equipment to simulate sound as it may be produced during a special event at the project site. The sound was directed at the closest property line and noise levels were measured along the property boundary. Sound attenuation was approximately 6 dB with each doubling of distance: 83 dBA at 50 feet from the source; 75 dBA at 100 feet; and, 60 dBA at 200 feet.

Sources of noise generated by the project would include: amplified commentary during operation of the arena; amplified sound during events and use of the amphitheater at the

visitor's center; demonstrations and other uses at the Chumash interpretive area; and other special events and concerts at the project site.

Typical sound from outdoor events (as measured 50 feet from the source) would include: 1) amplified music (outdoors), 74-80 dB maximum sound level (Lmax)/73-76 dB Leq, and 2) amplified live band (inside tent), 76 dB Lmax/64-67 dB Leq. The associated sound levels resulting from amplified outdoor music, as measured at the property line, are shown in Table 4.7-5 below. As shown in the table, noise levels would exceed identified thresholds, and mitigation will be required.

Amplified sound generated by uses on the visitor's center terrace would be blocked by the structure itself, and noise would attenuate to a level of 56 dB, which is below the County's 65 dB Lmax threshold. In the event amplified sound is used within the Chumash interpretive area, the anticipated sound level would be 63 dB Lmax, as measured from the southern property line. This is below the County threshold of 65 dB.

**Table 4.7-5. Sound Levels at Property Line (Unmitigated)**

Use	Distance to nearest property line	Forecast		Permitted	
		Lmax	Leq	Lmax	Leq
Arena	154	64-70	63-66	65	45
Adobe	305	58-64	57-60	65	45
Visitor Center	210	62-68	61-64	65	45
Chumash Interpretive Area	230	61-67	60-63	65	45

Source: Dubbink 2012

**N Impact 1**      **Amplified sound at special events proposed at the project site would exceed County thresholds, potentially affecting persons off-site, resulting in a significant, short-term and long-term impact.**

*N/mm-1*      *Upon application for construction permits, the applicant shall submit plans listing the following noise attenuation measures, which shall be implemented for the life of the project:*

- a. Outdoor events with amplified music or sound shall not be permitted to continue beyond 10:00 p.m.*
- b. All soundspeaker systems shall include dispersed speakers oriented away from residential properties.*
- c. Within the amphitheater, speakers shall be orientated downward or positioned below the stage.*
- d. The enforced amplified sound limit (excluding the amphitheater) shall be 85 dB maximum as measured 50 feet from the source.*

- e. *The enforced amplified sound limit within the amphitheater shall be 80 dB maximum as measured 50 feet from the source.*
- f. *An on-site manager shall be present during all events to verify the amplified sound limit using a noise meter (Type 2 or better) and address noise complaints (if received). All noise complaints and subsequent remediation actions (i.e., reducing the amplified noise level within acceptable limits, adjusting speaker locations) shall be recorded by the on-site manager and kept on file by DANA.*
- g. *DANA shall provide a letter to all adjacent landowners including the name and contact information for the on-site manager.*
- h. *All amplified noise attenuation measures shall be listed on any special event agreements issued by DANA.*

**Residual Impacts**

The maximum noise threshold is 65 dB as measured from the property line, similar to the threshold identified for special events at wineries. Considering the use of amplified sound during special events, implementation of design methods to reduce noise (i.e., locating event areas near proposed structures, away from residential property boundaries, and berm near the Chumash interpretive area), and incorporation of mitigation (85-80 dB maximum at the source, placement of speakers to face away from property boundaries) the noise level would not exceed 65db (maximum) at the property boundaries.

Table 4.7-6 shows the proposed mitigation and residual noise level as measured from the closest property boundary. This shows that noise would not exceed 65 dB (Lmax) upon implementation of mitigation. Based on implementation of mitigation measures identified above, residual noise impacts would be *less than significant with mitigation (Class II)*.

**Table 4.7-6. Sound Levels at Property Line (Mitigated)**

Use	Forecast		Permitted		Mitigation (Reduction)	Residual
	Lmax	Leq	Lmax	Leq	dB	Lmax
Arena	64-70	63-66	65	45	10-15	55-60
Adobe	58-64	57-60	65	45	N/A	58-64
Visitor Center <sup>1</sup>	62-68	61-64	65	45	10-15	53-58
Chumash Interpretive area <sup>2</sup>	61-67	60-63	65	45	3	63

<sup>1</sup> Visitor's Center is located approximately 210 feet from the western property line, 315 feet from the southwestern property line, 540 feet from the southern property line, and 825 feet from the northern property line.

<sup>2</sup> Noise generated by amplified sound attenuated by proposed vegetative berm.

### Permanent, Temporary, Periodic Increases in Ambient Noise

The proposed project does not include any features that would generate a permanent or consistent source of noise. Construction of the project would result in a temporary source of noise due to the use of loud heavy equipment, machines, appliances, and hand tools. The applicant would be required to comply with the County Noise Ordinance, and limit construction to daytime hours. Based on the temporary nature of construction activities, potential temporary noise impacts would be *less than significant (Class III)*.

Special events are considered periodic and, as noted above, when amplified sound is used outdoors, mitigation would be necessary to reduce the noise level as measured from the property boundary.

The ambient noise level along South Oakglen Avenue (west of the project site) is estimated to be 57 dB during the peak traffic hour. Future traffic levels on the highway and South Oakglen Avenue may add at least 3 dB to the ambient noise level. During special events at the amphitheater, the noise level will range from 61 to 64 dB Leq at the neighboring residential property line to the west, resulting in a combined sound level ranging from 63.5 to 65.5 dB Leq.

Based on the LUO, where the existing ambient sound is above the permitted level (60 dB Leq), a significant impact would occur if the added sound increases this level by more than 1 dB. The use of amplified sound at the visitor's center would exceed the County's noise threshold (1 dB increase) by 2.5 to 4.5 dB (Dubink 2012). The County Noise Element notes that sound level changes less than 3 dB are minimally detectable; however, mitigation is recommended to reduce sound generated by the project and minimize significant impacts to sensitive receptors (refer to N/mm-1).

**N Impact 2      Amplified sound at special events proposed at the project site would result in periodic increases in the ambient noise level in the project vicinity, resulting in a significant, long-term impact.**

*Implement N/mm-1.*

#### Residual Impacts

Although the noise generated by the project would increase the ambient noise level in the immediate area, in combination with existing baseline noise generated by surrounding uses and the US 101 transportation corridor, the increase would not be significantly noticeable and would only occur during special events. Mitigation is identified for amplified sound, which would reduce the noise level below adopted thresholds (as measured from the property boundary). Based on implementation of mitigation measures identified above, residual noise impacts would be *less than significant with mitigation (Class II)*.

#### Severe Noise or Vibration

Construction of the project would include use of large construction equipment. Construction would occur pursuant to the LUO, would be limited in duration, and would not generate severe noise levels or vibration. Based on compliance with the County Noise Ordinance, which limits construction activities to daytime hours, potential impacts are short-term and *less than significant (Class III)*.

### Severe Noise or Vibration – Airport or Airstrip

The project site is not located in proximity to a public or private airport or airstrip, and visitors and employees would not be exposed to significant levels of aircraft-generated noise. No impact would occur.

#### **4.7.6 Cumulative Impacts**

There are no proposed or recently approved projects in the immediate area that would generate a significant level of stationary noise. As noted above, the primary source of noise generated by the project would occur during special events. Mitigation is identified that would address the project's contribution to the cumulative noise environment; therefore, cumulative noise impacts related to stationary noise would be *less than significant (Class III)*.

To determine the cumulative traffic noise level increase, the *Traffic Impact Analysis* (March 2012) was used in order to determine cumulative traffic conditions. Due to the relatively low number of expected additional trips (compared to cumulative conditions) estimated noise level increases due to project generated traffic are expected to be negligible (refer to Table 4.7-7). Based on the traffic and noise analysis, potential cumulative noise impacts related to transportation noise generated by the project would be *less than significant (Class III)* and no mitigation is necessary.

**Table 4.7-7. Estimated Traffic Increase (Build-out Plus Project)**

Location	Build-out ADT	Build-out Plus Project ADT	ADT Increase (%)
West Tefft Street w/o Mary Avenue	18,400	18,420	0.11
West Tefft Street, Mary Avenue, US 101 SB Ramp	19,800	19,822	0.11
West Tefft Street, US 101 SB Ramp to NB Ramp	18,600	18,656	0.30
West Tefft Street, US 101 NB Ramp – South Oakglen Avenue	12,700	12,794	0.74
West Tefft Street, South Oakglen Avenue to Thompson Avenue	9,300	9,310	0.11
Mary Avenue n/o West Tefft Street	7,700	7,700	0
Mary Avenue s/o West Tefft Street	7,200	7,202	0.28
North Oakglen Avenue n/o West Tefft Street	800	800	0
South Oakglen Avenue s/o West Tefft Street	2,400	2,504	4.33
North Thompson Avenue n/o West Tefft Street	5,400	5,408	0.15
South Thompson Avenue s/o West Tefft Street	5,800	5,802	0.03

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## **4.8 PUBLIC SERVICES AND UTILITIES**

This section of the EIR identifies the current status of affected public facilities, and determines the proposed project's effect on these public resources. Please refer to Section 4.12, Water Resources, for a more-detailed discussion of area water resources, and Section 4.6, Hazards and Hazardous Materials, for a discussion of emergency-related hazards.

### **4.8.1 Existing Conditions**

The proposed project site is served by the County Sheriff's Department and CAL FIRE, and is within the Lucia Mar Unified School District. Water is provided by the NCSO. Public services and utilities are summarized below.

#### **4.8.1.1 Emergency Responders**

Various different local and state agencies provide emergency services to the Nipomo area. CAL FIRE provides fire protection in the Nipomo Mesa Area, and the County Sheriff's Department provides police and patrol services. Private companies in Arroyo Grande and Santa Maria provide additional ambulance service to the Nipomo area. The CHP also services San Luis Obispo County's highways and is available to respond in emergency situations.

#### **4.8.1.2 California Department of Forestry and Fire Protection/County Fire**

The California Department of Forestry and Fire Protection and County Fire, known collectively as CAL FIRE, work in conjunction to provide rural fire protection to the Nipomo area. The Safety Element of the County General Plan (1999) describes the Nipomo area as primarily developed with low-density residential areas with interspersed supporting commercial uses. The Safety Element notes that the fire response needs of Nipomo are increased because of the presence of various wooded and urban area interfaces. While the community of Nipomo has changed since adoption of the Safety Element, this description is applicable.

The Safety Element uses the term "urban/wildland interface" to describe an area where urban development has been located in proximity to open space or "wildland" areas. The most common type of urban/wildland interface results when urban development occurs on the fringe of existing urban areas, adjacent to wildland vegetation. The Safety Element specifically identifies Nipomo as an area with intermixed urban/wildland interface areas. This represents a higher risk of fire than other unincorporated communities, and the areas west of Nipomo have historically experienced a high number of smaller fires (50 to 300 acres in size).

CAL FIRE is responsible for providing fire suppression services to approximately 1.4 million acres of San Luis Obispo County. Two stations service the Nipomo area—Station 22, located on the Mesa off of Highway 1, and Station 20, located in the community of Nipomo. The stations are staffed to provide 24 hour/7 days a week emergency response and include volunteer programs to increase response capabilities.

The project location has been identified by CAL FIRE as having a "moderate" fire hazard zone rating, and it is located within the 5-10 minute emergency response time area, with the nearest CAL FIRE station located approximately 1.3 miles northwest of the project site.

#### **4.8.1.3 San Luis Obispo County Sheriff**

The County Sheriff's Department currently provides law enforcement services in the unincorporated area of San Luis Obispo County, including the Nipomo area. San Luis Obispo

County encompasses 3,615 square miles, of which only 68 square miles are incorporated and served by City police departments. The Department's South Patrol Station is located at 1681 Front Street, in the community of Oceano. The South Station opened in October 2002 and serves the communities of Oceano, Nipomo, Huasna, rural Arroyo Grande, New Cuyama, and Lopez Lake.

The South Station is currently staffed by approximately 20 sworn officers. The Federal Bureau of Investigation (FBI) provides a model for determining the need for new law enforcement based on the number of deputies to population unit of 1,000 people. The ratio of deputy to population has not kept pace with population growth for several years. The current ratio of deputies per population unit is one deputy per 1,140 citizens, which is deficient. The acceptable ratio per FBI standards is one deputy per 1,000 citizens, and a ratio of one deputy per 750 citizens would align Sheriff's Department levels of service with those of City police departments within San Luis Obispo County.

#### 4.8.1.4 California Highway Patrol

The CHP services San Luis Obispo's highways, with stations located in San Luis Obispo and Templeton. The CHP is primarily responsible for traffic-related calls along highways and streets in the unincorporated portions of the county. They are available to respond in emergency situations, but typically do not investigate, take action, or respond to domestic calls or crimes in progress in residential, commercial, or industrial areas. CHP may respond to a request for back-up to a Sheriff's Department response, if available; however, they do not normally provide police protection services. Their primary role is traffic enforcement.

#### 4.8.1.5 Schools

The project site is located within the Lucia Mar Unified School District. There are four schools located within the Nipomo area: Dana Elementary, Dorothea Lang Elementary, Nipomo Elementary, and Nipomo High School. Current enrollment and capacity levels of Lucia Mar Unified School District schools are presented in Table 4.9-1 below.

**Table 4.8-1. Lucia Mar School District Enrollment Capacities**

School	Capacity	Enrollment	Enrollment Capacity	Level of Severity*
Elementary	5,191	5,401	104.05%	III
Middle	1,810	1,676	92.60%	II
High School	2,775	3,484	125.55%	III

\* Level of Severity for schools (enrollment versus capacity) is defined as follows:

- Level of Severity II: when enrollment projections will reach school capacity within five years.
- Level of Severity III: When enrollment equals or exceeds school capacity.

Source: County of San Luis Obispo 2013 [Data from 2009]

#### 4.8.1.6 Solid Waste Disposal

Waste Connections, Inc. is the owner of Cold Canyon Landfill, Coastal Rolloff Service, and South County Sanitary Service. Waste Connections is a regional, integrated, non-hazardous solid waste services company that provides collection, transfer, disposal, and recycling services to commercial, industrial, and residential customers in the Nipomo area. Additional proposed development at the project site will require the placement of additional trash receptacles and result in an increase in the demand on trash pickup.

Solid waste is transferred and processed at the Santa Maria Transfer Station and/or disposed of at the Cold Canyon Landfill north of Arroyo Grande. The Santa Maria Transfer Station is located 0.5 mile west of US 101, at 325 Cuyama Lane (Highway 166) in Nipomo, and has more than sufficient capacity to meet the increased need resulting from the project. Estimated area landfill capacities are shown in Table 4.9-2, below. The County is currently in the process of expanding the Cold Canyon Landfill site (an EIR was certified in December 2012). While the landfill is approaching its maximum capacity (within approximately 25% of maximum capacity), both the landfill as it exists and any expanded facility would be able to adequately meet the small increase in solid waste that would be generated by new development at the project site.

**Table 4.8-2. San Luis Obispo County Solid Waste Disposal Facilities**

Name of Facility	Total Estimated Permitted Capacity	Remaining Estimated Capacity	Percent Capacity Remaining
Cold Canyon Landfill	10,900,000 cubic yards	1,830,000 cubic yards	16.78%
Santa Maria Transfer Station	500 tons/day	440-410 tons/day	82-88%

Source: CalRecycle 2013

#### 4.8.1.7 Wastewater and Water Services

The proposed project includes the development of an on-site septic system to handle wastewater. Regulations and guidelines related to proper wastewater system design and criteria are located in the County's Plumbing Code and the RWQCB's *Water Quality Control Plan for the Central Coast Basin* (hereinafter referred to as the Basin Plan).

Consideration of connection to the Nipomo Community Services District (NCSD) is addressed in the Alternatives Chapter of this EIR. Based on the 2010-2012 Resource Summary Report (County of San Luis Obispo 2013), the NCSD's Southland Wastewater Treatment Facility currently operates at 67% of its capacity at peak flow, and would be able to serve the project. In the event this alternative, or the community sewer option is selected by the decision makers, the applicant would be required to obtain a will serve letter from the NCSD.

The project site lies entirely within the boundaries of the NCSD, which provides water to the area for irrigation, sanitation, and miscellaneous purposes. For further discussion of area water resources, refer to Section 4.10 of the EIR, Water Resources.

#### 4.8.1.8 Energy Services

Pacific Gas & Electric Company and Southern California Gas Company currently supply electric and gas services to the project site.

#### **4.8.1.9 Recreational Resources**

The County's Parks and Recreation Element includes the Nipomo Creek Linear Park as a proposed County Park in the South County Nipomo area. The Parks and Recreation Element states the following:

*“Obtain acreage for a linear park in the vicinity of Nipomo Creek. The linear park should contain a Class I Bicycle Path/trail system as well as other recreational facilities. Once property has been obtained, prepare a master plan for the park to determine appropriate park facilities and future maintenance needs. Update the master plan periodically to reflect community recreation needs”.*

The Element Map shows the proposed Nipomo Creek Linear Park extending from the US 101/Thompson Avenue interchange, through the project site, on the western side of Nipomo Creek, and reconnecting with Thompson Avenue to the south. While the linear park is included in the County's General Plan, the County is not currently pursuing or planning for its development. While the proposed project does not include a Class I bicycle path, a trail system is proposed that could be incorporated into a master plan for the linear park, in the event the County elects to pursue it.

### **4.8.2 Regulatory Setting**

#### **4.8.2.1 Police and Emergency Services**

The Federal Emergency Management Agency (FEMA) is an independent agency of the federal government, established in 1979 via executive order. FEMA's mission is as follows: “to reduce loss of life and property and protect our nation's critical infrastructure from all types of hazards through a risk-based, emergency management program of preparedness, response and recovery.” FEMA provides direction and assistance to state and local governments, but does not regulate approaches to emergency planning or response.

California Government Code §8607(a) authorized establishment of the Standardized Emergency Management System (SEMS). Title 19, Division 2, Chapter 1 of the CCR (§§2400-2540) defines SEMS, including its purpose, scope, structure, and applicability. SEMS is intended to standardize response to emergencies involving multiple jurisdictions or multiple agencies. Local government must use SEMS in order to be eligible for state funding of response-related personnel costs occurring in response to an emergency incident.

The County Sheriff's Office, CHP, and the OES have the opportunity to review and comment on projects through the CEQA process. Police and fire protection are provided to the Nipomo area by the County Sheriff's Department, CHP, and CAL FIRE.

#### **4.8.2.2 Solid Waste Collection**

The California Integrated Waste Management Act of 1989 (Chapter 1095, 1989) required each City and County to divert and recycle 50% of its solid waste by the year 2000 (PRC §41780) and maintain the achieved reduction after 2000 (amended Act).

CCR Title 23, Chapter 15 establishes requirements and specifications for waste handling, and CCR Title 14, Division 7 provides the State's standards for the management of facilities that handle or dispose of solid waste. CCR Title 14, Division 7 is administered by the California Integrated Waste Management Board and the designated Local Enforcement Agency. CCR Title 14, Division 7, Chapter 9, Article 9 §§18800-18813 were adopted to implement

PRC §41821.5, which requires each solid waste handler, transfer station operator, disposal facility operator, and County to gather information on which jurisdiction the solid waste originated from, their amounts disposed, and amounts of waste exported.

### **4.8.2.3 Energy Services**

The CPUC regulates privately owned electric, telecommunications, natural gas, water, railroad, rail transit, and passenger transportation companies in California. The CPUC is responsible for assuring California utility customers have safe, reliable utility service at reasonable rates, protecting utility customers from fraud, and promoting the health of California's economy. In pursuing these goals, the CPUC establishes service standards and safety rules, and authorizes utility rate changes. The CPUC monitors the safety of utility and transportation operations and overseas markets to inhibit anti-competitive activity. In its efforts to protect consumers, the CPUC prosecutes unlawful utility marketing and billing activities, governs business relationships between utilities and their affiliates, and resolves complaints by customers against utilities. Additional responsibilities include implementation of energy efficiency programs, low-income rates, telecommunications services for disabled customers, and CEQA enforcement for utility construction. The CPUC works with other State and Federal agencies in promoting water quality, environmental protection, and safety.

### **4.8.3 Thresholds of Significance**

As defined in the County Initial Study Checklist and County Energy Element, in accordance with CEQA Guidelines Appendix G, public services and utilities impacts would be considered significant if the project would have an effect upon, or result in the need for new or altered public services in any of the following areas:

- a. Fire protection
- b. Police protection (e.g., Sheriff, CHP)
- c. Schools
- d. Roads
- e. Solid Wastes
- f. Other public facilities

### **4.8.4 Impact Assessment and Methodology**

The impacts of the project were evaluated based on an assessment of the impacts that increased public access and the construction of additional facilities at the project site would have on the existing public services, utilities, energy, and associated infrastructure.

### **4.8.5 Project Specific Impacts and Mitigation Measures**

#### **4.8.5.1 Land Use Ordinance Amendment**

The proposed amendments do not include language that would result in an adverse effect related to public services and utilities, because the amendments would not increase the potential development density of the site. The amendments would clarify language applicable to the Recreation land use category, specific to the project site (LUO §22.112.080.G). The proposed changes clarify the Master Plan and permit process for the site, and clarify development requirements to maintain the historical context of the Dana Adobe, which would result in a beneficial effect by preserving a historical and educational resource for the public.

These amendments would not affect recreational resources onsite or in the community, because it would not generate additional demand for recreational opportunities or affect an existing recreational resource. No additional planning area standards are necessary.

#### **4.8.5.2 Conditional Use Permit**

##### Fire Protection

This project, along with others in the area, will increase demand and have an effect on fire protection and related services. However, the project site is not in a high fire hazard zone and services are closely located approximately 1.3 miles away should fire protection services be needed.

There is an existing need to expand fire services in South County areas. The proposed additional developments at the project site, and resulting increased usage, have the potential for creating an increase in demand on area fire services. Based on consultation with CAL FIRE throughout the project review process, the applicant has included an emergency access road as part of the Master Plan, and will accommodate all other standard requirements identified in the County Building Code and Fire Code. Compliance is verified through standard County review procedures required prior to new development at the site, including verification of fire safety and sprinkler requirements in new structures; compliance with County Department of Public Works standards related to adequate parking, access, and clearance. All building plans will be approved by CAL FIRE.

The addition of new facilities would place a small additional service demand on the two CAL FIRE stations that serve the area, but new development at the site is not expected to significantly impact area fire response times or service levels based on the location of the project. In addition, the proposed emergency access road would increase fire protection safety in the area by providing a new route for emergency egress and ingress. Thus, impacts on County fire services are considered *less than significant (Class III)*.

##### Police Protection

There is presently a need to expand police services in the South County area, and this need will increase as the population grows. New development and use of the project site would place additional service demands on existing South County Sheriff services. Current average response times generally range from 5 to 30 minutes.

The addition of new recreational facilities would place a small additional service demand on the south county police protection service providers, but the project does not propose a new use, but rather enhances and expands existing recreational and cultural uses at the Dana Adobe site. New development at the site is not expected to significantly impact area police response times or service levels. Therefore, impacts on County police services are considered *less than significant (Class III)*.

##### Schools

While short-term construction activities will provide job growth in the area, this project does not propose residential development and is not expected to result in a population increase. Although Nipomo area schools are currently operating at or above their maximum capacities, the proposed project is not expected to result in significant impacts on local schools, because it would serve the existing and projected population. In addition, the project would increase

educational opportunities for school children through continued implementation of tours and programs at the Dana Adobe. Impacts to schools would be *less than significant (Class III)*.

### Roads

This project, along with others in the area, will result in increased trips on area roads and will have a cumulative effect on roads in the project vicinity. Road deterioration would be increased due to the presence of additional vehicle trips to the project site. However, standard development fees are in place to account for this impact. The proposed development is within the general assumptions of allowed use for the site that was used to estimate the fees in place. Therefore, impacts to roads would be minimized through utilization of existing development fees and would be *less than significant (Class III)*.

### Solid Wastes

As public access to the project site increases, the demand for trash pickup may increase. Additional trash pick-up may need to occur more often, especially during the summer tourist season. All solid waste from the project site would be transferred and processed at the Santa Maria Transfer Station and/or disposed of at the Cold Canyon Landfill north of Arroyo Grande. The Santa Maria Transfer Station is currently operating at only 12% to 18% of its capacity. While the Cold Canyon Landfill is operating much closer to capacity, plans for expansion have recently been approved. Cold Canyon, either as it currently exists or as expanded, has sufficient capacity to adequately meet the small increase in solid waste that would be generated by new development at the site. Thus, this impact is considered *less than significant (Class III)*.

### Other Public Facilities

#### *Wastewater*

The proposed project includes plans for an on-site septic system to serve visitors. The septic systems are considered suitable for additional proposed facilities. Because the project facilities are not tied into the public wastewater collection and treatment system, no increased demand or resulting impacts on that public system are anticipated. Additionally, any new facilities would be required to comply with Title 19 of the County Code to ensure septic system design and capacities are adequate, further reducing the likelihood of impacts. Therefore, this impact is considered *less than significant (Class III)*.

#### *Water Services*

The project site would be served by the NCSD for water supply. Improved on-site use of water and infrastructure and anticipated additional water demand is discussed in detail in Section 4.10 of this EIR, Water Resources. Please refer to Section 4.10, Water Resources, for addition discussion and analysis. This impact is considered *less than significant (Class III)*.

#### *Recreation*

Impacts to recreational resources as a result of this project will be beneficial overall. Improvements to existing passive and active recreational opportunities and the creation of a visitor's center, amphitheater, and Chumash village would increase the recreational opportunities for both visitors and residents. Adjacent areas will provide passive open space recreational uses and create connectivity with an established trail network. The proposed project will provide additional recreational facilities and services that are not currently provided in the area. The impact to recreational resources in both the community of Nipomo and the county are considered *beneficial (Class IV)*.

### *Public Energy Utilities*

The impacts to public energy utilities at the project site as a result of the actions proposed in the Master Plan will be minimal. The project includes the use of solar panels to reduce the need for energy, and proposes educational opportunities related to energy-efficiency and sustainability measures. New facilities within the site would require the addition of new electric lines, underground conduits, transformers, and any appurtenances necessary for operation. Sources of energy consumption including interior and exterior lighting, interior heating and cooling, use of maintenance equipment, transfer of water supply, and operation of appliances. New gas service laterals would need to be constructed to provide service to proposed facilities such as the visitor's center. The proposed project would not require a substantial amount of energy to construct and operate, and would be served by existing utility companies. Therefore, this impact is considered *less than significant (Class III)*.

### **4.8.6 Cumulative Impacts**

The impacts of the proposed development within the community of Nipomo would contribute to a cumulative effect on public emergency services and responders. Development is subject to public service fees upon permit issuance, which assists such facilities by providing funds for increased infrastructure and improved facilities. However, these fees do not address additional staffing. The demand for public and emergency services staff increases with additional growth within the community of Nipomo, and cumulative effect may be significant.

In addition, the project would contribute to the demand for energy, including electricity, gas, and fossil fuels. Implementation of the project accommodates energy conservation in design and operation. Furthermore, the project includes visitor-serving facilities within an existing urban area in proximity to US 101, which would reduce vehicle miles traveled (and consumption of fuels for vehicle use) within the community of Nipomo.

Based on the location and design of the project, the proposed project would not have a cumulatively considerable effect on public services, and potential impacts would be *less than significant (Class III)*.

## 4.9 TRANSPORTATION AND CIRCULATION

This section documents the traffic and transportation-related impacts associated with the proposed Stories of the Rancho Project Master Plan. A *Traffic Impact Analysis* (Rick Engineering 2012) was prepared for the project, and is included as Appendix D. The report was reviewed and approved by County Public Works. The report is incorporated by reference into the discussion and analysis below.

### 4.9.1 Existing Conditions

#### 4.9.1.1 Road Network

The project site is accessed from South Oakglen Avenue, a two-lane local street, which dead-ends past the southern end of the project site. The local circulation system serving the project site includes US 101 (four-lane freeway), West Tefft Street (two- to four-lane arterial), Mary Avenue (two-lane collector), and Thompson Avenue (two-lane arterial). Class II bike lanes are located on West Tefft Street between Las Flores Drive and Carillo Street. South County Area Transit currently provides limited service to Nipomo; transit stops are located on North Thompson Avenue, Branch Street and West Tefft Street (near Carillo Street, approximately 1.2 miles from the project site) and at Nipomo High School. The traffic study included an analysis of conditions along these roadways and intersections, including the US 101/West Tefft Street interchange.

#### 4.9.1.2 Trip Generation

Existing use of the project site generates the following average daily trips (ADT):

- 26 trips due to employees and visitors on weekdays;
- eight trips due to employees and visitors on weekends; and,
- 280 trips due to special events on weekends.

#### 4.9.1.3 Level of Service

The County has established the level of service (LOS) C threshold as the lower limit for acceptable operations on rural facilities, and an LOS D threshold for urban facilities. The California Department of Transportation's (Caltrans's) thresholds range between LOS C and D on state highway facilities. The South County Traffic Model identifies LOS C as the lower limit for acceptable operations on the local street system.

Based on the traffic analysis, the existing level of service (outside of peak hours) for roadways serving the project is LOS A for all roadways except Mary Avenue north of West Tefft Street, which is operating at LOS C. Under existing conditions during the PM peak hour, West Tefft Street ranges from LOS B to C (Las Flores Drive to Thompson Avenue). Caltrans data indicates that daily traffic volumes on US 101 in the project vicinity are within the LOS B/C range. Average delays at intersections studied along West Tefft Street (including Mary Avenue, US 101 north and southbound ramps, Oakglen Avenue, and Thompson Avenue) are within acceptable levels (LOS C or better). The South County Traffic Model indicates that vehicle delays at the US 101/West Tefft Street southbound ramps are within the LOS D range during the AM peak hour and LOS E range during the PM peak hour.

#### **4.9.1.4 Unsafe Conditions**

Based on traffic accident records for South Oakglen Avenue, four reported accidents occurred between January 2005 and December 2010, which does not indicate a significant accident rate in this location.

#### **4.9.1.5 Air Traffic**

The project site is not located within 2 miles of an airstrip or airport. The Santa Maria Public Airport is located approximately 8 miles south of the project, and the Oceano County Airport is located approximately 10 miles northwest of the project site.

### **4.9.2 Regulatory Setting**

Transportation system requirements for the unincorporated areas of the county are subject to the policies and plans of the County. The County outlines policies and standards regarding use of public roads in the *South County Inland Area Plan* and *South County Traffic Model Update (Final Report)*. The County is responsible for the review and approval of proposed projects and traffic study reports. All new developments are required to meet the parking space and access improvement standards specified by the County.

Caltrans has jurisdiction over all state-maintained facilities, including US 101. Caltrans strives to maintain operations at the LOS C/D threshold on all of its facilities but acknowledges that numerous roadway segments under its control in urban areas will operate at LOS D or worse. Any modifications to facilities within Caltrans right-of-way must be approved by the state.

### **4.9.3 Thresholds of Significance**

The significance of potential transportation and circulation impacts are based on thresholds identified by the County, in accordance with Appendix G of the CEQA Guidelines. Transportation impacts are considered significant if the proposed project would:

- a. Increase vehicle trips to local or areawide circulation system;
- b. Reduce existing “Levels of Service” on public roadways (refer to LOS standards below);
- c. Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles);
- d. Fail to provide for adequate emergency access;
- e. Conflict with an established measure of effectiveness for the performance of the circulation system considering all modes of transportation (e.g., LOS, mass transit, etc.);
- f. Conflict with an applicable congestion management program;
- g. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities; or,
- h. Result in a change in air traffic patterns that may result in substantial safety risks.

#### **4.9.3.1 “Level of Service” Thresholds**

The County has established the LOS C threshold for acceptable operations on rural facilities maintained by the County. Caltrans strives to maintain a target level of service at the transition between LOS C/D on state-operated facilities.

Transportation impacts at signalized intersections are considered significant when:

- The addition of project traffic causes the intersection’s level of service to degrade from LOS C or better to LOS D, E, or F.
- Project traffic is added to an intersection currently operating at LOS D, E, or F.

Transportation impacts at unsignalized intersections are considered significant when:

- The addition of project traffic to an unsignalized intersection degrades the level of service to an unacceptable level and satisfies the peak-hour signal warrant from the California Manual on Uniform Traffic Control Devices.
- The project’s access to a major street causes a potentially unsafe situation or requires a new traffic signal.

Evaluation of arterial roadway segments reflects planning-level conditions along a street, whereas analysis of the intersections reflects detailed conditions of the arterial. Typically, poor operating conditions on an arterial are due to constraints at the intersections, and can be mitigated at the intersection. Therefore, if an arterial roadway segment analysis shows poor operating conditions, but individual intersections operate within acceptable standards, the mitigation measures defer to the intersection.

For US 101 ramps, US 101 mainline segments, or any County roadway segment already operating at LOS D, E, or F without the project, the addition of any project traffic to that location is considered a significant impact.

#### **4.9.3.2 Alternative Transportation**

An impact to pedestrians and bicyclists would be considered significant if implementation of the proposed project would conflict with existing or planned bicycle facilities or would generate pedestrian and bicycle demand without providing adequate and appropriate facilities for safe non-motorized mobility. Impacts to transit would be considered significant if the proposed project would conflict with existing or planned transit facilities or will generate potential transit trips and would not provide adequate facilities for pedestrians and bicyclists to access transit routes and stops.

#### **4.9.4 Impact Assessment and Methodology**

Impacts were assessed by comparing roadway operations with the addition of project-generated traffic to those under existing conditions and applying the appropriate criteria from thresholds of significance described above. Potential impacts to bicycle, pedestrian, and transit facilities and services were also identified by comparing project conditions to existing conditions.

## 4.9.5 Project Specific Impacts and Mitigation Measures

### 4.9.5.1 Land Use Ordinance Amendment

The proposed amendment would not result in a land use designation change, intensification of land use, or remove a barrier to growth. The proposed amendment includes an update to language regarding the Southland Street interchange (§22.112.080.G.1). The language is clarified to delete the reference to this interchange project because it is no longer proposed by the County Public Works and Caltrans, and replaces it with a requirement for emergency access. This change meets the intent of the original measure by providing emergency access to and from the project site, and would not result in a significant transportation or safety related impact.

In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific transportation and circulation impacts, a planning area standard is recommended that requires the project applicant to present measures to reduce impacts to roads and intersections in the area, such as adjustments to peak hour trip generation, payment of road fees, and street improvements based on consultation with the County Department of Public Works (refer to Chapter 4, Environmental Impacts Analysis, Exhibit A).

### 4.9.5.2 Conditional Use Permit

#### Increase Vehicle Trips to Local or Areawide Circulation System

Weekly activities at the project site would generate approximately 130 ADT, including nine trips during the AM peak hour and 11 trips during the PM peak hour. The highest number of weekend day trips would occur between May and September due to special events (up to 298 ADT), assuming multiple events are held on the same day. This is an unlikely situation, but was assessed in the traffic study to determine a reasonable “worst case scenario”. An average weekend day would also generate 28 ADT from daily visitors and employees. The maximum daily attendance for a large event would generate approximately 600 ADT (assuming an average of 2.5 persons per vehicle at a 1,500 person event), which would occur only once per year.

Compared to existing conditions, the project would generate approximately 104 additional daily trips during an average weekday, which includes an additional 38 daily visitor trips and 66 additional special event trips. On the weekends, the project would generate approximately 38 additional daily trips, including 20 additional daily visitor trips and 18 additional special event trips. This would result in approximately eight additional trips during an average weekday AM and PM peak hour, and nine peak trips on the average weekend day. The project’s effect on LOS is assessed below (refer to TC Impact 2 discussion).

Based on consultation with County Public Works, the applicant is required to implement standard off-site road improvements, including widening South Oakglen Avenue along the property frontage, improving the driveway to meet County Standards, and restricting parking on South Oakglen Avenue (County Public Works 2011). While the project would increase vehicle trips to the local and areawide circulation system, these improvements would minimize impacts associated with transportation along those routes.

**TC Impact 1      Operation of the project would generate additional daily and special event trips, resulting in a less than significant, long-term impact to South Oakglen Avenue.**

*TC/mm-1 Upon application for construction permits for development of the 30-acre site, the applicant shall submit a street plan and profile to widen South Oakglen Avenue to complete the project site of an A-1 rural street section fronting the property. All proposed driveways shall be constructed in accordance with County Standard B-1 series drawings.*

Residual Impacts

Operation of the project would increase the amount of trips on South Oakglen Avenue, which would result in a *less than significant impact (Class III)*. Compliance with County road improvement standards would further mitigate this effect.

Reduce Existing “Levels of Service” on Public Roadways

The traffic analysis prepared for the project considered the project’s effect on the environment, including “background conditions.” Background conditions are different from existing conditions in that they include projects that have been approved by the County, and are anticipated to be constructed and contribute to traffic trips and LOS within the study area. The traffic analysis assumed completion of the Willow Road Interchange project, which was constructed in early 2013, and is currently part of the baseline conditions. Based on the results of the background roadway segment analysis, all roadways would operate at LOS A except for Mary Avenue north of West Tefft Street (LOS E) and Mary Avenue south of West Tefft Street (LOS B). Improvements to Mary Avenue were conditioned as part of the Landdev LLC project, which would improve LOS to an acceptable level. During the PM peak hour, taking into account completion of the Willow Road Interchange project, the traffic analysis found that all intersections would operate at acceptable LOS except the US 101/West Tefft Street southbound ramps (LOS D).

Under “Background Plus Project” conditions, all roadways would operate at LOS A except for: Mary Avenue north of West Tefft Street (LOS E) and Mary Avenue south of West Tefft Street (LOS B), due to other projects in the area (i.e., Landdev LLC). As noted above, the Landdev project includes mitigation that would improve LOS. The project would not reduce LOS on any roadway within the study area (Rick Engineering 2012).

During the PM peak hour, taking into account completion of the Willow Road Interchange project, all intersections would operate at acceptable LOS except the US 101/West Tefft Street southbound ramps (LOS D). A majority of project-related trips during the PM peak hour include visitor’s center guests and employees/volunteers. The proposed project would contribute to the LOS D designation during the PM peak hour, resulting in a potentially significant impact.

**TC Impact 2 Operation of the project, including generation of additional daily and special event trips, would contribute to LOS D conditions at the US 101/West Tefft Street southbound ramp intersection, resulting in a potentially significant impact.**

*TC/mm-2 Prior to issuance of building permits, to mitigate for impacts to the US 101 / West Tefft Street interchange during the PM peak hour, the applicant shall:*

- a. Prepare a Transportation Demand Management (TDM) Program subject to the review and approval of the County Department of Public Works that adjusts:*

1. *Visitor Center hours outside of the weekday AM peak hours (7:30 a.m. to 9:30 a.m.) and PM peak hours (4:30 p.m. to 6:30 p.m.); and,*
2. *New employee/volunteer hours to avoid outbound trips between 4:30 p.m. and 6:00 p.m.*

*or,*

- b. In the event the project would generate new peak hour trips, the applicant shall consult with the County Department of Public Works, and submit the South County Area 1 Road Fee in the amount prevailing at the time of payment.*

### Residual Impacts

Implementation of the project would not cause a reduction in LOS on any affected roadway or intersection; however, the additional trips would contribute to a deteriorating condition. Identified mitigation would reduce the potential for peak hour trips, and address the project's contribution to traffic on the US 101/West Tefft Street interchange. Based on incorporation of mitigation measures identified above, residual impacts would be *less than significant with mitigation (Class II)*.

### Create Unsafe Conditions

The traffic safety analysis included a review of stopping sight distance at the proposed access driveway and South Oakglen Avenue. Stopping sight distance was recorded at 475 feet for southbound vehicles traveling towards the driveway, which is adequate at a speed of 50 mph. There is a relatively unobstructed line of sight looking south from the driveway toward Southland Street; therefore, stopping sight distance for northbound vehicles approaching the project driveway will be sufficient. The traffic analysis determined that a left turn lane is not warranted on South Oakglen Avenue, and project traffic will not significantly impact safety along South Oakglen Avenue (Rick Engineering 2012). Therefore, impacts would be *less than significant (Class III)*.

### Emergency Access

An approximately 0.6-mile, 18-foot-wide, gated, all-weather emergency access drive is proposed to extend from South Oakglen Avenue to Swallow Lane and on to South Thompson Road, and would include an 89-foot-long, 10-foot-wide flatcar bridge over Nipomo Creek. The intent of the road is to allow for emergency egress only in the event South Oakglen Avenue is not accessible. Based on review by CAL FIRE (2011, 2012), the project includes adequate emergency access. Therefore, impacts would be *less than significant (Class III)*.

### Conflict with Performance of Circulation System

Analysis of the project's effect on LOS is presented above, and potential impacts were identified as *less than significant with mitigation (Class II)*. The project would include property frontage improvements to South Oakglen Avenue, and an emergency access road. The project would be consistent with and would not preclude strategies identified in local and regional transportation studies and plans including the South County Area Plan Circulation Element (County of San Luis Obispo 2006, Draft 2013), South County Circulation Study (County of San Luis Obispo 2006, 2012 Draft Update), *U.S. Route 101 Corridor System Management Plan* (Caltrans 2012),

or Regional Transportation Plan-Preliminary Sustainable Communities Strategy (RTP-PSCS) (San Luis Obispo Council of Governments 2010).

#### Conflict with Applicable Congestion Management Program

Analysis of the project's effect on LOS is presented above, and potential impacts were identified as *less than significant with mitigation (Class II)*.

#### Conflict with Adopted Alternative Transportation Policies, Plans, or Programs

As noted above, the project is consistent with adopted transportation and circulation plans, which include alternative transportation policies and strategies. Implementation of the project includes the use of buses and shuttles to transport visitors to the site and associated educational and special events. The site could also be accessed by pedestrians and bicyclists via access roads and trails. Overall, the project is consistent with alternative transportation policies. Therefore, impacts would be *less than significant (Class III)*.

#### Change in Air Traffic Patterns

The project site is separated from the nearest airport by approximately 8 miles (Oceano) and is, therefore, not expected to affect air traffic patterns or result in air traffic-related safety risks. Impacts would be *less than significant (Class III)*.

### **4.9.6 Cumulative Impacts**

The cumulative conditions scenario includes background conditions and projects currently under consideration by the County. Under this scenario, all roadways would operate at LOS A except for Mary Avenue north of West Tefft Street (LOS E) and Mary Avenue south of West Tefft Street (LOS B). However, improvements to Mary Avenue were conditioned as part of the Landdev LLC project, which would improve LOS to an acceptable level.

During the PM peak hour, taking into consideration the recent completion of the Willow Road Interchange project, all intersections would operate at acceptable LOS except the US 101/West Tefft Street southbound ramps (LOS D). The proposed project would contribute to the LOS D designation during the PM peak hour under cumulative conditions, although the contribution would be minor (approximately eight PM peak hour trips). Identified project-specific mitigation includes implementation of a TDM program, which would reduce peak hour trips and payment to the South County Area 1 Road fee (if PM peak hour trips are generated) (refer to TC/mm-2). Therefore, potential cumulative impacts would be *less than significant (Class III)*.

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## 4.10 WATER RESOURCES

This section identifies potential impacts to water supply and water quality that would result from the proposed project.

### 4.10.1 Existing Conditions

#### 4.10.1.1 Water Supply

The project proposes to use a community water system managed by the NCS D for domestic water use within the approximately 30-acre site west of Nipomo Creek. The NCS D currently provides water to the Dana Adobe (within this 30-acre area) via an existing Outside User's Agreement. Existing on-site wells would be used for restoration on the 100 acres east of the creek. Based on available information, there is some concern regarding the long-term availability of water resources to serve existing and future development on the Nipomo Mesa, which is discussed further below.

The project would use water extracted from the Santa Maria groundwater basin, which is made up of three interconnected sub areas (Tri-Cities, Nipomo Mesa, and Santa Maria). Approximately 30% of the basin's area lies north of the Santa Maria River in San Luis Obispo County. In 1994, the California Department of Water Resources (DWR) began an update of the 1979 study of the Arroyo Grande Valley – Nipomo Mesa Area groundwater sub area and the northern portion of the Santa Maria River Valley groundwater sub area. The study, *Water Resources of the Arroyo Grande – Nipomo Mesa Area*, was completed and published in 2003. The study contains the following findings and conclusions:

- Observations of groundwater elevations in 1975, 1985, and 1995 revealed the development and subsequent expansion of a depression in groundwater elevations generally south of Willow Road and east of Highway 1—the south central portion of the Nipomo Mesa.
- NCS D and the Southern California Water Company have many of their wells in or near the depression. The extractions of these two agencies have increased from about 940 acre feet per year (afy) in 1979, to 2,790 afy in 1995, and 3,620 afy in 2000.
- There have also been increases in demand for water to serve rural residences and agricultural uses.
- Since the depression enlarges, the reduced water in storage could result in increased inflow from Santa Maria Valley and decreased outflow to the ocean from the mesa and the valley. If the pumping depression on the mesa pulls in water from the Santa Maria Valley, the possibility exists for the poorer quality groundwater of the valley, containing high concentrations of dissolved solids, to locally reduce the quality of the mesa's groundwater. Also, in the future, if subsurface outflows to the ocean cease, and the seaward hydraulic gradient is reversed, this condition could lead to seawater intrusion of the groundwater resources. Currently, there is no evidence of seawater intrusion.
- A major source of recharge for the Nipomo Mesa is deep percolation of precipitation. This makes the groundwater basin vulnerable to protracted periods of below-average rainfall.

### Political/Legal History

In 1998, a complaint was filed by agricultural pumpers in Santa Barbara County against the basin's water purveyors, including the City of Santa Maria, NCSD, and Cal Cities Water Company. Because of inconsistencies in the DWR study, the County commissioned an additional study by S.S. Papadopoulos & Associates (SSPA) to provide clarification of water issues on the Mesa. SSPA concluded that the data presented in the DWR study correctly identified overdraft conditions in the Nipomo Mesa area of the groundwater basin. Concurrently, the judge in the groundwater litigation issued a finding that the basin as a whole was not being overdrafted and that there was insufficient evidence to support the existence of sub-basins.

The County's Water Resources Advisory Committee (WRAC) reviewed the SSPA study and the judge's decision and concluded that overdraft in the Nipomo Mesa area either exists currently or is imminent. In November 2004, the Board of Supervisors certified Level of Severity II and approved several actions intended to strengthen water conservation efforts in the Nipomo Mesa area.

Litigation of the basin has resulted in a settlement in which the stipulating parties have agreed to a "physical solution establishing a legal and practical means for ensuring the Basin's long-term sustainability." The physical solution establishes three management areas, creates a management entity for each area and directs each management entity to monitor groundwater conditions and prepare plans for dealing with water shortages. The agenda for the NMMA also includes importation of at least 2,500 afy of supplemental water by the NCSD from the City of Santa Maria and an agreement of the major water purveyors in the area to purchase some of that water. New urban uses proposed by stipulating parties within the service area of a major water purveyor or within the Sphere of Influence of the NCSD must obtain water service from the local supplier. New urban uses proposed by stipulating parties outside these areas and within one-quarter mile of a service area or NCSD Sphere of Influence must conduct good faith negotiations with the local supplier before forming a mutual water company to provide water service.

In May, 2006, as a part of the annual Growth Management Ordinance update, the County Board of Supervisors adopted the following policies relating to the Nipomo area:

- Reaffirm limiting new residential development in the Nipomo Mesa Area to an annual 1.8% growth rate.
- Change the Level of Severity for Water Supply from II to III; however, the Board further determined that a building moratorium would not be necessary based on implementing the following measures, and because environmental determinations for development proposals on the Nipomo Mesa would continue to be made on a case-by-case basis, where an EIR would not necessarily be required if water supply is identified as the only significant issue.
- The following water conservation measures were required of all new development (and added as County LUO planning area standards) as of August 2006:
  - Require all sink faucets in bathrooms and kitchens in new residences be equipped with automatic shut-off devices. This also applies when a bathroom is added, or when the floor area is increased by 20%. Automatic shut-off faucets operate by means of a hands-free electric sensor.

- Require drip-line irrigation for all landscaped areas (except turf areas) installed for new construction. The drip irrigation system must include an automatic rain shut-off device, soil moisture sensors, a separate meter for outdoor water, and an operating manual to instruct the building occupant on how to use and maintain the water conservation hardware.
- The maximum amount of turf (lawn) area may not exceed 20% of the site's total irrigated landscape area, and, in all cases the site's total irrigated landscape area shall be limited to 1,500 square feet.

The County Flood Control and Water Conservation District will implement improved well monitoring and water quality monitoring programs for the Nipomo Mesa area. Water purveyors in the Nipomo Mesa area are encouraged to strengthen their water conservation programs, increase their use of reclaimed water, and continue their efforts to secure supplemental water.

Also, in an effort to monitor the effectiveness of these water conservation measures, each annual update of the Growth Management Ordinance will include data to indicate if the water use rate per dwelling unit is trending downward. If progress toward water conservation targets is not evident, further growth limitations may be recommended.

In August 2006, The Board also approved new requirements for all land divisions accepted for processing after June 23, 2006, and General Plan Amendments submitted after June 23, 2006, in the Nipomo and the Nipomo Mesa areas. Pursuant to the new regulations, applications for land divisions and General Plan Amendments in the Nipomo Mesa Water Conservation Area shall include documentation regarding estimated existing and proposed non-agricultural water demand for the land division or development that could occur with the General Plan Amendment. If this documentation indicates that the proposed non-agricultural water demand exceeds the demand without the land division, the project will be subject to contributing towards acquiring supplemental water. There are additional requirements for landscaping and turf limits, water fixtures and appliances, and retrofit programs. This requirement is implemented as a South County Planning Area Standard §22.112.020.F (Nipomo Mesa Water Conservation Area) and County Plumbing Code (Title 19) §19.07.042 (Water Conservation Provisions).

On June 26, 2007, the Board of Supervisors, as a part of the County's Resource Management System annual update, reaffirmed and certified a Level of Severity III for water supply in the Nipomo area, and directed the preparation of additional water conservation ordinance(s). The new ordinance(s) will require the establishment of retrofit program(s) and/or other new water conservation program(s) where new development will be required to participate to offset/reduce new impacts to water consumption from the Nipomo Mesa groundwater basin.

A third comprehensive report was prepared more recently as a result of over a decade of litigation regarding the Santa Maria Groundwater Basin. The litigation has resulted in a Stipulated Judgment, which, in part, mandates the preparation of an annual report on the hydrologic conditions for three sub-areas of the basin. The first annual report for the NMMA was submitted to the court in April 2009, with data covering the 2008 calendar year (hereinafter the "2008 NMMA report"). The report was prepared by the NMMA Technical Group, consisting of the NCSD, Golden State Water Company, ConocoPhillips, Woodlands Mutual Water Company, and various management area engineers appointed by these parties as well as an agricultural representative. Since the First Annual Report (April 2009), subsequent annual reports have been prepared and submitted by the NMMA Technical Group (June 2010, June 2011, April 2012 and April 2013).

The NCSD serves approximately 12,000 people over an area of approximately 4,650 acres (NCSD 2008). The service area consists of one distribution system, which is currently served by groundwater from the NMMA, which is at the northwestern part of the basin and encompasses approximately 27.5 square miles.

Based on the *2010-2012 Resource Summary Report*, the Nipomo Mesa area is currently in a Level of Severity III for water supply (County of San Luis Obispo 2013). A level III designation means that the resource is being used at or beyond its estimated dependable supply or will deplete dependable supply before new supplies can be developed. The area will need additional water supplies to bring the groundwater basin back into balance. The County has directed the preparation of water conservation ordinances for the Nipomo Mesa Water Conservation Area, and the NCSD is looking into options for bringing new water resources into the area, including a waterline intertie from Santa Maria to the Nipomo Mesa, which would bring approximately 3,000 to 6,300 afy of new water to the area.

### Potential Future Supply

The NMMA Technical Group and DWR water budget estimates and projections indicate that groundwater pumping in the Nipomo Mesa area exceeds inflow, and that the Nipomo Mesa portion of the Santa Maria Groundwater Basin is currently in overdraft. The NCSD is addressing this issue by obtaining water from Santa Maria (Supplemental Water Project, Waterline Intertie), and planning phased improvements at the Southland Wastewater Treatment Facility to allow for distribution and use of recycled water. The NCSD initially proposed an assessment district to provide funding for the Supplemental Water Project, Waterline Intertie, which required approval by vote. In June 2012, a majority of property owners voted against the assessment district proposal, and the NCSD determined that construction of a pipeline (as currently proposed) to provide the supplemental water could not be funded by existing funds. The NCSD issued a moratorium on the issuance of new will serve letters while moving forward with other options for supplemental water, which may include other funding sources and/or a scaled-down project.

#### **4.10.1.2 Water Quality**

The topography of the project is gently sloping to moderately sloping. Three creeks traverse the project site, including Nipomo Creek, Adobe Creek, and Carillo Creek (refer to Figure 4.10-1). Surface drainage from the 30-acre site flows east towards Nipomo Creek. Groundwater was encountered at a depth of 30 feet bgs. No springs or seeps were observed. According to the NRCS Soil Survey, the soil surface is considered to have low to moderate erodibility.

#### **4.10.2 Regulatory Setting**

##### **4.10.2.1 Federal Policies and Regulations**

##### Federal Policies and Regulations

The Clean Water Act controls the discharge of toxic material into surface water bodies. Under this act, states are required to identify water segments impaired by pollutants and develop control strategy/management plans to reduce pollution and meet certain water quality standards.

Regulatory protection for water resources throughout the United States is under the jurisdiction of the USACE. Section 404 of the Clean Water Act prohibits the discharge of dredged or fill material into “waters of the U.S.” without formal consent from the USACE. Waters of the U.S. include marine waters, tidal areas, stream channels, and associated wetlands. Wetlands include

freshwater marshes, vernal pools, freshwater seeps, and riparian areas. Under §404, activities in waters of the U.S. may be subject to either an individual permit or a general permit, or may be exempt from regulatory requirements. Some activities have been given blanket authorization under the provisions of a general permit through the Nationwide Permit system. Individual Permits require the applicant to prepare and submit an alternatives analysis of the project.

Section 401 of the Clean Water Act and its provisions ensure that federally permitted activities comply with the federal Clean Water Act and state water quality laws. Section 401 is implemented through a review process conducted by the RWQCB, and is usually triggered by the §404 permitting process. Specifically, the RWQCB certifies via §401 that the proposed project complies with applicable effluent limitations, water quality standards, and other conditions of California law. If the RWQCB denies certification, the lead federal agency must deny the federal permit application.

### State Policies and Regulations

The establishment and enforcement of water quality standards for the discharge into and maintenance of water throughout California is managed by the SWRCB and its RWQCBs. The SWRCB enforces the federal Clean Water Act on behalf of the EPA. Most of the quantitative objectives are based on the CCR, Title 22 – State Drinking Water Standards. Other considerations include the Porter-Cologne Water Quality Control Act and the RWQCB's Non-degradation Policy. San Luis Obispo County lies entirely within Region 3, the Central Coast RWQCB. The RWQCB is the primary State agency ensuring that the quality of potable water supplies is protected from harmful effects by man.

The California Department of Health Services (DHS) is responsible for overseeing the quality of water once it is in storage and distribution systems. DHS oversees the self-monitoring and reporting program implemented by all water purveyors, performs inspections, and assists with financing water system improvements for the purpose of providing safer and more reliable service.

Section 10910 of the California Water Code requires the County to identify the agency or entity responsible for providing water service to the area and to request that the agency determine whether the project was included within the current Urban Water Management Plan maintained by that water agency.

Section 13260(a) of the California Water Code requires that any person discharging waste or proposing to discharge waste within any region, other than to a community sewer system, that could affect the quality of the waters of the State, file a Waste Discharge Report (WDR). All WDRs must implement the applicable water quality control plan (Basin Plan) for the Region affected by the discharge. Therefore, WDRs require the project to comply with all applicable Basin Plan provisions, including any prohibitions and water quality objectives, governing the discharge. The siting, design, construction, operation, maintenance, and monitoring of all small domestic systems must comply with all of the applicable provisions of the RWQCB's Basin Plan. The project shall not discharge waste in excess of the maximum design and disposal capacity of the small domestic system. The discharger must comply with any more stringent standards in the Basin Plan. In the event of a conflict between the provisions of RWQCB Order No. 97-10-DWQ and the Basin Plan, the more stringent provision prevails.

Figure 4.10-1. Local Hydrology Map



The Porter-Cologne Water Quality Control Act provides the authority and method for the State of California to implement its water management program. The act establishes waste discharge requirements for both point and non-point source discharges affecting surface water and groundwater.

CDFW is responsible for conserving, protecting, and managing California's fish, wildlife, and native plant resources. California law requires any person, agency, or public utility proposing a project that may impact a river, stream, or lake to notify the CDFW before beginning the project. If the CDFW determines that the project may adversely affect existing fish and wildlife resources, a Lake or Streambed Alteration Agreement is required. This Agreement lists the CDFW conditions of approval for the proposed project, and serves as an agreement between applicants and the CDFW.

SBx7-7 (SB 7) was enacted in November 2009, requiring all water suppliers to increase water use efficiency (DWR 2013). The bill also requires, among other things, that the DWR, in consultation with other state agencies, develop a single standardized water use reporting form, which would be used by both urban and agricultural water agencies. The legislation sets an overall goal of reducing per capita urban water use by 20% by December 31, 2020. The state shall make incremental progress towards this goal by reducing per capita water use by at least 10% by December 31, 2015.

- Each urban retail water supplier shall develop water use targets and an interim water use target by July 1, 2011.
- An urban retail water supplier shall include in its water management plan due July 2011 the baseline daily per capita water use, water use target, interim water use target, and compliance daily per capita water use. DWR, through a public process and in consultation with the California Urban Water Conservation Council, shall develop technical methodologies and criteria for the consistent implementation of this part
- DWR shall adopt regulations for implementation of the provisions relating to process water.
- A Commercial, Institutional, Industrial task force is to be established that will develop and implement urban best management practices for statewide water savings.
- Effective 2016, urban retail water suppliers who do not meet the water conservation requirements established by this bill are not eligible for state water grants or loans.

#### **4.10.2.2 Local Policies and Regulations**

Chapter 22.52 of the County's LUO contains site development standards for the county, including drainage, grading, erosion, and sedimentation control. Furthermore, mitigation consistent with ordinance requirements will be recommended to ensure implementation. Sections that are applicable to drainage, grading, erosion, and sedimentation are outlined below.

Section 22.52.020 states that the County's standards for grading and excavation are intended to minimize hazards to life and property, protect against erosion and the sedimentation of water courses, and to protect the safety, use, and stability of public rights of way and drainage channels. Grading must follow the standards provided in the UBC §3309 and the following standards:

- Areas of cut and fill are to be limited to the minimal amount necessary.
- Grading for a building site is prohibited on slopes of 30% or greater.
- Contours are to be blended with the natural terrain.
- Grading may not alter watercourses except as permitted through the CDFW and various watercourse protection methods shall be followed.
- Areas where natural vegetation has been removed must be replanted by various approved methods.

Section 22.52.080 of the LUO states that standards for the control of drainage and drainage facilities are designed to minimize harmful effects of stormwater runoff and resulting inundation and erosion on proposed projects, and to protect neighboring and downstream properties from drainage problems resulting from new development. Erosion and sedimentation control to protect damaging effects on-site and on adjoining properties is discussed in §22.52.090 of the LUO. A sedimentation and erosion control plan would be required, and shall include temporary and final measures including:

- Slope surface stabilization including temporary mulching or other stabilization measures to protect exposed areas of high erosion potential during construction and interceptors and diversions at the top of slopes to redirect runoff.
- Erosion and sedimentation control devices such as absorbing structures or devices to reduce the velocity of runoff.
- Final erosion control measures including mechanical or vegetative measures.

Interim Low Impact Development (LID) Guidelines is a project sponsored by municipalities in San Luis Obispo County and the Central Coast RWQCB to help reduce onsite stormwater runoff. The guidelines and regulations act as a transition into new rules that will be developed as a part of a joint effort to develop new hydromodification control criteria. The new rules, titled Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region (RWQCB Central Coast Region 2013), were drafted in September 2012 with an anticipated adoption date of July 12, 2013.

In addition to the environmental benefits, LID may provide aesthetic benefits and, in some cases, an economic benefit as well. The interim guidelines categorize projects into three performance requirement tiers based on the square footage of increased impervious surfaces created by the project. Projects with a potential to result in polluted stormwater discharge (e.g., automotive Repair shops, gasoline stations, residential hillside development, restaurants, 5,000-square-foot parking lots), and residential tentative subdivisions with a potential for five or more units are designated as Tier 3 projects, and are required to incorporate at least two LID measures that retain or reduce runoff and meet any additional agency requirements. The RWQCB Requirements designate three Performance Requirement Tiers and Requirement No. 3 (Runoff Retention) applies to detached single-family homes resulting in 15,000 square feet or greater net impervious area in specified Watershed Management Zones (including the proposed project site). LID measures are required in addition to a Stormwater Control Plan.

### 4.10.3 Thresholds of Significance

Consistent with CEQA Guidelines Appendix G, the County states that a significant water resource impact would occur if the project would:

- a. Violate any water quality standards;
- b. Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.);
- c. Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.);
- d. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff;
- e. Change rates of soil absorption, or amount or direction of surface runoff;
- f. Change the drainage patterns where substantial on-or off-site sedimentation/erosion or flooding may occur;
- g. Involve activities within the 100-year flood zone;
- h. Change the quantity or movement of available surface or ground water;
- i. Adversely affect community water service provider; or,
- j. Expose people to a risk of loss, injury, or death involving flooding (e.g., dam failure, etc.), or inundation by seiche, tsunami or mudflow.

### 4.10.4 Impact Assessment and Methodology

Significant water supply and infrastructure impacts would occur if the demands placed on the area from this development exceeded the available water supply. The issue of water supply, applicable to future development of the site, is addressed in the LUO under the Nipomo Mesa Management Area standards. Regarding water quality, an impact would occur if the proposed project results in the discharge of pollutants into ground or surface waters. Impacts to the movement of water may occur if the project would affect stormwater runoff, including existing County drainage infrastructure, resulting in flooding, erosion, and sedimentation. Potential impacts are assessed based on site topography, the proposed layout and elevations of potential project components, the erodibility of soils, existing drainage patterns, and the regulatory framework applicable to the project.

In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific water impacts, a planning area standard is recommended that requires the project applicant to promote groundwater recharge through the application of Low Impact Development (LID) design techniques, such as directing parking lot and roof runoff to vegetated swales and rain gardens, and maximum pervious surfacing where feasible (refer to Chapter 4, Environmental Impacts Analysis, Exhibit A).

## 4.10.5 Project Specific Impacts and Mitigation Measures

### 4.10.5.1 Land Use Ordinance Amendment

The proposed amendments do not include language that would specifically result in an adverse effect to water resources. There are no proposed changes to the land use category or development potential of the site. The amendment would not result in an increased demand for water resources, and does not include any changes that are inconsistent with the County Code and General Plan related to hydrology and water resources. Any future development of the site may have adverse effects on water resources, depending on the location and type of development. Pursuant to the amendment, future development would require a Master Plan and issuance of a CUP, which would trigger CEQA and project specific analysis of impacts, including quantification of water demand and assessment of potential water quality impacts.

In order to ensure that future projects, such as the proposed Master Plan and CUP, address project-specific water resource impacts, a planning area standard is recommended that requires the project applicant to incorporate groundwater recharge and Low Impact Development measures and ensure compliance with local and regional water quality standards (refer to Chapter 4, Environmental Impacts Analysis, Exhibit A).

### 4.10.5.2 Conditional Use Permit

#### Violate Water Quality Standards

Regarding surface water quality, as proposed, the project would result in the disturbance of approximately 8.3 acres. Nipomo Creek, Adobe Creek, and Carillo Creek traverse the project site, and the project includes an emergency access drive crossing over Nipomo Creek. Trails and footbridges would cross the smaller creeks on the 100-acre portion of the site. As noted in Sections 4.3 (Biological Resources) and 4.5 (Geology and Soils), during construction, short-term erosion and sedimentation may occur, resulting in a potentially significant impact. In addition to sediments, during construction and operation of the project, leaking hydrocarbons from equipment and vehicles may migrate from the developed area into the surface waters, resulting in a potentially significant impact.

**WR Impact 1      The project would include construction activities that would require ground disturbance and use of heavy equipment, which may result in the discharge of sediment and other pollutants, indirectly affecting surface and ground water quality, and resulting in short-term impacts.**

*Implement BIO/mm-2, BIO/mm-9, and BIO/mm-10.*

*WR/mm-1            Prior to issuance of a grading permit, the applicant shall provide a copy of the RWQCB-approved SWPPP. The SWPPP shall be implemented prior to, during, and following ground disturbance.*

*WR/mm-2            At the time of application for grading and construction permits, all applicable plans shall clearly show stockpile and staging areas. Stockpiles and staging areas shall not be located within 100 feet of Nipomo Creek, Carillo Creek, Adobe Creek, or any drainage swale. All project-related spills of hazardous materials within or adjacent to project sites shall be cleaned up immediately. Spill prevention and cleanup materials shall be on-site at all times during construction. The staging areas shall conform to standard BMPs applicable to attaining zero discharge of storm water runoff. At a minimum, all equipment*

*and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills. Maintenance, cleaning, and refueling of equipment and vehicles shall not be permitted onsite or on South Oakglen Avenue.*

Residual Impacts

Based on incorporation of mitigation measures identified above, including compliance with the County LUO and an RWQCB-approved SWPPP, residual impacts would be *less than significant with mitigation (Class II)*.

**WR Impact 2      Operation of the project would include vehicle parking areas, which may result in the discharge of hydrocarbons and other pollutants in stormwater runoff, indirectly affecting surface and ground water quality, and resulting in short-term and long-term impacts.**

*WR/mm-3      At the time of application for construction permits, the applicant shall show on the construction permits, project designs that will promote groundwater recharge (22.52.140) by application of LID design techniques. At least three designer-selected LID/stormwater runoff reduction measures shall be applied to the project, including, but not limited to the following options:*

- a.    Parking lots shall be designed to drain to vegetated depressions, rain gardens, or open areas to allow for stormwater infiltration.*
- b.    Roof runoff should be directed to landscape areas (rain gardens) and/or vegetated drainage swales and shall not be directed to impervious surfaces that have the potential to contain pollutants.*
- c.    Vegetated drainage swales shall be constructed along the access driveway and discharge to an approved location in a non-erosive manner.*
- d.    Pavement disconnection within the parking area.*
- e.    Other measures, as approved by the County Planning Department in consultation with Public Works.*

*These measures shall be implemented prior to final inspection or occupancy, whichever occurs first.*

Residual Impacts

Compliance with the County LUO and implementation of LID techniques would reduce potential surface runoff impacts to *less than significant with mitigation (Class II)*.

Discharge into Surface Waters or Alter Surface Water Quality

The project is proposed in proximity to three creeks. Direct discharge into surface waters is not proposed; however, as discussed above, grading and construction activities and use of parking areas would create a potential source of polluted stormwater runoff. Mitigation is recommended to address these effects in addition to compliance with the County LUO (refer to WR/mm-1 and WR/mm-2).

### Change the Quality of Groundwater

The proposed project includes the construction of on-site septic systems, which require review by the County Planning and Building Department and consistency with the Central Coast Basin Plan. Based on the results of the *Engineering Geology Report* (GeoSolutions 2011a) and *Percolation Testing Report* (GeoSolutions 2011b) percolation rates average about 7 minutes/inch, and groundwater was encountered at a depth of 30 feet bgs. The project includes construction of vertical gravel pits, which may be constructed to a depth of 25 feet below the surface. This option was proposed by the applicant in the event of significant cultural resource discovery as a means to avoid or minimize adverse effects. The vertical system was evaluated by GeoSolutions (*Review of Proposed Visitor Center Building*, 2012). While the standard horizontal system was noted as the preferred option, GeoSolutions also stated that vertical pits could be constructed. The depth of the vertical system would be limited by the depth to groundwater and the presence of underlying clay soils, in order to achieve an adequate separation consistent with County Code and the Basin Plan (at least 10 feet) to protect groundwater quality.

On the 100-acre portion of the project site, existing on-site wells would be used for proposed creek restoration activities, and proposed and ongoing restoration conducted by the County and the Land Conservancy of San Luis Obispo County. These wells will also be available for agricultural uses on this portion of the site. These restoration actions, including riparian and other vegetation plantings, are not anticipated to require a substantial amount of groundwater beyond existing and historical conditions once they are established. The approximately 1.28 afy of water to be supplied by the NCSO would contribute to the overall demand for water within Nipomo; however, the project's demand is negligible compared to the demand on the basin, and no saltwater intrusion or other groundwater quality impacts would occur as a direct result of the project.

Based on compliance with existing rules and regulations, the potential for the project to result in significant impacts to groundwater quality would be *less than significant (Class III)* and no additional mitigation measures are necessary.

### Create or Contribute Runoff Water

Implementation of the project would create additional impervious surfaces, totaling approximately 39,300 square feet (including a 21,750-square-foot paved main parking lot), which has the potential to reduce the soil's ability to absorb rainfall and contribute to stormwater runoff. Increased impervious areas have the potential to result in downstream flooding, higher peak flows, and carry polluted runoff. Based on review by County Public Works, the project is subject to standards identified in the LUO and County's Stormwater Pollution Control and Discharge Ordinance. No significant capacity issues were identified.

The County LUO requires management of stormwater flow to ensure rates do not exceed existing conditions. Incorporation of LID strategies, consistent with LUO §22.10.155 (Stormwater Management) would avoid or minimize the project's contribution to water quality and drainage issues affecting surface water bodies in Nipomo and the South County area. The proposed project includes several LID measures to retain and reduce runoff, all which meet County and RWQCB guidelines to reduce off-site runoff. For example, the project has proposed: rain gardens for stormwater capture, maximization of pervious surfaces (i.e., decomposed gravel in lieu of paved parking areas and ADA trails), and additional oak tree plantings and native landscaping throughout the site.

LUO regulations applicable to the 21,750-square-foot main, paved, parking area would include: reduction of impervious land coverage to the maximum extent practicable, oil and hydrocarbon infiltration and treatment of runoff, and development and implementation of a maintenance program for the life of the project. Based on compliance with existing regulations, including preparation and implementation of drainage, stormwater management (construction and operational), and an erosion and sedimentation control plan, potential impacts would be mitigated to less than significant.

**WR Impact 3      Development of the project would create additional impervious surfaces, which would potentially reduce soil absorption rates, increase and re-direct runoff, and increase the potential for downstream flooding, resulting in a significant long-term impact.**

*Implement WR/mm-3.*

*WR/mm-4            At the time of application for construction permits, the applicant shall submit complete drainage, flood hazard, and erosion and sedimentation control plans for review and approval in accordance with §§22.52.110 (Drainage Plan Required), 22.14.060 (Flood Hazard Area), and 22.52.120 (Erosion and Sedimentation Control Plan Required) of the LUO. The applicant shall demonstrate that project construction plans are in conformance with the Source Control BMPs as identified for project incorporation in the Stormwater Quality Plan Application for Priority Projects.*

*WR/mm-5            For the life of the project, the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II stormwater program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, §8.68 et sec.*

### Residual Impacts

The creation of additional impervious surfaces creates the potential for increased stormwater flow rates. Proper planning and implementation of BMPs and LID strategies reduces the potential uncontrolled drainage and increased flow resulting in erosion, flooding, and other adverse drainage impacts. Based on implementation of mitigation measures, potential impacts to stormwater flow would be *less than significant with mitigation (Class II)*.

### Change Rates of Soil Absorption, Surface Runoff, Drainage Patterns

As noted above (Create or Contribute to Runoff Water), implementation of the project includes the construction of additional impervious surfaces, and would have a localized effect on existing rates and direction of surface runoff. Based on project components that include LID strategies, and compliance with existing regulations, potential impacts would be *less than significant (Class III)*.

### Substantial Sedimentation/Erosion or Flooding

There is moderate to high potential for sedimentation, erosion, and flooding adjacent to Nipomo Creek and the project would change drainage patterns in those areas. However, as discussed above, the project has incorporated design techniques and mitigation measures have been recommended to reduce potential impacts associated with sedimentation, erosion, and stormwater flows during rain events to less than significant. No additional impacts associated with the change in drainage patterns would occur and no additional mitigation is necessary.

**WR Impact 4**     **The project would change the drainage pattern in an area with substantial potential for sedimentation, erosion and flooding, resulting in a significant long-term impact.**

*Implement BIO/mm-9, BIO/mm-10, WR/mm-3, WR/mm-4, and WR/mm-5.*

Residual Impacts

Implementation of the project would affect existing drainage patterns; however, compliance with existing regulations and implementation of proposed LID techniques is required, and would ensure that impacts are *less than significant with mitigation (Class II)*.

100-Year Flood Zone

The FEMA Flood Hazard follows the Nipomo, Carillo, and Adobe Creeks through the project site. The 100-year flood elevation of Nipomo Creek varies from 250 to 263 feet. Uses within the flood hazard zone would include the emergency access road bridge crossing over Nipomo Creek, and an approximately 800-foot portion of the interpretive path loop. All other uses and structures would be outside of the flood zone. Floodwaters would be able to freely flow over the path.

The proposed bridge is a railroad flatcar, 89 feet long with a 66-foot creek span. A typical railroad flatcar is 2.5 feet thick. Abutments would be installed with vertical faces on the channel side, and a 4x6-foot (nominal) corrugated metal pipe arch is proposed in the road ramp leading up to the westerly side of the bridge. This culvert will pass some of the water in the westerly overbank to help lower the water surface on the upstream side of the bridge. Based on the *Preliminary Bridge Analysis Nipomo Creek Crossing at the Dana Adobe* (kvc 2011), the deck of the bridge would be constructed at elevation 264 feet, and the “lowest” portion of the bridge would be at elevation 261.5 feet, which would allow for a 1-foot clearance between the water surface through the bridge and the low chord of the bridge during a 100-year flood. There would be a 3.5-foot clearance between the deck of the bridge and the 100-year flood elevation (kvc 2011).

Based on the flood analysis and associated modeling, there would be no change in surface water elevation downstream of the proposed bridge. About 260 feet upstream of the bridge there would be an increase in the water surface of 0.35 feet (within the project site). This increase would be “damped out” before reaching the upstream property line and will not impact other properties. The Preliminary Bridge Analysis recommends a final analysis of the bridge design, based on construction-level detail, to ensure the bridge is designed to avoid potential flooding impacts, consistent with the LUO and Building Code.

Because the project is not expected to result in any increase in risk of flooding, impacts would be *less than significant (Class III)*.

Change in Quantity/Movement of Surface or Ground Water

The proposed project would not include any features that would have an adverse effect on the quantity or movement of surface water with Nipomo Creek and its tributaries. The proposed bridge would not impede floodwaters, and restoration projects would improve water quality and habitat. Based on the design of the proposed project and compliance with existing regulations, potential impacts to surface waters would be *less than significant (Class III)*.

On the 100-acre portion of the project site, existing on-site wells would be used for proposed creek restoration activities, and proposed and ongoing restoration conducted by the County and the Land Conservancy of San Luis Obispo County. These wells will also be available for agricultural uses on this portion of the site. These restoration actions, including riparian and other vegetation plantings, are not anticipated to require a substantial amount of groundwater beyond existing and historical conditions once they are established. The components of the Master Plan (on the 30-acre portion of the site) would be served by the NCS D (refer to discussion below, Adversely Affect Community Water Service Provider).

Based on the project's anticipated demand, proposed implementation of water conservation measures consistent with the LUO and Plumbing Code, and review and approval by the NCS D, implementation of the project would not result in significant water supply impacts. The project also would not remove a barrier for development or result in a significant impact to water available for agricultural use, because the existing wells on the 100-acre portion of the site would only be used for continued and proposed restoration and agricultural use. Based on the estimated water demand (1.28 afy), the project would not have a direct adverse effect on the quantity or movement of groundwater within the Santa Maria Groundwater Basin, and potential impacts to groundwater would be *less than significant (Class III)*.

### Adversely Affect Community Water Service Provider

The proposed project (30-acre portion) would be served by the NCS D. Total water consumption within NCS D and outside service boundaries averaged 2,646 afy between fiscal year 2005 to 2009. Estimated demand (based on build-out) within the existing service area is 4,139 afy (NCS D 2011). The estimated water use would be 1.28 afy for operation of the project on the 30-acre portion of the project site, including the caretaker's unit, visitor center/museum, staff offices, restrooms, catering kitchen, and drought-tolerant landscaping. The water demand analysis was prepared by Hodge Land Planning + Civil Engineering (2011), and includes the following break-down:

- Visitor's Center (including special events and staff): 0.07 afy
- Caretaker's Residence: 0.28 afy
- Landscape Irrigation (including proposed water conservation measures): 0.93 afy
- Total Use: 1.28 afy

The resulting water demand would be 1.28 afy. The NCS D reviewed the water use projection and determined that the project would require an equivalent amount of water as currently permitted by the NCS D's Water Service Limitations if the parcels were developed as residential. If the site were developed with residential uses, two primary dwellings (0.40 and 0.82 afy) and one secondary dwelling (0.08 afy) would be allowed (two parcels, 30 acres total), resulting in a total water demand of 1.30 afy. Therefore, the project would not increase non-agricultural water demand more than the amount otherwise available based on the land uses possible under the County General Plan. The NCS D notes that the project includes elements of water conservation education that would complement the NCS D's conservation efforts (NCS D 2011).

Therefore, based on the project's anticipated demand, proposed implementation of water conservation measures consistent with the LUO, and review and approval by the NCS D, potential impacts to the NCS D would be *less than significant (Class III)*.

### Exposure to Flooding or Inundation

The project site is not located in an area at risk for tsunami or seiche. Portions of the site are at risk from flooding associated with Nipomo, Carillo, and Adobe Creeks. No habitable structures would be located within the 100-year flood zone and the emergency access road bridge would be constructed above the flood elevation to allow for emergency evacuation. Based on the location of features associated with the project, the potential for loss, injury, or death as a result of flooding would be low, and potential impacts would be *less than significant (Class III)*.

#### **4.10.6 Cumulative Impacts**

As noted by the County General Plan and LUO, water supply and water quality issues within Nipomo require compliance with area-specific standards and regulations. These standards are required for discretionary projects (such as the proposed LUO Amendment and CUP) and issuance of building permits (refer to the Plumbing Code). All projects within the NMMA and/or served by the NCSD are now required to comply with adopted standards and regulations, which would reduce the cumulative effect on water resources.

Regarding water supply, the NCSD is required to reduce its per capita water use by 20% from the baseline year (average between 1996 and 2005) by December 31, 2020, with an interim target of 10% reduction by December 31, 2015. As noted in the NCSD's Urban Water Management Plan (2011), NCSD has reduced water use by 27.5% from the baseline, and has exceeded required goals. Current water use (2010) is 173.9 gallons/capita/day; targeted water use for 2020 is 204 gallons/capita/day (adjusted for anticipated growth). In order to attain this goal while accommodating anticipated additional growth, the NCSD has implemented water conservation measures, including a four-tier residential "water conservation" rate (November 1, 2011) and California Urban Water Conservation Council-approved BMPs. Additional measures include development standards and target reducing consumption for high-use customers (NCSD 2011). In addition, further development of supplemental water, and increased use of recycled water, within the service area will be implemented in the future to reduce demands from NCSD wells.

Based on the size and design of the proposed project, estimated annual water demand, and implementation of identified mitigation measures, the project would not have a cumulatively considerable effect on water resources. Potential cumulative effects would be *less than significant (Class III)*.

## **4.11 LAND USE**

This section of the EIR addresses potential impacts resulting from implementation of the proposed project on existing land uses and future land use compatibility.

### **4.11.1 Existing Conditions**

#### **4.11.1.1 Existing Land Uses and Designations**

The project site is located in southwest San Luis Obispo County, at the eastern edge of the community of Nipomo (refer to Chapter 2, Figures 2-1 and 2-2). The 30-acre portion of the project site is located within the Nipomo Urban Reserve Line (URL). These 30 acres include the historic Dana Adobe, a caretaker's unit, unpaved driveway and parking area, fencing, and landscaping. The remaining 100 acres, located outside the Nipomo URL, are undeveloped and support horse pasture and agricultural roads. The Dana Adobe currently hosts field trips for over 1,200 students per year, as well as other special events and tours of the adobe.

The 30-acre portion of the project site is within the Recreation land use category, and the 100-acre portion is designated Agriculture. A portion of the project site along Nipomo, Carillo, and Adobe Creeks is within the Flood Hazard combining designation and subject to inundation during a 100-year storm event (see Chapter 3, Environmental Setting, Figure 3-1). The Historic Site combining designation has also been applied to the Dana Adobe.

#### **4.11.1.2 Land Use of Adjacent Properties**

Surrounding land uses are predominantly agricultural or undeveloped, except west of the project site where urban development increases within the community of Nipomo. Surrounding development includes scattered single-family residences, row crops, livestock grazing, and a tree farm. Lands north, south, and east of the project site are within the Agricultural land use category, while areas northwest and west of the project site are designated Residential Suburban. None of the project site parcels are subject to a Williamson Act contract, but adjacent parcels to the north, south, and east are under Williamson Act protection.

Additional significant land uses in the project vicinity include US 101, located approximately 0.15 mile west of the project site, and the Southland Wastewater Treatment Facility, located 0.5 mile south of the Dana Adobe. The Santa Maria River, which forms the northwest stretch of the Santa Barbara County line, flows west to the Pacific Ocean approximately 2.25 miles south of the project site. The city of Santa Maria is situated immediately south of the river.

Refer to Chapter 3, Environmental Setting, for additional information on the land use setting of the project site.

### **4.11.2 Regulatory Setting**

Aside from CEQA, there are no federal or state policies that specifically regulate the project's proposed land uses. However, because of the historic designation of the Dana Adobe, several federal and state historic preservation regulations will apply to the project, including the NHPA and the California PRC. These regulations are described generally below, and are further detailed in Section 4.4, Cultural Resources.

#### **4.11.2.1 Federal Policies and Regulations**

Significant archaeological and built environment resources are protected by the NHPA. Authorized under the NHPA, the NRHP is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect our historic and archeological resources. Properties listed in the NRHP include districts, sites, buildings, structures, and objects that are significant in American history, architecture, archeology, engineering, or culture. The NRHP is administered by the National Park Service, which is part of the U.S. Department of the Interior.

#### **4.11.2.2 State Policies and Regulations**

##### Office of Historic Preservation

The OHP is the governmental agency primarily responsible for the statewide administration of the historic preservation program in California. The mission of the OHP and the State Historical Resources Commission, in partnership with the people of California and governmental agencies, is to “preserve and enhance California’s irreplaceable historic heritage as a matter of public interest so that its vital legacy of cultural, educational, recreational, aesthetic, economic, social, and environmental benefits will be maintained and enriched for present and future generations.” The OHP’s responsibilities include:

- Identifying, evaluating, and registering historic properties;
- Ensuring compliance with federal and state regulatory obligations;
- Cooperating with traditional preservation partners while building new alliances with other community organizations and public agencies;
- Encouraging the adoption of economic incentives programs designed to benefit property owners; and,
- Encouraging economic revitalization by promoting a historic preservation ethic through preservation education and public awareness and, most significantly, by demonstrating leadership and stewardship for historic preservation in California.

#### **4.11.2.3 Local Policies and Regulations**

The proposed project will be analyzed for consistency with the planning guidelines and regulations set forth in the County LUO and General Plan. The LUO includes standards that are useful as possible thresholds of significance, such as noise standards, and mitigation measures (i.e., preparation of drainage and erosion control plans). Ordinances and standards applicable to the project area are discussed below. Additional information is included in Chapter 3, Environmental Setting.

##### Framework for Planning (Inland)

The first part of the County Land Use Element is the Framework for Planning. The Inland Framework contains policies and procedures that apply to the unincorporated area outside the coastal zone, and defines how the Land Use Element is used together with the LUO and other adopted plans. The Framework also explains the criteria used in applying land use categories and combining designations to the land, and the operation of the Resource Management

System. Combining designations are special map categories that identify areas of unique resources or potential hazards that necessitate more careful project review.

### County of San Luis Obispo Land Use Ordinance

The LUO (Title 22 of the County Code) includes regulations established and adopted to protect and promote public health, safety, and welfare. Regulations are also adopted to implement the County General Plan, guide and manage the future growth of the county in accordance with those plans, and regulate land use in a manner that will encourage and support the orderly development and beneficial use of lands within the county. In addition, LUO regulations are in place to minimize adverse effects on the public resulting from land use and development, as well as to protect and enhance the significant natural, historic, archeological, and scenic resources within the county as identified by the County General Plan.

### County of San Luis Obispo South County Area Plan

The project lies within the *South County Inland Area Plan*. The plan acts as a guide for the cohesive and comprehensive development of the South County Inland Area, and seeks to guide future development that will balance the social, economic, environmental and governmental resources and activities affecting the quality of life within the area. This plan includes planning area standards for the South County Planning Area, which includes the urban community of Nipomo, and seeks to preserve the character of the communities and rural areas that currently exist in the area.

### San Luis Obispo County Land Use Ordinance, Nipomo Urban Area Planning Standards

Article 9 of the LUO includes standards for proposed development and new land uses that are specific to each of the planning areas defined by the Land Use Element, including standards specifically applicable to the Nipomo Urban Area. These standards are mandatory requirements, intended to address the local planning issues of each planning area.

### San Luis Obispo County General Plan

#### *Parks and Recreation Element*

The Parks and Recreation Element is an optional component of the County General Plan. The County has had a Recreation Element as part of its General Plan since 1968, showing an early commitment to provide adequate park and recreation opportunities for both residents and visitors. The Recreation Element establishes goals, policies, and implementation measures for management, renovation, and expansion of existing, and development of new, parks and recreation facilities in order to meet existing and projected needs and to ensure an equitable distribution of parks throughout the county. The purpose of the Parks and Recreation Element is to: 1) provide policy guidance regarding the provision of park and recreation services, 2) document the County's existing park and recreation resources, and 3) facilitate the evaluation of park and recreation needs including those resources that are outside the County's management during the land use decision process.

#### *Conservation and Open Space Element*

The County Conservation and Open Space Element (COSE) consists of a policy and program document that includes separate chapters to address air quality, biological resources, cultural resources, energy, mineral resources, open space, visual resources, and water resources. The technical appendix includes the County's first baseline GHG emissions inventory. The COSE is based on the principles of smart growth, with the intent to preserve unique or valuable natural

resources, to manage development within the sustainable capacity of the county's resources, and to reduce the county's contribution to global climate change.

### *Noise Element*

The County Noise Element (adopted May 5, 1992) provides a policy framework for addressing potential noise impacts in the planning process, and minimizing future noise conflicts. The Noise Element identifies transportation-related, stationary, and potential operational noise generators in the county, provides a list of noise-sensitive land uses, and identifies acceptable and unacceptable thresholds of noise exposure based on land use. The document also provides mitigation measures that should be applied to projects when noise attenuation is required to meet identified thresholds.

### *Safety Element*

The two primary principles of the County Safety Element are emergency preparedness and managed development to reduce risk. The Safety Element identifies potential emergency situations and natural disasters within the county, and includes goals and policies for response during an emergency or natural disaster and the avoidance of unnecessary risk.

## **4.11.3 Thresholds of Significance**

The significance of impacts on land use was determined by the County consistent with criteria listed in Appendix G of the CEQA Guidelines. Based on the County's CEQA Initial Study checklist, a project may have a significant effect on the environment if it would:

- a. Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects;
- b. Be potentially inconsistent with any habitat or community conservation plan;
- c. Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project; or,
- d. Be potentially incompatible with surrounding land uses.

## **4.11.4 Impact Assessment and Methodology**

The analysis of land use was conducted qualitatively based on a review of existing land use policies and the existing land use setting. The potential impacts resulting from implementation of the proposed Master Plan were analyzed against the ordinance standards and General Plan policies whose purpose it is to remedy potential land use impacts. Chapter 3, Environmental Setting, of this EIR further describes the applicable land use plans and policies and provides an analysis of the consistency of the proposed actions with those plans and policies.

## **4.11.5 Project Specific Impacts and Mitigation Measures**

### **4.11.5.1 Land Use Ordinance Amendment**

The proposed LUO amendments include clarifications to the permitting process for the site, identified in §22.112.080.G.2. The revised language clarifies that future non-residential and non-agricultural development of the site shall be consistent with an approved Master Plan, and a CUP will be required for approval of the Master Plan and any subsequent major changes. The

amended language also clarifies that minor amendments to the Master Plan shall be approved pursuant to permit requirements identified in the LUO. The CUP shall identify the areas proposed for development, and an architectural style compatible with the Dana Adobe and associated interpretation and educational components. These proposed changes modernize the LUO language by considering existing conditions, and providing process for future approvals. Implementation of the amendment would not have an adverse effect on land use, or be inconsistent with applicable plans and policies.

In addition, planning area standards are recommended to address specific environmental issue areas, including air quality, biological resources, cultural resources, geology and soils, noise, transportation and circulation, and water resources (refer to Chapter 4, Environmental Impacts Analysis, Exhibit A). These standards are included to ensure these issues are addressed prior to future development of the site. In this case, the applicant currently has a proposed project and CUP application under consideration in this EIR.

#### **4.11.5.2 Conditional Use Permit**

##### Consistency with Plans and Policies

The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use, and the project was found to be consistent with these documents (refer to Chapter 3, Environmental Setting, Consistency with Plans and Policies). Key combining designations and policies relating to environmental resources are discussed in applicable sections of the EIR and are summarized below.

The project site is located within the Historic (H) combining designation, indicating the presence of the historic Dana Adobe (refer to Chapter 4.4, Cultural Resources, of the EIR). The project would be consistent with the LUO and General Plan standards specific to the H designation because the project includes the continuation of preservation and restoration of the Dana Adobe consistent with Secretary of the Interior standards, preservation and incorporation of elements consistent with the historical context of the structure and surrounding views, educational facilities to encourage historic preservation, and separation of uses (i.e., Dana Adobe and Visitor's Center). Implementation of the project would not impair the integrity of the Dana Adobe or result in a significant adverse effect to the historic resource.

The proposed project would generate noise potentially exceeding thresholds identified in the County Noise Element (refer to Section 4.7, Noise, of the EIR), and result in a potentially significant land use impact. Mitigation is identified, which would reduce the noise level at the source and provide additional attenuation to avoid potential land use conflicts.

As discussed in Section 4.10, Water Resources, of the EIR, the project is subject to standards and regulations associated with the Flood Hazard designation, applicable to Nipomo Creek and its tributaries on the project site. No habitable structures are proposed within the flood zone, and documentation submitted by the applicant supports the conclusion that the proposed emergency access road bridge would change surface/flood water flow or cause additional flooding up or down stream. The creation of additional impervious surfaces may increase onsite stormwater runoff, which would flow into the creeks. Based on implementation of identified mitigation and compliance with existing regulations identified in the LUO, the project would not result in a significant land use impact.

**LU Impact 1      Operation of the project would generate noise potentially exceeding thresholds identified in the County Noise Element, and potentially resulting in a significant, long-term impact.**

*Implement N/mm-1.*

Residual Impacts

Based on the design of the proposed project, and implementation of identified mitigation measures, the project would not result in any significant land use impacts related to consistency with plans and policies and no additional mitigation is necessary. Potential land use impacts would be *less than significant with mitigation (Class II)*.

Conflict with a Habitat or Community Conservation Plan

The project is not within or adjacent to a Habitat Conservation Plan area. No impacts would occur.

Conflict with an Adopted Agency Environmental Plan

There are no adopted agency environmental plans applicable to the project. No impacts would occur.

Land Use Compatibility

The project site is on the edge of the community of Nipomo, and surrounding land is developed by residential and agricultural uses. The project would enhance existing educational and historic opportunities at the project site and would be consistent with agricultural uses onsite (100 acres to the east) and adjacent uses. Potential land use conflicts include generation of noise during special events, as discussed above. Based on analysis of noise impacts (refer to Section 4.7, Noise), mitigation can be incorporated to reduce sound levels below County thresholds. Potential land use compatibility impacts may occur as a result of periodic traffic increases during special events; however, this impact would be short-term and less than significant due to the limited frequency and timeframe of localized peak traffic prior to and following each large event. The project includes onsite parking, including a main parking area and overflow parking. Therefore, potential land use compatibility impacts would be *less than significant (Class III)*.

**4.11.6 Cumulative Impacts**

Potential cumulative land use impacts would be avoided or minimized through implementation of the mitigation measures described in this EIR. The proposed uses are consistent with the surrounding community and the land use designation and policies applicable to the project site. The project would comply with all applicable policies and regulations related planning and environmental resources. Therefore, potential cumulative land use impacts would be *less than significant (Class III)*.

## **4.12 ISSUES WITH LESS THAN SIGNIFICANT IMPACTS**

The Initial Study and further environmental review through the EIR process evaluated the proposed project and determined that there were insignificant impacts to agricultural resources, population and housing, recreation, and wastewater. These issues are described in the following sections. This section is largely based on the Initial Study/Mitigated Negative Declaration prepared for the project (April 2012) which included the original analysis and conclusion that the project would result in less than significant impacts to these resource areas.

### **4.12.1 Agricultural Resources**

#### **4.12.1.1 Existing Conditions**

Historic agricultural uses at the Dana Adobe included dry grain, raising cattle, and the production of hides and tallow. The project site does not currently support agricultural production and is not irrigated, though, at times, horses are grazed within the project site. No portion of the project site is in an agricultural preserve or under a Williamson Act contract. The soil types and characteristics of the project site are described in Section 4.5, Geology and Soils.

The 30-acre area of the project site is within the Recreation land use category, but onsite soils are classified as Prime Farmland if irrigated, Farmland of Statewide Importance, and Other Productive Soils by the County COSE's Table of Important Agricultural Soils of San Luis Obispo County. The 100-acre portion of the site is designated Agriculture, and its soils are classified as Prime Farmland if irrigated, Farmland of Statewide Importance, Other Productive Soils, and Highly Productive Rangeland Soils.

#### **4.12.1.2 Regulatory Setting**

##### State Regulations and Policy

###### *California Land Conservation Act (Williamson Act)*

As defined by the California Department of Conservation (CDC), the California Land Conservation Act of 1965 (Williamson Act) enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. As an incentive, landowners receive lower property tax assessments based on agricultural or open space land uses, as opposed to the real estate value of the land. Local governments receive a subsidy for forgone property tax revenues from the state via the Open Space Subvention Act of 1971. However, as at the time this EIR was prepared, the State of California has at least temporarily suspended the subsidies to local government as a result of revenue shortfalls.

##### Local Regulations and Policy

###### *Agriculture Element of the San Luis Obispo County General Plan (2010)*

The Agriculture Element of the San Luis Obispo County General Plan (separated from the Open Space Element in May 2010) provides a background on agricultural resources within the County. Through the goals, policies, implementation programs, and measures provided within the document, the County's intent is to "Identify those areas of the county with productive farms, ranches and soils, and establish goals, policies and implementation measures that will enable their long-term stability and productivity." Please refer to Chapter 3, Environmental Setting, for a discussion of Agricultural Element policies as they relate to this project.

### *San Luis Obispo County Right-to-Farm Ordinance*

The San Luis Obispo County Right-to-Farm Ordinance (County Code Chapter 5.16) states that the use of real property for agricultural operations including agricultural processing is a high-priority and favored use. The ordinance states that: “it is the declared policy of this County to enhance and encourage agricultural operations, including agricultural processing within the County...[and] to provide to the residents of this County proper notification of the County’s recognition and support through this ordinance of those persons’ and/or entities’ right to farm”. The ordinance also states that: “where non-agricultural 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 County’s agricultural industry as a whole.” The right-to-farm ordinance advises purchasers of residential and other property types adjacent to existing agricultural operations of the inherent potential nuisances associated with the purchase of such property. Concerns may include the noise, odors, dust, chemicals, smoke, and hours of operation that may accompany agricultural operations.

#### **4.12.1.3 Thresholds of Significance**

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Pursuant to the County’s CEQA Initial Study Checklist, a substantial impact to agricultural resources would occur if the project would:

- a. Convert prime agricultural land to non-agricultural use;
- b. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use;
- c. Impair agricultural use of other property or result in conversion to other uses; or
- d. Conflict with existing zoning or Williamson Act program.

#### **4.12.1.4 Impact Assessment and Methodology**

Impacts to agricultural resources were assessed by utilizing data and maps published by the U.S. Department of Agriculture, CDC, and County Agriculture Department, including soil information, farmland mapping, and historical and current agricultural uses at the project site. The project was analyzed for the potential conversion of Farmland, loss of productive agricultural soils, incompatible land uses, and inconsistencies with regulations and policies intended to preserve agricultural resources.

The analysis of agricultural constraints included a review of GIS maps, local and state literature and records, consultation with the County Agriculture Department and the County Department of Planning and Building, and field visits to the project area and the surrounding region. GIS data provided by the County were utilized to determine soil types and identify parcels within and adjacent to the project study area. These layers were joined with the project study area layer to quantify the acreage of affected soils and agricultural use areas.

Documents used for the literature review included the County of San Luis Obispo Annual Report, the County of San Luis Obispo General Plan Agriculture Element, and the South County

Inland Area Plan. Other documents included the NRCS Soils Data for San Luis Obispo County, CEQA Guidelines, California Farmland Conversion Report published by the CDC, and online resources, mapping, and data on the USDA website. Field visits were performed to assess existing land uses and potential constraints.

#### **4.12.1.5 Project Specific Impacts and Mitigation Measures**

The proposed project was reviewed by the County Agriculture Department (2012). The Agriculture Department noted that the project would have less than significant impacts to agricultural resources or operations. The Agriculture Department recommended conditions to maximize the availability of water for agricultural production, minimize runoff, and maximize groundwater recharge. The project does not include any turf areas, and drip-irrigated landscaping would be native and drought-tolerant. The project includes pervious surfaces for paths and overflow parking areas, and construction of a rain garden. In addition, the applicant is required to comply with Interim LID guidelines (refer to Section 4.5, Geology and Soils). Therefore, the project is consistent with the Agriculture Department's recommendations as proposed and in compliance with recommended mitigation measures.

#### **Land Use Ordinance Amendment**

The proposed LUO amendment would not result in a significant impact to water available for agricultural use, because the calculated water demand for the project would not exceed the amount that would be required if the site was developed for residential use, and the proposed water source would be the NCS D. The 100-acre area, and agricultural uses outside the NCS D service boundary, would continue to use onsite wells for water supply. Other proposed LUO changes are only applicable to the Recreation portion of the project site, and would not result in adverse impacts to surrounding agricultural uses. Therefore, potential impacts to agriculture would be *less than significant (Class III)*. No additional planning area standards are necessary.

#### **Conditional Use Permit**

##### ***Convert Prime Agricultural Land / Prime Farmland***

The existing Dana Adobe and proposed uses would be located within the 30-acre area west of Nipomo Creek on Oceano Sand (0 to 9 and 9-30 percent slopes), and within areas designated as Farmland of Statewide Importance. Uses east of Nipomo Creek (within the 100-acre area), and within areas designated as Prime Farmland if irrigated and Farmland of Statewide Importance, would include rough-graded trails and the emergency access road extending to Thompson Avenue. Based on the location and nature of proposed uses, these agricultural resource impacts are considered *less than significant (Class III)* and no mitigation is necessary.

##### ***Impairment of Agricultural Uses or Result in Conversion***

Implementation of the project would not convert prime agricultural land to non-agricultural uses. Master Plan development would occur within lands considered Farmland of Statewide Importance; however, these areas are not currently used for production agriculture. The 100 acres of land east of Nipomo Creek are not irrigated, and historically supported cattle grazing and dry farming. The development of trails and the creation of an emergency access road would not hinder grazing and other potential agricultural activities in the future. Within the 30-acre area, proposed uses include education about the historical and modern agricultural uses at the project site and the Nipomo Rancho, including the historic tallow vat, an equestrian arena, recreated barn, and interpretive gardens, orchard, and vineyard. Lands east of Nipomo Creek would support open space and agricultural uses, including crop production and livestock grazing

outside of County and Land Conservancy of San Luis Obispo County restoration areas. Based on the location and nature of proposed uses, these agricultural resource impacts are considered *less than significant (Class III)* and no mitigation is necessary.

#### *Conflict with Existing Zoning or Williamson Act Program*

The proposed uses are consistent with the land use category of applicable parcels, and would not result in any land use conflicts. Special events would be limited to the property west of Nipomo Creek, within the Recreation land use category. No portion of the project site is under a Williamson Act contract; however, parcels to the northwest, northeast, and southeast of the 100-acre area are under Williamson Act contract. These parcels are located approximately 300 feet southeast of the emergency access drive, and 300 feet northwest and 500 feet west of existing ranch roads (to be used as public trails). The Holloway Christmas Tree Farm is located approximately 0.2 mile to the northwest of the Dana Adobe, on South Oakglen Avenue. Implementation of the project would not include any uses directly adjacent to agricultural lands, and would not include any activities that would impair agricultural uses in the area. Based on the location and nature of proposed uses, these agricultural resource impacts are considered *less than significant (Class III)* and no mitigation is necessary.

#### **4.12.1.6 Cumulative Impacts**

A majority of the projects recently constructed, approved, or under consideration by the County are located within the Nipomo urban area, and would not result in significant impacts to agricultural resources. The Laetitia Agricultural Cluster Tentative Tract Map and CUP would result in the conversion of Farmland if approved as proposed. The proposed project would not result in significant impacts to agricultural resources, and would locate development within the smaller (30-acre) portion of the site while keeping the remainder (100 acres) in open space. Based on the design of the project, potential cumulative impacts to agricultural resources would be *less than significant (Class III)*.

#### **4.12.2 Population and Housing**

##### **4.12.2.1 Existing Conditions**

The proposed project is located within the boundaries of San Luis Obispo County, and also extends partly into the community of Nipomo URL. The community of Nipomo is located within the South County Inland planning area, which has historically experienced significant growth compared to other planning areas and the county overall. The area which has experienced, and continues to experience, the highest growth rate in South County is Nipomo, which experienced tremendous growth from 1990 to 2008.

There are no major topographical features affecting the extent and density of development in South County; therefore, the major determining factor of urban development is the availability and feasibility of community services, including water supply, sewage disposal, and transportation improvements. The build-out potential for the Nipomo urban area is 24,032 people. Nipomo has been targeted in the South County Inland Area Plan as being developed as the economic, cultural, and residential center of the South County planning area. However, the dramatic growth in this area is placing strains on infrastructure, including water availability, roads, and schools. Due to the relative affordability of Nipomo, a large workforce population resides there and commutes to work in nearby communities.

In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant

(CDBG) Program, which provides limited financing to projects relating to affordable housing throughout the county. The County’s Inclusionary Housing Ordinance requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions.

#### **4.12.2.2 Regulatory Setting**

The California State Planning and Zoning Law requires that every city and county general plan must contain the following components or “elements:” Land Use, Conservation, Noise, Circulation, Open Space, Safety, and Housing. The County most recently adopted an updated Housing Element in August 2009 to cover the planning period from 2009 through 2014. The primary purpose of the Housing Element is to facilitate the provision of needed housing in the context of the Land Use Element and the County General Plan and related ordinances. Its secondary purpose is to meet the requirements of state law and achieve certification by the California Department of Housing and Community Development, which allows the County to qualify for certain funding programs offered by the state. Housing is the only element subject to approval by the state and the only element that must be updated on a specific timeline, generally every 5 years.

#### **4.12.2.3 Thresholds of Significance**

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Pursuant to the County’s CEQA Initial Study Checklist, a substantial impact to population and housing would occur if the project would:

- a. Induce substantial population growth in an area, either or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure);
- b. Displace existing housing or people, requiring construction of replacement housing elsewhere; or,
- c. Create the need for substantial new housing in the area.

#### **4.12.2.4 Impact Assessment and Methodology**

This evaluation of population and housing impacts associated with the proposed project was based on current population projections and statistics and review of the County General Plan. The focus of the population and housing analysis is potential impacts resulting from implementation of the project.

#### **4.12.2.5 Project Specific Impacts and Mitigation Measures**

##### Land Use Ordinance Amendment

The proposed LUO amendments do not include language that would result in an adverse effect related to population and housing, and would result in the need for additional housing, or displace existing housing. The proposed amendment would not result in intensification of land use or remove a barrier to growth. The proposed amendment includes an update to language regarding the Southland Street interchange (§22.112.080.G.1). The language is clarified to delete the reference to this interchange project because it is no longer proposed by County Public Works and Caltrans, and replaces it with a requirement for emergency access. This change meets the intent of the original measure by providing emergency access to and from the

project site, and would not induce substantial growth in the area. No additional planning area standards are necessary.

### Conditional Use Permit

#### *Induce Substantial Growth*

The proposed project would include the construction of an emergency access road to provide emergency egress from the site in the event that South Oakglen Avenue is impeded by hazardous conditions. This road would not be used as secondary or primary access for the project site, or surrounding uses, and would not induce growth in the area. Potential impacts would be *less than significant (Class III)*.

#### *Displace Existing Housing*

The proposed project would not result in the displacement of existing housing. No impact would occur.

#### *Create the Need for Substantial New Housing*

The project would create an educational and cultural learning facility, which would bring local and regional visitors to the area. However, the project is not expected to result in any permanent population growth in the area. The project includes development of emergency access, but would not result in any major extension of infrastructure. Therefore, the project will not result in a need for a significant amount of new housing, and potential impacts would be *less than significant (Class III)*.

### **4.12.2.6 Cumulative Impacts**

The project would not create significant impacts on existing housing or population levels. The proposed uses are consistent with the County General Plan and land use designation. Therefore, no cumulatively significant impact would occur.

### **4.12.3 Recreation**

#### **4.12.3.1 Existing Conditions**

The San Luis Obispo County Parks Division, and various other federal and state agencies, provide recreational facilities throughout the County. These recreational properties include urban or rural regional parks, neighborhood or community parks, special places, golf courses, and trails. Several recreational opportunities are provided in the community of Nipomo, including the 144-acre Nipomo Community Park, Mesa Meadows natural area, and Black Lake and Cypress Ridge Golf Courses.

The County's Parks and Recreation Element includes the Nipomo Creek Linear Park as a proposed County park in the South County Nipomo area. The Parks and Recreation Element directs the County to "Obtain acreage for a linear park in the vicinity of Nipomo Creek. The linear park should contain a Class I bicycle path/trail system as well as other recreational facilities. Once property has been obtained, prepare a master plan for the park to determine appropriate park facilities and future maintenance needs. Update the master plan periodically to reflect community recreation needs."

The Parks and Recreation Element map shows the proposed Nipomo Creek Linear Park extending from the US 101/Thompson Avenue interchange, through the project site on the

western side of Nipomo Creek, and reconnecting with Thompson Avenue to the south. While the linear park is proposed in the General Plan, the County is not currently pursuing or planning for its development. While the proposed project does not include a Class I bicycle path, a trail system is proposed throughout the project site, which could be incorporated into a master plan for the linear park in the event the County elects to pursue it.

#### **4.12.3.2 Regulatory Setting**

The Parks and Recreation Element of the County General Plan identifies the goals, objectives, policies, and programs related to the provision of parks, trails, beach access, golf courses, and natural areas countywide. The Parks and Recreation Element was updated and adopted on December 19, 2006. The purpose of the Parks and Recreation Element is to: 1) provide policy guidance regarding the provision of park and recreation services, 2) document the County's existing park and recreation resources, including those resources that are outside of the County's management, and 3) facilitate the evaluation of park and recreation needs during the land use decision process. The Parks and Recreation Element establishes goals, policies, and implementation measures for management, renovation, and expansion of existing, and development of new, parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county.

The National Recreation and Parks Association standards are used for determining recreational needs. The standards are designed to help planners adequately estimate the amount of recreational acreage that is needed for the population in a given area. The standards are expressed in terms of acres of parkland per 1,000 residents, and include approximately 1 to 2 acres of neighborhood parks, 5 to 8 acres of community parks, and 5 to 10 acres of regional parks for every 1,000 people.

In addition, many jurisdictions, including federal, state, county, and municipal governments, are involved in planning, developing, and operating public trails within San Luis Obispo County. Federal and state governments have adopted legislation to protect existing trails and to provide new trails and related facilities. The National Trails System Act of 1968 plans a nationwide system of interstate riding and hiking trails. At the state level, the Department of Parks and Recreation has prepared the California Recreational Trails System Plan. At the local level, the County has developed the County Trails Plan to ensure coordination with state and federal plans.

#### **4.12.3.3 Thresholds of Significance**

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Pursuant to the County's CEQA Initial Study Checklist, a substantial impact to recreational resources would occur if the project would:

- a. Increase the use or demand for parks or other recreation opportunities; or,
- b. Affect the access to trails, parks or other recreation opportunities.

#### **4.12.3.4 Impact Assessment and Methodology**

The impacts of the proposed project were evaluated based on an assessment of the construction of various components of the Stories of the Rancho Era Master Plan, and the associated impacts on existing recreational facilities, in conjunction with the private facilities proposed by the applicant.

### **4.12.3.5 Project Specific Impacts and Mitigation Measures**

#### Land Use Ordinance Amendment

The proposed LUO amendments would clarify language applicable to the Recreation land use category, specific to the project site (LUO §22.112.080.G). The proposed changes clarify the Master Plan and permit process for the site, and clarify development requirements to maintain the historical context of the Dana Adobe, which would result in a beneficial effect by preserving a historical and educational resource for the public. These amendments would not affect recreational resources on-site or in the community, because they would not generate additional demand for recreational opportunities or affect an existing recreational resource. No additional planning area standards are necessary.

#### Conditional Use Permit

##### *Increase Demand for Parks and Recreational Opportunities*

The project would result in beneficial recreational impacts by protecting and enhancing an educational and historical resource open to the public. The project would also provide additional future recreational opportunities including hiking, wildlife viewing, picnicking, equestrian use, and enjoyment of open space. Therefore, potential impacts to recreational resources would be *beneficial (Class IV)*.

##### *Affect Access to Trails, Parks, or Other Recreational Opportunities*

Implementation of the project would improve access to trails and recreational opportunities onsite. The project would not impede future development of the Nipomo Creek Linear Park and associated Class I bicycle path. Therefore, potential impacts to recreational resources would be *beneficial (Class IV)*.

### **4.12.3.6 Cumulative Impacts**

Implementation of the proposed project would result in a *beneficial (Class IV)* impact to recreational resources, because it would improve recreational opportunities within the community of Nipomo and the South County Area.

## **4.12.4 Wastewater**

### **4.12.4.1 Existing Conditions**

The project site is currently served by an on-site septic system. Development of the proposed visitor's center would include construction of a public restroom facility, on-site septic tank, sewer lift station, and leachfield.

For on-site septic systems, there are several key factors to consider for a system to operate successfully, including the following:

- Sufficient land area (refer to County's LUO or Plumbing Code) – depending on water source, parcel size minimums will range from 1 to 2.5 acres;
- The soil's ability to percolate or "filter" effluent before reaching groundwater supplies (30 to 120 minutes per inch is ideal);

- The soil's depth (there needs to be adequate separation from bottom of leach line to bedrock [at least 10 feet] or high groundwater [5 to 50 feet depending on percolation rates]);
- The soil's slope on which the system is placed (surface areas too steep creates potential for daylighting of effluent);
- Potential for surface flooding (e.g., within 100-year flood hazard area);
- Distance from existing or proposed wells (between 100 and 250 feet depending on circumstances); and,
- Distance from creeks and water bodies (100-foot minimum).

To assure a successful system can meet existing regulation criteria, proper conditions are critical. Above-ground conditions are typically straight-forward and most easily addressed. Below ground criteria may require additional analysis or engineering when one or more factors exist:

- the ability of the soil to “filter” effluent is either too fast (percolation rate is less than 30 minutes per inch and has “poor filtering” characteristics) or is too slow (more than 120 minutes per inch);
- the topography on which a system is placed is steep enough to potentially allow “daylighting” of effluent downslope; or,
- the separation between the bottom of the leach line to bedrock or high groundwater is inadequate.

The soil types for the project area were determined based on the NRCS Soil Survey map and are provided in Section 4.5, Geology and Soils. The main limitation of on-site soils for wastewater effluent is poor filtering characteristics due to the very permeable nature of the soil. Often, these soil types will require special engineering and larger separations between the leach lines and the groundwater basin to provide adequate filtering of the effluent.

The Basin Plan identifies the percolation rate should be between 30 and 120 minutes per inch. In this case, the *Percolation Testing Report* prepared for the project (Geosolutions 2011a) identified percolation rates for the soil ranges from 1 to 10 minutes per inch (average 7 minutes per inch) for all leach line locations. Groundwater was not encountered in the 15 feet below ground surface exploratory boring.

#### **4.12.4.2 Regulatory Setting**

Regulations and guidelines on proper wastewater system design and criteria are found within the County's Plumbing Code (see Chapter 7 of the Building and Construction Ordinance [Title 19]), the RWQCB's "Water Quality Control Plan, Central Coast Basin" (hereafter referred to as the "Basin Plan"), and the California Plumbing Code. These regulations include specific requirements for both on-site and community wastewater systems. These regulations are applied to all new wastewater systems.

The Basin Plan includes various guidelines, criteria, and prohibitions for on-site wastewater treatment and disposal. On-site wastewater systems may be used to treat and dispose of wastewater, provided the daily flow rate is less than 2,500 gallons.

Standards for the quality of treated effluent are established by federal and state water quality laws. Effluent is required to be treated in accordance with the applicable standards set forth in CCR Title 22 (Environmental Health) as well as standards set by the SWRCB, which sets specific effluent discharge requirements for wastewater facilities in the county. Standards for quality of treated effluent are set to protect present and potential beneficial uses of surface and/or groundwater that receive the treated effluent, including recreation, agriculture, and wildlife. Use of treated effluent as recycled water is also regulated by CCR Title 22 (Chapter 3, Recycling Criteria).

The County Environmental Health Services and the Central Coast RWQCB are the local agencies responsible for effluent treatment standards and siting of wastewater treatment and disposal facilities. These agencies ensure that proposed projects conform to all applicable local standards, including the Basin Plan. Compliance with County regulations, such as the Building and Construction Ordinance sections relating to private sewage disposal systems, would also be required.

#### **4.12.4.3 Thresholds of Significance**

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Pursuant to the County's CEQA Initial Study Checklist, a substantial impact to wastewater would occur if the project would:

- a. Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems;
- b. Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting); or
- c. Adversely affect a community wastewater service provider.

#### **4.12.4.4 Impact Assessment and Methodology**

The wastewater impacts of the proposed project were evaluated based on an assessment of on-site soil conditions and the site's suitability for the proposed septic system and leachfield.

#### **4.12.4.5 Project Specific Impacts and Mitigation Measures**

##### Land Use Ordinance Amendment

The proposed LUO amendments do not include language that would result in an adverse effect related to wastewater. Any future development of wastewater treatment and disposal facilities requires compliance with the LUO and the Basin Plan and review by the County Planning and Building Department. No additional planning area standards are necessary.

##### Conditional Use Permit

###### *Violate Waste Discharge Requirements or Basin Plan Criteria*

The proposed project includes the construction of on-site septic systems, which require review by the County Planning and Building Department and consistency with the Central Coast Basin

Plan. Based on the results of the *Engineering Geology Report* (Geosolutions 2011b) and *Percolation Testing Report* (Geosolutions 2011a), percolation rates average about 7 minutes per inch, and groundwater was encountered at a depth of 30 feet bgs. The project includes construction of vertical gravel pits, which may be constructed to a depth of 25 feet below the surface. This option was proposed by the applicant in the event of significant cultural resource discovery as a means to avoid or minimize adverse effects. The vertical system was evaluated by Geosolutions (*Review of Proposed Visitor Center Building*, 2012). While the standard horizontal system was noted as the preferred option, Geosolutions also stated that vertical pits could be constructed. Depth of the vertical system would be limited by the depth to groundwater and the presence of underlying clay soils, in order to achieve an adequate separation consistent with County Code and the Basin Plan (at least 10 feet) to protect groundwater quality.

In the event further investigation by the applicant's engineer and the County Building Department determines that a vertical system would not meet local and state regulations including separation between the system and groundwater, standard or engineered horizontal systems may be constructed. Based on the analysis of archaeological resources, including an assessment of the overall area of disturbance within the subsurface layer of archaeological resources, potential impacts would be similar, and would require mitigation to reduce adverse effects to a less than significant level (refer to Section 4.4 Cultural Resources, CR Impact 1 and CR/mm-1 through CR/mm-6).

The proposed systems meet other criteria identified in the Basin Plan and Plumbing Code. The project site has sufficient land area per the County's LUO to support an on-site system. The site's slope is less than 20%, and the systems would be located outside of the 100-year flood zone and more than 100 feet from on-site creeks and water bodies. There would be adequate distance between the proposed leach lines and existing or proposed wells.

Based on the above discussion and information provided, the site appears to be able to support an on-site system that will meet County Plumbing Code/Basin Plan requirements. Due to the fast percolation rate and depth to groundwater, the system would need to be engineered to address these conditions. Prior to building permit issuance and/or final inspection of the wastewater system, the applicant is required to show the compliance with the County Plumbing Code/Central Coast Basin Plan, including any above-discussed information relating to potential constraints. Therefore, based on the project being able to comply with these regulations, potential impacts are considered *less than significant (Class III)*.

#### *Change the Quality of Surface or Groundwater*

Please refer to discussion above. Based on review by the applicant's engineer and compliance with existing regulations, potential impacts would be *less than significant (Class III)*.

#### *Adversely Affect Community Wastewater Service Provider*

The proposed project includes onsite treatment of wastewater and would not affect the community wastewater service provider (NCSD).

#### **4.12.4.6 Cumulative Impacts**

Implementation of the proposed project would not result in a cumulatively considerable impact related to on-site wastewater treatment and disposal, or to the NCSD's sewer system. Potential cumulative impacts would be *less than significant (Class III)*.

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# CHAPTER 5

## ALTERNATIVES ANALYSIS

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### 5.1 INTRODUCTION

The California Environmental Quality Act (CEQA), §15126.6(a), requires an Environmental Impact Report (EIR) to “describe a reasonable range of alternatives to a project, or to the location of a project, which could 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.” This chapter discusses a range of alternatives to the proposed project, including alternative locations, alternative designs, and a No Project Alternative. The CEQA Guidelines provide direction for the discussion of alternatives to the proposed project. This section requires:

- Description of “...a range of reasonable alternatives to the project, or to the location of a 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.” [§15126.6(a)]
- A setting forth of alternatives that “...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.” [§15126.6(f)]
- Discussion of the “No Project” alternative, and “...If the environmentally superior alternative is the “no project” alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.” [§15126.6(e)(2)]
- Discussion and analysis of alternative locations “...that would avoid or substantially lessen any of the significant effects of the project;” only these need to be considered for inclusion in the EIR. [§15126.6(f)(2)(A)]
- “Prior to approval of the proposed subsequent project, the lead agency shall incorporate all feasible mitigation measures or feasible alternatives appropriate to the project as set forth in the Master EIR and provide notice in the manner required by §15087. [§15177 (d)]

Given the CEQA mandates listed above, this section: (1) describes the range of reasonable alternatives to the project; (2) examines and evaluates resource issue areas where significant adverse environmental effects have been identified and compares the impacts of the alternatives to those of the proposed project; and (3) identifies the Environmentally Superior Alternative.

### 5.2 ALTERNATIVES SELECTION

In defining feasibility of alternatives, the CEQA Guidelines state: “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 (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.” Through the scoping process, if an alternative was found to

be infeasible, as defined above, then it was dropped from further consideration. In addition, CEQA states that alternatives should "...attain most of the basic objectives of the project..."

### **5.2.1 Project Objectives**

The basic objectives of the proposed project that were used in the screening of project alternatives are taken from Chapter 2 and include the following:

The Dana Adobe Nipomo Amigos (DANA), the project applicant, has developed the following project statement of intentions, which were used in the initial screening of applicant prepared project alternatives:

*"The intent of the project's master plan is to tell the stories of the people and the land over time using the Dana Adobe as the key component. Master plan components should complement the education being provided about the Dana Adobe, the Native American presence on the landscape, and the Rancho era. The arrangement and physical elements on the site must create a spatial sequence that enables the visitor experience to be programmed toward the larger educational purpose. As a result, individual master plan components should not dominate the site or detract from the site's intent by creating separate sites for uses not directly related to the project's overall educational purpose. The project provides:*

- *A visitor's center that furnishes adequate area for visitors, exhibits and interpretive elements, fundraising, and daily and staffing needs;*
- *Structures, buildings, and landscaped areas that help visitors understand the site's history and historic uses;*
- *An area devoted to the understanding and appreciation of the Chumash culture as it relates to the Rancho era and aspects of Chumash life in earlier eras and today;*
- *Educational opportunities that address the consequences of human interaction with the land over time, as well as modern day environmental and sustainability issues;*
- *Facilities, indoors and outdoors, for education of school aged children, adults, and seniors; all income levels, varying physical capabilities; and for the Nipomo area and the County's tourist population;*
- *On the 30-acre site, disabled access to all facilities and experiences consistent with ADA, connecting the site's educational components;*
- *On the 100-acre site, public trails that also furnish education regarding the site's natural, historical, and agricultural resources;*
- *Amenities (such as armadas, viewing areas, gardens, and picnic tables) to provide a pastoral and pleasurable visitor experience;*

- *Adequate support facilities (such as a caretaker's unit and emergency access) to safeguard resources onsite and provide security and visitor safety;*
- *Provide infrastructure consistent with the level of development proposed while maintaining the site's historical setting and balancing new development with resource protection and historic character;*
- *Restoration along portions of the project's creek corridors in order to provide resource protection and education regarding those resources;*
- *A building design for the visitor center and other project components that has sustainable construction techniques and does not confuse visitors regarding the interpretation of historical structures on the site;*
- *Master plan components in locations that complement the Dana Adobe and its setting while balancing protection of the site's various resources; and,*
- *Facilities and amenities that DANA, a nonprofit, can reasonably afford to maintain in the present and future."*

The primary goal of The Stories of the Rancho Project Master Plan is to establish the plan for protection/preservation of the historic Dana Adobe and development of surrounding areas for educational purposes. DANA and County of San Luis Obispo (County) have utilized the applicant's above-stated project intent to establish the following project objectives:

1. To facilitate development of the historic project site to tell the stories of the people and the land over time, including the Native American presence, Dana Adobe, and the Rancho era, using the Dana Adobe as the key component;
2. To guide development of the project site that helps visitors understand the site's pre-history, history and historic uses, and enables the visitor experience to be programmed toward the larger educational purpose;
3. To provide a range of passive and active facilities and use areas to provide cultural, historic, environmental, natural, and agricultural educational opportunities to the community;
4. To develop an area devoted to the understanding and appreciation of the Chumash culture as it relates to the Rancho era and aspects of Chumash life in earlier eras and today;
5. To provide amenities that are environmentally sensitive, sustainable, and aesthetically consistent with the regional and historic character of the area;
6. To provide amenities and facilities that are accessible to a wide range of individuals of varying ages, income levels, and physical capabilities.
7. To restore and protect natural resources associated with on-site creek corridors, and provide educational opportunities related to on-site natural resources;

8. To balance the level of new development with resource protection and maintenance of the site's historic character;
9. To provide necessary infrastructure consistent with the level of development proposed;
10. To furnish on-site opportunities for fundraising, and to provide facilities and amenities that DANA can reasonably afford to maintain; and
11. To establish a plan for development consistent with the Nature Education Facilities Grant.

### **5.2.2 Significant Impacts Resulting from the Proposed Project**

Generally, the alternatives analysis considers alternatives that would avoid or reduce, to the maximum extent feasible, the identified unavoidable impacts. However it was determined that the proposed project would not result in any unavoidable impacts. Therefore the considered alternatives focused on avoiding or reducing the significant impacts which require the most intensive mitigation measures. They include:

1. **Air Quality.** Construction of the project would generate short-term emissions including reactive organic gases (ROG), nitrates of oxygen (NOx), fugitive dust (PM10), diesel particulate matter (DPM), and greenhouse gases (GHGs) and pollutants that contribute to climate change. Generation of emissions due to vehicle trips on a daily basis, and during special events, and generation of fugitive dust during use of unpaved overflow parking areas.
2. **Biological Resources.** Impacts to sensitive wildlife and potential for pollutant discharge into Nipomo Creek and its tributaries during construction.
3. **Cultural Resources.** Grading and construction within a known archaeological site, with varying effects depending on the location and depth of disturbance.
4. **Noise.** Generation of noise during special events, including the use of amplified sound, potentially affecting off-site sensitive receptors (residences).
5. **Transportation and Circulation.** Contribution of vehicle trips, potentially contributing to deficient level of service conditions at the U.S. Highway 101 (US 101) and West Tefft Street interchange during the PM peak hour.
6. **Water Resources.** Impact to surface waters, including accidental discharge of sediments and pollutants into Nipomo Creek and its tributaries during construction. The creation of additional impervious areas and stormwater runoff.

### **5.3 ALTERNATIVES ANALYSIS**

Criteria used to develop potential alternatives included the potential of the project to avoid impacts to sensitive resources and the human environment, whether or not it could generally meet the project objectives, and costs. Specific consideration was given to potential alternatives that appeared to avoid or minimize impacts to natural resources and the human environment.

The applicant is requesting approval of both a Land Use Ordinance (LUO) Amendment and Conditional Use Permit (CUP); therefore, two No Project Alternatives are included in the

analysis. Identified alternatives include the No Project (No Action) Alternative – Land Use Ordinance Amendment, No Project Alternative – Conditional Use Permit, Design Alternative A – Initial Conceptual Site Plan, and Design Alternative B – Applicant’s Alternative Plan.

## **5.4 ALTERNATIVES IMPACTS ANALYSIS**

### **5.4.1 No Project Alternative – Land Use Ordinance Amendment**

Under the No Project Alternative – Land Use Ordinance Amendment, no changes to the County LUO would occur. Proposed clarifications that would accurately represent current land ownership would not be approved. Language requiring construction of the Southland Street Interchange would remain, in addition to design standards identified in the current ordinance. The existing reference to the “Site Master Plan” on file would be outdated and inconsistent with current conditions. The proposed project, which includes the CUP request and a Master Plan, may be considered by the decision-makers regardless of approval of the LUO Amendments; however, the decision and associated findings would be complicated by the current inconsistencies in the existing ordinance language, primarily the requirement for the Southland Street Interchange (which is not proposed by the applicant or currently pursued by the County or the California Department of Transportation [Caltrans]) and implementation of the Master Plan would not occur.

#### Aesthetics

Under this No Project Alternative, existing language regarding the location of future development and the architectural motif would remain in place. Future development would be required to comply with these standards.

#### Air Quality and Climate Change

Under the existing Ordinance, development could occur that would result in air quality impacts including the generation of construction and operation-related emissions.

#### Biological Resources

Under the existing Ordinance, development could occur that may result in impacts to biological resources; identification of specific impacts is contingent on the type of development proposed, and would be considered through CUP review.

#### Cultural Resources

Under the existing Ordinance, development could occur that may result in impacts to cultural resources, including the Dana Adobe and identified archaeological site. Evaluation of specific impacts is contingent on the type of development proposed, and would be considered through CUP review.

#### Geology and Soils

Under the existing Ordinance, development could occur that may result in geology and soils impacts; identification of specific impacts is contingent on the type of development proposed, and would be considered through CUP review.

### Hazards and Hazardous Materials

Under this alternative, the requirement for an emergency access road would not be included in the Ordinance. This may result in a potentially significant impact, as the emergency access road is meant to provide egress if needed for employees and visitors to the Dana Adobe. The requirement for the Southland Street Interchange would remain; however, the likelihood of construction is contingent on County and Caltrans plans to actually pursue development of the interchange.

### Land Use

As noted above, the intent of the proposed Amendment is to clarify existing conditions, including land ownership and use of the site. The existing language, which would remain in place under this No Project Alternative, would allow future development of the site pursuant to CUP approval. As noted above, approval of the CUP would be complicated by inconsistencies with the requirement for the Southland Street Interchange.

### Noise

Under the existing Ordinance, development could occur that may result in noise impacts; identification of specific impacts is contingent on the type of development proposed, and would be considered through CUP review.

### Transportation and Circulation

Under the No Project Alternative, development could occur consistent with existing language. As noted, approval of any future project would be complicated by the current requirement for the Southland Street Interchange, which is not currently under consideration by the County or Caltrans.

### Water and Hydrology

Under the existing Ordinance, development could occur that may result in impacts to water resources; identification of specific impacts is contingent on the type of development proposed, and would be considered through CUP review.

### Consistency with Project Objectives

The No Project Alternative would be inconsistent with project objectives, in the event the decision makers require construction of the Southland Street Interchange. This requirement is unlikely to be achieved by the applicant.

## **5.4.2 No Project Alternative – Conditional Use Permit**

The No Project Alternative – Conditional Use Permit would include none of the components of the proposed project. Continued restoration of the Dana Adobe would occur, in addition to qualifying non-profit events and educational tours. The No Project Alternative would not meet the primary goal of the project, which is to establish the plan for protection/preservation of the historic Dana Adobe and develop the surrounding area for educational purposes.

### Aesthetics

Under the No Project Alternative, no physical improvements would occur. This alternative would not result in adverse impacts.

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### Air Quality and Climate Change

The No Project Alternative would not include any construction activities or long-term trip generation and, therefore, would not result in any adverse effects to air quality. This alternative would not result in GHG emissions or require the use of energy as nothing would be constructed.

### Biological Resources

Biological resources would not be impacted by the No Project Alternative. The proposed informational and interpretive areas would not be developed, and the subsequent educational opportunities regarding the sensitive species, habitats, and landscape would not occur.

### Cultural Resources

Restoration of the Dana Adobe would continue under this alternative. No additional facilities or amenities would be constructed, which would avoid identified significant impacts to archaeological resources related to grading and construction. Education and fundraising related to the Dana Adobe would be limited to currently occurring events. Potential impacts to surficial cultural resources may occur due to use of vehicles onsite.

### Geology and Soils

This alternative would not result in the construction of additional facilities and no further ground disturbance would occur, which would avoid potential impacts related to erosion and sedimentation.

### Hazards and Hazardous Materials

Under this alternative, the emergency access road would not be constructed. This may result in a potentially significant impact, as the emergency access road is meant to provide egress if needed for employees and visitors to the Dana Adobe.

### Land Use

The No Project Alternative would not affect the existing land use and, therefore, would not conflict with any applicable policies.

### Noise

Under the No Project Alternative, qualifying non-profit special events would continue, and may include the use of amplified sound. Future events would not be mitigated by measures identified in the EIR, including noise attenuation.

### Transportation and Circulation

The No Project Alternative would not result in short- or long-term trip generation beyond existing conditions; however, if no project is approved, the applicant would not be required to implement mitigation including minimization of peak hour trips during qualifying non-profit special events.

### Water and Hydrology

Water demand for the site, including use of water for the Dana Adobe and restoration actions on the 100-acre site, would remain the same as current conditions. No ground disturbance would

occur, avoiding the potential for sediment or pollutant discharge into Nipomo Creek and its tributaries.

### Consistency with Project Objectives

The No Project Alternative would not be consistent with project objectives, because the primary goal and objective is to implement the proposed Master Plan. Adoption of the No Project Alternative would constitute denial of the project.

### **5.4.3 Design Alternative A – Initial Conceptual Site Plan**

This alternative consists of a conceptual plan, which was developed as part of the applicant's grant application submittal to the State Parks Nature Education Facilities Program. The Conceptual Site Plan, shown in Figure 5-1, includes the following: Visitor's Center and curation room, indoor and outdoor spaces and native gardens; nature education classroom and outdoor patio; Native American (Chumash) interpretive features and living Chumash Village including a ceremonial circle, painted caves, sweat lodge, arbors, story boulders, garden, signage; nature trail system with Native American interpretive features; restrooms; parking areas; onsite wastewater system; maintenance building; native habitat interpretation, restoration, and preservation areas; environmental interpretation and preservation areas of on-site geological, paleontological, and archaeological features; perimeter landscaping; utilities; and, drainage and erosion control systems.

This alternative does not include the outdoor demonstration arena, replicated Rancho era buildings, or horse trailer parking (on South Thompson Avenue). This alternative also does not include the emergency access road and flat car bridge across Nipomo Creek; however, the California Department of Forestry and Fire Protection/County Fire (CAL FIRE) conditions regarding access would need to be considered in lieu of the Southland Street Interchange project, which is not planned for construction. This alternative does not include any additional special events beyond existing, qualifying, non-profit events.

### Aesthetics

Under this alternative, impacts to aesthetics resources would be similar to the proposed project. Parking areas would be located along South Oakglen Avenue, and the Visitor's Center would be located approximately 100 feet from the roadway, roughly 200 feet northwest of the proposed location and closer to the Dana Adobe. The Visitor's Center may be more visible, as seen from the Adobe, due its closer location in this alternative. Structures would need to apply similar mitigation as the proposed project, including architectural and design features that complement the Dana Adobe historical setting, and minimization of exterior lighting.

### Air Quality and Climate Change

As proposed, implementation of this alternative would result in less ground disturbance; however, construction of the emergency access road is anticipated to be a required condition of approval. Therefore, construction-related air quality impacts are expected to be less, but similar to the proposed project, including the generation of ROG and NOx (if construction occurs over a quarter, or 90 days), generation of fugitive dust (PM10), generation of DPM, potentially affecting nearby sensitive receptors (residences), and potential exposure to material-containing asbestos and naturally-occurring asbestos. Operational air quality impacts including generation of fugitive dust may be avoided, because an arena would not be used for demonstrations or overflow special event parking.

## Biological Resources

The conceptual plan includes a crossing over Nipomo Creek as part of the nature trail system. As noted above, emergency access would be required as a condition of approval, which would result in similar impacts to biological resources as the proposed project. Construction of the trail system would require oak tree protection measures similar to the proposed project. Grading and construction activities would require mitigation similar to the proposed project to prevent accidental discharge of pollutants into Nipomo Creek and its tributaries. Long-term impacts to sensitive species and their habitat would be similar, because use of the site by visitors and non-profit special events would occur.

## Cultural Resources

Implementation of this alternative would include development within identified cultural resource Locus A (unimproved parking area, outdoor use area to the northwest of the Visitor's Center, and trails) and Locus B (Chumash Village, ceremonial circle, and trails). Mitigation identified for these areas would be applicable, including control units, data collection, and monitoring. Implementation of this alternative would reduce some potential impacts within Locus A, because the arena and Rancho era buildings would not be constructed. This alternative would locate the Visitor's Center outside of both Locus A and Locus B, similar to the proposed project, with the exception of the edge of an outdoor use area. Mitigation may include shifting the development to the southeast to completely avoid Locus A. Based on the delineation of the archaeological site, implementation of this alternative would not avoid impacts, but would reduce the affected area compared to the proposed project.

## Geology and Soils

This alternative would require less ground disturbance than the proposed project; however, similar geology and soils impacts would occur. Grading and construction would be required to comply with the Uniform Building Code, LUO, and a Regional Water Quality Control Board (RWQCB) Stormwater Pollution Prevention Plan (SWPPP). No additional mitigation measures would be necessary.

## Hazards and Hazardous Materials

Implementation of this alternative as proposed would result in a significant and unavoidable impact related to inadequate emergency access. This impact would be addressed by compliance with CAL FIRE requirements for construction of an emergency access road extending from South Oakglen Avenue, through the site, and connecting with South Thompson Avenue. All other potential hazards and hazardous materials impacts would be similar to the proposed project, and mitigation would apply.

## Land Use

As noted above, implementation of this alternative does not include an emergency access road or other off-site road improvements, which would be inconsistent with both the current LUO and proposed LUO Amendment, and would result in a significant land use impact. This impact would be addressed by a condition of approval requiring construction of the emergency access road. All other aspects of this alternative appear to be consistent with applicable land use policies.

## Noise

Under this alternative, non-profit special events would continue to occur, which would generate noise similar to the proposed project, although the events and associated noise would occur

less often. The Visitor's Center would be located approximately 200 feet to the northwest of the location identified in the proposed project, which would help attenuate amplified sound affecting the residences to the southwest (if events occur northeast of the Visitor's Center).

### Transportation and Circulation

This alternative does not include additional special events (beyond existing conditions); therefore; additional traffic trips related to special events would not occur. This alternative would generate additional traffic trips due to expected increased use of the Visitor's Center and Chumash Village, and would add trips to the US 101/West Tefft Street Interchange during the PM peak hour. Mitigation would be necessary, similar to the measures identified for the proposed project.

### Water and Hydrology

Under this alternative, water demand would be similar to the proposed project, because the primary water demand is generated by the Visitor's Center. There would be some reduction in demand due to the avoidance of additional visitors during special events. Potentially significant impacts, including discharge into waters and increased surface water runoff would occur. These impacts would be addressed by compliance with existing regulations (i.e., LUO, SWPPP), and implementation of identified mitigation measures.

### Consistency with Project Objectives

Implementation of this alternative may not be consistent with the project objectives, because it does not include an intended balance of pre-historic, archaeological, and historical features. While continued restoration of the Dana Adobe would occur, the alternative does not include the demonstration arena or Rancho era buildings. This alternative would be potentially inconsistent with the following project objectives:

- To facilitate development of the historic project site to tell the stories of the people and the land over time, including the Native American presence, Dana Adobe, and the Rancho era, using the Dana Adobe as the key component;
- To guide development of the project site that helps visitors understand the site's pre-history, history and historic uses, and enables the visitor experience to be programmed toward the larger educational purpose; and,
- To provide a range of passive and active facilities and use areas to provide cultural, historic, environmental, natural, and agricultural educational opportunities to the community.

In addition, this alternative does not include additional special events and may not include facilities that are adequate to "furnish on-site opportunities for fundraising, and to provide facilities and amenities that DANA can reasonably afford to maintain." Lack of consistency with this objective is the burden of the applicant to demonstrate to the decision makers, because it relates to the financial intent and burden of this alternative.



#### **5.4.4 Design Alternative B – Applicant’s Alternative Project**

This design alternative presented by the applicant includes features that are intended to avoid or minimize potentially significant impacts to archaeological resources. As shown in Figures 5-2 and 5-3, this alternative would include the following changes compared to the proposed project:

- Rancho era outbuildings would be located approximately 60 feet southwest of the proposed location;
- The tack/blacksmith building would be located near the arena, approximately 230 feet northwest of the proposed location;
- The caretaker’s residence and shop/storage building would be located approximately 60 feet southwest of the proposed location, closer to South Oakglen Avenue and rotated 90 degrees;
- Elimination of on-site septic systems; and,
- Connection to the Nipomo Community Services District (NCSD) sewer system, requiring construction of onsite infrastructure and trenching and pipe installation along South Oakglen Avenue (approximately 1,800 linear feet, off-site to Bermuda Avenue).

#### Aesthetics

Under this alternative, similar impacts to aesthetics would occur, including the development of potentially visually incompatible structures and the creation of nighttime light and glare. Mitigation would be necessary, similar to the measures identified for the proposed project.

#### Air Quality and Climate Change

This alternative would generate similar construction and operational emissions as the proposed project, including ROG, NO<sub>x</sub>, fugitive dust (PM<sub>10</sub>), and GHGs. Mitigation would be necessary, similar to the measures identified for the proposed project.

#### Biological Resources

Implementation of this alternative would result in similar impacts to biological resources, including potential direct and indirect impacts to special-status species, nesting birds, wildlife, and wetland and riparian habitat. The proposed emergency access road would be constructed over Nipomo Creek, and identified restoration actions would occur similar to the proposed project. Mitigation would be necessary, similar to the measures identified for the proposed project.

#### Cultural Resources

Implementation of this alternative would include development within identified cultural resource Locus A and Locus B, similar to the proposed project, and similar mitigation would apply. This alternative would require a bore pit extending from the Rancho Era restroom southwest to South Oakglen Avenue, located within Locus A. The bored sewer line between the Visitor’s Center and street would not be located within Locus A or B. Implementation of this alternative would reduce the area affected by waste treatment onsite, because it would be primarily limited to the bore pit and would not require onsite disposal. Offsite impacts may occur due to additional ground disturbance required for the sewer infrastructure connection to the NCSD system.

### Geology and Soils

Implementation of this alternative would result in similar geology and soils impacts, and would be constructed in compliance with the Uniform Building Code, LUO, and a RWQCB SWPPP. No additional mitigation measures would be necessary.

### Hazards and Hazardous Materials

Implementation of this alternative would result in similar hazards and hazardous materials impacts as the proposed project, and would be constructed in compliance with the Fire Code and LUO. The proposed emergency access road would be constructed and maintained pursuant to County and CAL FIRE requirements. Mitigation would be necessary, similar to the measures identified for the proposed project.

### Land Use

This alternative includes similar uses as the proposed project, including special events. The Master Plan, emergency access road, and trail development appear to be consistent with all applicable plans and policies (final determination rests with the decision makers), and potential land use conflicts such as noise would be addressed by identified mitigation measures.

### Noise

The proposed alternative includes special events, which would generate noise similar to the proposed project. Mitigation would be necessary, similar to the measures identified for the proposed project.

### Transportation and Circulation

This alternative would generate additional traffic trips, similar to the proposed project, and would add trips to the US 101/West Tefft Street Interchange during the PM peak hour. Mitigation would be necessary, similar to the measures identified for the proposed project.

### Wastewater

Implementation of this alternative would include connection to the NCSD sewer system. Based on the 2010-2012 Resource Summary Report (County of San Luis Obispo 2013), the NCSD's Southland Wastewater Treatment Facility currently operates at 67% of its capacity at peak flow, and would be able to serve the project. In the event this alternative, or the community sewer option is selected by the decision makers, the applicant would be required to obtain a will serve letter from the NCSD.

### Water and Hydrology

Under this alternative, water demand would be similar to the proposed project. Potentially significant impacts, including discharge into waters and increased surface water runoff would occur. These impacts would be addressed by compliance with existing regulations (i.e., LUO, SWPPP), and implementation of identified mitigation measures.

### Consistency with Project Objectives

This alternative is consistent with the applicant's and County's project objectives.

Figure 5-2. Design Alternative B – Applicant’s Alternative Project, The Rancho Era

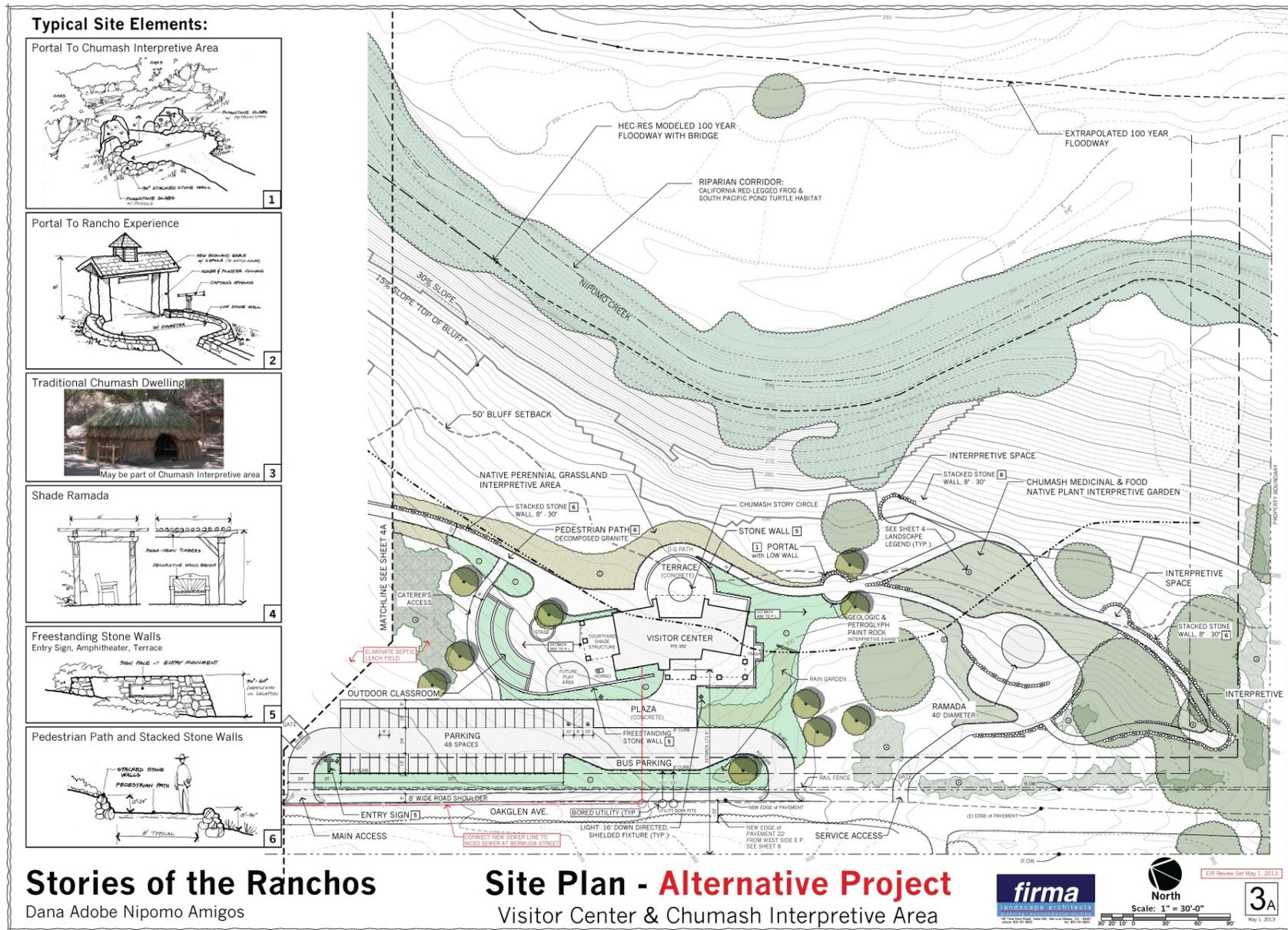
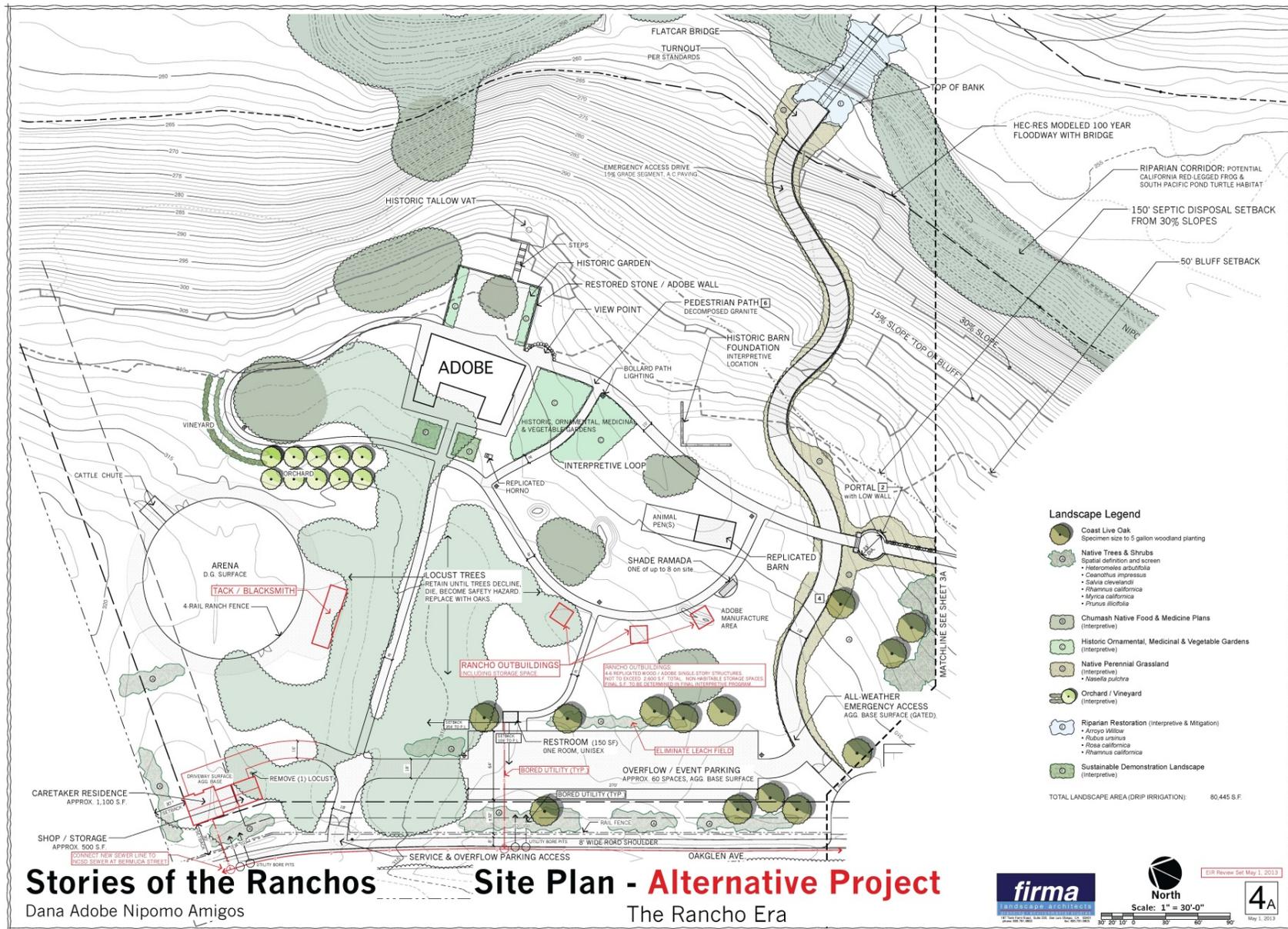


Figure 5-3. Design Alternative B – Applicant’s Alternative Project, Visitors Center & Chumash Interpretive Area



## 5.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires the alternatives section of an EIR to describe a reasonable range of alternatives to the project that avoid or substantially lessen any of the significant effects identified in the EIR analysis while still attaining most of the basic project objectives. The alternative that most effectively reduces impacts while meeting project objectives should be considered the “environmentally superior alternative.” In the event that the No Project Alternative is considered the environmentally superior alternative, the EIR should identify an environmentally superior alternative among the other alternatives.

In this EIR, the No Project Alternative (LUO Amendment) would result in the fewest impacts, because if the LUO Amendment is not adopted, the applicant cannot move forward with a Master Plan. The No Project Alternative (Conditional Use Permit) also results in the fewest environmental impacts. The No Project Alternatives do not meet any of the project objectives, including the primary objective to implement the proposed Master Plan.

As proposed, and with incorporation of recommended mitigation measures, the proposed project would not result in any significant, unavoidable environmental effects, and would meet project objectives. Proposed alternatives include modifications to the project, such as different features, shifted location of project elements, use of alternative means of wastewater treatment and disposal, and elimination of use permit-approved special events. Based on the delineation of the archaeological site and other site restrictions including LUO setbacks and the Nipomo Creek corridor, complete avoidance is not feasible. Grading and construction of the Visitor’s Center would occur outside of identified significant cultural resource Locus A and B under all alternative scenarios. No alternative would result in any significant, adverse, and unavoidable (Class I) impacts upon implementation of mitigation measures similar to those identified for the proposed project.

Design Alternative A – Initial Conceptual Site Plan provides variation in the project features, and focuses primarily on the Visitor’s Center and Chumash Village and interpretive features. This alternative also does not include permit-approved special events, which would further reduce periodic traffic trips and air quality impacts related to additional traffic and use of an additional unpaved overflow parking area. Implementation of this alternative may not be consistent with the project objectives, because it does not include an intended balance of pre-historic, archaeological, and historical features. While continued restoration of the Dana Adobe would occur, the alternative does not include the demonstration arena or Rancho era buildings. In addition, this alternative does not include additional special events and may not include facilities that are adequate to “furnish on-site opportunities for fundraising, and to provide facilities and amenities that DANA can reasonably afford to maintain.” Lack of consistency with this objective is the burden of the applicant to demonstrate to the decision makers, because it relates to the financial intent of the proposed project.

The primary component of Design Alternative B is the elimination of onsite septic and connection to the NCSO sewer system. This option would reduce potential onsite impacts to archaeological resources within Locus A by reducing the affected area; however, overall, this option may not substantially minimize potential impacts to cultural resources due to the construction of a new sewer line within South Oakglen Avenue. While this alternative meets all project objectives, it would not significantly reduce identified impacts on the environment compared to the proposed project. All identified mitigation measures would be required, similar to the proposed project.

Based strictly on an analysis of the relative environmental impacts, the proposed project, with adoption and incorporation of recommended mitigation measures, is considered the Environmentally Superior Alternative. The decision-making body will consider the whole of the record when considering the approved project including, but not limited to, public comment and testimony. The decision-making body may select the project as proposed, an Alternative, or a specified combination of particular elements identified in the Alternatives, as the approved project. In all scenarios, the Mitigation and Monitoring Program would be applied to the approved project.

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# CHAPTER 6

## OTHER CEQA CONSIDERATIONS

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### 6.1 GROWTH INDUCING IMPACTS

The growth inducing impacts section of this Environmental Impact Report (EIR) addresses the effects the proposed project may have on surrounding facilities and activities by assessing the ways in which a project could encourage population or economic growth, increase employment opportunities or employment growth in support of an industry, or the construction of new housing or service facilities, either directly or indirectly.

The California Environmental Quality Act (CEQA) Guidelines state that in the preparation of an EIR, growth inducing impacts that need to be addressed are such that "...foster economic or population growth, or the construction of additional housing...remove obstacles to population growth...encourage and facilitate other activities that could significantly affect the environment either individually or cumulatively" (§15126.2 (d)). An example given is the expansion of a wastewater treatment plant allowing for increased construction in service areas.

The proposed Land Use Ordinance Amendments and actions identified in the Conditional Use Permit request do not include any features that would be growth inducing, or remove any impediment to growth. The project would not create new jobs or require additional housing. Given its relatively small scale and limited function, the proposed project would not be considered growth-inducing. Impacts would be *less than significant*.

### 6.2 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2(c) of the CEQA Guidelines states that use of nonrenewable resources during the initial and continued phases of a proposed project may be irreversible if a large commitment of these resources makes their removal, indirect removal, or use thereafter unlikely. This section of the EIR evaluates whether the project would result in the irretrievable commitment of resources, or would cause irreversible changes in the environment.

The proposed project would result in some habitat conversion to structural uses, including grassland. Construction of the proposed Visitor's Center and other features would result in an aesthetic change, which may be noticeable to the public; however, design standards are recommended to encourage visual compatibility with the Dana Adobe and surrounding visual character. As discussed in Section 4.4 (Cultural Resources), the project would result in significant impacts to archaeological resources, and would require ground disturbance within an archaeological site. Mitigation is recommended to address and reduce these impacts to less than significant, including data recovery to provide a representation of the underlying resource and compliance with a treatment plan and monitoring plan during grading and construction.

#### 6.2.1 Irreversible Commitment of Resources

Non-renewable resources, such as natural gas, petroleum products, asphalt, steel, copper and other metals, and sand and gravel are considered to be commodities which are available in a finite supply. Sources of energy consumption applicable to the project include interior and exterior lighting, interior heating and cooling, use of maintenance equipment, transfer of water supply, and operation of appliances. The overall demand for non-renewable resources is expected to increase regardless of whether or not the project is developed. Increases in population will directly result in the need for such resources, and they would likely be committed

to other projects in the region intended to meet this anticipated growth. The project is of limited scale and therefore its contribution to this loss is limited.

The project would incorporate energy-efficiency measures to reduce water consumption (and subsequently energy used to transport water to the site) and use of utility-power and energy. The project includes the use of solar panels to reduce electricity demand. The project also provides opportunities to reduce “Vehicle Miles Traveled,” and subsequently fuel used for vehicles, by continuing to use buses to transport groups to the Dana Adobe.

# **CHAPTER 7**

## **MITIGATION MONITORING AND REPORTING PROGRAM**

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### **7.1 STATUTORY REQUIREMENT**

When a Lead Agency makes findings on significant environmental effects identified in an Environmental Impact Report (EIR), the agency must also adopt a “reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment” (Public Resources Code §21081.6(a) and California Environmental Quality Act (CEQA) Guidelines §15091(d) and §15097). The Mitigation Monitoring and Reporting Program (MMRP) is implemented to ensure that the mitigation measures and project revisions identified in the EIR are implemented. Therefore, the MMRP must include all changes in the proposed project either adopted by the project proponent or made conditions of approval by the Lead or Responsible Agency.

### **7.2 ADMINISTRATION OF THE MITIGATION MONITORING AND REPORTING PROGRAM**

The County is the Lead Agency responsible for the adoption of the MMRP. As the applicant, the Dana Adobe Nipomo Amigos (DANA) are responsible for implementation of the MMRP, in coordination with other County departments and government agencies. The County Land Use Ordinance exempts the project from permit requirements; therefore, alternative milestones are identified to ensure proper timing of mitigation and verification that the measure was implemented.

According to CEQA Guidelines §15097(a), a public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity that accepts the delegation. However, until mitigation measures have been completed, the Lead Agency remains responsible for ensuring that the implementation of the measure occurs in accordance with the program.

### **7.3 MITIGATION MEASURES AND MONITORING PROGRAM**

Table 7-1 is structured to enable quick reference to mitigation measures and the associated monitoring program based on the environmental resource. The numbering of mitigation measures correlates with numbering of measures found in the Environmental Impacts Analysis chapter of this EIR (refer to Chapter 4).

**Table 7-1. Mitigation Monitoring and Reporting Program**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
<b><i>Aesthetics / Visual Resources</i></b>				
AES/mm-1	Upon application for construction permits on the 30-acre site, the applicant shall provide a colors and materials board for review and approval by the County Department of Planning and Building. Selected colors shall be dark, earth-toned, and selected to blend in with the natural surrounding vegetation. Selected materials shall primarily be natural-appearing and consistent with the historical adobe and agricultural setting, such as wood, adobe, and stone (or similar compatible materials). Approved colors and materials shall be shown on the project plans. The Department of Planning and Building will verify compliance prior to final inspections.	Submit documents to County Department of Planning and Building, verify compliance onsite	Upon application for construction permits and prior to final inspection	Applicant, County Department of Planning and Building
AES/mm-2	Upon application for construction permits on the 30-acre site, the applicant shall submit an exterior lighting plan to the County Department of Planning and Building for review and approval. The plan shall provide graphic details for all proposed permanent and temporary (i.e., special event) exterior lighting fixtures. Exterior lighting fixtures shall be "dark sky" certified or equivalent. Fixtures must be dark-colored and designed such that the bulb and reflective surfaces are obscured from off-site view.	Submit documents to County Department of Planning and Building, verify compliance onsite	Upon application for construction permits and prior to final inspection	Applicant, County Department of Planning and Building
<b><i>Air Quality</i></b>				
AQ/mm-1	Prior to issuance of construction permits, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans: Construction Equipment a. Maintain all construction equipment in proper tune according to manufacturer's specifications; b. Fuel all off-road and portable diesel powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);	Submit plans including required elements and information to County Department of Planning and Building, verify prior to and during construction	Prior to issuance of construction permits and during construction	Applicant, Contractor, County Department of Planning and Building, County Air Pollution Control District

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	<p>c. Maximize to the extent feasible, the use of diesel construction equipment meeting the CARB’s Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;</p> <p>d. Use on-road heavy-duty trucks that meet the CARB’s 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;</p> <p>e. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;</p> <p>f. All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;</p> <p>g. Diesel idling within 1,000 feet of sensitive receptors is not permitted;</p> <p>h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;</p> <p>i. Electrify equipment when feasible;</p> <p>j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,</p> <p>k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.</p> <p>Best Available Control Technology</p> <p>l. Further reducing emissions by expanding use of Tier 3 and Tier 4 off-road and 2010 on-road compliant engines;</p> <p>m. Repowering equipment with the cleanest engines available; and,</p> <p>n. Installing California Verified Diesel Emission Control Strategies. These strategies are listed at: <a href="http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm">http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm</a>.</p>			
AQ/mm-2	Upon application for construction permits, all required PM10 measures shall be shown on applicable grading or construction plans, and made applicable during grading and construction	Submit plans including required elements and information to County	Prior to issuance of construction permits and during	Applicant, Contractor, County Department of Planning and Building,

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	<p>activities as described below.</p> <ul style="list-style-type: none"> <li>a. Reduce the amount of the disturbed area where possible;</li> <li>b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour (mph);</li> <li>c. Reclaimed (non-potable) water should be used whenever possible;</li> <li>d. All dirt stock pile areas should be sprayed daily as needed;</li> <li>e. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;</li> <li>f. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;</li> <li>g. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;</li> <li>h. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;</li> <li>i. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;</li> <li>j. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code §23114;</li> <li>k. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; and,</li> <li>l. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.</li> </ul> <p>All of these fugitive dust mitigation measures shall be shown on</p>	<p>Department of Planning and Building, retain dust monitor, verify prior to and during construction</p>	<p>construction</p>	<p>County Air Pollution Control District</p>

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	grading, construction and building plans; and the contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust off-site. Their duties shall include monitoring the effectiveness of the required dust control measures (as conditions dictate), and shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.			
AQ/mm-3	<p>The following mitigation is required on the day(s) of the special event, when use of unpaved overflow parking areas will occur:</p> <ol style="list-style-type: none"> <li>The unpaved parking area shall be treated with a dust suppressant such that fugitive dust emissions do not impact offsite areas and do not exceed the APCD 20% opacity limit (see Technical Appendix 4.3 of the SLOAPCD CEQA Handbook);</li> <li>Any unpaved roads/driveways that will be used for the special event shall be maintained with an APCD-approved dust suppressant such that fugitive dust emissions do not impact offsite areas and do not exceed the APCD 20% opacity limit; and</li> <li>The applicant may propose alternative measures of equal effectiveness by contacting the APCD Planning Division.</li> </ol>	Implement dust control measures, retain dust monitor, verify onsite	Prior to special events (day of), when unpaved overflow parking areas will be in use	Applicant, Dust Monitor, County Department of Planning and Building, County Air Pollution Control District
AQ/mm-4	<p>To minimize nuisance impacts and to reduce fugitive dust emissions from the arena for the life of the project the following mitigation measures shall be incorporated into the project, and are applicable to the demonstration arena:</p> <ol style="list-style-type: none"> <li>Reduce the amount of the disturbed area where possible;</li> <li>Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency whenever wind speeds exceed 15 mph;</li> <li>Reclaimed (non-potable) water shall be used whenever possible;</li> <li>Permanent dust control measures shall be implemented as soon as possible following completion of any soil disturbing</li> </ol>	Implement dust control measures, retain dust monitor, verify onsite	Prior to use of demonstration arena	Applicant, Dust Monitor, County Department of Planning and Building, County Air Pollution Control District

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	<p>activities;</p> <p>e. 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 Air District; and</p> <p>f. A person or persons shall be designated to monitor for dust and implement additional control measures as necessary to prevent transport of dust offsite. The monitor's duties shall include holidays and weekend. The name and telephone number of such persons shall be provided to the Air District prior to operation of the arena.</p>			
AQ/mm-5	<p>Prior to issuance of grading permit, the applicant shall submit a geologic evaluation of naturally occurring asbestos on the 100-acre portion of the project site to the Air Pollution Control District. If naturally occurring asbestos is present onsite, the applicant shall comply with all requirements outlined in the Asbestos Airborne Toxic Control Measures (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan that shall be approved by the APCD prior to construction, and 2) an Asbestos Health and Safety Program. Prior to development on the 30-acre portion of the site, the applicant shall submit a Naturally Occurring Asbestos Construction and Grading Permit Exemption Request Form to the APCD. If the applicant has any questions regarding these requirements, they shall contact the APCD.</p>	<p>Submit geologic evaluation and documented compliance with ATCM to County Department of Planning and Building and APCD</p>	<p>Prior to issuance of grading permits</p>	<p>Applicant, Contractor, County Department of Planning and Building, County Air Pollution Control District</p>
AQ/mm-6	<p>Proposed demolition activities can result in potentially negative air quality impacts, especially where material exists containing asbestos material. Prior to issuance of any construction permit to remove or demolish any buildings or utility pipes on the subject property, the applicant shall provide evidence they have contacted APCD to determine: a) what regulatory jurisdictions apply to the proposed demolition, such as the National Emission Standard for Hazardous Air Pollutants (40 CFR 61, Subpart M – Asbestos NESHAP); b) District notification requirements; c) the need for an asbestos survey conducted by Certified Asbestos Inspector; and d) applicable removal and</p>	<p>Contact APCD, submit documented compliance to County Department of Planning and Building and APCD</p>	<p>Prior to issuance of construction/demolition permits</p>	<p>Applicant, Contractor, County Department of Planning and Building, County Air Pollution Control District</p>

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	disposal requirements of the asbestos-containing material.			
<b>Biological Resources</b>				
BIO/mm-1	<p>Prior to grading and construction within 100 feet of Nipomo Creek, Adobe Creek, or Carillo Creek, a qualified biologist shall conduct pre-construction surveys for sensitive amphibian and reptile species within all portions of the project site containing suitable habitat. The surveys shall include at least two nighttime surveys and one daytime survey immediately preceding construction. If any sensitive species are detected, the following actions shall occur:</p> <ol style="list-style-type: none"> <li>Any detected adults will be relocated to a nearby suitable aquatic habitat. The location shall be in suitable habitat not subject to disturbance or known threats to the species. Terrestrial habitat surrounding the proposed relocation site shall be as similar in type, aspect, and density to the location of the existing riparian corridor. Sensitive species, such as California red-legged frog, will only be moved if prior approval has been granted by the USFWS (see d below).</li> <li>A qualified biological monitor will be present during any clearing, grading, or creek activities. Additionally, a qualified biological monitor will be on-site during construction activities to ensure no sensitive species have entered the work area overnight or throughout the day (i.e., they will conduct a morning clearance survey and regular daily checks of the work areas).</li> <li>The work areas will be clearly marked to ensure that no work occurs outside of the approved limits of disturbance (i.e., lath and flagging, t-posts and yellow ropes, and temporary signage).</li> <li>The qualified biologist will receive project-specific approvals from resource agencies prior to handling any wildlife species, especially any sensitive species.</li> <li>Speed limits shall be restricted to 15 mph.</li> <li>Work will occur only during daylight hours.</li> </ol>	Retain biological monitor, conduct pre-construction surveys, submit weekly monitoring reports documenting compliance to County Department of Planning and Building	Prior to and during grading and construction within 100 feet of Nipomo Creek, Adobe Creek, or Carillo Creek	Applicant, Contractor, Biological Monitor, County Department of Planning and Building

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
BIO/mm-2	<p>Upon application for construction permits, the following measures shall be included on applicable plans in order to avoid erosion and sedimentation impacts to the creeks and water quality:</p> <ol style="list-style-type: none"> <li>Construction should be limited to the typical dry season (April 15 to October 15).</li> <li>If work must occur during the rainy season, the applicant shall install adequate erosion and sedimentation controls to prevent any sediment-laden run-off from entering Nipomo Creek.</li> <li>Upon completion of construction, disturbed areas will be stabilized or vegetated as detailed in the project's re-vegetation plan.</li> </ol>	<p>Submit plans including required elements and information to County Department of Planning and Building, retain biological monitor, submit weekly monitoring reports documenting compliance</p>	<p>Upon application for construction permits, during construction</p>	<p>Applicant, Contractor, Biological Monitor, County Department of Planning and Building</p>
BIO/mm-3	<p>A qualified biologist shall conduct a pre-construction survey within 30 days prior to the onset of construction activities within all potentially impacted areas of suitable badger habitat (grasslands and agricultural fields). If badger dens are discovered, they will be inspected to determine if they are currently occupied. If dens are discovered and are inactive, they will be excavated to prevent re-occupation prior to construction. If badgers are found during their breeding and rearing season (February to July), these dens shall be avoided with an appropriate buffer to protect them from construction activities. If badgers are found outside of their breeding period, CDFW will be contacted regarding the accepted approach to exclude and excavate the den prior to equipment and other ground disturbing activity on the site.</p>	<p>Retain biological monitor, conduct pre-construction surveys, submit report documenting compliance to County Department of Planning and Building, and California Department of Fish and Wildlife (if necessary)</p>	<p>Within 30 days prior to onset of construction activities</p>	<p>Applicant, Biological Monitor, County Department of Planning and Building</p>
BIO/mm-4	<p>All work shall be avoided during the nesting bird season (approximately February 1 through August 15), including ground and tree-nesting birds. If any construction activities are scheduled to occur during the nesting season, pre-construction bird surveys shall be conducted by a qualified biologist. The pre-construction bird surveys shall be conducted within 250 feet of any proposed construction activity within both the 30-acre and 100-acre areas. The surveys shall be conducted no more than 1 week prior to the scheduled onset of construction activities.</p> <p>If nesting bird species are observed within 250 feet of the</p>	<p>Retain biological monitor, conduct pre-construction surveys, submit report documenting compliance to County Department of Planning and Building, and CDFW and US Fish and Wildlife Service (if necessary)</p>	<p>Prior to and during grading and construction activities</p>	<p>Applicant, Biological Monitor, County Department of Planning and Building</p>

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	<p>construction area during the surveys, the biologist shall determine the appropriate exclusion zone for the specific species. A buffer of 250 feet shall be maintained around any nesting raptors. The nesting bird exclusion zones shall be completely avoided until the qualified biologist determines that the young have successfully fledged. A qualified biologist shall conduct periodic site inspections to ensure that the exclusion zone is maintained and to monitor the nesting progression. In the event that sensitive bird species are discovered, the USFWS and/or CDFW will be contacted to determine the appropriate protective measures prior to any construction beginning.</p> <p>If construction activities must occur within 250 feet of a nesting raptor nest, a qualified biologist shall be consulted to determine if the buffer can be reduced. If, in the opinion of the qualified biologist, the buffer cannot be safely reduced, a full-time avian monitor shall be present during all construction activities occurring within the established buffer to ensure no impacts occur. The avian monitor will have the authority to halt or redirect work if raptors show signs of disturbance.</p>			
BIO/mm-5	<p>All existing oak trees to remain on-site that are within 50 feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading or site grubbing. The outer edge of the tree root zone to be fenced will be outside of the canopy half the distance as measured between the tree trunk and outer edge of the canopy (i.e., 1.5 times the distance from the trunk to the drip line of the tree). Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas to the maximum extent feasible. If grading, compaction, or placement of fill in the root zone of an existing oak tree cannot be avoided, retaining walls may be constructed to minimize cut and fill impacts to existing oak trees. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.</p>	<p>Retain biological monitor, submit report documenting compliance to County Department of Planning and Building</p>	<p>Prior to and during construction</p>	<p>Applicant, Biological Monitor, County Department of Planning and Building</p>
BIO/mm-6	<p>All oak trees identified to remain shall not be removed, unless otherwise regulated by County LUO §22.56.020.A.4 (Tree Removal Permit Required, Zoning Clearance Exemption for</p>	<p>Retain biological monitor, submit report documenting</p>	<p>Prior to and during construction, for the life of the project</p>	<p>Applicant, Biological Monitor, County Department of</p>

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	<p>trees in a hazardous condition). Unless previously approved by the County, the following activities are not allowed within the root zone of existing or newly planted oak trees:</p> <ul style="list-style-type: none"> <li>a. year-round irrigation (no summer watering, unless “establishing” new tree or native compatible plant(s) for up to 3 years);</li> <li>b. grading (includes cutting and filling of material);</li> <li>c. compaction (e.g., regular use of vehicles);</li> <li>d. placement of impermeable surfaces (e.g., pavement); or,</li> <li>e. disturbance of soil that impacts roots (e.g., tilling).</li> </ul>	<p>compliance</p>		<p>Planning and Building</p>
<p>BIO/mm-7</p>	<p>The trimming of oaks can be detrimental and shall be minimized as follows:</p> <ul style="list-style-type: none"> <li>a. removal of larger lower branches should be minimized to: <ul style="list-style-type: none"> <li>i. avoid making tree top heavy and more susceptible to “blow-overs;”</li> <li>ii. reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation;</li> <li>iii. retain the wildlife that is found only in the lower branches;</li> <li>iv. retain shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers); and,</li> <li>v. retain the natural shape of the tree.</li> </ul> </li> <li>b. The amount of trimming (roots or canopy) done in any one season should be limited as much as possible to limit tree stress/shock (10% or less is best, 25% maximum).</li> <li>c. Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant shall either use a skilled arborist or apply accepted arborist's techniques when removing limbs.</li> <li>d. Unless a hazardous or unsafe situation exists, trimming of deciduous species shall be done only during the winter.</li> <li>e. Smaller oak trees (smaller than five inches in diameter at</li> </ul>	<p>Retain biological monitor or arborist to implement or supervise</p>	<p>Prior to and during construction and any oak tree trimming activities, for the life of the project</p>	<p>Applicant, Biological Monitor/Arborist, County Department of Planning and Building</p>

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.			
BIO/mm-8	<p>Newly planted oak trees shall be maintained until successfully established as determined by a qualified professional. This shall include protection (e.g., tree shelters, caging) from animals (e.g., deer, rodents) and adequate watering (e.g., drip-irrigation system). During the timeframe when the oaks are being established on the 30-acre area, weed removal shall occur as follows:</p> <ol style="list-style-type: none"> <li>no herbicides shall be used;</li> <li>installation of either 1) a securely staked “weed mat” (covering at least a 3-foot radius from center of plant), or 2) hand removal of weeds (covering at least a 3-foot radius from center of plant) and use of weed-free mulch (at least 3 inches deep, 3-foot radius) with regular replenishment, shall be completed for each new plant. If the hand removal weeding option is selected it shall be kept up on a regular basis (at least once in late spring [April] and once in early winter [December]).</li> <li>Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a 3-year period.</li> <li>If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.</li> </ol> <p>Once oak trees have been planted and prior to final inspection of building permits, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating when the above planting occurred, what was planted and all measures implemented to improve the long-term success of these trees. This letter shall be submitted to the County Environmental Coordinator.</p> <p>To guarantee the success of the new oak trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees’ survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual</p>	Retain biological monitor, submit initial report and annual report documenting compliance to County Department of Planning and Building	Prior to final inspection, annually for a period of seven years	Applicant, Biological Monitor, County Department of Planning and Building

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	<p>basis, for no less than 7 years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator 1 year after the initial planting and, thereafter, on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established (for oak woodlands, no less than 7 years). Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.</p>			
BIO/mm-9	<p>Upon application for construction permits for the emergency access drive, the following measures shall be incorporated into project plans:</p> <ol style="list-style-type: none"> <li>Disturbance shall be minimized to what is necessary to safely install the emergency access bridge over Nipomo Creek.</li> <li>Appropriate exclusion and erosion control measures shall be installed and maintained during construction activities to minimize sedimentation into the creek and impacts to sensitive habitat.</li> <li>Appropriate permanent sedimentation and erosion control structures shall be included in the bridge design in order to minimize long-term impacts associated with vehicular traffic near the creek (e.g., sedimentation and erosion into the creek due to increased runoff associated with soil compaction and/or installation of impermeable surfaces).</li> <li>The applicant shall restore and revegetate any disturbed areas along the access bridge in order to stabilize the streambank.</li> </ol>	<p>Submit plans including required elements and information to County Department of Planning and Building, retain biological monitor, submit weekly monitoring reports documenting compliance</p>	<p>Upon application for construction permits for the emergency access drive and bridge over Nipomo Creek, during construction</p>	<p>Applicant, Contractor, Biological Monitor, County Department of Planning and Building</p>
BIO/mm-10	<p>Prior to work within creek channels, the applicant shall coordinate with the appropriate regulatory agencies in order to obtain permits prior to the start of construction. These agencies are likely to include: USACE, USFWS, CDFW, and RWQCB.</p>	<p>Obtain resource agency authorizations, approvals, or exemptions (as applicable)</p>	<p>Prior to issuance of grading permit and construction permit for work within creek channels</p>	<p>Applicant, Contractor, Biological Monitor, County Department of Planning and Building</p>

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
<b>Cultural Resources</b>				
CR/mm-1	<p>Prior to issuance of grading and construction permits, the applicant shall submit to the Environmental Coordinator (and possibly subject to peer review) for the review and approval, a detailed research design for a Phase III (data recovery) archaeological investigation. The Phase III program shall be prepared by a subsurface qualified archaeologist approved by the Environmental Coordinator. The consulting archaeologist responsible for the Phase III program shall be provided with a copy of the previous archaeological investigations (Albion Environmental, July 2013). The Phase III program shall include at least the following:</p> <ol style="list-style-type: none"> <li>three control units in Locus A and two control units in Locus B pursuant to the Phase II Archaeological Evaluation of CA-SLO-97/142/H (Albion Environmental, July 2013);</li> <li>standard archaeological data recovery practices;</li> <li>recommendation of sample size adequate to mitigate for impacts to archaeological site, including basis and justification of the recommended sample size. Sample size should be 0.01% of the total volume (disturbed and non-disturbed matrix) in Locus A and 0.05% of the total volume (disturbed and non-disturbed matrix) in Locus B. The sample size shall include 0.04% of the volume of undisturbed site deposit in Locus A and 0.05% of the volume of undisturbed site deposit in Locus B. If a lesser sample size is recommended, supporting information shall be presented that justifies the smaller sample size.</li> <li>identification of location of sample sites/test units;</li> <li>detailed description of sampling techniques and material recovery procedures (e.g. how sample is to be excavated, how the material will be screened, screen size, how material will be collected);</li> <li>disposition of collected materials;</li> <li>proposed analysis of results of data recovery and collected materials, including timeline of final analysis results; and,</li> <li>list of personnel involved in sampling and analysis.</li> </ol> <p>Once approved, these measures shall be shown on all applicable construction drawings and implemented during</p>	<p>Submit required documentation to County Environmental Coordinator, retain archaeological monitor, submit weekly monitoring reports documenting compliance and final report pursuant to approved Plan</p>	<p>Prior to issuance of grading and construction permits, during grading and construction, prior to final inspection</p>	<p>Applicant, Contractor, Archaeological Monitor, County Department of Planning and Building and Environmental Coordinator</p>

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	<p>construction. Prior to final inspection/occupancy, the applicant shall provide to the County a final report on the investigation work conducted during construction.</p>			
CR/mm-2	<p>Prior to issuance of grading and construction permits, the applicant shall submit to the Environmental Coordinator (and possibly subject to peer review) for the review and approval, a project-specific Cultural Resources Treatment Plan. The Treatment Plan shall incorporate by reference the County-approved Phase III data recovery plan and County-approved Monitoring Plan. The Treatment Plan will serve as the basic background reference for the project, and will provide a programmatic and/or possible specific treatment options. Specifically, and at minimum, the Treatment Plan shall contain the following:</p> <ul style="list-style-type: none"> <li>a. Compilation of background data;</li> <li>b. Regional research questions (e.g., who lived there and how long ago; what kinds of things did people do at the site; why did they choose to inhabit this area; what was the site's role in the larger system of settlements and camps throughout the region);</li> <li>c. Data recovery methodology, including field methods, analysis, reporting;</li> <li>d. Monitoring program;</li> <li>e. Strategies for the treatment of unanticipated discoveries;</li> <li>f. Protocols for continued consultation with interested Native American participants; and,</li> <li>g. Guidelines for long-term curation.</li> </ul>	<p>Submit required documentation to County Environmental Coordinator, retain archaeological monitor, submit weekly monitoring reports documenting compliance and final report pursuant to approved Plan</p>	<p>Prior to issuance of grading and construction permits, during grading and construction, prior to final inspection</p>	<p>Applicant, Contractor, Archaeological Monitor, County Department of Planning and Building and Environmental Coordinator</p>
CR/mm-3	<p>Prior to issuance of grading and construction permits, the applicant shall submit a Monitoring Plan, prepared by a County-approved archaeologist, for review and approval by the County Department of Planning and Building. The intent of this Plan is to monitor all earth-disturbing activities in areas identified as potentially sensitive for cultural resources, per the approved monitoring plan. The monitoring plan shall include at a minimum:</p> <ul style="list-style-type: none"> <li>a. list of personnel involved in the monitoring activities;</li> <li>b. inclusion of involvement of the Native American community,</li> </ul>	<p>Submit required documentation to County Environmental Coordinator, retain archaeological monitor, submit weekly monitoring reports documenting compliance and final report pursuant to</p>	<p>Prior to issuance of grading and construction permits, during grading and construction, prior to final inspection</p>	<p>Applicant, Contractor, Archaeological Monitor, County Department of Planning and Building and Environmental Coordinator</p>

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	<p>as appropriate;</p> <p>c. description of how the monitoring shall occur;</p> <p>d. description of frequency of monitoring (e.g., full-time, part time, spot checking);</p> <p>e. description of what resources are expected to be encountered;</p> <p>f. description of circumstances that would result in the halting of work at the project site (e.g., What is considered "significant" archaeological resources?);</p> <p>g. description of procedures for halting work on the site and notification procedures;</p> <p>h. provisions defining education of the construction crew;</p> <p>i. protocol for treating unanticipated finds (refer to Treatment Plan); and,</p> <p>j. description of monitoring reporting procedures.</p>	approved Plan		
CR/mm-4	<p>Prior to ground disturbance and construction activities, in consultation with a County-approved archaeologist, the applicant shall provide cultural resources awareness training to all field crews and field supervisors. This training will include a description of the types of resources that may be found in the project area, the protocols to be used in the event of an unanticipated discovery, the importance of cultural resources to the Native American community, and the laws protecting significant archaeological and historical sites. In addition, the applicant shall provide all field supervisors with maps showing those areas sensitive for potential buried resources.</p>	<p>Submit documentation verifying compliance, including but not limited to the day and time of the training, and a list of trained workers</p>	<p>Prior to ground disturbance and construction activities, during grading and construction</p>	<p>Applicant, Contractor, Archaeological Monitor, County Department of Planning and Building and Environmental Coordinator</p>
CR/mm-5	<p>During all initial ground disturbing construction activities, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and Native American to monitor all initial earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources not previously identified in the Monitoring and Treatment Plan, or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the</p>	<p>Submit required documentation to County Environmental Coordinator, retain archaeological monitor, submit weekly monitoring reports documenting compliance and final report pursuant to approved Plan</p>	<p>During all initial ground disturbing construction activities</p>	<p>Applicant, Contractor, Archaeological Monitor, County Department of Planning and Building and Environmental Coordinator</p>

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	mitigation as required by the Environmental Coordinator.			
CR/mm-6	Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first), the qualified archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met. If the analysis included in the Phase III program is not complete by the time final inspection or occupancy will occur, the applicant shall provide to the Environmental Coordinator, proof of obligation to complete the required analysis.	Submit required documentation to County Environmental Coordinator, retain archaeological monitor, submit weekly monitoring and mitigation reports documenting compliance and final report pursuant to approved Plan	Upon completion of all monitoring/mitigation activities and prior to occupancy or final inspection	Applicant, Contractor, Archaeological Monitor, County Department of Planning and Building and Environmental Coordinator
CR/mm-7	Upon application for construction permits for development on the 30-acre site, the applicant shall submit plans verifying the preservation of documented historic resources onsite, including the tallow vat, retaining wall, barn foundation, and windmill (refer to CRMS 2011).	Submit required documentation to the County Environmental Coordinator	Upon application for construction permits for development on the 30-acre site	Applicant, County Department of Planning and Building and Environmental Coordinator
CR/mm-8	Upon application for construction permits for development on the 30-acre site, additional study including archival and field investigation shall verify the presence of the stagecoach roadbed. In the event the presence of the roadbed is determined, the applicant shall avoid the resource to the maximum extent feasible, and the site shall be addressed pursuant to the approved Phase III Data Recovery Plan and Monitoring Plan.	Submit required documentation to the County Environmental Coordinator	Upon application for construction permits for development on the 30-acre site	Applicant, County Department of Planning and Building and Environmental Coordinator
CR/mm-9	In the event ground disturbance exceeds 6 feet in depth within Diablo clay, Diablo and Cibo clays, Marimel silty clay loam, Tierra loam, or Zaca clay, the applicant shall retain a qualified paleontologist to monitor initial excavation activities. Upon completion of all monitoring/mitigation activities, and prior to final inspection, the consulting paleontologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met and include analysis of all discoveries.	Submit required documentation to County Environmental Coordinator, retain paleontological monitor, submit weekly monitoring and mitigation reports documenting compliance and final report	Prior to and during grading and construction, as applicable	Applicant, Contractor, Paleontological Monitor, County Department of Planning and Building and Environmental Coordinator

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
<b>Noise</b>				
N/mm-1	<p>Upon application for construction permits, the applicant shall submit plans listing the following noise attenuation measures, which shall be implemented for the life of the project:</p> <ol style="list-style-type: none"> <li>Outdoor events with amplified music or sound shall not be permitted to continue beyond 10:00 p.m.</li> <li>All soundspeaker systems shall include dispersed speakers oriented away from residential properties.</li> <li>Within the amphitheater, speakers shall be orientated downward or positioned below the stage.</li> <li>The enforced amplified sound limit (excluding the amphitheater) shall be 85 dB maximum as measured 50 feet from the source.</li> <li>The enforced amplified sound limit within the amphitheater shall be 80 dB maximum as measured 50 feet from the source.</li> <li>An on-site manager shall be present during all events to verify the amplified sound limit using a noise meter (Type 2 or better) and address noise complaints (if received). All noise complaints and subsequent remediation actions (i.e., reducing the amplified noise level within acceptable limits, adjusting speaker locations) shall be recorded by the on-site manager and kept on file by DANA.</li> <li>DANA shall provide a letter to all adjacent landowners including the name and contact information for the on-site manager.</li> <li>All amplified noise attenuation measures shall be listed on any special event agreements issued by DANA.</li> </ol>	Submit plans including required elements to County Department of Planning and Building, retain on-site manager to monitor amplified sound during special events	Upon application for construction permits, for the life of the project during special events with amplified sound	Applicant, On-site manager, County Department of Planning and Building
<b>Transportation and Circulation</b>				
TC/mm-1	Upon application for construction permits for development of the 30-acre site, the applicant shall submit a street plan and profile to widen South Oakglen Avenue to complete the project site of an A-1 rural street section fronting the property. All proposed driveways shall be constructed in accordance with County Standard B-1 series drawings.	Submit required plans to the County Department of Public Works and Planning and Building	Upon application for construction permits for the 30-acre site	Applicant, Contractor, County Department of Public Works and Planning and Building

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
TC/mm-2	<p>Prior to issuance of building permits, to mitigate for impacts to the US 101 / West Tefft Street interchange during the PM peak hour, the applicant shall:</p> <p>a. Prepare a Transportation Demand Management (TDM) Program subject to the review and approval of the County Department of Public Works that adjusts:</p> <ol style="list-style-type: none"> <li>1. Visitor Center hours outside of the weekday AM peak hours (7:30 a.m. to 9:30 a.m.) and PM peak hours (4:30 p.m. to 6:30 p.m.); and,</li> <li>2. New employee/volunteer hours to avoid outbound trips between 4:30 p.m. and 6:00 p.m. or,</li> </ol> <p>b. In the event the project would generate new peak hour trips, the applicant shall consult with the County Department of Public Works, and submit the South County Area 1 Road Fee in the amount prevailing at the time of payment.</p>	<p>Submit required Program to the County Department of Public Works and Planning and Building or submit required fees</p>	<p>Prior to issuance of building permits</p>	<p>Applicant, County Department of Public Works and Planning and Building</p>
<b>Water Resources</b>				
WR/mm-1	<p>Prior to issuance of a grading permit, the applicant shall provide a copy of the RWQCB-approved SWPPP. The SWPPP shall be implemented prior to, during, and following ground disturbance.</p>	<p>Submit RWQCB-approved SWPPP to the County Department of Public Works and Planning and Building</p>	<p>Prior to issuance of grading permit</p>	<p>Applicant, County Department of Public Works and Planning and Building</p>
WR/mm-2	<p>At the time of application for grading and construction permits, all applicable plans shall clearly show stockpile and staging areas. Stockpiles and staging areas shall not be located within 100 feet of Nipomo Creek, Carillo Creek, Adobe Creek, or any drainage swale. All project-related spills of hazardous materials within or adjacent to project sites shall be cleaned up immediately. Spill prevention and cleanup materials shall be on-site at all times during construction. The staging areas shall conform to standard BMPs applicable to attaining zero discharge of storm water runoff. At a minimum, all equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills. Maintenance, cleaning, and refueling of equipment and vehicles shall not be permitted onsite or on South Oakglen Avenue.</p>	<p>Submit plans showing required elements to County Department Planning and Building, verify onsite</p>	<p>At the time of application for grading and construction permits, prior to and during construction</p>	<p>Applicant, Contractor, Department of Planning and Building</p>

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
WR/mm-3	<p>At the time of application for construction permits, the applicant shall show on the construction permits, project designs that will promote groundwater recharge (22.52.140) by application of LID design techniques. At least three designer-selected LID/stormwater runoff reduction measures shall be applied to the project, including, but not limited to the following options:</p> <ol style="list-style-type: none"> <li>Parking lots shall be designed to drain to vegetated depressions, rain gardens, or open areas to allow for stormwater infiltration.</li> <li>Roof runoff should be directed to landscape areas (rain gardens) and/or vegetated drainage swales and shall not be directed to impervious surfaces that have the potential to contain pollutants.</li> <li>Vegetated drainage swales shall be constructed along the access driveway and discharge to an approved location in a non-erosive manner.</li> <li>Pavement disconnection within the parking area.</li> <li>Other measures, as approved by the County Planning Department in consultation with Public Works.</li> </ol> <p>These measures shall be implemented prior to final inspection or occupancy, whichever occurs first.</p>	Submit plans showing required elements to County Department of Public Works and Planning and Building, verify onsite	At the time of application for construction permits, prior to and during construction, prior to final inspection or occupancy	Applicant, Contractor, Department of Public Works and Planning and Building
WR/mm-4	<p>At the time of application for construction permits, the applicant shall submit complete drainage, flood hazard, and erosion and sedimentation control plans for review and approval in accordance with §§22.52.110 (Drainage Plan Required), 22.14.060 (Flood Hazard Area), and 22.52.120 (Erosion and Sedimentation Control Plan Required) of the LUO. The applicant shall demonstrate that project construction plans are in conformance with the Source Control BMPs as identified for project incorporation in the Stormwater Quality Plan Application for Priority Projects.</p>	Submit plans to County Department of Public Works and Planning and Building, verify onsite	At the time of application for construction permits, prior to and during construction, prior to final inspection or occupancy	Applicant, Contractor, Department of Public Works and Planning and Building
WR/mm-5	<p>For the life of the project, the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II stormwater program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, §8.68 et sec.</p>	Submit plans showing required elements to County Department of Public Works and Planning and Building, verify onsite	At the time of application for construction permits, prior to final inspection or occupancy, for the life of the project	Applicant, Contractor, Department of Public Works and Planning and Building

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# CHAPTER 8

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## 8.2 LIST OF PREPARERS

This EIR has been prepared by SWCA, in association with the County. SWCA Project Manager for the EIR was Shawna Scott, Senior Planner, and Project Director was Bill Henry, Office Director. The following is a list of individuals responsible for preparation of the EIR.

Responsibilities	EIR Preparer
Executive Summary Project Description Environmental Setting Cultural Resources Alternatives Analysis Mitigation Monitoring and Reporting Program	Shawna Scott, Project Manager/Senior Planner, SWCA
Environmental Setting Air Quality and Climate Change Aesthetics / Visual Resources Biological Resources Geology and Soils Hazards and Hazardous Materials Land Use Noise Public Services and Utilities Transportation and Circulation Water Resources Issues with Less than Significant Impacts	Emily Creel, Environmental Planner, SWCA
Cultural Resources Technical Report	Albion Environmental, Inc. Clinton Blount, Principal Jennifer Farquhar, Principal Investigator Ryan Brady, Senior Archaeologist Stella D'Oro, GIS Specialist and Archaeologist
Graphics and Mapping	Adriana Neal, GIS/CADD Specialist, SWCA
Mitigation Monitoring and Reporting Program Document Editing and Compilation	Jaimie Jones, Technical Editor, SWCA

**APPENDIX A.  
NOTICE OF PREPARATION**





# NOTICE OF PREPARATION – DRAFT ENVIRONMENTAL IMPACT REPORT

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING  
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600  
*Promoting the Wise Use of Land • Helping to Build Great Communities*

**DATE: December 11, 2012**

**FROM:** Department of Planning and Building  
976 Osos St., Room 300  
San Luis Obispo, CA 93408-2040

**PROJECT TITLE: Dana Adobe Nipomo Amigos (DANA) Land Use Ordinance  
Amendment and Conditional Use Permit/ ED11-044 (LRP 2011-00001 / DRC2011-00042)**

**PROJECT APPLICANT: Dana Adobe Nipomo Amigos (DANA) (Jan Di Leo – Project  
Manager)**

**RESPONSES DUE BY: January 14, 2013**

The County of San Luis Obispo will be the Lead Agency and will prepare an Environmental Impact Report (EIR) for the above-referenced project. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

Please provide us the following information at your earliest convenience, but not later than the 30-day comment period, which began with your agency's receipt of the Notice of Preparation (NOP).

1. **NAME OF CONTACT PERSON.** (Please include address, e-mail and telephone number)
2. **PERMIT(S) or APPROVAL(S) AUTHORITY.** Please provide a summary description of these and send a copy of the relevant sections of legislation, regulatory guidance, etc.
3. **ENVIRONMENTAL INFORMATION.** What environmental information must be addressed in the Environmental Impact Report to enable your agency to use this documentation as a basis for your permit issuance or approval?
4. **PERMIT STIPULATIONS/CONDITIONS.** Please provide a list and description of standard stipulations (conditions) that your agency will apply to features of this project. Are there other conditions that have a high likelihood of application to a permit or approval for this project? If so, please list and describe.
5. **ALTERNATIVES.** What alternatives does your agency recommend be analyzed in the EIR?
6. **REASONABLY FORESEEABLE PROJECTS, PROGRAMS or PLANS.** Please name any future project, programs or plans that you think may have an overlapping influence with the project as proposed.

7. **RELEVANT INFORMATION.** Please provide references for any available, appropriate documentation you believe may be useful to the county in preparing the EIR. Reference to and/or inclusion of such documents in an electronic format would be appreciated.
8. **FURTHER COMMENTS.** Please provide any further comments or information that will help the county to scope the document and determine the appropriate level of environmental assessment.

The project description, location, and the probable environmental effects are contained in the attached materials.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, **but not later than 30 days after receipt of this notice.**

Please send your response to Brian Pedrotti, Project Manager at the address shown above. As requested above, we will need the name for a contact person in your agency.

Signature \_\_\_\_\_

Project Manager  
Telephone: (805) 788-2788  
E-mail: bpedrotti@co.slo.ca.us

*Reference: California Administrative Code, Title 14, Section 15082*

**Attachments**

- NOP Executive Summary
- Initial Study
- Proposed Land Use Ordinance language



## NOTICE OF PREPARATION – EXECUTIVE SUMMARY

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

976 OSOS STREET ♦ ROOM 200 ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600

*Promoting the Wise Use of Land ♦ Helping to Build Great Communities*

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**Project Title** – Dana Adobe Land Use Ordinance Amendment and Conditional Use Permit; LRP2011-00001 and DRC2011-00042

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**Project Location** - The project is located on the east side of South Oakglen Avenue, approximately one mile southeast of West Tefft Street, within and immediately adjacent to the community of Nipomo, in the South County Inland planning area.

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### **Project Background**

The Board of Supervisors, at their regularly scheduled meeting of November 1, 2011, authorized the processing of the Land Use Ordinance (LUO) Amendment, as requested. County Planning staff completed an Initial Study and Mitigated Negative Declaration (MND) for the project. The MND addressed both the LUO amendments, as well as the conditional use permit that anticipates development of visitor and interpretive facilities on the site.

On June 14, 2012, the Planning Commission held a public hearing to consider proposed amendments to Section 22.112.030.B and Section 22.112.080.G of the County Land Use Ordinance. After consideration of the project, the Commission recommended that the Board amend the sections as proposed with one minor revision. On July 17, 2012, the Board of Supervisors held a public hearing to consider the proposed amendments. At that hearing, concerns were raised regarding the impacts to cultural resources, as well as noticing and procedural provisions. Following a lengthy public hearing, the Board continued the item and directed County staff to meet with the applicant and Native American tribal representatives to attempt to resolve various issues regarding cultural resources. On August 7, 2012, the Board of Supervisors held a second public hearing for the proposed amendments. At the hearing, the applicant indicated that a resolution had not been reached, and requested and received an indefinite continuance to complete an EIR.

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### **Description of Nature and Purpose of Project –**

- 1) A Land Use Ordinance (LUO) Amendment to Section 22.112.030.B (South County Planning Area Standards, Combining Designations, Historic Area (H) Dana Adobe), and a LUO Amendment to Section 22.112.080.G (South County Planning Area Standards, Nipomo Urban Area, Recreation - Dana Adobe); and
- 2) A Conditional Use Permit for the implementation of a Master Plan and The Stories of the Rancho Project, including an approximate 6,200 square-foot (sf) visitor's center, outdoor amphitheater, Chumash Village including exhibits and interpretive features, approximately 3,000 sf of replicated rancho-era buildings, demonstration arena, replacement of existing caretaker's unit with 1,600-sf caretaker's unit and attached shop, restroom and associated onsite septic system, American Disabilities Act (ADA) trail system with exhibits and interpretive features, 80,445 sf of landscaping and historical gardens, vineyard, and orchard, approximate 21,750-sf main parking area, 17,280-sf overflow parking area, and an 0.6-mile emergency access drive, including a flatcar bridge over Nipomo Creek and foot bridges over Adobe and Carillo Creeks, 2,500-sf horse trailer parking and staging area off North Thompson Road. The project includes

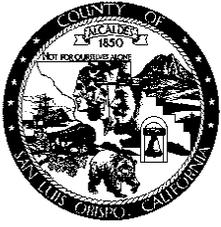
continued restoration and maintenance of the Dana Adobe pursuant to Secretary of Interior Standards and 0.36 acre of riparian restoration within Carillo Creek. The request includes the following special events: six at 290-500 persons/event; twelve at 100-250 persons/event; twenty at 50-100 persons/event; forty at 60-65 persons/event (bussed-in school field trips); and one at 300-1,500 persons/event. The project includes two primary areas; a 30-acre site owned by DANA including the Dana Adobe and proposed improvements, and an adjacent 100-acre primarily undeveloped area owned by the County and leased by DANA. The project would result in the disturbance of approximately 6.55 acres of the 30-acre site (owned by DANA) and approximately 1.75 acres of the 100-acre site (owned by the County and leased by DANA) (totaling 8.3 acres).

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**Summary of significant environmental issues** – Aesthetics - project site visible from public roads; Agricultural Resources - portions on Prime Farmland and Farmland of Statewide Importance; Air Quality - construction impacts; operational impacts; Biological Resources - habitat for several sensitive plant and wildlife species, including the CA Red Legged Frog, White-tailed Kite, wetland and riparian habitat; Cultural Resources - Dana Adobe is significant archaeological and historical site; Geology and Soils - 100-year flood plain, edge of Nipomo Mesa; Hazards/ Hazardous Materials - emergency access; Noise - construction noise and operational noise (special events); Transportation/ Circulation - impacts to S. Oakglen Ave.; secondary impacts to Hwy 101-W. Tefft interchange; Water - need to consider impacts to surface and groundwater quality, water availability; Land Use – project is an LUO Amendment, access considerations and consistency with Dana Adobe Planning Area Standards.

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**Summary of mitigation measures** – None at this time - to be determined through EIR



# San Luis Obispo County

## Department of Planning and Building

### ENVIRONMENTAL IMPACT REPORT SCOPING MEETING

*DANA (DANA ADOBE NIPOMO AMIGOS)*

*LAND USE ORDINANCE AMENDMENT & CONDITIONAL USE PERMIT*

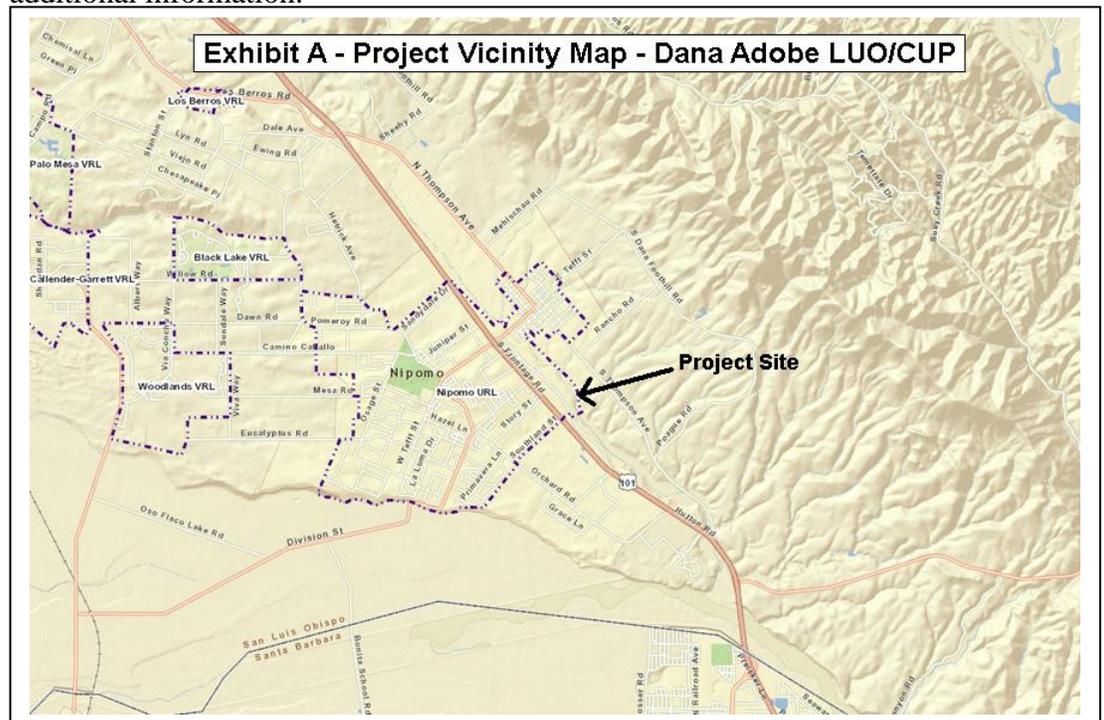
**DATE:** December 17, 2012  
**TIME:** 6:00 to 8:00 P.M.  
**LOCATION:** Nipomo Community Services District Office – 148 S. Wilson Street in Nipomo, California (at intersection with Dana Street).

The San Luis Obispo County Planning & Building Department (Planning) has begun environmental review pursuant to the California Environmental Quality Act (CEQA) for the proposed DANA (Dana Adobe Nipomo Amigos) Land Use Ordinance Amendment and Conditional Use Permit. SLO County Planning invites you and other interested persons and organizations to comment on environmental issues to be evaluated as we proceed with preparation of an Environmental Impact Report (EIR) for the project.

**SCOPING MEETING** - The scoping meeting discussion will focus on environmental issues, feasible ways in which project impacts may be minimized, and potential alternatives to the project. Additional information about the project and EIR is available on our website: <http://www.sloplanning.org> (click the “Dana Adobe” link under the “Environmental Impact Reports” heading).

We encourage your participation in this process. Please contact Brian Pedrotti at (805) 788-2788 or [bpedrotti@co.slo.ca.us](mailto:bpedrotti@co.slo.ca.us) for additional information.

The EIR will include evaluation of project and cumulative impacts, mitigation measures and project alternatives. The issues to be analyzed include: Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards/ Hazardous Materials, Noise, Population/ Housing, Public Services/ Utilities, Recreation, Transportation/ Circulation, Wastewater, Water/Hydrology, and Land Use.



**PROPOSED PROJECT** – The project includes:

- 1) A Land Use Ordinance (LUO) Amendment to Section 22.112.030.B (South County Planning Area Standards, Combining Designations, Historic Area (H) Dana Adobe), and a LUO Amendment to Section 22.112.080.G (South County Planning Area Standards, Nipomo Urban Area, Recreation - Dana Adobe); and
- 2) A Conditional Use Permit for the implementation of a Master Plan and The Stories of the Rancho Project, including an approximate 6,200 square-foot (sf) visitor's center, outdoor amphitheater, Chumash Village including exhibits and interpretive features, approximately 3,000 sf of replicated rancho-era buildings, demonstration arena, replacement of existing caretaker's unit with 1,600-sf caretaker's unit and attached shop, restroom and associated onsite septic system, American Disabilities Act (ADA) trail system with exhibits and interpretive features, 80,445 sf of landscaping and historical gardens, vineyard, and orchard, approximate 21,750-sf main parking area, 17,280-sf overflow parking area, and an 0.6-mile emergency access drive, including a flatcar bridge over Nipomo Creek and foot bridges over Adobe and Carillo Creeks, 2,500-sf horse trailer parking and staging area off North Thompson Road. The project includes continued restoration and maintenance of the Dana Adobe pursuant to Secretary of Interior Standards and 0.36 acre of riparian restoration within Carillo Creek. The request includes the following special events: six at 290-500 persons/event; twelve at 100-250 persons/event; twenty at 50-100 persons/event; forty at 60-65 persons/event (bussed-in school field trips); and one at 300-1,500 persons/event. The project includes two primary areas; a 30-acre site owned by DANA including the Dana Adobe and proposed improvements, and an adjacent 100-acre primarily undeveloped area owned by the County and leased by DANA. The project would result in the disturbance of approximately 6.55 acres of the 30-acre site (owned by DANA) and approximately 1.75 acres of the 100-acre site (owned by the County and leased by DANA) (totaling 8.3 acres).

The project is located on the east side of South Oakglen Avenue, approximately one mile southeast of West Tefft Street, within and immediately adjacent to the community of Nipomo, in the South County Inland planning area. Supervisorial District: 4

Additional information about the project and EIR is available on our website:

<http://www.sloplanning.org> (click the “Dana Adobe” link under the “Environmental Impact Reports” heading).

ORDINANCE NO.

AN ORDINANCE AMENDING TITLE 22 OF THE SAN LUIS OBISPO COUNTY CODE,  
THE LAND USE ORDINANCE, SECTION 22.112.030B AND SECTION 22.112.080G  
RELATIVE TO THE DANA ADOBE

The Board of Supervisors of the County of San Luis Obispo ordains as follows:

SECTION 1: Section 22.112.030.B of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

**B. Historic Area (H) - Dana Adobe.** Development of any tourist-related facilities, residential or accessory uses at the site of the Dana Adobe (see Figure 112-6) shall be ~~in an architectural motif compatible with the adobe itself and consistent with the site master plan on file at the Department. This requirement applies to the Dana Adobe site in addition to the requirements of Sections 22.112.080.F.1 through F.4. consistent with Sections 22.112.080 G.~~

SECTION 2: Section 22.112.080.G (Figure 112-57 is not proposed for change) of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

**G. Recreation (REC) – Dana Adobe.** The following standards apply only to ~~the properties containing and surrounding the Dana Adobe~~ properties shown in Figure 112-57 ~~in addition to the Historic combining designation standard in Section 22.112.030.A-B~~

**1. Limitation on use.**

- a. Prior to completion of ~~a future~~ Southland Street interchange emergency access accessible by the Dana Adobe properties and/or the creation of a “safe refuge”, access and egress for emergency responders, visitors, and occupants, land uses shall be limited to those identified as allowable, permitted, or conditional in the Residential Suburban land use category by Section 22.06.030, except for nursing and personal care, and residential care.
- b. After completion of an ~~Southland Street interchange~~ emergency access accessible to the Dana Adobe properties and/or a “safe refuge”, access and egress for emergency responders, visitors, and occupants, all land uses that are identified by Section 22.06.030 as allowable, permitted, or conditional in the Recreation land use category may be authorized in compliance with the land use permit requirements of that Section.

**2. Permit requirement.** ~~The initial development of any non-agricultural or non-residential uses shall comply with the Site Master Plan on file with the Department~~

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and shall be subject to Conditional Use Permit approval. The Conditional Use Permit shall identify the area to be developed, the types of uses to be established, and an architectural motif style compatible with the adobe itself and the site's interpretation and educational components. Future structures or uses not approved as part of the initial Conditional Use Permit shall comply with the requirements of Section 22.06.030 (Table 2-2) and Section 22.30 (Standards for Specific Land Uses) of the Land Use Ordinance.

3. **Subdivision requirement.** All new subdivisions on the site of the Dana adobe shall be clustered in compliance with Chapter 22.22. An area shall be located around the Dana adobe site, to be offered for dedication to the County, another agency, or appropriate caretaker organization for maintenance and improvements. Funding shall be provided to contribute to the improvement of the adobe and its site in an amount to be determined through the subdivision review process. The residential lots shall be located a compatible distance from the adobe. The architecture of structures within the subdivision shall be compatible with the adobe, through the use of deed covenants, conditions and restrictions (CC&Rs).
4. **Development requirements.** Future development proposals shall also include measures to address the following issues as appropriate:
  - a. Siting and architecture of both residential and nonresidential uses shall be visually compatible with the Dana Adobe and located to minimize their appearance from the adobe. Physical linkage with the adobe site shall be designed that encourages pedestrian travel and interpretation of the site's resources. Landscaping shall be utilized should be used to buffer views between the adobe and development sites support buildings and project infrastructure such as parking lots. Should the nonprofit organization, the Dana Adobe Nipomo Amigos, cease to exist, An area shall be located around the Dana adobe site, the 30 acre site should to be offered for dedication to the County, another nonprofit agency, or appropriate caretaker organization for maintenance and improvements. Funding for the improvement of the adobe and its site at an amount to be determined through permit review shall be provided before occupancy of any proposed development.



# Initial Study Summary – Environmental Checklist

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING  
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

Promoting the Wise Use of Land • Helping to Build Great Communities

**Project Title & No. Dana Adobe Nipomo Amigos Land Use Ordinance Amendment (LRP2011-00001) and Conditional Use Permit (DRC2011-00042) ED11-044**

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input checked="" type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input checked="" type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input checked="" type="checkbox"/> Water
<input checked="" type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input checked="" type="checkbox"/> Land Use

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

SWCA  
Prepared by (Print)

*[Signature]*  
Signature

4/2/12  
Date

JOHN NALL  
Reviewed by (Print)

*[Signature]*  
Signature

Ellen Carroll,  
Environmental Coordinator  
(for)

4/5/12  
Date

### **Project Environmental Analysis**

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, 976 Osos Street, Rm. 200, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

### **A. PROJECT**

**DESCRIPTION:** Request by the Dana Adobe Nipomo Amigos (DANA) for: 1) a Land Use Ordinance (LUO) Amendment to Section 22.112.030.B (Community Planning Standards, Combining Designations, Historic Area (H) Dana Adobe), and Section 22.112.080.G (Community Planning Standards, South County Nipomo Urban Area, Recreation – Dana Adobe); and, 2) a Conditional Use Permit/Development Plan to allow the implementation of a Master Plan and The Stories of the Rancho Project, including an approximate 6,200 square-foot (sf) visitor's center, outdoor amphitheater, Chumash Village including exhibits and interpretive features, approximately 3,000 sf of replicated rancho-era buildings, demonstration arena, replacement of existing caretaker's unit with 1,600-sf caretaker's unit and attached shop, restroom and associated onsite septic system, American Disabilities Act (ADA) trail system with exhibits and interpretive features, 80,445 sf of landscaping and historical gardens, vineyard, and orchard, approximate 21,750-sf main parking area, 17,280-sf overflow parking area, and an 0.6-mile emergency access drive, including a flatcar bridge over Nipomo Creek and foot bridges over Adobe and Carillo Creeks, 2,500-sf horse trailer parking and staging area off North Thompson Road. The project includes continued restoration and maintenance of the Dana Adobe pursuant to Secretary of Interior Standards and 0.36 acre of riparian restoration within Carillo Creek. The request includes the following special events: six at 290-500 persons/event; twelve at 100-250 persons/event; twenty at 50-100 persons/event; forty at 60-65 persons/event (bussed-in school field trips); and one at 300-1,500 persons/event. The project includes two primary areas; a 30-acre site owned by DANA including the Dana Adobe and proposed improvements, and an adjacent 100-acre primarily undeveloped area owned by the County and leased by DANA. The project would result in the disturbance of approximately 6.55 acres of the 30-acre site (owned by DANA) and approximately 1.75 acres of the 100-acre site (owned by the County and leased by DANA) (totaling 8.3 acres). The project is located on the east side of South Oakglen Avenue, approximately one mile southeast of West Tefft Street, within and immediately adjacent to the community of Nipomo, in the South County Inland planning area.

### **BACKGROUND:**

Land Use Ordinance Amendment. The proposed amendments would clarify the intent of the Land Use Ordinance (LUO) section by addressing emergency access conditions by removing reference to the Southland Street Interchange (no longer proposed for construction by County and Caltrans), and including a requirement for privately developed emergency access. The

amendments also include minor updates to identify land currently owned by DANA, design standards to maintain historical context and ensure continued preservation and restoration of the Dana Adobe, and establish a requirement for Master Plan and Conditional Use Permit approval, and subsequent development of the project site. The proposed amendments would not remove any intended impediment to growth. The proposed amendments include the following changes, indicated by ~~strikeout~~ and underlining. The complete amended LUO sections are provided in Exhibit C.

San Luis Obispo County Code – Title 22, Land Use Ordinance  
Proposed Text Change  
Article 9 – Community Planning Standards (Revised June 2010)  
Combining Designations  
Section 22.112.030, Page 9-270

**B. Historic Area (H) - Dana Adobe.** Development of any tourist-related facilities, residential or accessory uses at the site of the Dana Adobe (see Figure 112-6) shall be ~~in an architectural motif compatible with the adobe itself and consistent with the site master plan on file at the Department. This requirement applies to the Dana Adobe site in addition to the requirements of Sections 22.112.080.F.1 through F.4. [Amended 1997, Ord. 2800]~~ consistent with Sections 22.112.080 G.

San Luis Obispo County Code – Title 22, Land Use Ordinance  
Proposed Text Change  
Article 9 – Community Planning Standards (Revised June 2010)  
South County Nipomo Urban Area  
Section 22.112.080, Pages 9-345 to 9-346

**G. Recreation (REC) – Dana Adobe.** The following standards apply only to ~~the properties containing and surrounding the Dana Adobe properties shown in Figure 112-57 in addition to the Historic combining designation standard in Section 22.112.030.A-B~~

**1. Limitation on use.**

- a. Prior to completion of a future Southland Street interchange emergency access accessible by the Dana Adobe properties and/or the creation of a "safe refuge", land uses shall be limited to those identified as allowable, permitted, or conditional in the residential Suburban land use category by Section 22.06.030, except for nursing and personal care, and residential care.
- b. After completion of an Southland Street interchange emergency access accessible to the Dana Adobe properties and/or a safe refuge, all land uses that are identified by Section 22.06.030 as allowable, permitted, or conditional in the Recreation land use category may be authorized in compliance with the land use permit requirements of that Section.

**2. Permit requirement.** The development of any non-agricultural or non-residential uses shall comply with the Site Master Plan on file with the Department or an approved amendment to that Master Plan. The initial Site Master Plan or major amendments to the Site Master Plan and shall be subject to Conditional Use Permit approval. The Conditional Use Permit shall identify the area to be developed, the types of uses to be established, and an architectural motif style compatible with the adobe ~~itself and the~~

site's interpretation and educational components. Once a Conditional Use Permit has been approved for the Site Master Plan, minor amendments to the Master Plan may be approved by the Planning & Building Department or through a permit as designated in Article 2, Table 2-2 (Allowable Land Uses and Permit Requirements) Section 22.060.30.

- 4. Development requirements.** ~~Siting and architecture of both residential and nonresidential uses shall be visually compatible with the Dana Adobe and located to minimize their appearance from the adobe. Physical linkage with the adobe site shall be designed that encourages pedestrian travel and interpretation of the site's resources. Landscaping shall be utilized~~ should be used to buffer views between the adobe and development sites support buildings and project infrastructure such as parking lots. Should the nonprofit organization, the Dana Adobe Nipomo Amigos, cease to exist, An area shall be located around the Dana adobe site, the 29 acre site should ~~to be offered for dedication to the County, another nonprofit agency, or appropriate caretaker organization for maintenance and improvements. Funding for the improvement of the adobe and its site at an amount to be determined through permit review shall be provided before occupancy of any proposed development.~~

Master Plan Development. The proposed project consists of three primary components within the 30-acre area: the Rancho Era, Visitor Center, and Chumash Village. The Master Plan also includes improvements, access, and restoration on the 100-acre area to the east. Development would occur in phases, as funding is available.

**The Rancho Era** component will include the continued restoration and maintenance of the Dana Adobe, historic tallow vat, and historic barn foundation, and features to assist in visitor experience would include improvements such as:

- replicated rancho-era outbuildings (approximately 3,000 square feet total), including a blacksmith, barn, small animal corral; eight shade ramadas;
- 18,120-sf arena and cattle chute (will also be used for additional overflow parking for 100 valet-parked vehicles);
- replacement of the existing caretaker's unit with a 1,100-sf unit, attached 500-sf shop/storage unit, and onsite septic tank and leachfield;
- 150-sf restroom and associated onsite septic tank and leachfield;
- American Disabilities Act (ADA) trail system (decomposed granite 6 to 10 feet wide), including exhibits, interpretive features, portals, and viewing areas;
- 80,445 sf of drip-irrigated landscaping (total throughout Master Plan), including such items as historic ornamental, medicinal, and vegetable gardens, a vineyard, and an orchard;
- 17,280-sf overflow parking area (60 spaces, gravel base); and utility connections.
- Removal of one locust tree.

**The Visitor's Center** includes the following:

- 6,226-sf visitor's center building to be constructed in two phases (initially 5,300 square feet, and 966-square foot expansion as funds are available), including: museum, offices, library, conference room, two classrooms, catering kitchen, curator's work and storage area, gift shop, restrooms, general storage area, roof-mounted solar panels,
- Currently proposed regular hours of operation for the visitor's center are Tuesday through Saturday 9:00 am to 5:00 pm and Sundays noon to 5:00 pm;
- 1,825 sf of covered outdoor areas;
- outdoor amphitheater including seating and a small stage;
- Story circle;

- future play area;
- American Disabilities Act (ADA) trail system (decomposed granite 6 to 10 feet wide), including exhibits, interpretive features, portals, and viewing areas;
- 21,750-sf main parking area (40 spaces, bus parking, paved);
- onsite septic tank, sewer lift station, and leachfield; utility connections; and, landscaping.

**The Chumash Village will include:**

- exhibits and interpretive features, such as a traditional Chumash dwelling, knapping exhibits, Native American gardens, and painted caves;
- ADA trail system (decomposed granite 6 to 10 feet wide) including exhibits, interpretive features, portals, viewing areas, and intermitted stacked stone retaining walls (8 to 30 inches in height);
- ceremonial circle with story boulders;
- 6,750 sf dirt playfield; and
- landscaping.

100-acre Area. The 100-acre portion of the project includes the following components:

- use of existing unimproved agricultural roads for hiking trails; additional multi-use looped trail system (dirt base, 3 to 5 feet wide), including signage, exhibits, and interpretive features;
- looped trail and restoration areas east of Nipomo Creek, including exhibits, interpretive features, and drought-tolerant landscaping;
- 0.36 acre of restoration within Carillo Creek;
- a foot bridge over Adobe Creek and Carillo Creek; and,
- 2,500-sf horse trailer parking and staging area for trail and agricultural uses.
- The remainder of the site will support agricultural and open space uses, including crop production and livestock grazing.

Access. The project site will be accessed by two improved driveways off South Oakglen Avenue. An approximately 0.6 mile, 16 to 18-foot wide, gated, all-weather emergency access drive is proposed to extend from one of the primary driveways off South Oakglen Avenue to Swallow Lane, and continuing to South Thompson Road, and would include a 89-foot long, ten-foot wide flatcar bridge over Nipomo Creek. The existing driveway leading to the Dana Adobe would remain as a service entrance and for ADA access. A circular driveway with two access points is proposed off North Thompson Road for horse trailers, trail user, and agricultural parking. Offsite property-frontage road improvements include widening South Oakglen Avenue to include two 10-foot wide paved travel lanes and an 8-foot wide road base shoulder on the eastern side of the road.

Utilities. Water would be provided by the Nipomo Community Services District (NCSD), via an existing Outside Users Agreement. Approximately 1,200 feet of the existing water main along South Oakglen Avenue would be upsized to accommodate the development.

ASSESSOR PARCEL NUMBER(S): 090-171-011, -030, -031, -032, and -036

Latitude: 35 degrees 1'40.56" N Longitude: 120 degrees 28'8.48" W SUPERVISORIAL DISTRICT # 4

**B. EXISTING SETTING**

PLANNING AREA: South County (Inland), Nipomo and Rural

LAND USE CATEGORY: Recreation (30-acre area), Agriculture (100-acre area)

COMBINING DESIGNATION(S): Historic , Flood Hazard

EXISTING USES : 30-acre area: Dana Adobe, caretaker's unit, unpaved driveway and parking, associated landscaping; non-profit events; and, equestrian pasture.  
100-acre area: water wells, agricultural uses (livestock grazing), remediation, conservation, and restoration.

TOPOGRAPHY: Nearly level to gently rolling

VEGETATION: Grasses , chaparral , riparian, oak trees, ruderal

PARCEL SIZE: Five parcels (0.25, 20, 40, 40 and 30 acres) totalling 130.25 acres

**SURROUNDING LAND USE CATEGORIES AND USES:**

<i>North:</i> Agriculture; Residential Suburban agricultural uses, single-family residence(s)	<i>East:</i> Agriculture; agricultural uses, single-family residence(s)
<i>South:</i> Agriculture; agricultural uses, single-family residence(s)	<i>West:</i> Residential Suburban; undeveloped, agricultural uses

**C. ENVIRONMENTAL ANALYSIS**

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

**COUNTY OF SAN LUIS OBISPO  
INITIAL STUDY CHECKLIST**

<b>1. AESTHETICS - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project site is located on the east side of South Oakglen Avenue, and immediately southwest of South Thompson Avenue, approximately one mile south of Tefft Street. A 30-acre portion of the project site is located within the community of Nipomo (within urban reserve line). These 30 acres include the historic Dana Adobe, which is currently under renovation, a caretaker's unit, unpaved driveway and parking area, fencing, and landscaping. The remaining 100 acres, located outside the Nipomo Urban Reserve Line, are undeveloped and support horse pasture and agricultural roads. Past, current, and forthcoming restoration of Nipomo Creek and uplands are implemented by the County and Land Conservancy, including bank stabilization and oak woodland mitigation.

The visual character of the project site and surrounding area is primarily agricultural with scattered residences. West of U.S. Highway 101, uses include the Southland Wastewater Treatment Facility, and residential and commercial development within the community of Nipomo. The project site is located approximately 0.15 mile east of U.S. Highway 101. Rows of mature trees along the highway and South Oakglen Avenue generally block views of the project site from the highway, as seen from both north and southbound travel lanes. The affected section of U.S. Highway 101 is not a designated scenic roadway, and the project site is not located within an area subject to Highway Corridor Design Standards, or a visually Sensitive Resource Area.

**Impact.**

**Land Use Ordinance Amendment.** The proposed LUO Amendment would modify section 22.112.080(G) South County, Recreation land use category, Dana Adobe, development standards. The modified language deletes a requirement that residential and non-residential uses shall be located "to minimize their appearance from the adobe". Proposed language would encourage "interpretation of the site's resources" and use of landscaping to buffer views "between the adobe and support buildings and project infrastructure such as parking lots". Implementation of the amendment would retain the historical context of the Dana Adobe, including views from public roads and the

adobe site itself. No significant visual impacts would occur as a result of the proposed LUO Amendment.

**Conditional Use Permit.** The proposed project includes an approximately 6,266-square foot (sf) visitor and education center, administrative office and curator's building; an approximately 1.4-mile long interpretive nature trail system (including landscaping, benches, and fencing); Native American interpretive features (such as a living Chumash village, knapping exhibits, story boulders, Native American gardens, and painted caves); a native habitat interpretation and restoration area; two picnic areas; support facilities; and associated infrastructure (i.e., parking area, trash enclosures, restrooms, fencing, landscaping and irrigation, lighting, utility connections, walkways, a wastewater facility, and drainage/erosion control). The proposed project would include crossings of Nipomo Creek (emergency access), Adobe Creek (new foot bridge), and Carillo Creek (new foot bridge). All structure development (aside from the multi-use trail, exhibits/educational features along the multi-use trail, and emergency access drive) would be located on the 30-acre area.

Proposed development would be primarily visible from South Oakglen Avenue, a local road serving the existing Dana Adobe and surrounding residences and agricultural uses. The development would also be visible from South Thompson Road. Existing mature trees would generally block views of the development from U.S. Highway 101.

Visual Compatibility and Character. The proposed uses would be generally aesthetically compatible with surrounding uses, and would not change the rural/urban fringe character of the area, as seen from public roadways. Proposed architectural elements would be consistent with the historical context of the Dana Adobe. Use of exterior colors and materials consistent with the surrounding landscape would further enhance visual compatibility. Parking areas would be located adjacent to South Oakglen Avenue, a dead-end road, and would generally be shielded from views along U.S. Highway 101. The proposed secondary access road would generally be screened from view by existing topography and vegetation. Based on incorporation of mitigation measures identified below, potential impacts would be less than significant.

Glare and/or Night Lighting. The proposed use includes special events, which may be held during night-time hours. Exterior lighting within the Rancho Era, visitor center, Chumash Village, and associated parking areas may be visible from U.S. Highway 101, and would create glare in the immediate area. Shielded and down-cast lighting is proposed to minimize off-site light and glare include shielded lighting, which would mitigate potential impacts to less than significant.

Unique Geological or Physical Features. The most prominent scenic features in the area include the Nipomo Valley and Temettate Ridge. Views of the valley are intermittent, depending on mature trees, landscaping, and rolling topography. Views of the ridge are clear as seen from U.S. Highway 101, the Dana Adobe, and surrounding areas. Implementation of the project would not block views of ridge, and the applicant proposes to maintain historical views as seen from the Dana Adobe. Based on the design of the project, potential impacts would be less than significant.

**Mitigation/Conclusion.** In order to verify that impacts would be mitigated to less than significant, the applicant will be required to submit and implement an approved colors and materials board and exterior lighting plan, demonstrating consistency with the surrounding landscape and historical setting, and minimizing light and glare affecting off-site properties and the night sky (refer to Exhibit B).

**2. AGRICULTURAL RESOURCES**

*- Will the project:*

a) *Convert prime agricultural land to non-agricultural use?*

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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## 2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning or Williamson Act program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting. Project Elements:** The following area-specific elements relate to the property's importance for agricultural production:

### 30-acre area:

Land Use Category: Recreation

Historic Commercial Crops: Cattle grazing, hide and tallow production (none existing)

State Classification: Prime Farmland if irrigated and drained; Farmland of Statewide Importance

In Agricultural Preserve? No

Under Williamson Act contract? No

The soil type(s) and characteristics on the 30-acre portion of the project site include:

170 – Marimel silty clay loam, 0-2 percent slopes (irrigated Class 1, non-irrigated Class 3). The Marimel component makes up approximately 13 percent of the map unit. The parent material of this soil type is alluvium derived from sedimentary rock. The natural drainage class of this unit is well drained, and it is composed of silty clay loam and stratified loam to clay loam to silty clay loam. Marimel soils tend to occur on alluvial fans and in valleys. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.

184 – Oceano sand, 0-9 percent slopes (irrigated Class 4, non-irrigated Class 6). The Oceano (0-9 percent slopes) component makes up approximately seven percent of the map unit. The parent material of this soil type is Eolian deposits. The natural drainage class of this unit is excessively drained, and it is composed entirely of sand. Oceano soils tend to occur on dunes and toeslopes. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.

185 – Oceano sand, 9-30 percent slopes (irrigated Class 4, non-irrigated Class 6). The Oceano (9-30 percent slopes) component makes up approximately five percent of the map unit. The parent material of this soil type is Eolian deposits. The natural drainage class of this unit is excessively drained, and it is composed entirely of sand. Oceano soils tend to occur on dunes and toeslopes. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.

Historic agricultural uses at the Dana Adobe included raising cattle and the production of hides and tallow. The project site does not currently support agricultural production, and is not irrigated. At times, horses are grazed within the project site.

### 100-acre area:

Land Use Category: Agriculture

Historic/Existing Commercial Crops: Cattle grazing, dry grain

State Classification: Prime Farmland if irrigated; Prime Farmland if irrigated and drained; Farmland of Statewide Importance

In Agricultural Preserve? No

Under Williamson Act contract? No

The soil type(s) and characteristics on the subject property include:

129 – Diablo clay, 5-9 percent slopes (irrigated Class 2, non-irrigated Class 3). The Diablo clay component makes up approximately 10 percent of the map unit. The parent material of this soil type is residuum weathered from mudstone, sandstone, and/or shale. The natural drainage class of this unit is well drained, and it is composed of clay over weathered bedrock. Diablo clay soils tend to occur on backslopes and summits.

130 – Diablo and Cibo clays, 9-15 percent slopes (irrigated Class 3, non-irrigated Class 3). The Diablo and Cibo clay component makes up approximately five percent of the map unit. The parent material of this soil type is residuum weathered from mudstone, sandstone, and/or shale. The natural drainage class of this unit is well drained, and it is composed of clay over weathered bedrock. Diablo and Cibo clay soils tend to occur on backslopes and summits.

170 – Marimel silty clay loam, 0-2 percent slopes (irrigated Class 1, non-irrigated Class 3). The Marimel component makes up approximately 13 percent of the map unit. The parent material of this soil type is alluvium derived from sedimentary rock. The natural drainage class of this unit is well drained, and it is composed of silty clay loam and stratified loam to clay loam to silty clay loam. Marimel soils tend to occur on alluvial fans and in valleys. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.

218 – Tierra loam, 15-30 percent slopes (irrigated Class 6, non-irrigated Class 6). The Tierra component makes up approximately 11 percent of the map unit. The parent material of this soil type is alluvium derived from sedimentary rock. The natural drainage class of this unit is moderately well drained, and it is composed of loam, clay, and sandy clay loam. Tierra loam soils tend to occur on terraces, backslopes, summits, and toeslopes. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.

224 – Zaca clay, 9-15 percent slopes (irrigated Class 3, non-irrigated Class 3). The Zaca component makes up approximately 49 percent of the map unit. The parent material of this soil type is residuum weathered from calcareous mudstone, sandstone, and/or shale. The natural drainage class of this unit is well drained, and it is composed of clay and silty clay over weathered bedrock. Zaca soils tend to occur on summits and backslopes.

**Impact.** The proposed project was reviewed by the County Agriculture Department (2012). The Agriculture Department noted that the project would have less than significant impacts to agricultural resources or operations. The Agriculture Department recommended conditions to maximize the availability of water for agricultural production, minimize runoff, and maximize groundwater recharge. The project does not include any turf areas, and drip-irrigated landscaping would be native and drought-tolerant. The project includes pervious surfaces for paths and overflow parking areas, and construction of a rain garden. In addition, the applicant is required to comply with Interim Low Impact Development (LID) guidelines (refer to Section 6 Geology and Soils). Therefore, the project is consistent with the Agriculture Department's recommendations as proposed and in compliance with recommended mitigation measures.

**Land Use Ordinance Amendment.** The proposed amendment would not result in a significant impact to water available for agricultural use, because the calculated water demand for the project would not exceed the amount that would be required if the site was developed for residential use, and the proposed water source would be the NCSD. The 100-acre area, and agricultural uses outside the NCSD service boundary, would continue to use onsite wells for water supply. Other proposed LUO changes are only applicable to the Recreation portion of the project site, and would not result in adverse impacts to surrounding agricultural uses. Therefore, potential impacts to agriculture would be less than significant.

**Conditional Use Permit.** The existing Dana Adobe and proposed uses would be located within the 30-acre area west of Nipomo Creek on Oceano Sand (0 to 9 and 9-30 percent slopes), and within areas designated as Farmland of Statewide Importance. Uses east of Nipomo Creek (within the 100-

acre area), and within areas designated as Prime Farmland if irrigated and Farmland of Statewide Importance, would include rough-graded trails and the secondary access road extending to Swallow Lane.

Conversion of Agricultural Land. Implementation of the project would not convert prime agricultural land to non-agricultural uses. Master Plan development would occur within lands considered Farmland of Statewide Importance; however, these areas are not used for production agriculture. The 100 acres of land east of Nipomo Creek is not irrigated, and historically supported cattle grazing and dryfarming. The development of trails and the creation of a secondary access road would not hinder grazing and other potential agricultural activities in the future. Within the 30-acre area, proposed uses include education about the historical and modern agricultural uses at the project site, and the Nipomo Rancho, including the historic tallow vat, an equestrian arena, recreated barn, and interpretive gardens, orchard, and vineyard. Lands east of Nipomo Creek would support open space and agricultural uses, including crop production and livestock grazing outside of County and Land Conservancy restoration areas. Based on the location and nature of proposed uses, these impacts are considered less than significant, and no mitigation is necessary.

Impairment of Agriculture Use/Williamson Act. Parcels to the northwest, northeast, and southeast of the 100-acre area are under Williamson Act contract. These parcels are located approximately 300 feet southeast of the emergency access drive, and 300 feet northwest and 500 feet west of existing ranch roads (to be used as public trails). The Holloway Christmas Tree Farm is located approximately 0.2 mile to the northwest of the Dana Adobe, on South Oakglen Avenue. Implementation of the project would not include any uses directly adjacent to adjacent agricultural lands, and would not include any activities that would impair agricultural uses in the area. Therefore, impacts are considered less than significant, and no mitigation is necessary.

Zoning Conflicts. The proposed uses are consistent with the land use category of applicable parcels, and would not result in any land use conflicts. Special events would be limited to the property west of Nipomo Creek, within the Recreation land use category. Therefore, impacts would be less than significant.

Mitigation/Conclusion. Based on the location of proposed development, and the continued use of the Agriculture-designated portion of the project site for crop production, equestrian use, and livestock grazing (outside of riparian and County and Land Conservancy restoration areas), potential impacts to agricultural resources would be less than significant, and no mitigation measures are necessary.

<b>3. AIR QUALITY - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The Air Pollution Control District (APCD) has developed the 2009 CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Currently, the Nipomo Mesa is in non-attainment for particulate matter. When reviewing a project for potentially significant impacts, current conditions are considered the baseline. Impacts from a specific project are determined by looking at increases in diesel emissions, dust created by construction activities, operational phase emissions cause by certain equipment and the number of vehicle trips associated with the proposed use.

The proximity of sensitive individuals (receptors) to a construction site constitutes a special condition and may require a more comprehensive evaluation of toxic diesel PM impacts and more aggressive implementation of mitigation measures described below in the diesel idling section (if deemed necessary by the SLOAPCD). Areas where sensitive receptors are most likely to spend time include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling units. The types of construction projects that typically require a more comprehensive evaluation include large-scale, long-term projects that occur within 1,000 feet of a sensitive receptor locations.

Portable equipment and engines 50 horsepower (hp) or greater, used during construction activities will require California statewide portable equipment registration (issued by the Air Resources Board) or an Air District permit, which is an existing standard regulation.

In addition to reviewing the project's construction and operational phase emissions, the California Attorney General has required numerous projects reviewed through CEQA to quantify and implement feasible project level mitigation of greenhouse gas (GHG) emissions. Further, the Attorney General has stated that any project that produces large GHG emission increases clearly could be an obstacle to the State's effort to reach the goals defined in Assembly Bill (AB) 32 and Senate Bill (SB) 375 to reduce GHG emissions and promote sustainable community strategies.

**Impact.**

**Land Use Ordinance Amendment.** The proposed amendments do not include language that would have an adverse effect to air quality, aside from project-specific emissions (refer to discussion below).

**Conditional Use Permit.** As proposed, the project will result in the disturbance of approximately 8.3 acres. Disturbance would occur in phases, as development can be funded and implemented.

**Violation of Standards.** Grading and construction activities would result in the creation of construction dust, as well as short- and long-term vehicle emissions. While the timing of development phases is currently unknown, the total area of disturbance was used to model "worst-case scenario" air emissions, using URBEMIS (version 9.2.4). Calculations of unmitigated construction emissions are shown in Table 1 below.

**Table 1. Construction Emissions (Unmitigated)**

	ROG	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>10</sub> (Exhaust)	PM <sub>2.5</sub> (Exhaust)	CO <sub>2</sub>
Winter (lbs/day)	11.16	65.75	40.57	41.62	4.34	3.99	5,626.63
Threshold (lbs/day)*	137		n/a	n/a	7		n/a
Mitigation Required	No		n/a	n/a	Yes		n/a

\*Source: County of San Luis Obispo, APCD CEQA Air Quality Handbook, 2009

Based on the results of the modeling, construction of the project would not exceed ROG and NO<sub>x</sub> emissions during the construction phase. The project would generate particulate matter (PM) exceeding the APCD threshold, within an area in non-attainment for particulate matter. In addition, ground disturbance would generate dust potentially resulting in a nuisance for adjacent residential and agricultural land uses. Standard mitigation is recommended to reduce potential emissions to a less than significant level.

Naturally Occurring Asbestos (NOA) has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities a geologic evaluation should be conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Based on Technical Appendix 4.4 of the APCD's CEQA Handbook, the project site is within a location of potentially occurring NOA, and standard mitigation would apply. If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM for Quarrying, and Surface Mining Operations. These requirements may include but are not limited to: development of an Asbestos Dust Mitigation Plan which must be approved by the APCD before operations begin, and, development and approval of an Asbestos Health and Safety Program. If NOA is not present, an exemption request must be filed with the Air District. Based on review of the Soils Engineering Report (GeoSolutions, 2011), the 30-acre portion of the site does not include serpentinite, ultramafic, or Franciscan soils, which are known to contain NOA.

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines. If utility pipelines are scheduled for removal or relocation or a building(s) is proposed to be removed or renovated, various regulatory requirements may apply, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP). These requirements include but are not limited to: 1) notification to the APCD, 2) an asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM.

The APCD has set thresholds for ozone precursor emissions, diesel particulate matter (DPM), fugitive particulate matter emissions (dust), and carbon monoxide emissions (CO). Ozone precursor emissions are measured as combined ROG and NO<sub>x</sub> emissions. DPM is seldom emitted from individual projects in quantities which lead to local or regional air quality attainment violations. DPM is, however, a toxic air contaminant and carcinogen, and exposure to DPM may lead to increased cancer risk and respiratory problems. Certain industrial and commercial projects may emit substantial quantities of DPM through the use of stationary and mobile on-site diesel-powered equipment as well diesel trucks and other vehicles that serve the project.

Projects which emit more than 25 lbs/day or 25 tons/year of fugitive particulate matter need to implement permanent dust control measures to mitigate the emissions below these thresholds or provide suitable off-site mitigation approved by the APCD. Any land uses or activities can result in dust emissions that exceed the APCD significance thresholds, cause violations of an air quality standard, or create a nuisance impact in violation of APCD Rule 402, Nuisance. In all cases where such impacts are predicted, appropriate fugitive dust mitigation measures shall be implemented. Driveways, paths, and trails within the area proposed for developed would be paved or surfaced with decomposed granite or gravel, which would reduce the creation of dust. The existing driveway to the Dana Adobe, existing ranch roads on the 100-acre area, and proposed trails on the 100-acre area would not be paved or surfaced, which may create dust when used. Operation of the arena would generate dust, and would require suppression measures.

Based on the traffic report conducted for the project, which considered a "worst case scenario", the average daily trips generated by the project would be 26 during the week days (Monday through Friday), and approximately 280 on the weekends (assuming a lecture and concert occur on the same day) (Rick Engineering, 2012). Operational emissions that would result from the proposed project were calculated using URBEMIS 2007 Version 9.2.4, pursuant to the CEQA Handbook (refer to Table 2 below). In general, projects that do not exceed APCD thresholds for ozone precursor emissions or dust do not require mitigation for long-term operational effects on air quality. APCD's recommended levels of mitigation for these pollutants are shown below in Table 3.

**Table 2. Area Source and Operational Emissions (Unmitigated)**

	ROG	NO <sub>x</sub>	CO	PM <sub>10</sub>	CO <sub>2</sub>
Winter (lbs/day)	2.80	4.08	30.94	481.29	2,082.99
Threshold (lbs/day)*	25		550	25	n/a
Mitigation Required	No		No	Yes	n/a
Annual (tons/yr)	0.49	0.64	5.63	87.84	395.16
Threshold (tons/yr)*	25		n/a	25	n/a
Mitigation Required	No		n/a	No	n/a

\*Source: County of San Luis Obispo, APCD CEQA Air Quality Handbook, 2009

**Table 3. SLOAPCD Long Term Operational Mitigation Threshold Guide**

Combined ROG+NO <sub>x</sub> or PM <sub>10</sub> Emissions (lbs/day)	Mitigation Measures Recommended	
	Residential, Commercial or Industrial	Off-Site Mitigation
< 25	None	None
25 – 29	8	*
30 – 34	14	*
35 – 50	18	*
≥ 50	All Feasible	*
≥ 25 ton/yr	All Feasible	Yes

\* Will be dependent on the effectiveness of the mitigation measures, location of project and high vehicle dependent development. Examples of projects potentially subject to off-site mitigation include: rural subdivisions, drive-through applications, commercial development located far from urban core.

Source: County of San Luis Obispo, APCD CEQA Air Quality Handbook, 2009

Operation of the project includes the use of unpaved overflow parking areas during special events, including the arena (approximately 0.81 acre total). Use of these areas contributes to the generation of fugitive dust, and may exceed the daily and annual threshold. The APCD has developed mitigation measures specific for the use of overflow parking during special events, which would reduce this impact to less than significant.

Sensitive Receptors. As noted above, the project may generate DPM and fugitive dust, potentially adversely affecting nearby sensitive receptors. Mitigation is recommended to minimize adverse effects to less than significant, including dust suppression and idling limitations.

Objectionable Odors. Use of the proposed arena may generate odors; however, the existing use of the site includes equestrian grazing, and surrounding areas are agricultural in nature. This use would be consistent with other uses in the area, and would not generate substantial odors affecting adjacent landowners.

Clean Air Plan. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan.

Greenhouse Gas Emissions. In California, the main sources of Greenhouse Gases (GHGs) are from the transportation and energy sectors. GHGs remain in the atmosphere for periods ranging from decades to centuries; the main GHGs emitted by human activities include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCS), perfluorocarbons (PFCS), and sulfur hexafluoride (SF<sub>6</sub>).

A warming trend of approximately 1.0 to 1.7 degrees Fahrenheit occurred during the 20th Century. It is generally agreed that human activity has been increasing the concentration of GHGs in the atmosphere, mostly CO<sub>2</sub> from the combustion of coal, oil and gas (NCDC 2008). The effect of each GHG on climate change is measured as a combination of the volume or mass of its emissions, and the potential of a gas or aerosol to trap heat in the atmosphere (global warming potential), and is expressed as a function of how much warming would be caused by the same mass of CO<sub>2</sub>.

The potential effects on future climate change on California resources include increases of air temperature, sea level rise, reduced water resources and changed flood hydrology, changed forest composition and productivity, increased wild fires, changed habitats and ecosystems, changed crop yields and increased irrigation demands, and increased smog and public health issues.

Based on emission estimates calculated with URBEMIS 2007 (refer to Table 1 above)), development of the project would generate approximately 5,626.63 lbs/day of CO<sub>2</sub> during construction and then 395.16 tons/year throughout the life of the project. While statewide and local/regional thresholds have not yet been adopted, the level of construction and operational emissions are considered to be substantial because of the transportation sector's heavy influence on GHG emissions. The APCD has no authority to require implementation of GHG reduction measures, as no applicable standard or threshold has been established which could be applied to the project. However, CEQA requires the Lead Agency (County) to implement any feasible alternatives or mitigation measures which would substantially lessen significant environmental effects of a project prior to agency approval (Public Resources Code Section 21002). Standard APCD GHG reduction measures are recommended to reduce any GHG impacts to the maximum extent feasible, and many are consistent with the proposed Master Plan (i.e., creation of multi-use paths, use of busses to shuttle visitors, native landscaping).

**Mitigation/Conclusion.** Standard mitigation measures are recommended to reduce potential air quality impacts to less than significant, including measures addressing fugitive dust (PM<sub>10</sub>), diesel particulate matter (DPM), potential naturally occurring asbestos on the 100-acre portion of the project site, asbestos-containing material, and dust generated during special events (i.e., use of the demonstration arena and overflow parking areas). In addition, design recommendations are provided to further reduce the generation of greenhouse gas emissions, including energy efficiency measures. Based on implementation of these measures (refer to Exhibit B), potential impacts would be less than significant.

**4. BIOLOGICAL RESOURCES -**  
**Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project site is located near the southern boundary of San Luis Obispo County, within the community of Nipomo. Elevations within the project site range from approximately 76 to 95 meters (m) or 250 to 310 feet above mean sea level (msl). The project site is located adjacent to agricultural fields and a few private residences. Three creek corridors occur on the project site: Nipomo Creek, Adobe Creek, and Carillo Creek.

The project site was surveyed by Terra Verde biologists on May 31, 2010, and May 19 and 25, 2011. Additional focused visits to Carillo Creek and the surrounding areas were conducted in the summer and fall of 2011. The results of the surveys are documented in the *Dana Adobe Stories of the Rancho Project Biological Resources Assessment* (Terra Verde; 2011) and are incorporated into the discussion and analysis below.

**Native and Important Vegetation.** Four vegetation communities were observed within the survey area. The area west of Nipomo Creek includes the Dana Adobe and associated uses, access driveway and informal parking area, and fenced equestrian pasture. Habitat and vegetation within the 30-acre area includes a eucalyptus tree, locust trees, coastal scrub (yellow bush lupine scrub), and individual coast live oak trees.

Agricultural/rangeland is present east of Nipomo Creek. Vegetation communities within this 100-acre area, including Nipomo Creek, include: ruderal/disturbed, grassland (wild oats grassland, perennial ryegrass fields); riparian (seasonal drainage/arroyo willow scrub, riparian oak woodland/coast live oak woodland); and seasonal wetland (creeping rye grass turfs). Current and proposed agency restoration efforts on the 100-acre portion of the site include: riparian corridor restoration by the Land Conservancy; and, oak woodland restoration to be implemented by the County of San Luis Obispo as mitigation for the Willow Road project.

**Special Status Species.** Terra Verde staff determined that the survey area contains suitable habitat for 21 sensitive plants. No sensitive plant species were observed on site during the seasonal field surveys. Based on surveys of the project site and assessment of habitat, the following species are not expected to occur: California tiger salamander (*Ambystoma californiense*) (Federal and State Threatened, State Species of Special Concern); Western spadefoot toad (*Spea hammondi*) (State Species of Special Concern); and, southern steelhead (*Oncorhynchus mykiss irideus*) (Federally Protected Species). Only one special status species was observed during field surveys, white-tailed kite. The project site supports potential habitat for 14 special status species, which are discussed below.

American Badger (*Taxidea taxus*), State Species of Special Concern. American badger is a non-migratory species that occurs throughout most of California. It occurs in more open and arid habitats including grasslands, meadows, savannahs, open-canopy desert scrub, and open chaparrals. It requires friable soils in areas with low to moderate slopes. American badger typically breeds from May through September, but it may not breed every year. This species has not been previously documented within a five-mile radius of the project site (CDFG 2011). The grasslands within and surrounding the survey area are considered suitable habitat for American badger, although suitable burrows for this species were not observed. This species was not observed within the survey area during the field surveys.

Pallid Bat (*Antrozous pallidus*), State Species of Special Concern. Pallid bat is typically found in arid desert habitats and utilizes protective landscape features for roosting such as rock crevices, caves, tree hollows, mines, old buildings, and bridges. They also occur in oak and pine forested areas and open farmland. This species uses semi-dark day-roosts which provide some protective cover. Pallid bats prefer darkness, shelter from wind and rain, and an easy escape if they are disturbed. Although not a requirement, roosts are generally found near a source of water. Breeding begins in October and continues sporadically throughout the winter. This species has not been previously documented within a five-mile radius of the project site (CDFG 2011). The open agricultural lands and the riparian corridor are considered suitable foraging lands for this species. This species was not observed within the survey area during the field surveys.

California Red-legged Frog (*Rana draytonii*), Federal Threatened, State Species of Special Concern. California red-legged frogs require permanent or semi-permanent bodies of water such as lakes, streams, or ponds with plant cover for foraging and breeding habitat. These frogs also use lowland and grassland areas to hunt and forage for food. Frogs have been documented more than a mile away from waterbodies. Reproduction occurs in aquatic habitats and occurs from late November to early April. Egg masses are laid in the water, often under the protection of emergent vegetation. California red-legged frog is known to occur near the project site. This species has been documented within a five-mile radius of the project site (CDFG 2011).

The riparian corridor is not considered suitable breeding habitat for this species due to the variable source of water and lack of deep pools. The dense riparian vegetation around the creek and the surrounding open grassland provide suitable foraging and upland habitat for this species. This species was not observed within the survey area during the field surveys, however, a documented occurrence is known near the project site.

Coast Range Newt (*Taricha torosa torosa*), State Species of Special Concern. Coast range newts are typically found in slow moving streams, ponds, and lakes with surrounding evergreen and oak forests, chaparral, and rolling grasslands along the coast. In southern California, drier chaparral, oak woodland, and grasslands are also used as habitat. Adults migrate from terrestrial habitats to ponds, reservoirs, and sluggish pools in streams to breed, typically between December and February, depending on rainfall amounts. This species is endemic to California, found along the coast and Coast Range Mountains from Mendocino County south to San Diego County. This species has not been previously documented within a five-mile radius of the project site (CDFG 2011). The riparian corridor and adjacent grasslands are considered suitable habitat for this species. This species was not observed within the survey area during the field surveys.

Southern Pacific Pond Turtle (*Actinemys marmorata pallida*), State Species of Special Concern. Southern Pacific pond turtle, formerly known as the western pond turtle, occupies a wide range of habitats including wetlands, rivers, streams, lakes, and stock ponds for feeding and basking sites. These turtles also require upland areas for aestivation, wintering, and nesting sites. Nesting typically occurs along the edges of lakes or ponds but may also occur up to 500 meters from water. This species starts nesting in April with a peak in May through July and typically concludes in August. Turtles have been documented as traveling up to 60 meters into upland areas for aestivation sites. This species has not been previously documented within a five-mile radius of the project site (CDFG

2011). The project area lacks deep pools and basking sites required by turtles. However, the riparian corridor and the adjacent upland areas are considered marginally suitable habitat for this species. No pond turtles were observed during the surveys.

Silvery Legless Lizard (*Anniella pulchra pulchra*), State Species of Special Concern. Silvery legless lizard requires sandy or loose loamy soils within coastal dune scrub, coastal sage scrub, chaparral, woodland, riparian, or forest habitats. It requires cover such as debris, logs, leaf litter, or rocks and will cover itself with loose soil. Silvery legless lizard is thought to be a diurnal species that breeds between the months of March through July. It gives live birth to young in the early fall. This species has not been previously documented within a five-mile radius of the project site (CDFG 2011). The coastal scrub community on the western side of the survey area is suitable habitat for this species. Silvery legless lizard was not observed within the survey area during the field surveys.

Coast Horned Lizard (*Phrynosoma blainvillii*), State Species of Special Concern. Coast horned lizards inhabit open areas of sandy soil and low vegetation in valleys, foothills, and semiarid mountains from sea level to 82,438 m in elevation. They are typically found in grasslands, coniferous forests, woodlands, and chaparral, with open areas and patches of loose soil. Additionally, they are often found in lowlands along sandy washes with scattered shrubs and along dirt roads, and are frequently found near ant hills. This species has been documented within a five-mile radius of the project site (CDFG 2011). The sandy soils and shrubs on the western side of the survey area are suitable habitat for this species. This species was not observed within the survey area during the field surveys.

Two-striped Gartersnake (*Thamnophis hammondi*), State Species of Special Concern. Highly aquatic, two-striped garter snakes forage primarily in and along streams hunting fishes, especially trout and sculpins and their eggs, and amphibians and amphibian larvae. The preferred nocturnal retreats of this active diurnal snake are thought to be holes, especially mammal burrows, crevices, and surface objects (Rathburn et al. 1993). During the day this gartersnake often basks on streamside rocks or on densely vegetated stream banks. When disturbed it usually retreats rapidly to water. In milder areas, mammal burrows and surface objects such as rocks and rotting logs serve as winter refuges. Courtship and mating normally occur soon after spring emergence. Young are born alive in the late summer, usually in secluded sites such as under the loose bark of rotting logs or in dense vegetation near pond or stream margins (Cunningham 1959, Rossman et al. 1996). Historically common, it is associated with permanent or semi-permanent bodies of water in a variety of habitats from sea level to 2,400 m. This species has not been previously documented within a five-mile radius of the project site (CDFG 2011). Nipomo Creek and the riparian corridor is suitable habitat for this species. This species was not observed within the survey area during the field surveys.

Sharp-shinned Hawk (*Accipiter striatus*), Federal Threatened, State Species of Special Concern. Sharp-shinned hawk inhabits a variety of natural and urban habitat communities, including aspen, pine, and fir forests and urban, rural, and agricultural areas. This species typically nests in conifer trees, 20 to 60 feet above the ground where there is sufficient overhead shading. Peak nesting season for this species is from March to June, but often extends through the summer. Breeding range for this species typically occurs in colder areas, including high elevation forests in the Rocky Mountains, large areas of Canada, Alaska, and most of the northeastern United States. Breeding grounds also extend into portions of northern California, Nevada, and Washington. Much of the Canadian territory for sharp-shinned hawk is utilized only during the breeding season. This species has been documented within a five-mile radius of the project site (CDFG 2011). The agricultural fields and upland habitat occurring on and near the project site are considered potential foraging habitat for this species. This species was not observed during the field surveys.

Burrowing Owl (*Athene cunicularia*), State Species of Special Concern. Burrowing owls are yearlong residents of open, dry grasslands and desert habitats, and in grass, forb, and open shrub stages of pinyon-juniper woodland and ponderosa pine forest habitats. Burrowing owls eat mostly insects, but will also eat small mammals, reptiles, birds, and carrion. They use rodent or other burrows for roosting

and nesting cover, moving between perches and burrows to thermoregulate as temperatures change throughout the day. Nesting occurs in old burrows of small mammals but they may dig their own burrows in soft soils. These owls may also use pipes, culverts, or nest boxes when burrows are sparse. Breeding occurs from March through August, with a peak in April and May (Zeiner, et al). This species is typically a winter resident in the western portion of San Luis Obispo County, with breeding occurring in the eastern portion of the County. This species has not been previously documented within a five-mile radius of the project site (CDFG 2011). The agricultural fields on and near the project site are considered suitable habitat for this species. However, no suitable burrows were observed, and the vegetation of the grasslands is taller than that typically used by these owls. This species was not observed during the field surveys.

White-tailed Kite (*Elanus leucurus*), State Fully Protected Species. White-tailed kites require coastal and valley lowlands along with herbaceous open space habitats. Suitable habitat for this species consists of three components; nesting, foraging, and roosting. Kites will nest in various types of trees including dense oaks, willows, or other tree stands. Nests are placed atop trees at least 6 to 20 meters above the ground and are made from sticks, twigs, or other ground litter. This species forages for small mammals during long-distance flights over a wide variety of terrain including grasslands, meadows, and farmlands. Kites hover above the ground at 30 meters then descend onto prey with wings held high. Kites spend the majority of time perched in roosting and nesting sites that are adjacent or close to foraging habitats. Kite nesting season is typically from February to October with a peak from May to August. This species has not previously been documented within a five mile radius of the project site (CDFG 2011). However, a white-tailed kite was observed foraging on the east side of the property on several occasions. The open grassland and agricultural fields provide foraging habitat for this species. As noted above, it appears white-tailed kites use the eastern grasslands of the property for foraging purposes as they were observed frequently hovering over this area.

Southwestern Willow Flycatcher (*Empidonax traillii extimus*), Federally Endangered, State Endangered. Southwestern willow flycatcher requires dense riparian habitats with microclimatic conditions dictated by the local surroundings. Saturated soils, standing water, or nearby streams, pools, or cienegas are a component of nesting habitat that also influences the microclimate and density of the vegetation component. Habitat not suitable for nesting may be used for migration and foraging. This species eats primarily flying insects.

The flycatcher is a summer breeder within its range in the United States. It migrates to wintering areas in Central America by the end of September. Nest territories are set up for breeding, and there is some site fidelity to nest territories. Southwestern willow flycatchers arrive on breeding grounds in late April to early May. Nesting begins in late May and early June, with fledging from late June to mid-August. Human disturbances at nesting sites may result in nest abandonment (U.S. Fish and Wildlife Service 2011). This species has not been previously documented within a five-mile radius of the project site (CDFG 2011). The willow riparian corridor is suitable habitat for southwestern willow flycatcher. This species was not observed or heard during the field surveys.

Prairie Falcon (*Falco mexicanus*), State Species of Special Concern. Prairie falcons utilize a variety of habitats, including dry grasslands, woodlands, savannahs, cultivated fields, lake shores, and rangelands. These birds are aerial foragers, often feeding in canyons on rodents and smaller birds. Nesting sites are typically on south-facing, overhanging cliffs and rock outcrops, up to 500 feet high. This species has a nesting period that lasts between one and two months, typically between February and April, but sometimes extending into the summer. This species has not been previously documented within a five-mile radius of the project site (CDFG 2011). The agricultural fields and upland habitat occurring on and near the project site are considered potential foraging habitat for this species. No prairie falcons were observed during the surveys.

Least Bell's Vireo (*Vireo bellii pusillus*), Federally Endangered, State Endangered. Least Bell's vireos primarily occupy riparian habitats along open water or dry parts of intermittent streams, generally below 460 m in elevation (USFWS 1986; Small 1994, as cited in Dudek and Associates 2005, Kus

2002). They are generally associated with the following vegetation types: southern willow scrub, cottonwood forest, mule fat scrub, sycamore alluvial woodland, coast live oak riparian forest, arroyo willow riparian forest, wild blackberry scrub, and mesquite scrub in desert localities (Kus 2002). Kus (2002) indicates that the vireo typically forages in riparian and adjoining upland habitat. Critical habitat for the species has been designated in Santa Barbara, Ventura, Los Angeles, San Bernardino, Riverside, and San Diego counties (USFWS 1992). Critical habitat patches occur on the Santa Ynez, Santa Clara, Santa Margarita, San Luis Rey, Sweetwater, San Diego, and Tijuana rivers (USFWS 1992). This species has not been previously documented within a five-mile radius of the project site (CDFG 2011). The willow riparian corridor is suitable habitat for least Bell's vireo. This species was not observed or heard during field surveys.

Wetland and Riparian Habitat. Several small areas dominated by native grasses including creeping wild rye (*Leymus triticoides*) and salt grass (*Distichlis spicata*) were observed just east of Nipomo Creek. Salt grass is a facultative wetland species and usually occurs in wetlands, and creeping wild rye is commonly found in wetlands; although, it is equally likely to occur in non-wetlands. Observed non-native species include black mustard and Italian thistle occasionally within the community and abundant in the surrounding vegetation.

There are two creek corridors on site within the survey area that drain to Nipomo Creek, which runs from the northwest to the south through the site. Both drainage corridors show similar species composition and signs of active restoration including irrigation lines and recently planted shrubs, trees, and flowers. The dominant species within this community is arroyo willow (*Salix lasiolepis*). Other native shrubs and trees such as blue elderberry (*Sambucus nigra*) and coyote brush are co-dominants in the canopy and shrub layer. The herbaceous understory is composed of a mix of native and non-native species such as mugwort (*Artemisia douglasiana*), yellow monkeyflower (*Mimulus guttatus*), California wild rose (*Rosa californica*), and poison hemlock (*Conium maculatum*).

The vegetation of Nipomo Creek above and below the survey area is composed of a mixed tree layer dominated by coast live oak (*Quercus agrifolia*), California box elder (*Acer negundo* var. *californica*), and arroyo willow. The canopy is continuous with an intermittent shrub layer and sparse to absent herbaceous understory. Dominant understory species include poison oak (*Toxicodendron diversilobum*) and creeping snowberry (*Symphoricarpos mollis*). Within the creek, watercress (*Nasturtium officinale*), a native perennial herb, is abundant. Outside of the canopy and along the streambank, Harding grass, a non-native perennial grass is abundant.

Wildlife Corridors and Migration. Grasslands often provide important habitat for a variety of wildlife species. Raptors, such red-tailed hawk (*Buteo jamaicensis*), barn owl (*Tyto alba*), and American kestrel (*Falco sparverius*), commonly use open grassland areas extensively for foraging purposes, while species such as western meadowlark (*Sturnella neglecta*) and red-winged blackbirds (*Agelaius phoeniceus*) use open grasslands for nesting. In addition, a white-tailed kite (*Elanus leucurus*) has been observed foraging in the grasslands of the property. Reptiles which commonly breed within grassland habitats include western fence lizard (*Sceloporus occidentalis*), gopher snake (*Pituophis catinifer*), and western rattlesnake (*Crotalus viridis*). Grasslands can also provide habitat for a variety of small mammal species such as Botta's pocket gopher (*Thomomys bottae*), California mouse (*Peromyscus californicus*), and western harvest mouse (*Reithrodontomys megalotis*). Larger mammals such as bobcat (*Lynx rufus*), coyote (*Canis latrans*), and mule deer (*Odocoileus hemionus*) may occur. Bird species that are expected to occur in or frequent this habitat include California towhee (*Pipilo crissaliss*), spotted towhee (*Pipilo maculates*), white-crowned sparrow (*Zonotricha leucophrys*), wrentit (*Chamaea fasciata*), California thrasher (*Toxostoma redivivum*), and western scrub jay (*Aphelocoma californica*).

Riparian woodlands provide excellent habitat for a wide variety of species, often including reptiles and amphibians. These habitats are expected to provide suitable habitat for a diverse assemblage of semi-aquatic and terrestrial wildlife species. A variety of amphibian and reptile species, including Pacific chorus frog (*Pseudacris regilla*), bullfrog (*Rana catesbiana*), and common garter snake

(*Thamnophis sirtalis*), were observed or are to be expected to frequent or benefit from the riparian habitat onsite. Riparian plant communities are an important component of ecosystems found along stream channels. Trees help to shade the streams, keeping water temperatures low. They also provide important nesting and foraging habitat for songbirds, while the roots help hold the soil and provide in-stream cover for aquatic species. As noted above, one sensitive species that has been documented as occurring in the riparian area along Nipomo Creek is California red-legged frog.

## **Impact.**

**Land Use Ordinance Amendment.** The proposed amendments do not include language that would specifically result in an adverse effect to biological resources. Any future development of the site may have adverse effects on special status species and habitats, depending on the location and type of development. Pursuant to the amendment, future development would require a Master Plan and issuance of a Conditional Use Permit (CUP), which would trigger CEQA and project specific analysis of impacts to biological resources.

**Conditional Use Permit.** The proposed project will indirectly impact the riparian woodland along Nipomo Creek, which roughly follows the boundary between the 30-acre and 100-acre areas. Development of the 30-acre area would affect portions of coastal scrub habitat and individual coast live oak trees. The development of proposed trails and the emergency access drive would directly impact Nipomo, Carillo, and Adobe Creeks, and portions of the surrounding grasslands and fallow agriculture fields. No potentially occurring sensitive plant species were observed within the project area during field surveys. Although considered unlikely, the proposed project has the potential to impact 14 sensitive wildlife species and migratory nesting birds, should they be present during construction. Direct impacts to these species could result from take (e.g., injury, death) via construction-related disturbances such as trampling or crushing from equipment or construction workers. Indirect impacts to the wildlife species could result from noise, harassment, or other disruption during construction activities or through modifications to the species' habitat. The project has been specifically designed to avoid and minimize impacts to the creek systems on the property, including free span bridges.

Short-term impacts are those associated with construction activities and a limited period of post-construction restoration. The proposed project will include grading, grubbing, vegetation clearing, and infrastructure improvements on the site, in preparation of building construction. Short-term impacts to wildlife may include take (e.g., injury, death) as a result of construction traffic (i.e., equipment, trucks, pedestrian) or harassment and disturbance resulting from elevated noise levels and habitat modification. Additionally, ground and tree nesting birds may be impacted during construction activities. Short-term impacts to plants and vegetation communities may occur as a result of trampling due to increased traffic, trimming for access purposes, or elimination of portions of some communities and individuals. Short-term impacts to Carillo Creek and Nipomo Creek will occur during the headcut repair of Carillo Creek and any dissipation needed to protect the western bank of Nipomo Creek.

The current condition of the site is such that human traffic (pedestrian and vehicular) is regular, with approximately 3,000 annual visitors. The proposed development will significantly alter the long-term use of the site to further encourage and invite regular visitor traffic at the site. In addition to a small complex of educational and administrative facilities, a system of nature trails will be established throughout the project site and open to the public. As such, it is expected that pedestrian traffic throughout the site will increase, possibly doubling to 6,000 annual visitors. This impact will likely result in long-term alterations to portions of the vegetation communities and may impede some wildlife presence on site.

The applicant proposes several design features and components of the project, which aim to preserve the cultural, historical, and environmental resources present on site to the extent feasible, including: on-site storm water management, use of recycled materials, native and drought-tolerant landscaping, and on-site wastewater treatment. Additionally, a significant component of the proposed project is the riparian restoration effort being implemented in conjunction with the County and Land Conservancy. It

is also anticipated that the actions proposed to fix the headcut on Carillo Creek will improve the adjacent habitat communities and reduce erosion and sedimentation into Nipomo Creek. Finally, the landscape-scale restoration that is planned by the applicant, the County, and Land Conservancy will have a significant benefit to native plants and wildlife.

Special Status Species. One sensitive species, white-tailed kite, was documented as occurring on or near the proposed project site. There is the potential for 13 additional sensitive wildlife species and/or nesting birds to occur during construction. The proposed project could result in direct impacts to California red-legged frogs, coast range newts, southern Pacific pond turtles, coast horned lizards, two-striped garter snakes, and silvery legless lizards if present during clearing and grading activities. Likewise, elevated noise levels, increased traffic and human activity, and construction-related disturbance (e.g., erosion and sedimentation into the riparian corridor) associated with implementation of the proposed project could result in indirect impacts to these species if they are present during construction.

The proposed project could result in direct impacts to American badger and pallid bat if present during construction activities. Likewise, elevated noise levels, increased traffic and human activity, and construction-related disturbance associated with implementation of the proposed project could result in indirect impacts to this species.

Native and Important Vegetation. The applicant proposes to remove one mature locust tree; all other trees, including sycamore, cypress, and coast live oak, would remain onsite. Eight coast live oak trees are located in close proximity to the proposed Chumash Village within the 30-acre portion of the project site. Actions potentially within the dripline of mature oak trees include ground disturbance and construction of a pedestrian path and low stone wall. The proposed landscape plan includes the planting of 23 five-gallon coast live oak trees onsite, which would mitigate any impacts resulting from potential disturbance of existing oak trees, and would exceed the standard 2:1 replacement ratio.

Implementation of the project would not adversely affect Land Conservancy and County restoration efforts. Existing agricultural roads, and the proposed emergency access drive and trails on the 100-acre portion of the site were designed in consultation with the County to ensure existing and future restoration and mitigation efforts would not be adversely affected.

Wetland and Riparian Habitat. The proposed project will result in disturbance to a small portion of Nipomo Creek, where the bridge will be constructed along the emergency access drive. This proposed activity will include vegetation trimming and may result in sedimentation and run-off into Nipomo Creek. The western bank of Nipomo Creek at this location may be impacted by installation of rip rap or other dissipation measures. This dissipation may be needed in order to avoid erosion to the western bank where Carillo Creek enters Nipomo Creek.

Wildlife Corridors and Migration. The proposed project has the potential to impact sensitive birds and migratory nesting birds if construction activities occur during the nesting season (approximately February 1 through August 15). Activities associated with the proposed project (e.g., ground disturbance and vegetation removal) could impact nesting birds if their nests are located within or near the work area. Likewise, increased human activity and traffic, elevated noise levels, and operation of machinery could also impact nesting birds if nests are located within the vicinity of the project area.

Construction-related disturbance to vegetation and wildlife on the project site will cause a shift in the overall structure of suitable habitat present. This otherwise temporary impact will be sustained by the significant alteration to the land use within the survey area. Thus, the short-term and long-term impacts associated with this project will cumulatively result in a significant change to the habitat structure, vegetation communities, and wildlife present on site. At this time, no other projects are known that would add to cumulative impacts as a result of this project.

**Mitigation/Conclusion.** Mitigation is recommended to avoid or minimize adverse effects to special-status species and sensitive habitats, including: implementation of pre-construction surveys for

aquatic species within 100 feet of Nipomo Creek, Adobe Creek, and Carillo Creek; implementation of pre-construction surveys for terrestrial species prior to construction; scheduling bridge construction over Nipomo Creek outside of the rainy season or ensuring implementation of an approved erosion and sedimentation control plan; restoration of affected riparian habitat following completion of the bridge over Nipomo Creek; and, scheduling construction outside of the nesting bird season or conducting pre-construction surveys for ground and tree nesting birds prior to ground disturbance and tree trimming or removal. The project does not include the removal of any coast live oak trees. Mitigation to ensure protection of onsite trees, identification of impacted trees (eight), and the replanting and maintenance of new coast live oak trees (23) would be implemented. The applicant is responsible for conducting necessary additional consultation with the U.S. Fish and Wildlife Service, and obtaining all required resource agency permits for work within areas under the jurisdiction of the California Department of Fish and Game, Regional Water Quality Control Board, and U.S. Army Corps of Engineers. Implementation of identified mitigation would minimize potential impacts to less than significant (refer to Exhibit B).

**5. CULTURAL RESOURCES -**  
*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project site is located in an area of archaeological and historical significance. A Phase I Archaeological and Paleontological Survey (CRMS, 2011) was prepared for the project, including a records search and field survey. The survey verified the location of an archaeological site and historical resources within the project site, and summarized previous investigations and site records. An Extended Phase I survey, including limited test pits, was conducted to better define the boundary and integrity of the archaeological site (SWCA, 2012). Information from these surveys and technical reports is incorporated by reference into the discussion and analysis below.

Pre-historic Resources. The project site is located in an area historically occupied by the Obispeño Chumash. Numerous surveys have been conducted within and in the vicinity of the Dana Adobe, and three significant archaeological sites were documented within the project site (CA-SLO-97, CA-SLO-142, and CA-SLO-141). The 30-acres proposed for Master Plan development was surveyed in July and September 2011 by CRMS. This survey revealed that there are significant and extensive prehistoric sites surrounding the Dana Adobe. Surface findings included projectile point fragments, cores, bifaces, hammerstones, marine shell of at least five distinct species, burned mammal bone some burned rock and numerous pieces of debitage and flakes. Historic and recent development on the site may have obscured or altered the distribution of prehistoric and historic resources, including a driveway, special events, and livestock grazing. The highest density of artifacts was documented around the Dana Adobe, and extended to the north and offsite. Lighter artifact concentrations were documented along the outer periphery of the Dana Adobe, and extending closer to Nipomo Creek and South Oakglen Avenue; resources observed in these lighter areas consisted of flakes. A gap in surface resources was observed at the time of the survey, and further subsurface investigation was recommended to determine if buried resources are present, indicating a continuous archaeological site.

Based on the surface investigation, the previously mapped boundaries of CA-SLO-97 and CA-SLO-142 were not consistent with observed surface evidence. The surface survey revealed a significant archaeological site surrounding the Dana Adobe and extending up to and beyond the northern property boundary. Based on surface evidence, the mapped boundaries of CA-SLO-97 and CA-SLO-141 (historic) appear to be incorrect, and CA-SLO-97 appears to wholly enclose CA-SLO-141. In addition, the evidence does not show a clear temporal break between CA-SLO-97 and CA-SLO-142. The mapped boundaries of the sites are updated in the Phase I report, which was submitted to the Central Coast Information Center (historic resource clearinghouse and research center).

Fred Collins, Northern Chumash Tribal Council, was present on the first day of the CRMS survey. Mr. Collins expressed concerns about the manner in which this survey was conducted. His concerns were noted and the reasons for the chosen strategy for conducting the surface survey were discussed at length, and are documented in the Phase I report (CRMS, 2011), which was provided to Mr. Collins. DANA and the County continued to consult with the Northern Chumash throughout and following the Phase I and Extended Phase I efforts.

Following the Phase I surface survey, an Extended Phase I was conducted in February 2012, including 15 excavated standard shovel test pits (STPs) (SWCA, 2012). The intent of the Extended Phase I was to further characterize the resources and determine if complete avoidance of archaeological resources would be feasible. To this end, the Extended Phase I was focused on the areas identified in the Phase I report that showed discontinuous, sparse cultural materials, and the area between this location and the apparent main body of the archaeological site.

Based on the results of the Extended Phase I, all STPs were positive for the presence of prehistoric archaeological materials consisting primarily of flaked stone. The majority of artifacts were documented in the upper 2 feet of soil. In addition, the survey documented the presence of eight formal stone tools and/or tool fragments and approximately 200 additional flakes on the surface of the study area, within an area where resources were not previously documented due to ground conditions at the time of the original survey (i.e., vegetation cover), and the optimal surface visibility from recent rains during the February 2012 survey.

Although artifact densities were not extremely dense on the surface or the subsurface and densities varied somewhat in each of the STPs, the results of the Extended Phase I identified the presence of a relatively consistent archaeological deposit throughout the entire focused study area. Noted disturbance included localized surface disturbance and standard localized soil movement due to human, rodent, and livestock activity; however, no trash or modern materials were noted in the STPs, indicating a relatively intact archaeological resource (SWCA, 2012).

Historic Resources. The Dana Adobe is located on a 0.25-acre parcel (APN 090-171-011), and within the Historic (H) combining designation. The Dana Adobe (P-40-040847) is the most salient historic resource within the project area (CRMS, 2011). It is on the National Register of Historic Places as well as the California Register of Historic Resources. It was also recorded as part of the Historic American Building Survey, number 265-6907 (1936).

One of the earliest grants in the San Luis Obispo region was made to William G. Dana. In 1837, he was awarded the Nipomo Rancho, a grant of 37,887.91 acres. The existing 13-room home, now known as the Dana Adobe, was initially constructed around 1842. For many years the Rancho was the economic center of a one hundred mile stretch of the El Camino Real. Herds of cattle and sheep roamed the rancho, supplying meat, hides, tallow, and wool. Other products supplied to the missions and neighboring ranchos included furniture, agricultural implements, fabrics and soap. The Dana home was the most important stopover for many travelers between San Luis Obispo and Santa Barbara, including relay riders carrying the mail, and later, as a stagecoach stop.

Originally the main residence was a three room adobe structure with a flat roof. The Dana Adobe was significantly expanded in the late 1840s with a second story and the addition of two westward projecting wings on the north and south. A cupola for viewing the surrounding countryside was also

added, and other outbuildings were constructed. Ground penetrating radar has indicated that there may be subsurface remains of foundations of outbuildings to the west of the residence. The tallow processing area is still clearly visible on the surface. The processing of hides and tallow was a vital component of life on the ranch particularly during the early years. The slaughtering of the cattle was performed at a matanza, a lightly framed and covered structure northeast and below the residence.

The processing of cattle for hides and tallow was heavily dependent upon the Chumash workers on the Rancho. Other activities that the Chumash performed at the Rancho included the formation of adobe bricks, construction of the adobe buildings, gathering firewood, collecting refined salt from the head waters of the Salinas River, serving as vaqueros, weaving, leather and metal work, and providing escorts for the younger members of the Dana family.

The Chumash employees did not build their dwellings in the immediate vicinity of the main residence but rather "around the outskirts of the rancho"; they are also described as living "in a rancheria about four miles north of the adobe". The adobe barn and associated corrals were used by the stagecoach line after 1857 and provided a place where six horse teams were kept in readiness to be swapped out with exhausted ones. The old stagecoach road passed in front of the east facade of the house and west of the tallow processing area.

On April 8, 1882 the Rancho was divided among the surviving heirs. Fred Dana took possession of the main house and surrounding parcel. It was during this period that a windmill was put in on the floodplain below the house and a well in the west patio area was abandoned. In 1900 the house passed to a family by the name of Fry about whom little is known. In 1906 the house again changed hands. The Hourihans took possession and are believed to have lived there until 1915 after which time the ownership and history of the house is unclear. A 1954 aerial photograph shows the residence, tallow vat, water tower, and an out building that has since been removed.

In the 1960s and 1970s the Dana Adobe was the focus of a renewed interest in restoring and preserving the historic structure. These activities involved some studies and assessments as well as active interventions and construction. DANA obtained ownership of the Dana Adobe in 1999, and is conducting restoration of the Adobe under a California Cultural and Historical Endowment Grant, pursuant to the Secretary of Interior standards.

Modern developments at the Dana Adobe include an excavated septic system and leach field, drains and utility trenches, and relocation of a metal windmill onsite. There have been a number of excavations and earthmoving activities in and around the Dana Adobe as part of its operation and modernization over the years. Scattered around the Dana Adobe are a large number of badly fragmented historic artifacts, primarily ceramic or glass.

There are a number of outbuildings and structures associated with the historic activities of the Rancho, including the tallow vat (1840-1860s). A row of stones visible on the surface runs north to south between the tallow vat and the east facade of the Dana Adobe, which may have served as a foundation for a raised adobe wall. The wall is now covered with dark sandy soil but possesses a three step stairway through the middle. These steps are aligned on the front entrance and rear entrance of the Dana Adobe. Another structure associated with the ranch is a metal tower and windmill, likely built between 1888 and 1900. This windmill may have served a water tank visible in a 1954 photo. The water tank was removed some time ago and the cement foundation was taken out in 2006. Approximately 150 feet south of the south facade of the Dana Adobe is what appears to be the foundation stones of an "adobe barn". It appears that some of the foundation stones have been pulled up and piled in a circle inside the outline of the barn.

The Pacific Coast Railroad Right of Way (P-42-040711) marks the eastern edge of the project area. This resource is still visible as a cut bank or an elevated earthen berm in various locations. It has been cut through in at least two locations by erosion from substantial drainages that feed into Nipomo Creek.

Two previously-documented sites (CA-SLO-2030H and CA-SLO-2031H) are located in the vicinity of the project area. These resources include a diffuse scatter of historic artifacts, which were not relocated, and may have been destroyed by flooding. CA-SLO-2031H includes a low knoll where the first Dana house was built; this site is outside the project area.

Paleontological Resources. The Dana Adobe and the associated prehistoric site are located along the eastern edge of the Nipomo Mesa, a land form of highly stabilized dunes overlying an elevated Pleistocene terrace. The Pleistocene stabilized dunes composing the Nipomo Mesa are overlain by relatively recent aeolian (windblown) sands. Neighboring bedrock is composed of shale, chert and other melange components, typical of the Monterey and Franciscan formations. A paleontological surface survey was conducted in tandem with the archaeological survey, and no paleontological resources were noted.

**Impact.** CEQA requires a lead agency to determine whether a project may have a significant effect on historical resources. Sections 21083.2 and 21084.1 of the Statutes of CEQA, PRC Section 5024.1, and Section 15064.5 of the CEQA Guidelines are used as guidelines to determine if 1) a resource is historically significant, and 2) if the project would result in an adverse effect to the historic resource. PRC Section 5024.1 requires that any properties that can be expected to be directly or indirectly affected by a proposed project be evaluated for California Register of Historical Resources (CRHR) eligibility. The purpose of the CRHR is to maintain listings of the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from material impairment and substantial adverse change. The term "historical resources" includes a resource listed in, or determined to be eligible for listing in, the CRHR; a resource included in a local register of historical resources; and any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant (Section 15064.5[a] of the Guidelines). The criteria for listing properties in the CRHR were expressly developed in accordance with previously established criteria developed for listing in the National Register of Historic Places.

According to PRC Section 5024.1(c)(1-4), a resource may be considered historically significant if it retains integrity and meets at least one of the following criteria. A property may be listed in the CRHR if the resource:

- 1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- 2) Is associated with the lives of persons important in our past;
- 3) Embodies the distinctive characteristics of a type, period, region or method of installation, or represents the work of an important creative individual, or possesses high artistic values; or
- 4) Has yielded, or may be likely to yield, information important in prehistory or history.

Under CEQA, if an archeological site is not a historical resource but meets the definition of a "unique archeological resource" as defined in PRC Section 21083.2, then it should be treated in accordance with the provisions of that section. A *unique archeological resource* is defined as follows:

An archaeological 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:

- 1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- 2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.

- 3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Resources that neither meet any of these criteria for listing on the CRHR nor qualify as a "unique archaeological resource" under CEQA PRC Section 21083.2 are viewed as not significant. Under CEQA, "A nonunique archaeological resource need be given no further consideration, other than the simple recording of its existence by the lead agency if it so elects" (PRC Section 21083.2[h]).

Impacts that adversely alter the significance of a resource listed on or eligible for listing on the CRHR are considered a significant effect on the environment. Impacts to historical resources from the proposed project are thus considered significant if the project physically destroys or damages all or part of a resource, changes the character of the use of the resource or physical feature within the setting of the resource which contribute to its significance or introduces visual, atmospheric, or audible elements that diminish the integrity of significant features of the resource.

Applying criteria identified above, the documented resources onsite are considered historically significant, including the archaeological sites and the Dana Adobe (which is currently listed on the National and State Registers). Potential impacts to these resources are discussed below.

**Land Use Ordinance Amendment.** The proposed amendment includes language addressing the Dana Adobe Historic designation (Section 22.122.030.B.). The language clarifies development standards specific to the historic site itself, and encourages consistency with historical context, including interpretive and educational components. Implementation of the proposed amendment would not have an adverse effect on cultural resources, because it includes standards to maintain historical context and provides for the continued maintenance of the Dana Adobe in the event DANA is no longer able to continue ownership of the parcel.. Project-specific impacts to cultural resources are discussed below.

**Conditional Use Permit.** The project site possesses an extensive and varied collection of cultural resources. Although there have been some historical disturbances to and degradation of some of these resources, a large number of significant resources remain. These resources are significant under the criteria employed by the California Environmental Quality Act (CEQA).

**Pre-historic Resources.** Based on the results of the Phase I surface survey and Extended Phase I subsurface investigation, implementation of the project would directly impact known, significant, archaeological resources. Potential impacts include soil movement and compaction, excavation and subsurface ground disturbance, and displacement of significant resources.

Implementation of the project would directly affect portions of CA-SLO-97/CA-SLO-142, including: structural development, trails, and parking areas over approximately 3.90 acres, approximately 0.03 acre of cut associated with a portion of the emergency access drive, stormwater basins and amphitheater, and 927 linear feet of utility trenching. If standard construction methods are applied, implementation of the project would physically destroy or damage a portion of the documented resource, resulting in a potentially significant impact, and mitigation is required. In addition, the creation of a Chumash village, and associated food processing or flintknapping in close proximity to an existing prehistoric site may result in contamination of the documented significant site.

Based on the distribution of archaeological resources, complete avoidance of all deposits is not feasible. Minor disturbance or minor improvements (e.g., trails, parking areas etc.) would occur in the areas containing the densest concentration of cultural resources. The development requiring more disturbance (i.e., visitors center, caretakers unit) were directed to portions of the site that did not exhibit cultural resources or those areas that contain the lesser density of resources, as a way to avoid impacts. Additional mitigation is identified below.

Historic Resources. The County LUO includes the following required findings for approval for land use permit applications within a Historic (H) combining designation related to a historic structure:

- (1) The height, bulk, location, structural materials, landscaping and other aspects of the proposed use will not obstruct public views of the historic structure or of its immediate setting;
- (2) Any proposed alteration or removal of structural elements, or clearing of landscaping or natural vegetation features will not damage or destroy the character of significant historical features and settings;
- (3) Any proposed remodeling or demolition is unavoidable because it is not structurally or economically feasible to restore or retain existing structures or features.

Implementation of the project will include continued restoration of the Dana Adobe and associated historical features, consistent with Secretary of Interior Standards. Interpretive and educational amenities will further educate the public about this significant historic resource, and encourage future restoration and preservation. Use of the Old Stagecoach Road will represent an impact and a thorough documentation and attempt to establish its alignment and construction is recommended. Continued preservation and restoration of historic structures and features (i.e., tallow vat, barn foundation) is included in the Master Plan.

Based on the proposed continuation of preservation and restoration of the Dana Adobe, preservation and incorporation of elements consistent with the historical context of the structure and surrounding views, educational facilities to encourage historic preservation, and separation of uses (i.e. Dana Adobe and Visitor's Center), implementation of the project would not impair the integrity of the Dana Adobe or result in a significant adverse effect to the historic resource.

In addition, the proposed project appears to meet the finding requirements identified above.

Paleontological Resources. No paleontological resources were noted onsite; however, significant resources may be encountered at a depth of six feet within the Diablo clay, Diablo and Cibo clays, Marimel silty clay loam, Tierra loam, or Zaca clay soil units. Based on implementation of monitoring during deep ground disturbance (if proposed within these identified soil units), potential impacts would be less than significant.

**Mitigation/Conclusion.** A comprehensive mitigation strategy is recommended to address potentially significant impacts to cultural resources. Mitigation and design strategies developed by the applicant's cultural resource consultants (CRMS and SWCA), DANA board, and the County, and discussed with the Northern Chumash, include a combination of soil capping, limited Phase III Data Recovery including samples within excavated areas (i.e. utility trenches) and intensive surface documentation within areas to be capped, archaeological monitoring, and protection of areas of the 30-acre site under an open space or conservation easement. Proposed cap and fill would apply to approximately 3.90 acres within CA-SLO-97/CA-SLO-142, and over approximately 0.57 acre within 50 feet of the archaeological site boundary. Based on the nature of the documented resource, which does not include human remains or habitation features (i.e., fire rings), capping the resource (and any subsequent soil compaction) would not have an adverse effect on the underlying deposits.

In some locations, capping is not feasible, such as areas proposed for minor utility installation, septic systems, a portion of the emergency access drive, a portion of the Chumash village trail and associated retaining wall, and portion of the parking area. In these locations, Phase III data recovery is recommended to minimize further subsurface ground disturbance, conduct recovery in areas under development, and provide valuable scientific evidence to further support understanding of Chumash pre-history. Limited Phase III Data Recovery would occur within areas including 0.03 acre of cut and 927 linear feet within the archaeological site, and 0.57 acre of cut and 326 linear feet of trenching within a 50-foot buffer. Archaeological monitoring would be required for all ground disturbances.

DANA and the Northern Chumash are discussing establishment of an easement onsite to protect in perpetuity a portion of the archaeological site for current and future generations. The location of the easement is recommended to occur within an area of denser artifacts, to preserve a meaningful component of the documented archaeological site. Based on the development of a comprehensive mitigation strategy, potential impacts to archaeological resources would be mitigated to a less than significant level.

Regarding paleontological resources, any initial excavation at a depth greater than six feet below the surface within potentially sensitive areas shall be monitored by a qualified paleontologist, and a monitoring report shall be provided to the County for review and approval.

Based on implementation of recommended mitigation (refer to Exhibit B), potential impacts to cultural and paleontological resources would be less than significant, and the project would not result in an adverse effect to a significant historic or archaeological resource.

6. <b>GEOLOGY AND SOILS -</b> <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**6. GEOLOGY AND SOILS -**  
**Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
i) Preclude the future extraction of valuable mineral resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting**

GEOLOGY - The following relates to the project's geologic aspects or conditions:

Topography: Gently sloping to moderately sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low

Liquefaction Potential: Low

Nearby potentially active faults?: No Distance? 20 miles

Area known to contain serpentine or ultramafic rock or soils?: No

Shrink/Swell potential of soil: Low

Other notable geologic features? None

An *Engineering Geology Investigation* (Geosolutions; 2011) and *Soils Engineering Report* (Geosolutions; 2011) were conducted for the project site. The results of the investigation are incorporated into the discussion and analysis in this section of the Initial Study.

DRAINAGE – The following relates to the project's drainage aspects:

Within the 100-year Flood Hazard designation? Yes

Closest creek? Nipomo Creek Distance? Onsite

Soil drainage characteristics: Well drained

Surface drainage flows east towards Nipomo Creek. Groundwater was encountered at a depth of 30 feet below ground surface (bgs). No springs or seeps were observed. For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

SEDIMENTATION AND EROSION – Soil type, amount of disturbance and slopes are key aspects to analyzing potential sedimentation and erosion issues. The project's soil types and descriptions are listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the project's soil erodibility is as follows:

Soil erodibility: Low to moderate

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

Interim Low Impact Development (LID) Guidelines is a pilot project sponsored by municipalities in San Luis Obispo County and the Central Coast Regional Water Quality Control Board. This is a joint effort to help reduce on-site stormwater runoff. Any project that creates more than 5,000 square feet of increased impervious surface is required to utilize at least two LID measures to help reduce stormwater runoff.

MINERALS – The project site does not support valuable minerals.

### **Impact.**

***Land Use Ordinance Amendment.*** The proposed amendments do not include language that would result in an adverse effect to geology and soils. Potential impacts would be project specific, depending on location, size, and type of development, and areas proposed for disturbance. Pursuant to the amendment, future development would require a Master Plan and issuance of a Conditional Use Permit (CUP), which would trigger CEQA and project specific analysis of geology and soils impacts.

### ***Conditional Use Permit.***

**Geologic Hazards.** There is a potential for slope instability in the immediate vicinity of Nipomo Creek (where the slope of the creek bank exceeds 15 percent); therefore, the project incorporates a 50-foot setback from the creek bank (not including trails, emergency access drive, and associated creek crossing). No significant geologic hazards were identified. Recommendations provided in the geology and soils engineering reports include, but are not limited to, site preparation, foundations, and slope stability. Compliance with the LUO and Uniform Building Code will ensure that no significant geologic impacts occur as a result of construction and operation of the project.

**Soil Erosion.** As proposed, the project will result in the disturbance of approximately 8.3 acres. Construction activities, including ground disturbance and vegetation removal have the potential to result in erosion and down-gradient sedimentation. The applicant is required to comply with the LUO and submit an erosion control plan, and will also be required to prepare a SWPPP for review and approval by the RWQCB. Preparation and implementation of these required plans would mitigate potential impacts to less than significant. Additional measures, applicable to significant biological resources (Nipomo Creek) are identified in Section 4 (Biological Resources), and would further minimize potential erosion impacts.

**Drainage.** Implementation of the project would create additional impervious surfaces, totaling approximately 39,300 square feet (including a 21,750-square foot paved main parking lot), which has the potential to reduce the soils ability to absorb rainfall. Increased impervious areas have the potential to result in downstream flooding, higher peak flows, and carry polluted runoff. The total area of impervious surfaces exceeds 5,000 square feet; therefore, at least two LID measures are required. The proposed project has already incorporated several LID measures to retain and reduce runoff, all which meet the agencies' guidelines. For example, the project has proposed: rain gardens for stormwater capture, maximization of pervious surfaces (i.e., decomposed gravel in lieu of paved parking areas and ADA trails), and additional oak tree plantings and native landscaping throughout the site.

In addition, the County LUO requires management of stormwater flow to ensure rates to not exceed existing conditions. Incorporation of low impact development (LID) strategies, consistent with LUO Section 22.10.155 (Stormwater Management) would avoid or minimize the project's contribution to water quality and drainage issues affecting surface water bodies in Nipomo and the South County area. LUO regulations applicable to the 21,750-square foot main, paved, parking area would include: reduction of impervious land coverage to the maximum extent practicable, oil and hydrocarbon infiltration and treatment of runoff, and development and implementation of a maintenance program for the life of the project.

**Flooding.** The 100-year flood elevation of Nipomo Creek varies from 250 to 263 feet. Uses within the flood hazard zone would include the secondary access road bridge crossing over Nipomo Creek, and an approximately 800-foot portion of the interpretive path loop. All other uses and structures would be outside of the flood zone. Floodwaters would be able to freely flow over the path.

The proposed bridge is a railroad flatcar, 89 feet long with a 66-foot creek span. A typical railroad flatcar is 2.5 feet thick. Abutments would be installed with vertical faces on the channel side, and a 4 by 6-foot (nominal) corrugated metal pipe arch is proposed in the road ramp leading up to the westerly side of the bridge. This culvert will pass some of the water in the westerly overbank to help lower the water surface on the upstream side of the bridge. Based on the *Preliminary Bridge Analysis Nipomo Creek Crossing at the Dana Adobe* (kvc, 2011), the deck of the bridge would be constructed at elevation 264, and the "lowest" portion of the bridge would be at elevation 261.5 feet, which would allow for a one-foot clearance between the water surface through the bridge and the low chord of the bridge during a 100-year flood. There would be a 3.5-foot clearance between the deck of the bridge and the 100-year flood elevation (kvc, 2011).

Based on the flood analysis and associated modeling, there would be no change in surface water elevation downstream of the proposed bridge. About 260 feet upstream of the bridge there would be an increase in the water surface of 0.35 feet (within the project site). This increase would be "damped out" before reaching the upstream property line and will not impact other properties. The report recommends a final analysis of the bridge design, based on construction-level detail, to ensure the bridge is designed to avoid potential flooding impacts, consistent with the LUO and Building Code.

**Mitigation/Conclusion.** As noted above, the applicant will be required to comply with existing regulations related to geologic and flooding hazards, site and bridge design, erosion and sedimentation control, and water quality standards. In addition, the project includes the use of pervious surfaces within overflow parking areas and trails, and development of a rain garden near the visitor's center. These measures will help to mimic the pre-development hydrology of the site and minimize downstream flooding impacts and peak flows. Roof runoff should be directed to landscape areas (rain gardens) and / or vegetated drainage swales and should not be allowed to cross surfaces that have the potential to contain pollutants such as parking areas.

Additional standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality along with the measures listed in Exhibit B.

<b>7. HAZARDS &amp; HAZARDOUS MATERIALS - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
<b>a) Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>b) Interfere with an emergency response or evacuation plan?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>c) Expose people to safety risk associated with airport flight pattern?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**7. HAZARDS & HAZARDOUS MATERIALS - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) Create any other health hazard or potential hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** There is a remediation project within the project site, at Nipomo Creek, approximately 300 feet east of the Dana Adobe (Line 300, RM&R Site No. 3788, SL0607907605). A leaking oil pipeline was discovered, reported, and stopped in 2003. On behalf of ConocoPhillips, Terra Pacific submitted a Feasibility Study in January 2010 and a Corrective Action Plan in June 2010. RWQCB staff approved the Corrective Action Plan on July 30, 2010. ConocoPhillips partially excavated the bank adjacent to Nipomo Creek to remediate soil contaminated by benzene and crude oil. Restoration of the creek bank is underway.

The project is not within a high severity risk area for fire. The project is not within the Airport Review area. The project site is not located where development would adversely affect an emergency response or evacuation plan.

**Impact.**

**Land Use Ordinance Amendment.** The proposed amendments do not include language that would result in an adverse effect related to hazards and hazardous materials. The amendment includes a clarification regarding the Southland Interchange project, which is no longer proposed by the County and Caltrans. Development is required to demonstrate adequate emergency access, as determined by CAL FIRE

**Conditional Use Permit.**

**Emergency Response/Evacuation.** The project is not expected to conflict with any regional evacuation plan. The project includes primary access from South Oakglen Avenue, and a 0.6 mile emergency access drive between South Oakglen Avenue to Swallow Court and on to South Thompson Avenue. The emergency access drive would cross over Nipomo Creek via a flatcar bridge. The emergency access drive would provide a secondary exit route for visitors and staff, and a secondary route for access by emergency responders, including County Sheriff and CAL FIRE. The project site is not located within two miles of a private or public airport and would not interfere with air traffic.

**Exposure to Hazardous Substances.** The project does not propose the use of hazardous materials, aside from legal storage of standard materials including but not limited to paints, cleaners, oils, and fuels for construction and operation of the project and maintenance of the Dana Adobe. There is no potential for further hazardous materials contamination related to the ConocoPhillips remediation site, as implementation of the approved remediation measures eliminates the potential exposure to hazardous materials. Potential impacts related to hazardous materials would be less than significant.

**Fire Hazard.** The proposed project was referred to CAL FIRE for review. The project site is located within a 5-minute response time from the nearest County Fire Station. The applicant is required to comply with existing regulations, including the 2010 California Fire Code and 2010 California Building Code. Fire safety regulations address roofing and roof access, fire flow (water) infrastructure, installation of fire hydrants, fire protection systems (sprinklers, alarms), fire extinguishers, and structure exits. In addition, the project must comply with access requirements (primary and secondary), provide adequate fire lanes, and maintain 100 feet of defensible space around all structures. Additional requirements specific to the project include signage on the hiking trails to aid emergency response, and preparation of a Wildland Fire/Vegetation Management Plan and

Emergency Plan for review and approval by CAL FIRE, and submittal of the special event calendar and associated descriptions and public health and safety measures.

As noted above, the project includes an emergency access drive, which would be used for secondary egress from the site, and ingress by emergency responders. CAL FIRE reviewed the project, including the access plan, determined that the emergency access drive would be adequate, and noted that the proposed railcar bridge over Nipomo Creek is allowed, provided it can support a 20-ton fire engine (CAL FIRE, 2011). Standard requirements, including provision of an all-weather surface and roadside vegetation management, would be required for the life of the project.

**Mitigation/Conclusion.** Please refer to Section 6 Geology and Soils for information about the required SWPPP, and Sections 4 Biological Resources and 14 Water regarding protection of water quality. Mitigation provided in those sections will minimize the potential for accidental release of fuels, oils, and other materials during construction. Based on compliance with existing regulations, and verification by review and inspection by CAL FIRE, no significant impacts as a result of fire hazards or hazardous materials are anticipated, and no additional mitigation measures are necessary.

**8. NOISE - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project site is located approximately 0.15 mile east of U.S. Highway 101, the primary source of noise in the area. Based on review of the Noise Element, the project site is located within the 60 to 65 L<sub>dn</sub> noise contour. Surrounding uses include agricultural and residential land uses.

The Dana Adobe is currently open to the public, and has hosted non-profit events including educational series, school bus tours, concerts, open house and member events, art shows, cultural celebrations, and scheduled and unscheduled tours. Approximately 3,000 visitors are hosted each year.

**Impact.**

**Land Use Ordinance Amendment.** The proposed amendments do not include language that would result in an adverse effect related to noise. Any future development may be affected by transportation-related noise, and may generate noise, potentially affecting nearby noise sensitive land uses. Pursuant to the amendment, future development would require a Master Plan and issuance of a Conditional Use Permit (CUP), which would trigger CEQA and project specific analysis of noise impacts.

**Conditional Use Permit.**

**Noise Exposure.** Due to the presence of a major noise source in the area (U.S. Highway 101), and sensitive noise receptors in the immediate area (i.e., residential uses), the applicant provided a *Noise Study* (David Dubbink Associates, 2012). The results of the noise study are incorporated by

reference in the discussion below.

There are two issues of noise exposure: 1) transportation noise generated by U.S. Highway 101 affecting the proposed project; and 2) activities including amplified sound, generation of traffic and use of busses, and other uses that would generate noise, potentially affecting sensitive receptors (i.e., residential uses) in the immediate area.

*Transportation Noise.* The acceptable threshold of exposure to transportation noise source is 60  $L_{dn}$  for residential uses and schools (including museums) and 70  $L_{dn}$  for outdoor sports and recreation (County Noise Element, 1992). In addition to County standards, the State guidelines identify a threshold of 50 decibels for outdoor exposure to transportation-related noise. For the purposes of this analysis, the County standards are applied as the threshold of significance, and the State standards are considered advisory.

The County Noise Element and Ordinance identify thresholds of exposure to stationary noise as measured at the property boundary of the receiving noise sensitive use. The hourly noise level threshold is 50  $L_{eq}$  between the hours of 7:00 a.m. and 10:00 p.m. (daytime hours) and 45  $L_{eq}$  between the hours of 10:00 p.m. and 7:00 a.m. (nighttime hours). Noise associated with construction is exempted by the County Noise Ordinance between the hours of 7:00 a.m. and 9:00 p.m. (weekdays) and 8:00 a.m. to 5:00 p.m. (weekends). The nearest sensitive receptors (residences) are located approximately 450 feet south and 2,200 feet to the northeast of the proposed visitor center area.

Noise measurements were taken in four locations at the project site, and distances ranging from 592 to 1,233 feet from U.S. Highway 101. The average noise level ranged from 46 to 55  $LA_{eq}$ . Noise measurements showed that the area proposed for the Chumash village, and adjacent properties to the south of the project site are subjected to highway noise exceeding 45 dB. Based on the noise study, the project site would not be exposed to transportation-related noise from U.S. Highway 101 exceeding allowable County thresholds. The noise level would exceed advised State thresholds in the southern portion of the site. Incorporation of a vegetated berm would attenuate noise exposure by approximately 4 dB within State-advised standards; however, mitigation is not required because the project would not be exposed to noise levels exceeding the identified threshold of significance (County standards). Based on the traffic study prepared for the project (Rick Engineering, 2012), the project would not generate traffic resulting in a substantial increase above existing conditions.

*Stationary and Amplified Sound.* The noise study includes use of amplified equipment to simulate sound as it may be produced during a special event at the project site. The sound was directed at the closest property line and noise levels were measured along the property boundary. Sound attenuation was approximately six decibels with each doubling of distance: 83 dBA at 50 feet from the source; 75 dBA at 100 feet; and, 60 dBA at 200 feet.

Sources of noise generated by the project would include: amplified commentary during operation of the arena; amplified sound during events and use of the amphitheater at the visitor's center; demonstrations and other uses at the Chumash village; and other special events and concerts at the project site.

Typical sound from outdoor events (as measured 50 feet from the source) would include 1) amplified music (outdoors), 74-80  $L_{max}$  / 73-76  $L_{eq}$  and 2) amplified live band (inside tent), 76  $L_{max}$  / 64-67  $L_{eq}$ . The associated sound levels resulting from amplified music (outdoors), as measured at the property line, are shown in Table 4 below. As shown in the table, noise levels would exceed identified thresholds, and mitigation will be required.

Amplified sound generated by uses on the visitor's center terrace would be blocked by the structure itself, and noise would attenuate to a level of 56 dB, which is below the County's 65 dB  $L_{max}$  threshold. In the event amplified sound is used within the Chumash village, the anticipated sound level would be 63 dB  $L_{max}$ , as measured from the southern property line. This is below the County threshold of 65 dB.

**Table 4. Sound Levels at Property Line (Unmitigated)**

Use	Distance to nearest property line	Forecast		Permitted	
		Lmax	Leq	Lmax	Leq
Arena	154	64-70	63-66	65	45
Adobe	305	58-64	57-60	65	45
Visitor Center	210	62-68	61-64	65	45
Chumash Village	230	61-67	60-63	65	45

Source: Dubbink, 2012

**Ambient Noise Level.** The ambient noise level along South Oakglen Avenue (west of the project site) is estimated to be 57 dB during the peak traffic hour. Future traffic levels on the highway and South Oakglen Avenue may add at least 3 dB to the ambient noise level. During special events at the amphitheater, the noise level will range from 61 to 64  $L_{eq}$  at the neighboring residential property line to the west, resulting in a combined sound level ranging from 63.5 to 65.5  $L_{eq}$ . Based on the LUO, where the existing ambient sound is above the permitted level (60  $L_{eq}$ ), a significant impact would occur if the added sound increases this level by more than one decibel. Therefore, the use of amplified sound at the visitor's center would exceed the County's noise threshold (one decibel increase) by 2.5 to 4.5 decibels (Dubbink, 2012). The County Noise Element notes that sound level changes less than 3 decibels are minimally detectable; however, mitigation is recommended to reduce sound generated by the project and minimize significant impacts to sensitive receptors.

**Exposure to Severe Noise/Vibration.** Construction of the project would include use of large construction equipment. Construction would occur pursuant to the LUO, and would not generate severe noise levels or vibration.

**Mitigation/Conclusion.** Based on implementation of mitigation measures identified in Exhibit B, potential noise impacts would be less than significant. Recommended mitigation measures include strategic dispersal and placement of speakers at the arena and visitor's center to direct sound away from noise sensitive uses (10-15 decibel reduction); limitations on maximum noise level at the source (80 decibel) and duration of special events and concerts (10:00 p.m. at the latest); onsite noise monitoring during events; and, remediation protocol to address neighborhood noise complaints.

**9. POPULATION/HOUSING -**

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**9. POPULATION/HOUSING -**  
*Will the project:*

Potentially Significant      Impact can & will be mitigated      Insignificant Impact      Not Applicable

- d) *Use substantial amount of fuel or energy?*
- e) *Other:* \_\_\_\_\_

**Setting.** In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county. The County's Inclusionary Housing Ordinance requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions.

**Impact.**

**Land Use Ordinance Amendment.** The proposed amendments do not include language that would result in an adverse effect related to population and housing, and would result in the need for additional housing, or displace existing housing..

**Conditional Use Permit.** The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

**Mitigation/Conclusion.** No significant population and housing impacts are anticipated. No mitigation measures are necessary.

**10. PUBLIC SERVICES/UTILITIES -**  
*Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:*

Potentially Significant      Impact can & will be mitigated      Insignificant Impact      Not Applicable

- a) *Fire protection?*
- b) *Police protection (e.g., Sheriff, CHP)?*
- c) *Schools?*
- d) *Roads?*
- e) *Solid Wastes?*
- f) *Other public facilities?*
- g) *Other:* \_\_\_\_\_

**Setting.** The project area is served by the following public services/facilities:

- Police: County Sheriff      Location: Oceano (Approximately 13 miles to the northwest)
- Fire: Cal Fire (formerly CDF)      Hazard Severity: Moderate      Response Time: 5-10 minutes  
 Location: Approximately 1.3 miles to the northwest
- School District: Lucia Mar Unified School District.

**Impact.**

**Land Use Ordinance Amendment.** The proposed amendments do not include language that would result in an adverse effect related to public services and utilities, because the amendments would not increase the potential development density of the site.

**Conditional Use Permit.** No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area, will have a cumulative effect on police and fire protection, schools, and roads. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

**Mitigation/Conclusion.** Regarding cumulative effects, public facility (County) and school (State Government Code 65995 et seq.) fee programs have been adopted to address this impact, and will reduce the cumulative impacts to less than significant levels.

<b>11. RECREATION - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The County's Parks and Recreation Element includes the Nipomo Creek Linear Park as a proposed County Park in the South County Nipomo area. The Element states the following: "Obtain acreage for a linear park in the vicinity of Nipomo Creek. The linear park should contain a Class I Bicycle Path/trail system as well as other recreational facilities. Once property has been obtained, prepare a master plan for the park to determine appropriate park facilities and future maintenance needs. Update the master plan periodically to reflect community recreation needs". The Element Map shows the proposed Nipomo Creek Linear Park extending from the U.S. Highway 101/Thompson Avenue interchange, through the project site, on the western side of Nipomo Creek, and reconnecting with Thompson Avenue to the south. While the linear park is included in the County's General Plan, the County is not currently pursuing or planning for its development. While the proposed project does not include a Class I bicycle path, a trail system is proposed that could be incorporated into a master plan for the linear park, in the event the County elects to pursue it.

**Impact.**

**Land Use Ordinance Amendment.** The proposed amendments would clarify language applicable to the Recreation land use category, specific to the project site (LUO Section 22.112.080.G). The proposed changes clarify the Master Plan and permit process for the site, and clarify development requirements to maintain the historical context of the Dana Adobe, which would result in a beneficial effect by preserving a historical and educational resource for the public. These amendments would not affect recreational resources onsite or in the community, because it would not generate additional demand for recreational opportunities or affect an existing recreational resource.

**Conditional Use Permit.** The project would result in beneficial recreational impacts by continuing to provide an educational and historical resource open to the public, in addition to future recreational opportunities including hiking, wildlife viewing, picnicking, equestrian use, and enjoyment of open space.

**Mitigation/Conclusion.** No significant recreation impacts are anticipated, and no mitigation measures are necessary.

**12. TRANSPORTATION/  
CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase vehicle trips to local or areawide circulation system?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Reduce existing "Levels of Service" on public roadway(s)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Provide for adequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate internal traffic circulation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Result in a change in air traffic patterns that may result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** A *Traffic Impact Analysis* (Rick Engineering, 2012) was prepared for the project. The report was reviewed and approved by County Public Works. The report is incorporated by reference into the discussion and analysis below.

**Trip Generation.** The project site is accessed from South Oakglen Avenue, a two-lane local street, which dead-ends past the southern end of the project site. The local circulation system serving the project site includes U.S. Highway 101 (four lane freeway), West Tefft Street (two to four-lane arterial), Mary Avenue (two lane collector), and Thompson Avenue (two lane arterial). Class II bike lanes are located on West Tefft Street between Las Flores Drive and Carillo Street. South County Area Transit currently provides limited service to Nipomo; transit stops are located on North Thompson Avenue, Nipomo High School, Branch Street, and West Tefft Street (near Carillo Street, approximately 1.2 miles from the project site). The traffic study included an analysis of conditions along these roadways and intersections, including the U.S. Highway 101/West Tefft Street interchange.

Existing use of the project site generates the following average daily trips (ADT): 26 trips due to employees and visitors on weekdays; 8 trips due to employees and visitors on weekends; and, 280 trips due to special events on weekends.

**Level of Service.** The County has established the level of service (LOS) C threshold as the lower limit for acceptable operations on rural facilities, and LOS D threshold for urban facilities. Caltrans thresholds range between LOS C and D on State highway facilities. The South County Traffic Model

identifies LOS C as the lower limit for acceptable operations on the local street system.

Based on the traffic analysis, existing level of service (LOS) for roadways serving the project is LOS A for all roadways except Mary Avenue north of West Tefft Street (LOS C). Under existing conditions during the PM peak hour, West Tefft Street ranges from LOS B to C (Las Flores Drive to Thompson Avenue). Caltrans data indicates that daily traffic volumes in U.S. Highway 101 are within the LOS B/C range. Average delays at the study intersections are within acceptable levels (LOS C or better). The South County Traffic Model indicates that vehicle delays at the U.S. Highway 101/West Tefft Street southbound ramps are within the LOS D range during the AM peak hour and LOS E range during the PM peak hour.

Unsafe Conditions. Based on traffic accident records for South Oakglen Avenue, four reported accidents occurred between January 2005 and December 2010, which does not indicate a significant accident rate in this location.

Air Traffic. The project site is not located within two miles of an airstrip or airport, and would not adversely affect air traffic.

### **Impact.**

***Land Use Ordinance Amendment.*** The proposed amendment includes an update to language regarding the Southland Street interchange (Section 22.112.080.G.1). The language is clarified to delete reference to this interchange project because it is no longer proposed by Public Works and Caltrans, and replaces it with a requirement for emergency access. This change meets the intent of the original measure by providing emergency access to and from the project site, and would not result in a significant transportation or safety related impact.

***Conditional Use Permit.*** Based on consultation with County Public Works, the applicant is required to implement standard off-site road improvements, including widening South Oakglen Avenue along the property frontage, improving the driveway to meet County Standards, and restricting parking on South Oakglen Avenue (County Public Works, 2011). Implementation of improvements will not require tree removal.

Trip Generation. Weekly activities at the project site would generate approximately 130 ADT, including 9 trips during the AM peak hour and 11 trips during the PM peak hour. The highest number of weekend day trips would occur between May and September due to special events (up to 298 ADT), assuming multiple events are held on the same day. This is an unlikely situation, but was assessed in the traffic study to determine the "worst case scenario". An average weekend day would also generate 28 ADT from daily visitors and employees. The maximum daily attendance for a large event would generate approximately 600 ADT, which would occur only once per year. Compared to existing conditions, the project would generate approximately 104 additional daily trips during an average weekday and 20 additional trips during an average weekend day. This would result in approximately 8 additional trips during an average weekday AM and PM peak hour. During an average weekend day, the project may reduce the number of trips during the mid-day peak hour (2:00 to 3:00 pm) by 24 trips, due to a reduction in the average attendance numbers at a large event (350 existing versus 300 proposed). The project would add 18 ADT on weekend days due to annual and special events.

### Level of Service.

***Background Conditions.*** The traffic analysis considered the project's effect on the environment, including "background conditions". Background conditions include projects that have been approved by the County, and are anticipated to be constructed and contributing to traffic trips and LOS within the study area. The traffic analysis also assumes completion of the Willow Road Interchange project, which is planned for completion in late 2012/early 2013. Based on the results of the background roadway segment analysis, all roadways would operate at LOS A except for: Mary Avenue north of West Tefft Street (LOS E) and Mary Avenue south of West Tefft Street (LOS B). Improvements to

Mary Avenue were conditioned as part of the Landdev LLC project, which would improve LOS to an acceptable level.

During the PM peak hour, assuming completion of the Willow Road Interchange project, all intersections would operate at acceptable LOS except the U.S. Highway 101/West Tefft Street southbound ramps (LOS D).

*Background Plus Project.* Under "Background Plus Project" conditions, all roadways would operate at LOS A except for: Mary Avenue north of West Tefft Street (LOS E) and Mary Avenue south of West Tefft Street (LOS B), due to other projects in the area (i.e., Landdev LLC). The project would not reduce LOS on any roadway within the study area (Rick Engineering, 2012).

During the PM peak hour, assuming completion of the Willow Road Interchange project, all intersections would operate at acceptable LOS except the U.S. Highway 101/West Tefft Street southbound ramps (LOS D). A majority of project-related trips during the PM peak hour include visitor's center guests and employees/volunteers. The proposed project would contribute to the LOS D designation during the PM peak hour, resulting in a potentially significant impact.

*Cumulative Conditions.* The cumulative conditions scenario includes background conditions and projects currently under consideration by the County. Under this scenario, all roadways would operate at LOS A except for: Mary Avenue north of West Tefft Street (LOS E) and Mary Avenue south of West Tefft Street (LOS B). Improvements to Mary Avenue were conditioned as part of the Landdev LLC project, which would improve LOS to an acceptable level.

During the PM peak hour, assuming completion of the Willow Road Interchange project, all intersections would operate at acceptable LOS except the U.S. Highway 101/West Tefft Street southbound ramps (LOS D). The proposed project would contribute to the LOS D designation during the PM peak hour, resulting in a potentially significant impact.

Unsafe Conditions. Traffic safety analysis included a review of stopping sight distance at the proposed access driveway and South Oakglen Avenue. Stopping sight distance was recorded at 475 feet for southbound vehicles traveling towards the driveway, which is adequate at a speed of 50 miles per hour. There is a relatively unobstructed line of sight looking south from the driveway toward Southland Street; therefore stopping sight distance for northbound vehicles approaching the project driveway will be sufficient. The traffic analysis determined that left turn lane is not warranted on South Oakglen Avenue, and project traffic will not significantly impact safety along South Oakglen Avenue (Rick Engineering, 2012).

Emergency Access. An approximately 0.6 mile, 18-foot wide, gated, all-weather emergency access drive is proposed to extend from South Oakglen Avenue to Swallow Lane and on to South Thompson Road, and would include a 89-foot long, ten-foot wide flatcar bridge over Nipomo Creek. Based on review by CALFIRE (2011, 2012), the project includes adequate emergency access.

Parking Capacity. The project proposes on-site parking for approximately 200 vehicles, including 40 stalls in a paved parking lot adjacent to the visitor's center and 160 overflow spaces. Limited parking will be available off South Thompson Avenue (not within the roadway) for horse trailers, pedestrian/bicycle trail users, and agricultural uses. The project includes adequate parking for the proposed uses.

Internal Traffic Circulation. Based on review of internal parking and circulation, a separate pedestrian path is recommended between the overflow parking area and paved parking lot, which will help reduce the potential for pedestrians to wander through the parking areas. In addition, it may be difficult for a bus or large truck to enter the overflow parking area(s), and may only be able to accommodate one bus onsite at a time. While these issues would not result in a significant impact, and do not require mitigation, they are identified in the traffic impact analysis for consideration by the applicant.

Alternative Transportation. Implementation of the project includes the use of busses and shuttles to transport visitors to the site and associated educational and special events. The site could also be accessed by pedestrians and bicyclists via access roads and trails. Overall, the project is consistent with alternative transportation policies.

**Mitigation/Conclusion.** As noted above, the project would contribute to existing and future deficient conditions at the U.S. Highway 101/West Tefft Street southbound ramps. The traffic analysis includes recommendations to reduce PM peak hour trips generated by the project, including implementation of a Transportation Demand Management (TDM) Program. The TDM could potentially reduce and/or eliminate AM and PM peak hour trips by adjusting the hours of the Visitor's Center and new employee/volunteer hours outside the peak hours (7:30 a.m. to 9:30 a.m. and 4:30 p.m. to 6:30 p.m.). In addition, in the event new peak hour trips would be generated, the applicant will be required to contribute to the South County Road Improvement Fee Area 1 program, which partially funds capital road improvement projects in the area. Therefore, payment of the County's Road Improvement Fee or elimination of additional PM peak hour trips would mitigate the project's cumulative effect. Based on implementation of these mitigation measures (refer to Exhibit B), potential transportation/circulation impacts would be less than significant.

<b>13. WASTEWATER - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** Regulations and guidelines on proper wastewater system design and criteria are found within the County's Plumbing Code (hereafter CPC; see Chapter 7 of the Building and Construction Ordinance [Title 19]), the "Water Quality Control Plan, Central Coast Basin" (Regional Water Quality Control Board [RWQCB] hereafter referred to as the "Basin Plan" ), and the California Plumbing Code. These regulations include specific requirements for both on-site and community wastewater systems. These regulations are applied to all new wastewater systems.

For on-site septic systems, there are several key factors to consider for a system to operate successfully, including the following:

- ✓ Sufficient land area (refer to County's Land Use Ordinance or Plumbing Code) – depending on water source, parcel size minimums will range from one acre to 2.5 acres;
- ✓ The soil's ability to percolate or "filter" effluent before reaching groundwater supplies (30 to 120 minutes per inch is ideal);
- ✓ The soil's depth (there needs to be adequate separation from bottom of leach line to bedrock [at least 10 feet] or high groundwater [5 feet to 50 feet depending on perc rates]);
- ✓ The soil's slope on which the system is placed (surface areas too steep creates potential for

daylighting of effluent);

- ✓ Potential for surface flooding (e.g., within 100-year flood hazard area);
- ✓ Distance from existing or proposed wells (between 100 and 250 feet depending on circumstances);
- ✓ Distance from creeks and water bodies (100-foot minimum).

To assure a successful system can meet existing regulation criteria, proper conditions are critical. Above-ground conditions are typically straight-forward and most easily addressed. Below ground criteria may require additional analysis or engineering when one or more factors exist:

- ✓ the ability of the soil to “filter” effluent is either too fast (percolation rate is faster or less than 30 minutes per inch and has “poor filtering” characteristics) or is too slow (slower or more than 120 minutes per inch);
- ✓ the topography on which a system is placed is steep enough to potentially allow “daylighting” of effluent downslope; or
- ✓ the separation between the bottom of the leach line to bedrock or high groundwater is inadequate.

Based on Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type(s) for the project is provided in the listed in the previous Agricultural Resource section. The main limitation(s) of this soil for wastewater effluent include:

**Poor filtering characteristics** due to the very permeable nature of the soil, without special engineering will require larger separations between the leach lines and the groundwater basin to provide adequate filtering of the effluent. In this case, based on the *Percolation Testing Report* (GeoSolutions, 2011), it is expected that there will be adequate separation for filtering of effluent before reaching any groundwater source. The Basin Plan identifies the percolation rate should be greater than 30 and less than 120 minutes per inch. In this case, the soils report identified percolation rates for the soil ranges from 1 to 10 minutes per inch (average 7 min/in) for all leach line locations. Groundwater was not encountered in the 15 feet below ground surface exploratory boring.

The percolation rate for the subject property is very fast, which requires greater soil depth to provide for adequate filtering. Therefore, prior to issuance of a building permit, provide the county evidence of adequate soil separation to groundwater per CPC, or plans prepared by a qualified individual for an engineered septic system that meets CPC/Basin Plan criteria.

#### **Impacts/Mitigation.**

**Land Use Ordinance Amendment.** The proposed amendments do not include language that would result in an adverse effect related to wastewater. Any future development of wastewater treatment and disposal facilities requires compliance with the LUO and review by the County Planning and Building Department.

#### **Conditional Use Permit.**

**Waste Discharge Requirements and Criteria.** Based on the following project conditions or design features, wastewater impacts are considered less than significant:

- ✓ The project has sufficient land area per the County’s Land Use Ordinance to support an on-site system;
- ✓ There is adequate soil separation between the bottom of the leach line to bedrock or high groundwater;
- ✓ The soil’s slope is less than 20%;

- ✓ The leach lines are outside of the 100-year flood hazard area;
- ✓ There is adequate distance between proposed leach lines and existing or proposed wells;
- ✓ The leach lines are at least 100 feet from creeks and water bodies.

Based on the above discussion and information provided, the site appears to be able to design an on-site system that will meet CPC/Basin Plan requirements. Due to the fast percolation rate, the system will need to be engineered to ensure adequate soil separation to groundwater. Prior to building permit issuance and/or final inspection of the wastewater system, the applicant will need to show to the county compliance with the County Plumbing Code/ Central Coast Basin Plan, including any above-discussed information relating to potential constraints. Therefore, based on the project being able to comply with these regulations, potential groundwater quality impacts are considered less than significant.

<b>14. WATER - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project proposes to use a community water system, Nipomo Community Services District (NCSD) for domestic water use within approximately 30 acres west of Nipomo Creek. The NCSD currently provides water to the Dana Adobe (within this 30-acre area) via an existing Outside User's Agreement. Existing on-site wells would be used for restoration on the 100 acres east of the creek. Based on available information, there is some concern regarding the long-term availability of water resources to serve existing and future development on the Nipomo Mesa.

The topography of the project is gently sloping to moderately sloping. Three creeks traverse the project site, including Nipomo Creek, Adobe Creek, and Carillo Creek (refer to attached Figures). As described in the NRCS Soil Survey, the soil surface is considered to have low to moderate erodibility.

Water Supply. The project will be using water, extracted from the Santa Maria groundwater basin, which is made up of three interconnected sub areas (Tri-Cities, Nipomo Mesa, and Santa Maria). Approximately 30 percent of the basin's area lies north of the Santa Maria River in San Luis Obispo County. In 1994, the DWR began an update of the 1979 study of the Arroyo Grande Valley – Nipomo Mesa Area groundwater sub area and the northern portion of the Santa Maria River Valley

groundwater sub area. The study, "Water Resources of the Arroyo Grande -Nipomo Mesa Area", was completed and published in 2003. The study contains the following findings and conclusions:

- Observations of groundwater elevations in 1975, 1985 and 1995 revealed the development and subsequent expansion of a depression in groundwater elevations generally south of Willow Road and east of Highway 1 - the south central portion of the Nipomo Mesa.
- Nipomo Community Services District and Southern California Water Company have many of their wells in or near the depression. The extractions of these two agencies have increased from about 940 afy in 1979 to 2,790 afy in 1995 and 3,620 in 2000.
- There have also been increases in demand for water to serve rural residences and agricultural uses.
- Since the depression enlarges, the reduced water in storage could result in increased inflow from Santa Maria Valley and decreased outflow to the ocean from the mesa and the valley. If the pumping depression on the mesa pulls in water from the Santa Maria Valley, the possibility exists for the poorer quality groundwater of the valley, containing high concentrations of dissolved solids, to locally reduce the quality of the mesa's groundwater. Also, in the future, if subsurface outflows to the ocean cease, and the seaward hydraulic gradient is reversed, this condition could lead to seawater intrusion of the groundwater resources. Currently, there is no evidence of seawater intrusion.

A major source of recharge for the Nipomo Mesa is deep percolation of precipitation. This makes the groundwater basin vulnerable to protracted periods of below-average rainfall.

Political/Legal History. In 1998, a complaint was filed by agricultural pumpers in Santa Barbara County against the basin's water purveyors, including the City of Santa Maria, the NCSD and Cal Cities Water Co. Because of inconsistencies in the DWR study, the County commissioned an additional study by S.S. Papadopoulos & Associates (SSPA) to provide clarification of water issues on the Mesa. SSPA concluded that the data presented in the DWR study correctly identified overdraft conditions in the Nipomo Mesa area of the groundwater basin.

Concurrently, the judge in the groundwater litigation issued a finding that the basin as a whole was not being overdrafted and that there was insufficient evidence to support the existence of sub-basins. The County's Water Resources Advisory Committee (WRAC) reviewed the SSPA study and the judge's decision and concluded that overdraft in the Nipomo Mesa area either exists currently or is imminent. In November 2004 the Board of Supervisors certified Level of Severity II and approved several actions intended to strengthen water conservation efforts in the Nipomo Mesa area.

Litigation of the basin has resulted in a settlement in which the stipulating parties have agreed to a "physical solution establishing a legal and practical means for ensuring the Basin's long-term sustainability". The physical solution establishes three management areas, creates a management entity for each area and directs each management entity to monitor groundwater conditions and prepare plans for dealing with water shortages. The agenda for the Nipomo Mesa Management Area (NMMA) also includes importation of at least 2,500 acre feet per year of supplemental water by the NCSD from the City of Santa Maria and an agreement of the major water purveyors in the area to purchase some of that water. New urban uses proposed by stipulating parties within the service area of a major water purveyor or within the Sphere of Influence of the NCSD must obtain water service from the local supplier. New urban uses proposed by stipulating parties outside these areas and within one-quarter mile of a service area or NCSD Sphere of Influence must conduct good faith negotiations with the local supplier before forming a mutual water company to provide water service.

In May, 2006, as a part of the annual Growth Management Ordinance update, the County Board of Supervisors adopted the following relating to the Nipomo area:

- Reaffirm limiting new residential development in the Nipomo Mesa Area to an annual 1.8% growth rate;
- Change the Level of Severity for Water Supply from II to III; however, the Board further determined that a building moratorium would not be necessary based on implementing the following measures, as well as environmental determinations for development proposals on the Nipomo Mesa would continue to be made on a case-by-case basis, where an EIR would not necessarily be required if water supply is identified as the only significant issue. The following water conservation measures were required of all new development (and added as County LUO planning area standards) as of August, 2006:
  - Require all sink faucets in bathrooms and kitchens in new residences be equipped with automatic shut off devices. This also applies when a bathroom is added, or when the floor area is increased by twenty per cent (20%). Automatic shut off faucets operate by means of a hands-free electric sensor.
  - Require drip-line irrigation for all landscaped areas (except turf areas) installed for new construction. The drip irrigation system must include an automatic rain shut-off device, soil moisture sensors, a separate meter for outdoor water and an operating manual to instruct the building occupant on how to use and maintain the water conservation hardware.
  - The maximum amount of turf (lawn) area may not exceed twenty percent of the site's total irrigated landscape area, and, in all cases the site's total irrigated landscape area shall be limited to 1,500 square feet.

The County Flood Control and Water Conservation District will implement improved well monitoring and water quality monitoring programs for the Nipomo Mesa area. Water purveyors in the Nipomo Mesa area are encouraged to strengthen their water conservation programs, increase their use of reclaimed water and continue their efforts to secure supplemental water.

Also, in an effort to monitor the effectiveness of these water conservation measures, each annual update of the Growth Management Ordinance will include data to indicate if the water use rate per dwelling unit is trending downward. If progress toward water conservation targets is not evident, further growth limitations may be recommended.

In August, 2006, The Board also approved new requirements for all land divisions accepted for processing after June 23, 2006 and General Plan Amendments submitted after June 23, 2006 in the Nipomo and the Nipomo Mesa areas. Applications for general plan amendments and land divisions in the Nipomo Mesa Water Conservation Area shall include documentation regarding estimated existing and proposed non-agricultural water demand for the land division or development that could occur with the General Plan Amendment. If this documentation indicates that the proposed non-agricultural water demand exceeds the demand without the land division, the project will be subject to contributing towards acquiring supplemental water. This requirement is implemented as a South County Planning Area Standard (22.112.020 (F)).

On June 26, 2007, the Board of Supervisors, as a part of the County's Resource Management System annual update, reaffirmed and certified a level of Severity III for water supply in the Nipomo area, and directed the preparation of additional water conservation ordinance(s). The new ordinance(s) will require the establishment of retrofit program(s) and/or other new water conservation program(s) where new development will be required to participate to offset/reduce new impacts to water consumption from the Nipomo Mesa groundwater basin.

**Impact.**

**Land Use Ordinance Amendment.** The proposed amendments would not result in an increase in water demand, remove a barrier for development, or result in a significant impact to water available for agricultural use, because the calculated water demand would not exceed the amount that would be required if the site was developed for residential use. In addition, the project would remain subject

to Section 19.20.240d (Nipomo Mesa Water Conservation Area) conditions described above. Therefore, potential impacts to water resources would be less than significant.

***Conditional Use Permit.***

Water Quality. Regarding surface water quality, as proposed, the project will result in the disturbance of approximately 8.3 acres. The project is in close proximity to Nipomo Creek, and includes an emergency access drive crossing over the creek. As noted in Sections 4 (Biological Resources) and 6 (Geology and Soils), during construction, short-term erosion and sedimentation may occur, resulting in a potentially significant impact. During construction and operation of the project, leaking hydrocarbons from equipment and vehicles may migrate from the developed area into the surface waters, resulting in a potentially significant impact. In addition, the project would create additional impervious surfaces; as discussed in Section 6, Geology and Soils, the applicant is required to incorporate low impact development (LID) design techniques to promote groundwater recharge and protect water quality.

Groundwater. On the 100-acre portion of the project site, existing on-site wells would be used for proposed creek restoration activities, and proposed and ongoing restoration conducted by the County and the Land Conservancy. These wells will also be available for agricultural uses on this portion of the site. These restoration actions, including riparian and other vegetation plantings, are not anticipated to require a substantial amount of groundwater beyond existing and historical conditions once they are established.

Community Service Provider. Based on the project description, the estimated water use would be 1.4 acre feet per year (afy) for operation of the project on the 30-acre portion of the project site, including the caretaker's unit, visitor center/museum, staff offices, restrooms, catering kitchen, and drought-tolerant landscaping. The water demand analysis was prepared by Hodge Land Planning and Civil Engineering, and includes the following break-down:

Visitor's Center (including special events and staff): 0.07 afy

Caretaker's Residence: 0.28 afy

Landscape Irrigation (including proposed water conservation measures): 0.93 afy

Total Use: 1.28 afy

The resulting water demand would be 1.28 afy. The NCSD reviewed the water use projection, and determined that the project would require an equivalent amount of water as currently permitted by the NCSD's Water Service Limitations if the parcels were developed as residential. If the site were developed by residential uses, two primary dwellings (0.40 and 0.82 afy) and one secondary dwelling (0.08 afy) would be allowed (two parcels, 30 acres total), resulting in a total water demand of 1.30 afy. Therefore, the project would not increase non-agricultural water demand more than the amount otherwise available based on the land uses possible under the County General Plan. The NCSD notes that the project includes elements of water conservation education that would complement the NCSD's conservation efforts (NCSD, 2011).

Therefore, based on the project's anticipated demand, proposed implementation of water conservation measures consistent with the LUO, and review and approval by the NCSD, implementation of the project would not result in significant water supply impacts.

**Mitigation/Conclusion.** Drainage, erosion control, best management practices associated with a Stormwater Pollution Prevention Plan (SWPPP), and low impact development (LID) measures will be implemented for the project, which will provide sufficient measures to adequately protect surface water quality (refer to Section 4 Biological Resources and Section 6 Geology and Soils). The project is required to comply with Nipomo Mesa Water Conservation Area standards, which includes indoor and outdoor measures to reduce water demand. Based on implementation of standard requirements and recommended mitigation measures, impacts to water quality would be less than significant, and

no additional mitigation measures are necessary.

**15. LAND USE - Will the project:**

	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.**

**Land Use Ordinance Amendment.** The proposed amendments include clarifications to the permitting process for the site, identified in Section 22.112.080.G.2. The revised language clarifies that future non-residential and non-agricultural development of the site shall be consistent with an approved Master Plan, and a Conditional Use Permit will be required for approval of the Master Plan and any subsequent major changes. The amended language also clarifies that minor amendments to the Master Plan shall be approved pursuant to permit requirements identified in the LUO. The Conditional Use Permit shall identify the areas proposed for development, and an architectural style compatible with the Dana adobe and associated interpretation and educational components. These proposed changes modernize the LUO language by considering existing conditions, and providing process for future approvals. Implementation of the amendment would not have an adverse effect on land use, or be inconsistent with applicable plans and policies.

**Conditional Use Permit.**

Consistency with Plans and Policies. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance). Referrals were sent to outside agencies to review for policy consistencies (e.g., CAL FIRE for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project site is located within the Historic (H) combining designation, indicating the presence of the historic Dana Adobe. As discussed in Section 5 Cultural Resources, the project would be consistent with the LUO and General Plan standards specific to the H designation because the project includes the continuation of preservation and restoration of the Dana Adobe consistent with Secretary of Interior standards, preservation and incorporation of elements consistent with the historical context of the structure and surrounding views, and educational facilities to encourage historic preservation, and separation of uses (i.e. Dana Adobe and Visitor's Center). Implementation of the project would not

impair the integrity of the Dana Adobe or result in a significant adverse effect to the historic resource.

Conservation and Environmental Plans. The project is not within or adjacent to a Habitat Conservation Plan area. There are no adopted agency environmental plans applicable to the project.

Land Use Compatibility. The project site is on the edge of the community of Nipomo, and surrounding land is developed by residential and agricultural uses. The project would not be inconsistent with agricultural uses onsite (100 acres to the east) or adjacent uses. Potential land use conflicts include generation of noise during special events. Based on analysis of noise impacts (refer to Section 8 Noise), mitigation can be incorporated to reduce sound levels below County thresholds. Therefore, potential land use impacts would be less than significant.

**Mitigation/Conclusion.** Based on implementation of noise mitigation identified in Section 8 (Noise) the project would not result in significant land use impacts, and no additional mitigation measures are necessary.

**16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:**

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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a) *Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)*

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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For further information on CEQA or the county's environmental review process, please visit the County's web site at "[www.sloplanning.org](http://www.sloplanning.org)" under "Environmental Information", or the California Environmental Resources Evaluation System at: [http://www.ceres.ca.gov/topic/env\\_law/ceqa/guidelines](http://www.ceres.ca.gov/topic/env_law/ceqa/guidelines) for information about the California Environmental Quality Act.

**Exhibit A - Initial Study References and Agency Contacts**

The County Planning or Environmental Divisions have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ) and when a response was made, it is either attached or in the application file:

<b><u>Contacted</u></b>	<b><u>Agency</u></b>	<b><u>Response</u></b>
<input checked="" type="checkbox"/>	County Public Works Department	<b>Attached</b>
<input checked="" type="checkbox"/>	County Environmental Health Division	<b>Attached</b>
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	<b>Attached</b>
<input type="checkbox"/>	County Airport Manager	<b>Not Applicable</b>
<input type="checkbox"/>	Airport Land Use Commission	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	Air Pollution Control District	<b>Personal Communications</b>
<input type="checkbox"/>	County Sheriff's Department	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	<b>None</b>
<input type="checkbox"/>	CA Coastal Commission	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	CA Department of Fish and Game	<b>None</b>
<input checked="" type="checkbox"/>	CA Department of Forestry (Cal Fire)	<b>Attached</b>
<input checked="" type="checkbox"/>	CA Department of Transportation	<b>None</b>
<input checked="" type="checkbox"/>	Nipomo Community Services District	<b>Attached</b>
<input checked="" type="checkbox"/>	US Fish and Wildlife Service	<b>Personal Communications</b>
<input type="checkbox"/>	Other _____	<b>Not Applicable</b>

*\*\* "No comment" or "No concerns"-type responses are usually not attached*

The following checked () reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

- Project File for the Subject Application
- County documents**
- Airport Land Use Plans
- Annual Resource Summary Report
- Building and Construction Ordinance
- Coastal Policies
- Framework for Planning (Coastal/Inland)
- General Plan (Inland/Coastal), including all maps & elements; more pertinent elements considered include:
  - Agriculture Element
  - Conservation & Open Space Element (includes Energy, Conservation)
  - Housing Element
  - Noise Element
  - Parks & Recreation Element
  - Safety Element
- Land Use Ordinance
- Real Property Division Ordinance
- Solid Waste Management Plan
- Circulation Study

- South County (Inland) Area Plan and Update EIR

Other documents

- Archaeological Resources Map
- Area of Critical Concerns Map
- Areas of Special Biological Importance Map
- California Natural Species Diversity Database
- Clean Air Plan
- Fire Hazard Severity Map
- Flood Hazard Maps
- Natural Resources Conservation Service Soil Survey for SLO County
- Regional Transportation Plan
- Uniform Fire Code
- Water Quality Control Plan (Central Coast Basin – Region 3)
- GIS mapping layers (e.g., Biology, geology, streams, slope, fire, hazards, transportation, water, etc.)
- Other Interim Low Impact Development (LID) Guidelines Handout

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

- CRMS. 2011. Phase I Archaeological & Paleontological Survey.
- David Dubbink Associates. 2012. Noise Study Dana Adobe Master Plan.
- KVC. 2011. Preliminary Bridge Analysis Nipomo Creek Crossing at the Dana Adobe.
- GeoSolutions, Inc. 2011. Discussion of Over-Excavation Recommendations.
- GeoSolutions, Inc. 2011. Exhibits for Potential Disposal Field Areas.
- GeoSolutions, Inc. 2011. Percolation Testing Report.
- GeoSolutions, Inc. 2011. Soils Engineering Report.
- Hodge. 2011. Letter regarding water demand.
- Rick Engineering. 2012. Traffic Impact Analysis.
- SWCA Environmental Consulting. 2012. Extended Phase I Report.
- Terra Verde. 2011. Biological Resources Assessment.

## Exhibit B - Mitigation Summary Table

### Aesthetics

**AES/mm-1:** Upon application for construction permits on the 30-acre site, the applicant shall provide a colors and materials board for review and approval by the County Department of Planning and Building. Selected colors shall be dark, earth-toned, and selected to blend in with the natural surrounding vegetation. Selected materials shall primarily be natural-appearing and consistent with the historical adobe and agricultural setting, such as wood, adobe, and stone (or similar compatible materials). Approved colors and materials shall be shown on the project plans. The Department of Planning and Building will verify compliance prior to final inspections.

**AES/mm-2:** Upon application for construction permits on the 30-acre site, the applicant shall submit an exterior lighting plan to the County Department of Planning and Building for review and approval. The plan shall provide graphic details for all proposed exterior lighting fixtures. Exterior lighting fixtures shall be "dark sky" certified or equivalent. Fixtures must be dark-colored and designed such that the bulb and reflective surfaces are obscured from off-site view.

### Air Quality

**AQ/mm-1:** All required PM<sub>10</sub> measures shall be shown on applicable grading or construction plans, and are applicable during grading and construction activities. In addition, the developer shall designate personnel to insure compliance and monitor the effectiveness of the required dust control measures (as conditions dictate, monitor duties may be necessary on weekends and holidays to insure compliance); the name and telephone number of the designated monitor(s) shall be provided to the APCD prior to construction/ grading permit issuance.

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph.
- c. Reclaimed (non-potable) water should be used whenever possible;
- d. All dirt stock pile areas should be sprayed daily as needed;
- e. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
- f. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- g. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- h. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- i. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- j. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- k. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; and,
- l. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

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

**AQ/mm-2:** The following measures shall apply, to the maximum extent feasible, during grading and construction:

- a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- b. Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- c. Use of alternative fueled equipment is recommended whenever possible; and,
- d. Signs that specify the no idling requirements must be posted and enforced at the construction site.
- e. Except as noted above (within 1,000 feet of a sensitive receptor), off-road diesel equipment shall comply with the 5 minute idling restriction identified in Section 2449(d)(3) of the California Air Resources Board's In-Use off-Road Diesel regulation: [www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf](http://www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf).
- f. Signs shall be posted in the designated queuing areas and job sites to remind off-road equipment operators of the 5 minute idling limit.

**AQ/mm-3:** Prior to issuance of grading permit, the applicant shall submit a geologic evaluation of naturally occurring asbestos on the 100-acre portion of the project site to the Air Pollution Control District. If naturally occurring asbestos is present onsite, the applicant shall comply with all requirements outlined in the Asbestos Airborne Toxic Control Measures (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan that shall be approved by the APCD prior to construction, and 2) an Asbestos Health and Safety Program. Prior to development on the 30-acre portion of the site, the applicant shall submit a Naturally Occurring Asbestos Construction and Grading Permit Exemption Request Form to the APCD. If the applicant has any questions regarding these requirements, they shall contact the APCD.

**AQ/mm-4:** Proposed demolition activities can result in potentially negative air quality impacts, especially where material exists containing asbestos material. Prior to issuance of any construction permit to remove or demolish any buildings or utility pipes on the subject property, the applicant shall provide evidence they have contacted APCD to determine: a) what regulatory jurisdictions apply to the proposed demolition, such as the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – Asbestos NESHAP); b) District notification requirements; c) the need for an asbestos survey conducted by Certified Asbestos Inspector; and d) applicable removal and disposal requirements of the asbestos-containing material.

**AQ/mm-5:** The following mitigation is required on the day(s) of the special event, when use of unpaved overflow parking areas will occur:

- a. The unpaved parking area shall be treated with a dust suppressant such that fugitive dust emissions do not impact offsite areas and do not exceed the APCD 20% opacity limit (see Technical Appendix 4.3 of the APCD CEQA Handbook).
- b. Any unpaved roads/driveways that will be used for the special event shall be maintained with an APCD-approved dust suppressant such that fugitive dust emissions do not impact offsite areas and do not exceed the APCD 20% opacity limit.
- c. The applicant may propose alternative measures of equal effectiveness by contacting the APCD Planning Division.

**AQ/mm-6:** To minimize nuisance impacts and to reduce fugitive dust emissions from the arena for the life of the project the following mitigation measures shall be incorporated into the project, and are applicable to the demonstration arena:

- a. Reduce the amount of the disturbed area where possible;
- b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency whenever wind speeds exceed 15 mph.
- c. Reclaimed (non-potable) water shall be used whenever possible;
- d. Permanent dust control measures shall be implemented as soon as possible following completion of any soil disturbing activities;
- e. 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 Air District;
- f. A person or persons shall be designated to monitor for dust and implement additional control measures as necessary to prevent transport of dust offsite. The monitor's duties shall include holidays and weekend. The name and telephone number of such persons shall be provided to the Air District prior to operation of the arena.

**AQ/mm-7:** To reduce greenhouse gas emissions generated by the project, the applicant shall incorporate the following measures into construction plans, to the maximum extent feasible:

- a. Provide good access to and from the development for pedestrians, bicyclists, and transit users.
- b. Incorporate outdoor electrical outlets to encourage the use of electric appliances and tools.
- c. Construct bikeways and/or pedestrian walkways.
- d. Provide onsite housing for employees.
- e. Parking space reduction to promote bicycle, walking, and transit use.
- f. Increase the building energy rating by 20% above Title 24 (2012) requirements.
- g. Plant drought tolerant, native shade trees along southern exposures of buildings to reduce energy used to cool buildings in summer.
- h. Use green building materials (materials which are resource efficient, recycled, and sustainable) available locally if possible.
- i. Install high efficiency heating and cooling systems.
- j. Utilize energy efficient interior lighting.
- k. Install door sweeps and weather stripping (if more efficient doors and windows are not available).
- l. Install energy-reducing programmable thermostats.
- m. Provide vanpool, shuttle, or mini bus (or school bus) service.
- n. Implement a "no idling" program for heavy-duty diesel vehicles.

## **Biological Resources**

**BR/mm-1:** Prior to grading and construction within 100 feet of Nipomo Creek, Adobe Creek, and Carillo Creek, a qualified biologist shall conduct pre-construction surveys for sensitive amphibian and reptile species within all portions of the project site containing suitable habitat. The surveys shall include at least two nighttime surveys and one daytime survey immediately preceding construction. If any sensitive species are detected, the following actions shall occur:

- a. Any detected adults will be relocated to a nearby suitable aquatic habitat. The location shall be in suitable habitat not subject to disturbance or known threats to the species. Terrestrial habitat surrounding the proposed relocation site shall be as similar in type, aspect, and density to the location of the existing riparian corridor. Sensitive species, such as California red-legged frog, will only be moved if prior approval has been granted by the U.S. Fish and Wildlife Service (see d below).
- b. A qualified biological monitor will be present during any clearing, grading, or creek activities. Additionally, a qualified biological monitor will be on site during construction activities to ensure no sensitive species have entered the work area overnight or throughout the day (i.e.,

- they will conduct a morning clearance survey and regular daily checks of the work areas).
- c. The work areas will be clearly marked to ensure that no work occurs outside of the approved limits of disturbance (i.e., lathes and flagging, t-posts and yellow ropes, and temporary signage).
  - d. The qualified biologist will receive project-specific approvals from resource agencies prior to handling any wildlife species, especially any sensitive species.
  - e. Speed limits shall be restricted to 15 miles per hour.
  - f. Work will occur only during daylight hours.

**BR/mm-2:** Upon application for construction permits, the following measures shall be included on applicable plans: Construction should be limited to the typical dry season (April 15 to October 15) in order to avoid impacts (e.g., erosion and sedimentation) to the creek and water quality. If work must occur during the rainy season, the applicant shall install adequate erosion and sedimentation controls to prevent any sediment-laden run-off from entering Nipomo Creek. Upon completion of construction, disturbed areas will be stabilized or vegetated as detailed in the project's re-vegetation plan.

**BR/mm-3:** A qualified biologist shall conduct a pre-construction survey within 30 days prior to the onset of construction activities within all potentially impacted areas of suitable badger habitat (grasslands and agricultural fields) within the 100-acre area. If badger dens are discovered, they will be inspected to determine if they are currently occupied. If dens are discovered and are inactive, they will be excavated to prevent re-occupation prior to construction. If badgers are found during their breeding and rearing season (February to July), these dens shall be avoided with an appropriate buffer to protect them from construction activities. If badgers are found outside of their breeding period, CDFG will be contacted regarding the accepted approach to exclude and excavate the den prior to equipment and other ground disturbing activity on the site.

**BR/mm-4:** All work shall be avoided during the nesting bird season (approximately February 1 through August 15), including ground and tree-nesting birds. If any construction activities are scheduled to occur during the nesting season, pre-construction bird surveys shall be conducted by a qualified biologist. The pre-construction bird surveys shall be conducted within 250 feet of any proposed construction activity within both the 30-acre and 100-acre areas. The surveys shall be conducted no more than one week prior to the scheduled onset of construction activities.

If nesting bird species are observed within 250 feet of the construction area during the surveys, the biologist shall determine the appropriate exclusion zone for the specific species. A buffer of 250 feet shall be maintained around any nesting raptors. The nesting bird exclusion zones shall be completely avoided until the qualified biologist determines that the young have successfully fledged. A qualified biologist shall conduct periodic site inspections to ensure that the exclusion zone is maintained and to monitor the nesting progression. In the event that sensitive bird species are discovered, the U.S. Fish and Wildlife Service and/or the California Department of Fish and Game will be contacted to determine the appropriate protective measures prior to any construction beginning.

If construction activities must occur within 250 feet of a nesting raptor nest, a qualified biologist shall be consulted to determine if the buffer can be reduced. If, in the opinion of the qualified biologist, the buffer cannot be safely reduced, a full-time avian monitor shall be present during all construction activities occurring within the established buffer to ensure no impacts occur. The avian monitor will have the authority to halt or re-direct work if raptors show signs of disturbance.

**BR/mm-5:** All existing oak trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading or site grubbing. The outer edge of the tree root zone to be fenced will be outside of the canopy 1/2 again the distance as measured between the tree trunk and outer edge of the canopy (i.e., 1-1/2 times the distance from the trunk to the drip line of the tree). Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas to the maximum extent feasible. If grading, compaction, or placement of fill in the root zone of an existing oak tree cannot be avoided, retaining walls may be constructed to minimize cut and fill impacts to existing oak

trees. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

**BR/mm-6:** All oak trees identified to remain shall not be removed, unless otherwise regulated by County Land Use Ordinance Section 22.56.020.A.4 (Tree Removal Permit Required, Zoning Clearance Exemption for trees in a hazardous condition). Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).

The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

Smaller oak trees (smaller than five inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

**BR/mm-7:** Newly planted oak trees shall be maintained until successfully established as determined by a qualified professional. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents) and adequate watering (e.g., drip-irrigation system). During the timeframe when the oak are being established on the 30 acres, weed removal shall occur as follows: 1) no herbicides shall have been used; 2) either installation of a) a securely staked "weed mat" (covering at least a 3-foot radius from center of plant), or b) hand removal of weeds (covering at least a 3-foot radius from center of plant) and use of weed-free mulch (at least 3" deep, 3-foot radius) with regular replenishment, shall be completed for each new plant. If the hand removal weeding option is selected it shall be kept up on a regular basis [at least once in late spring (April) and once in early winter (December)]. Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Once oak trees have been planted and prior to final inspection of building permits, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating when the above planting occurred, what was planted and all measures installed to improve the long-term success of these trees. This letter shall be submitted to the County Environmental Coordinator.

To guarantee the success of the new oak trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-

required vegetation is successfully established (for oak woodlands, no less than seven years). Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

**BR/mm-8:** Upon application for construction permits for the emergency access drive, the following measures shall be incorporated into project plans:

- a. Disturbance shall be minimized to what is necessary to safely install the emergency access bridge over Nipomo Creek.
- b. Appropriate exclusion and erosion control measures shall be installed and maintained during construction activities to minimize sedimentation into the creek and impacts to sensitive habitat.
- c. Appropriate permanent sedimentation and erosion control structures shall be included in the bridge design in order to minimize long-term impacts associated with vehicular traffic near the creek (e.g., sedimentation and erosion into the creek due to increased runoff associated with soil compaction and/or installation of impermeable surfaces).
- d. The applicant shall restore and re-vegetate any disturbed areas along the access bridge in order to stabilize the streambank.

**BR/mm-9:** Prior to work within creek channels, the applicant shall coordinate with the appropriate regulatory agencies in order to obtain permits prior to the start of construction. These agencies are likely to include: U.S. Army Corps of Engineers, California Department of Fish and Game, Regional Water Quality Control Board, and the U.S. Fish and Wildlife Service.

#### **Cultural Resources**

**CR/mm-1:** At the time of application for construction permits for development on the 30-acre site, the applicant shall delineate the archaeological site(s) as an Environmentally Sensitive Area(s) (ESA) (and avoid any reference to "archaeological") on the project plans. The ESA boundary shall be defined as approximately 3.90 acres and shall include the sensitive resource areas defined in the Phase I Surface Survey (CRMS, 2011) and Extended Phase I Survey (SWCA, 2012), and identify a 50-foot buffer (0.57 acre) around the ESA. Grading and construction plans shall clearly show areas to be capped on the 30-acre site to protect cultural resources within the ESA. Where capping shall occur, clean, sterile fill, consisting of a layer of other conspicuous material (e.g. fill of a noticeable different color) shall be placed over the native soil prior to placement of any other clean fill material. Native soils shall not be graded within the capped portion of the ESA, and to the extent feasible within the buffer area, except as permitted for utility trenching and removal of organic material. All disturbance of native soils shall be minimized to the maximum extent feasible. Activities that may potentially result in impacts to resources within the 50-foot buffer shall be minimized to the maximum extent feasible. Only sufficient fill to protect cultural resources shall be placed over the site so as to allow native soils to remain undisturbed. A qualified archaeologist shall be retained to oversee this work and a report submitted to the county prior to final inspection.

**CR/mm-2:** Upon submittal of construction permit application for project buildings within the ESA, the applicant shall utilize a project foundation design and grading plan that minimizes site disturbance within the ESA to the maximum extent feasible. The project foundation design and grading plan shall be subject to the review and approval of the Planning Director. Where final designs for construction over the ESA would result in greater impacts to cultural resources, "side-by-side" comparisons of disturbance and calculations of area, and as applicable, the depth of cultural materials affected may be required for the review and approval by the Planning Director, to determine the design that results in the least disturbance.

**CR/mm-3:** Prior to issuance of construction permits for development on the 30-acre site, the applicant shall submit to the Environmental Coordinator (and possibly subject to peer review) for

review and approval, a detailed research design for a Phase III (data recovery) archaeological investigation. The Phase III program shall be prepared by a subsurface qualified archaeologist approved by the Environmental Coordinator. The consulting archaeologist responsible for the Phase III program shall be provided with a copy of the previous archaeological investigations (CRMS, 2011; SWCA, 2012). The Phase III program shall include at least the following:

- a. Incorporation of intensive surface documentation and catalogue of artifacts and cultural materials in areas that would be impacted by the proposed development, including surface capping and development of trails.
- b. Standard archaeological data recovery practices;
- c. Recommendation of sample size adequate to mitigate for impacts due to subsurface excavation (i.e., underground utilities) within the archaeological site, including basis and justification of the recommended sample size. Sample size should be between 1 - 3% of the volume of excavated soil. If a lesser sample size is recommended, supporting information shall be presented that justifies the smaller sample size;
- d. Identification of location of sample sites/test units, including consideration of data recovery locations within areas proposed to be trenched for utility installation and other excavations;
- e. Detailed description of sampling techniques and material recovery procedures (e.g. how sample is to be excavated, how the material will be screened, screen size, how material will be collected);
- f. Disposition of collected materials;
- g. Proposed analysis of results of data recovery and collected materials, including timeline of final analysis results;
- h. List of personnel involved in sampling and analysis.

Once approved, these measures shall be shown on all applicable plans and implemented during construction.

**CR/mm-4:** Prior to final inspection, the applicant shall submit to the Environmental Coordinator, a letter from the consulting archaeologist indicating that all necessary field work, as identified in the Phase III program, has been completed.

**CR/mm-5:** Prior to issuance of construction permit, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:

- a. List of personnel involved in the monitoring activities;
- b. Description of how the monitoring shall occur;
- c. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
- d. Description of what resources are expected to be encountered;
- e. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" new archaeological resources?);
- f. Description of procedures for halting work on the site and notification procedures;
- g. Description of monitoring reporting procedures.

**CR/mm-6:** During all ground disturbing construction activities, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and Native American to monitor all earth disturbing activities, per the approved monitoring plan. If any new significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

**CR/mm-7:** Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first)] the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all

recommended mitigation measures have been met. If the analysis included in the Phase III program is not complete by the time final inspection or occupancy will occur, the applicant shall provide to the Environmental Coordinator, proof of obligation to complete the required analysis.

**CR/mm-8:** Upon application for construction permits for development on the 30-acre site, the applicant shall submit plans verifying the preservation of documented historic resources onsite, including the tallow vat, retaining wall, barn foundation, and windmill (refer to CRMS, 2011).

**CR/mm-9:** Upon application for construction permits for development on the 30-acre site, additional study including archival and field investigation shall verify the presence of the stagecoach roadbed. In the event the presence of the roadbed is determined, the applicant shall avoid the resource to the maximum extent feasible, and the site shall be included in the delineated Environmentally Sensitive Area, and addressed pursuant to the onsite capping, data recovery, and monitoring plans.

**CR/mm-10:** In the event ground disturbance exceeds six feet in depth within Diablo clay, Diablo and Cibo clays, Marimel silty clay loam, Tierra loam, or Zaca clay, the applicant shall retain a qualified paleontologist to monitor initial excavation activities. Upon completion of all monitoring/mitigation activities, and prior to final inspection, the consulting paleontologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met and include analysis of all discoveries.

### **Geology and Soils**

**GS/mm-1:** Prior to issuance of a grading permit, the applicant shall provide a copy of the Regional Water Quality Control Board-approved Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall be implemented prior to, during, and following ground disturbance.

**GS/mm-2:** At the time of application for construction permits, the applicant shall show on the construction permits, project designs that will promote groundwater recharge (22.52.140) by application of Low Impact Development (LID) design techniques. At least three designer selected LID/stormwater runoff reduction measures shall be applied to the project, including, but not limited to the following options:

- a. Parking lots shall be designed to drain to vegetated depressions, rain gardens, or open areas to allow for stormwater infiltration.
- b. Roof runoff should be directed to landscape areas (rain gardens) and / or vegetated drainage swales and shall not be directed to impervious surfaces that have the potential to contain pollutants.
- c. Vegetated drainage swales shall be constructed along the access driveway and discharge to an approved location in a non-erosive manner.
- d. Pavement disconnection within the parking area.
- e. Other measures, as approved by the County Planning Department in consultation with Public Works.
- f. These measures shall be implemented prior to final inspection or occupancy, whichever occurs first.

### **Noise**

**N/mm-1:** Upon application for construction permits, the applicant shall submit plans listing the following noise attenuation measures, which shall be implemented for the life of the project:

- a. Outdoor events with amplified music or sound shall not be permitted to continue beyond 10:00 p.m.
- b. All soundspeaker systems shall include dispersed speakers oriented away from residential properties.
- c. Within the amphitheater, speakers shall be orientated downward or positioned below the stage.

- d. The enforced amplified sound limit (excluding the amphitheater) shall be 85 decibels maximum as measured 50 feet from the source.
- e. The enforced amplified sound limit within the amphitheater shall be 80 decibels maximum as measured 50 feet from the source.
- f. An on-site manager shall be present during all events to verify the amplified sound limit using a noise meter (Type 2 or better) and address noise complaints (if received). All noise complaints and subsequent remediation actions (i.e., reducing the amplified noise level within acceptable limits, adjusting speaker locations) shall be recorded by the on-site manager and kept on file by DANA.
- g. DANA shall provide a letter to all adjacent landowners including the name and contact information for the on-site manager.

All amplified noise attenuation measures shall be listed on any special event agreements issued by DANA.

### **Transportation/Circulation**

**TR/mm-1:** Prior to issuance of building permits, to mitigate for impacts to the US 101 / West Tefft Street interchange during the PM peak hour, the applicant shall:

1. Prepare a Transportation Demand Management (TDM) Program subject to the review and approval of the Department of Public Works that adjusts:
  - a. Visitor center hours outside of the weekday a.m. peak hours (7:30 a.m. to 9:30 a.m.) and p.m. peak hours (4:30 p.m. to 6:30 p.m.), and
  - b. New employee/volunteer hours to avoid outbound trips between 4:30 p.m. and 6:00 p.m.; or
2. In the event the project would generate new peak hour trips, the applicant shall consult with the Department of Public Works, and submit the South County Area 1 Road Fee in the amount prevailing at the time of payment.

**TR/mm-2:** Upon application for construction permit for development of the 30-acre site, the applicant shall submit a street plan and profile to widen South Oakglen Avenue to complete the project site of an A-1 rural street section fronting the property. All proposed driveways shall be constructed in accordance with County Standard B-1 series drawings.

**EXHIBIT C**  
**APPLICANT PROPOSED LAND USE ORDINANCE AMENDMENT**

**San Luis Obispo County Code – Title 22, Land Use Ordinance**  
**Proposed Text Change**  
**Article 9 – Community Planning Standards (Revised June 2010)**  
**Combining Designations**  
**Section 22.112.030, Page 9-270**

**22.112.030 - Combining Designations**

The following standards apply within the applicable combining designations. These standards apply in the rural, urban and village areas, so they are not repeated in later Sections of this Chapter.

**B. Historic Area (H) - Dana Adobe.** Development of any tourist-related facilities, residential or accessory uses at the site of the Dana Adobe (see Figure 112-6) shall be in an architectural motif compatible with the adobe itself and consistent with the site master plan on file at the Department. This requirement applies to the Dana Adobe site in addition to the requirements of Sections 22.112.080.F.1 through F.4. ~~[Amended 1997, Ord. 2800] consistent with Sections 22.112.080 G.~~ *Note: this is redundant of previous sections and references F (which is not applicable) instead of G.*

**Figure 112-6 - Dana Adobe Site**

*Note: Figure stays the same.*

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**San Luis Obispo County Code – Title 22, Land Use Ordinance**  
**Proposed Text Change**  
**Article 9 – Community Planning Standards (Revised June 2010)**  
**South County Nipomo Urban Area**  
**Section 22.112.080, Pages 9-345 to 9-346**

**G. Recreation (REC) – Dana Adobe.** The following standards apply only to the properties containing and surrounding the Dana Adobe properties shown in Figure 112-57 in addition to the Historic combining designation standard in Section 22.112.030.A ~~B~~ *Note: DANA now owns the "surrounding property" so that has been deleted since the area described is in Figure 112-6. Also, the Historic combining designation requests that the reader go to Section 22.112.030 B – so no need to create a loop. If the last part stays in it should be 22.112.030 B (the "A" is proposed for deletion) – there was an error in the original text.*

**1. Limitation on use.**

- a. Prior to completion of a future Southland Street interchange emergency access accessible by the Dana Adobe properties and/or the creation of a "safe refuge", land uses shall be limited to those identified as allowable, permitted, or conditional in the residential Suburban land use category by Section 22.06.030, except for nursing and personal care, and residential care.
- b. After completion of an Southland Street interchange emergency access accessible to the Dana Adobe properties and/or a safe refuge, all land uses that are identified by Section 22.06.030 as allowable, permitted, or conditional in the Recreation land

use category may be authorized in compliance with the land use permit requirements of that Section.

2. **Permit requirement.** The development of any non-agricultural or non-residential uses shall comply with the Site Master Plan on file with the Department or an approved amendment to that Master Plan. The initial Site Master Plan or major amendments to the Site Master Plan and shall be subject to Conditional Use Permit approval. The Conditional Use Permit shall identify the area to be developed, the types of uses to be established, and an architectural motif style compatible with the adobe itself and the site's interpretation and educational components. Once a Conditional Use Permit has been approved for the Site Master Plan, minor amendments to the Master Plan may be approved by the Planning & Building Department or through a permit as designated in Article 2, Table 2-2 (Allowable Land Uses and Permit Requirements) Section 22.060.30. *Note – right now it sounds like every change would require a new CUP.*
3. **Subdivision requirement.** All new subdivisions on the site of the Dana adobe shall be clustered in compliance with Chapter 22.22. An area shall be located around the Dana adobe site, to be offered for dedication to the County, another agency, or appropriate caretaker organization for maintenance and improvements. Funding shall be provided to contribute to the improvement of the adobe and its site in an amount to be determined through the subdivision review process. The residential lots shall be located a compatible distance from the adobe. The architecture of structures within the subdivision shall be compatible with the adobe, through the use of deed covenants, conditions and restrictions (CC&Rs).
4. **Development requirements.** Siting and architecture of both residential and nonresidential uses shall be visually compatible with the Dana Adobe ~~and located to minimize their appearance from the adobe.~~ Physical linkage with the adobe site shall be designed that encourages pedestrian travel and interpretation of the site's resources. Landscaping shall be utilized should be used to buffer views between the adobe and development sites support buildings and project infrastructure such as parking lots. Should the nonprofit organization, the Dana Adobe Nipomo Amigos, cease to exist, An area shall be located around the Dana adobe site, the 29 acre site should to be offered for dedication to the County, another nonprofit agency, or appropriate caretaker organization for maintenance and improvements. Funding for the improvement of the adobe and its site at an amount to be determined through permit review shall be provided before occupancy of any proposed development. *Note: not sure of the meaning of this last sentence. Do we need the other sentence before this? A concern with landscaping is we don't want to block the views of the adobe from the visitor's center or the view of the 100 acres to the east.*

**Figure 112-57 - Property Surrounding the Dana Adobe Property**

*Note: "Property surrounding" is confusing. Thus proposed change noted above.*

**DEVELOPER'S STATEMENT FOR THE  
DANA ADOBE NIPOMO AMIGOS CONDITIONAL USE PERMIT  
DRC2011-00042**

The applicant agrees to incorporate the following measures into the project. These measures become a part to the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

**Note:** The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

### **AESTHETICS**

**AES/mm-1: Upon application for construction permits on the 30-acre site,** the applicant shall provide a colors and materials board for review and approval by the County Department of Planning and Building. Selected colors shall be dark, earth-toned, and selected to blend in with the natural surrounding vegetation. Selected materials shall primarily be natural-appearing and consistent with the historical adobe and agricultural setting, such as wood, adobe, and stone (or similar compatible materials). Approved colors and materials shall be shown on the project plans. The Department of Planning and Building will verify compliance prior to final inspections.

**Monitoring:** Required prior to issuance of construction permits. Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

**AES/mm-2: Upon application for construction permits on the 30-acre site,** the applicant shall submit an exterior lighting plan to the County Department of Planning and Building for review and approval. The plan shall provide graphic details for all proposed exterior lighting fixtures. Exterior lighting fixtures shall be "dark sky" certified or equivalent. Fixtures must be dark-colored and designed such that the bulb and reflective surfaces are obscured from off-site view.

**Monitoring:** Required prior to issuance of construction permits. Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

### **AIR QUALITY**

**AQ/mm-1:** All required PM<sub>10</sub> measures shall be shown on applicable grading or construction plans, and are applicable during grading and construction activities. In addition, the developer shall designate personnel to insure compliance and monitor the effectiveness of the required dust control measures (as conditions dictate, monitor duties may be necessary on weekends and holidays to insure compliance); the name and telephone number of the designated monitor(s) shall be provided to the APCD prior to construction/ grading permit issuance.

- a. Reduce the amount of the disturbed area where possible;

- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph.
- c. Reclaimed (non-potable) water should be used whenever possible;
- d. All dirt stock pile areas should be sprayed daily as needed;
- e. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
- f. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- g. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- h. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- i. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- j. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- k. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; and,
- l. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

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

**Monitoring:** Will be noted on all grading and construction plans. Compliance will be verified by APCD in consultation with the Department of Planning and Building.

**AQ/mm-2:** The following measures shall apply, to the maximum extent feasible, during grading and construction:

- a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- b. Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- c. Use of alternative fueled equipment is recommended whenever possible; and,
- d. Signs that specify the no idling requirements must be posted and enforced at the construction site.
- e. Except as noted above (within 1,000 feet of a sensitive receptor), off-road diesel equipment shall comply with the 5 minute idling restriction identified in Section 2449(d)(3) of the California Air Resources Board's In-Use off-Road Diesel regulation: [www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf](http://www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf).
- f. Signs shall be posted in the designated queuing areas and job sites to remind off-road equipment operators of the 5 minute idling limit.

**Monitoring:** Will be noted on all grading and construction plans. Compliance will be verified by APCD in consultation with the Department of Planning and Building.

**AQ/mm-3: Prior to issuance of grading permit,** the applicant shall submit a geologic evaluation of naturally occurring asbestos on the 100-acre portion of the project site to the Air Pollution Control District. If naturally occurring asbestos is present onsite, the applicant shall comply with all requirements outlined in the Asbestos Airborne Toxic Control Measures (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan that shall be approved by the APCD prior to construction, and 2) an Asbestos Health and Safety Program. Prior to development on the 30-acre portion of the site, the applicant shall submit a Naturally Occurring Asbestos Construction and Grading Permit Exemption Request Form to the APCD. If the applicant has any questions regarding these requirements, they shall contact the APCD.

**Monitoring:** Will be noted on all grading and construction plans. Compliance will be verified by APCD in consultation with the Department of Planning and Building.

**AQ/mm-4: Proposed demolition activities can result in potentially negative air quality impacts,** especially where material exists containing asbestos material. Prior to issuance of any construction permit to remove or demolish any buildings or utility pipes on the subject property, the applicant shall provide evidence they have contacted APCD to determine: a) what regulatory jurisdictions apply to the proposed demolition, such as the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – Asbestos NESHAP); b) District notification requirements; c) the need for an asbestos survey conducted by Certified Asbestos Inspector; and d) applicable removal and disposal requirements of the asbestos-containing material.

**Monitoring:** Will be noted on all grading and construction plans. Compliance will be verified by APCD in consultation with the Department of Planning and Building.

**AQ/mm-5: The following mitigation is required on the day(s) of the special event,** when use of unpaved overflow parking areas will occur:

- a. The unpaved parking area shall be treated with a dust suppressant such that fugitive dust emissions do not impact offsite areas and do not exceed the APCD 20% opacity limit (see Technical Appendix 4.3 of the APCD CEQA Handbook).
- b. Any unpaved roads/driveways that will be used for the special event shall be maintained with an APCD-approved dust suppressant such that fugitive dust emissions do not impact offsite areas and do not exceed the APCD 20% opacity limit.
- c. The applicant may propose alternative measures of equal effectiveness by contacting the APCD Planning Division.

**Monitoring:** Compliance will be verified by APCD in consultation with the Department of Planning and Building.

**AQ/mm-6: To minimize nuisance impacts and to reduce fugitive dust emissions from the arena for the life of the project the following mitigation measures shall be incorporated into the project, and are applicable to the demonstration arena:**

- a. Reduce the amount of the disturbed area where possible;

- b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency whenever wind speeds exceed 15 mph.
- c. Reclaimed (non-potable) water shall be used whenever possible;
- d. Permanent dust control measures shall be implemented as soon as possible following completion of any soil disturbing activities;
- e. 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 Air District;
- f. A person or persons shall be designated to monitor for dust and implement additional control measures as necessary to prevent transport of dust offsite. The monitor's duties shall include holidays and weekend. The name and telephone number of such persons shall be provided to the Air District prior to operation of the arena.

**Monitoring:** Compliance will be verified by APCD in consultation with the Department of Planning and Building

**AQ/mm-7:** To reduce greenhouse gas emissions generated by the project, the applicant shall incorporate the following measures into construction plans, to the maximum extent feasible:

- a. Provide good access to and from the development for pedestrians, bicyclists, and transit users.
- b. Incorporate outdoor electrical outlets to encourage the use of electric appliances and tools.
- c. Construct bikeways and/or pedestrian walkways.
- d. Provide onsite housing for employees.
- e. Parking space reduction to promote bicycle, walking, and transit use.
- f. Increase the building energy rating by 20% above Title 24 (2012) requirements.
- g. Plant drought tolerant, native shade trees along southern exposures of buildings to reduce energy used to cool buildings in summer.
- h. Use green building materials (materials which are resource efficient, recycled, and sustainable) available locally if possible.
- i. Install high efficiency heating and cooling systems.
- j. Utilize energy efficient interior lighting.
- k. Install door sweeps and weather stripping (if more efficient doors and windows are not available).
- l. Install energy-reducing programmable thermostats.
- m. Provide vanpool, shuttle, or mini bus (or school bus) service.
- n. Implement a "no idling" program for heavy-duty diesel vehicles.

**Monitoring:** Will be noted on construction plans. Compliance will be verified by APCD in consultation with the Department of Planning and Building

**BIOLOGICAL RESOURCES**

**BR/mm-1:** Prior to grading and construction within 100 feet of Nipomo Creek, Adobe Creek, and Carillo Creek, a qualified biologist shall conduct pre-construction surveys for sensitive amphibian and reptile species within all portions of the project site containing suitable habitat. The surveys shall include at least two nighttime surveys and one daytime survey immediately preceding construction.

If any sensitive species are detected, the following actions shall occur:

- a. Any detected adults will be relocated to a nearby suitable aquatic habitat. The location shall be in suitable habitat not subject to disturbance or known threats to the species. Terrestrial habitat surrounding the proposed relocation site shall be as similar in type, aspect, and density to the location of the existing riparian corridor. Sensitive species, such as California red-legged frog, will only be moved if prior approval has been granted by the U.S. Fish and Wildlife Service (see d below).
- b. A qualified biological monitor will be present during any clearing, grading, or creek activities. Additionally, a qualified biological monitor will be on site during construction activities to ensure no sensitive species have entered the work area overnight or throughout the day (i.e., they will conduct a morning clearance survey and regular daily checks of the work areas).
- c. The work areas will be clearly marked to ensure that no work occurs outside of the approved limits of disturbance (i.e., lathe and flagging, t-posts and yellow ropes, and temporary signage).
- d. The qualified biologist will receive project-specific approvals from resource agencies prior to handling any wildlife species, especially any sensitive species.
- e. Speed limits shall be restricted to 15 miles per hour.
- f. Work will occur only during daylight hours.

**Monitoring:** Will be noted on all grading and construction plans. Compliance will be verified by the biological monitor and Department of Planning and Building.

**BR/mm-2: Upon application for construction permits,** the following measures shall be included on applicable plans: Construction should be limited to the typical dry season (April 15 to October 15) in order to avoid impacts (e.g., erosion and sedimentation) to the creek and water quality. If work must occur during the rainy season, the applicant shall install adequate erosion and sedimentation controls to prevent any sediment-laden run-off from entering Nipomo Creek. Upon completion of construction, disturbed areas will be stabilized or vegetated as detailed in the project's re-vegetation plan.

**Monitoring:** Will be noted on an all grading and construction plans. Compliance will be verified by the biological monitor and Department of Planning and Building.

**BR/mm-3: A qualified biologist shall conduct a pre-construction survey within 30 days prior to the onset of construction activities** within all potentially impacted areas of suitable badger habitat (grasslands and agricultural fields) within the 100-acre area. If badger dens are discovered, they will be inspected to determine if they are currently occupied. If dens are discovered and are inactive, they will be excavated to prevent re-occupation prior to construction. If badgers are found during their breeding and rearing season (February to July), these dens shall be avoided with an appropriate buffer to protect them from construction activities. If badgers are found outside of their breeding period, CDFG will be contacted regarding the accepted approach to exclude and excavate the den prior to equipment and other ground disturbing activity on the site.

**Monitoring:** Will be noted on all grading and construction plans. Compliance will be verified by the biological monitor and Department of Planning and Building.

**BR/mm-4:** All work shall be avoided during the nesting bird season (approximately February 1 through August 15), including ground and tree-nesting birds. If any construction activities are scheduled to occur during the nesting season, pre-construction bird surveys shall be conducted by a qualified biologist. The pre-construction bird surveys shall be conducted within 250 feet of any proposed construction activity within both the 30-acre and 100-acre areas. The surveys shall be conducted no more than one week prior to the scheduled onset of construction activities.

If nesting bird species are observed within 250 feet of the construction area during the surveys, the biologist shall determine the appropriate exclusion zone for the specific species. A buffer of 250 feet shall be maintained around any nesting raptors. The nesting bird exclusion zones shall be completely avoided until the qualified biologist determines that the young have successfully fledged. A qualified biologist shall conduct periodic site inspections to ensure that the exclusion zone is maintained and to monitor the nesting progression. In the event that sensitive bird species are discovered, the U.S. Fish and Wildlife Service and/or the California Department of Fish and Game will be contacted to determine the appropriate protective measures prior to any construction beginning.

If construction activities must occur within 250 feet of a nesting raptor nest, a qualified biologist shall be consulted to determine if the buffer can be reduced. If, in the opinion of the qualified biologist, the buffer cannot be safely reduced, a full-time avian monitor shall be present during all construction activities occurring within the established buffer to ensure no impacts occur. The avian monitor will have the authority to halt or re-direct work if raptors show signs of disturbance.

**Monitoring:** Will be noted on all grading and construction plans. Compliance will be verified by the biological monitor and Department of Planning and Building.

**BR/mm-5:** All existing oak trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading or site grubbing. The outer edge of the tree root zone to be fenced will be outside of the canopy 1/2 again the distance as measured between the tree trunk and outer edge of the canopy (i.e., 1-1/2 times the distance from the trunk to the drip line of the tree). Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas to the maximum extent feasible. If grading, compaction, or placement of fill in the root zone of an existing oak tree cannot be avoided, retaining walls may be constructed to minimize cut and fill impacts to existing oak trees. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

**Monitoring:** Will be noted on all grading and construction plans. Compliance will be verified by the biological monitor and Department of Planning and Building.

**BR/mm-6:** All oak trees identified to remain shall not be removed, unless otherwise regulated by County Land Use Ordinance Section 22.56.020.A.4 (Tree Removal Permit Required, Zoning Clearance Exemption for trees in a hazardous condition). Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).

The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

Smaller oak trees (smaller than five inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

**Monitoring:** Will be noted on all grading and construction plans. Compliance will be verified by the biological monitor and Department of Planning and Building.

**BR/mm-7:** Newly planted oak trees shall be maintained until successfully established as determined by a qualified professional. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents) and adequate watering (e.g., drip-irrigation system). During the timeframe when the oaks are being established on the 30 acres, weed removal shall occur as follows: 1) no herbicides shall have been used; 2) either installation of a) a securely staked "weed mat" (covering at least a 3-foot radius from center of plant), or b) hand removal of weeds (covering at least a 3-foot radius from center of plant) and use of weed-free mulch (at least 3" deep, 3-foot radius) with regular replenishment, shall be completed for each new plant. If the hand removal weeding option is selected it shall be kept up on a regular basis [at least once in late spring (April) and once in early winter (December)]. Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Once oak trees have been planted and prior to final inspection of building permits, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating when the above planting occurred, what was planted and all measures installed to improve the long-term success of these trees. This letter shall be submitted to the County Environmental Coordinator.

To guarantee the success of the new oak trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established (for oak woodlands, no less than seven years). Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and

successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

**Monitoring:** Will be noted on all grading and construction plans. Compliance will be verified by the biological monitor and Department of Planning and Building.

**BR/mm-8: Upon application for construction permits for the emergency access drive, the following measures shall be incorporated into project plans:**

- a. Disturbance shall be minimized to what is necessary to safely install the emergency access bridge over Nipomo Creek.
- b. Appropriate exclusion and erosion control measures shall be installed and maintained during construction activities to minimize sedimentation into the creek and impacts to sensitive habitat.
- c. Appropriate permanent sedimentation and erosion control structures shall be included in the bridge design in order to minimize long-term impacts associated with vehicular traffic near the creek (e.g., sedimentation and erosion into the creek due to increased runoff associated with soil compaction and/or installation of impermeable surfaces).
- d. The applicant shall restore and re-vegetate any disturbed areas along the access bridge in order to stabilize the streambank.

**Monitoring:** Will be noted on all grading and construction plans. Compliance will be verified by the biological monitor and Department of Planning and Building.

**BR/mm-9: Prior to work within creek channels, the applicant shall coordinate with the appropriate regulatory agencies in order to obtain permits prior to the start of construction. These agencies are likely to include: U.S. Army Corps of Engineers, California Department of Fish and Game, Regional Water Quality Control Board, and the U.S. Fish and Wildlife Service.**

**Monitoring:** Will be noted on all grading and construction plans. The applicant shall submit copies of permit authorizations or other documentation to the Department of Planning and Building, and shall maintain a copy of such permit authorizations onsite.

## **CULTURAL RESOURCES**

**CR/mm-1: At the time of application for construction permits for development on the 30-acre site, the applicant shall delineate the archaeological site(s) as an Environmentally Sensitive Area(s) (ESA) (and avoid any reference to "archaeological") on the project plans. The ESA boundary shall be defined as approximately 3.90 acres and shall include the sensitive resource areas defined in the Phase I Surface Survey (CRMS, 2011) and Extended Phase I Survey (SWCA, 2012), and identify a 50-foot buffer (0.57 acre) around the ESA. Grading and construction plans shall clearly show areas to be capped on the 30-acre site to protect cultural resources within the ESA. Where capping shall occur, clean, sterile fill, consisting of a layer of other conspicuous material (e.g. fill of a noticeable different color) shall be placed over the native soil prior to placement of any other clean fill material. Native soils shall not be graded within the capped portion of the ESA, and to the extent feasible within the buffer area, except as permitted for utility trenching and removal of organic material. All disturbance of native soils shall be minimized to the maximum extent feasible. Activities that may potentially result in impacts to resources within the 50-foot buffer shall be minimized to the maximum extent**

feasible. Only sufficient fill to protect cultural resources shall be placed over the site so as to allow native soils to remain undisturbed. A qualified archaeologist shall be retained to oversee this work and a report submitted to the county prior to final inspection.

**Monitoring:** Will be shown on grading and construction plans. Compliance will be verified by the Department of Planning and Building.

**CR/mm-2: Upon submittal of construction permit application for project buildings within the ESA,** the applicant shall utilize a project foundation design and grading plan that minimizes site disturbance within the ESA to the maximum extent feasible. The project foundation design and grading plan shall be subject to the review and approval of the Planning Director. Where final designs for construction over the ESA would result in greater impacts to cultural resources, "side-by-side" comparisons of disturbance and calculations of area, and as applicable, the depth of cultural materials affected may be required for the review and approval by the Planning Director, to determine the design that results in the least disturbance.

**Monitoring:** Compliance will be verified by the Department of Planning and Building.

**CR/mm-3: Prior to issuance of construction permits for development on the 30-acre site,** the applicant shall submit to the Environmental Coordinator (and possibly subject to peer review) for review and approval, a detailed research design for a Phase III (data recovery) archaeological investigation. The Phase III program shall be prepared by a subsurface qualified archaeologist approved by the Environmental Coordinator. The consulting archaeologist responsible for the Phase III program shall be provided with a copy of the previous archaeological investigations (CRMS, 2011; SWCA, 2012). The Phase III program shall include at least the following:

- a. Incorporation of intensive surface documentation and catalogue of artifacts and cultural materials in areas that would be impacted by the proposed development, including surface capping and development of trails.
- b. Standard archaeological data recovery practices;
- c. Recommendation of sample size adequate to mitigate for impacts due to subsurface excavation (i.e., underground utilities) within the archaeological site, including basis and justification of the recommended sample size. Sample size should be between 1 - 3% of the volume of excavated soil. If a lesser sample size is recommended, supporting information shall be presented that justifies the smaller sample size;
- d. Identification of location of sample sites/test units, including consideration of data recovery locations within areas proposed to be trenched for utility installation and other excavations;
- e. Detailed description of sampling techniques and material recovery procedures (e.g. how sample is to be excavated, how the material will be screened, screen size, how material will be collected);
- f. Disposition of collected materials;
- g. Proposed analysis of results of data recovery and collected materials, including timeline of final analysis results;
- h. List of personnel involved in sampling and analysis.

Once approved, these measures shall be shown on all applicable plans and implemented during construction.

**Monitoring:** Compliance will be verified by the Department of Planning and Building.

**CR/mm-4: Prior to final inspection**, the applicant shall submit to the Environmental Coordinator, a letter from the consulting archaeologist indicating that all necessary field work, as identified in the Phase III program, has been completed.

**Monitoring:** Compliance will be verified by the Department of Planning and Building.

**CR/mm-5: Prior to issuance of construction permit**, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:

- a. List of personnel involved in the monitoring activities;
- b. Description of how the monitoring shall occur;
- c. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
- d. Description of what resources are expected to be encountered;
- e. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" new archaeological resources?);
- f. Description of procedures for halting work on the site and notification procedures;
- g. Description of monitoring reporting procedures.

**Monitoring:** Compliance will be verified by the archaeological monitor and Department of Planning and Building.

**CR/mm-6: During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and Native American to monitor all earth disturbing activities, per the approved monitoring plan. If any new significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

**Monitoring:** Compliance will be verified by the archaeological monitor and Department of Planning and Building.

**CR/mm-7: Upon completion of all monitoring/mitigation activities**, and prior to occupancy or final inspection (whichever occurs first) the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met. If the analysis included in the Phase III program is not complete by the time final inspection or occupancy will occur, the applicant shall provide to the Environmental Coordinator, proof of obligation to complete the required analysis.

**Monitoring:** Compliance will be verified by the archaeological monitor and Department of Planning and Building.

**CR/mm-8: Upon application for construction permits for development on the 30-acre site**, the applicant shall submit plans verifying the preservation of documented historic resources onsite, including the tallow vat, retaining wall, barn foundation, and windmill (refer to

CRMS, 2011).

**Monitoring:** Compliance will be verified by the Department of Planning and Building.

**CR/mm-9: Upon application for construction permits for development on the 30-acre site,** additional study including archival and field investigation shall verify the presence of the stagecoach roadbed. In the event the presence of the roadbed is determined, the applicant shall avoid the resource to the maximum extent feasible, and the site shall be included in the delineated Environmentally Sensitive Area, and addressed pursuant to the onsite capping, data recovery, and monitoring plans.

**Monitoring:** Compliance will be verified by the Department of Planning and Building.

**CR/mm-10: In the event ground disturbance exceeds six feet in depth within Diablo clay, Diablo and Cibo clays, Marimel silty clay loam, Tierra loam, or Zaca clay,** the applicant shall retain a qualified paleontologist to monitor initial excavation activities. Upon completion of all monitoring/mitigation activities, and prior to final inspection, the consulting paleontologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met and include analysis of all discoveries.

**Monitoring:** Compliance will be verified by the Department of Planning and Building.

## **GEOLOGY AND SOILS**

**GS/mm-1: Prior to issuance of a grading permit,** the applicant shall provide a copy of the Regional Water Quality Control Board-approved Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall be implemented prior to, during, and following ground disturbance.

**Monitoring:** Compliance will be verified by the Department of Planning and Building.

**GS/mm-2: At the time of application for construction permits,** the applicant shall show on the construction permits, project designs that will promote groundwater recharge (22.52.140) by application of Low Impact Development (LID) design techniques. At least three designer selected LID/stormwater runoff reduction measures shall be applied to the project, including, but not limited to the following options:

- a. Parking lots shall be designed to drain to vegetated depressions, rain gardens, or open areas to allow for stormwater infiltration.
- b. Roof runoff should be directed to landscape areas (rain gardens) and / or vegetated drainage swales and shall not be directed to impervious surfaces that have the potential to contain pollutants.
- c. Vegetated drainage swales shall be constructed along the access driveway and discharge to an approved location in a non-erosive manner.
- d. Pavement disconnection within the parking area.
- e. Other measures, as approved by the County Planning Department in consultation with Public Works.
- f. These measures shall be implemented prior to final inspection or occupancy, whichever occurs first.

**Monitoring:** Compliance will be verified by the Department of Planning and Building

## **NOISE**

**N/mm-1: Upon application for construction permits,** the applicant shall submit plans listing the following noise attenuation measures, which shall be implemented for the life of the project:

- a. Outdoor events with amplified music or sound shall not be permitted to continue beyond 10:00 p.m.
- b. All soundspeaker systems shall include dispersed speakers oriented away from residential properties.
- c. Within the amphitheater, speakers shall be orientated downward or positioned below the stage.
- d. The enforced amplified sound limit (excluding the amphitheater) shall be 85 decibels maximum as measured 50 feet from the source.
- e. The enforced amplified sound limit within the amphitheater shall be 80 decibels maximum as measured 50 feet from the source.
- f. An on-site manager shall be present during all events to verify the amplified sound limit using a noise meter (Type 2 or better) and address noise complaints (if received). All noise complaints and subsequent remediation actions (i.e., reducing the amplified noise level within acceptable limits, adjusting speaker locations) shall be recorded by the on-site manager and kept on file by DANA.
- g. DANA shall provide a letter to all adjacent landowners including the name and contact information for the on-site manager.

All amplified noise attenuation measures shall be listed on any special event agreements issued by DANA.

**Monitoring:** Will be noted on construction plans. Compliance will be verified by the Department of Planning and Building

## **TRANSPORTATION AND CIRCULATION**

**TR/mm-1: Prior to issuance of building permits,** to mitigate for impacts to the US 101 / West Tefft Street interchange during the PM peak hour, the applicant shall:

1. Prepare a Transportation Demand Management (TDM) Program subject to the review and approval of the Department of Public Works that adjusts:
  - a. Visitor center hours outside of the weekday a.m. peak hours (7:30 a.m. to 9:30 a.m.) and p.m. peak hours (4:30 p.m. to 6:30 p.m.), and
  - b. New employee/volunteer hours to avoid outbound trips between 4:30 p.m. and 6:00 p.m.; or
2. In the event the project would generate new peak hour trips, the applicant shall consult with the Department of Public Works, and submit the South County Area 1 Road Fee in the amount prevailing at the time of payment.

**Monitoring:** Required prior to issuance of construction permits. Compliance will be verified by the Department of Public Works, in consultation with the Department of

Environmental Determination: 11-044

Date: March 27, 2012  
Revised: April 2, 2012

**Planning and Building.**

**TR/mm-2:** Upon application for construction permit for development of the 30-acre site, the applicant shall submit a street plan and profile to widen South Oakglen Avenue to complete the project site of an A-1 rural street section fronting the property. All proposed driveways shall be constructed in accordance with County Standard B-1 series drawings.

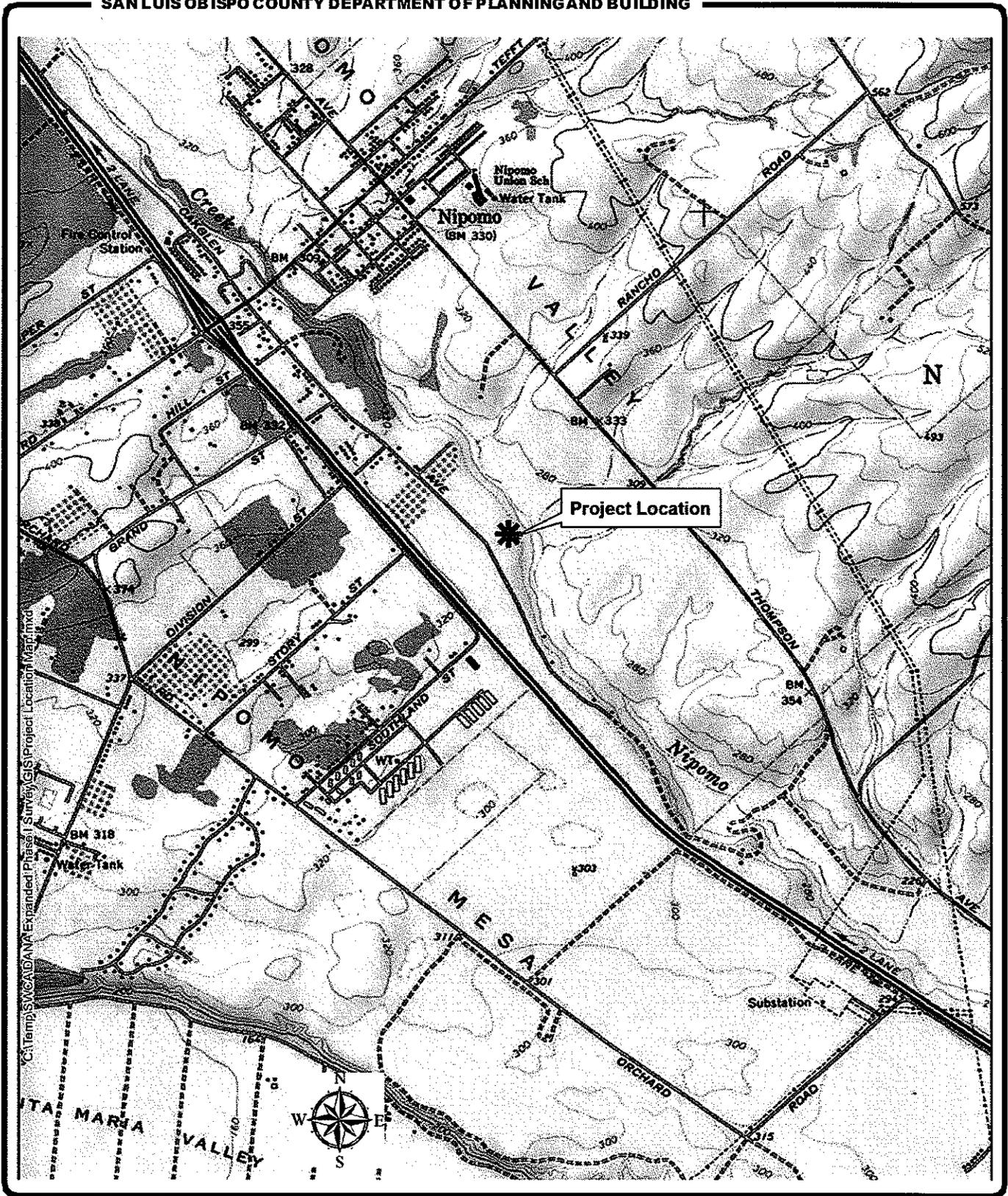
**Monitoring:** Required prior to issuance of construction permits. Compliance will be verified by the Public Works Department in consultation with the Planning and Building Department.

*The applicant understands that any changes made to the project subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.*

Helen Daurio Alan P. Daurio  
Signature of Owner(s)

4-03-12  
Date

Helen DAURIO Alan P. Daurio  
Name (Print)

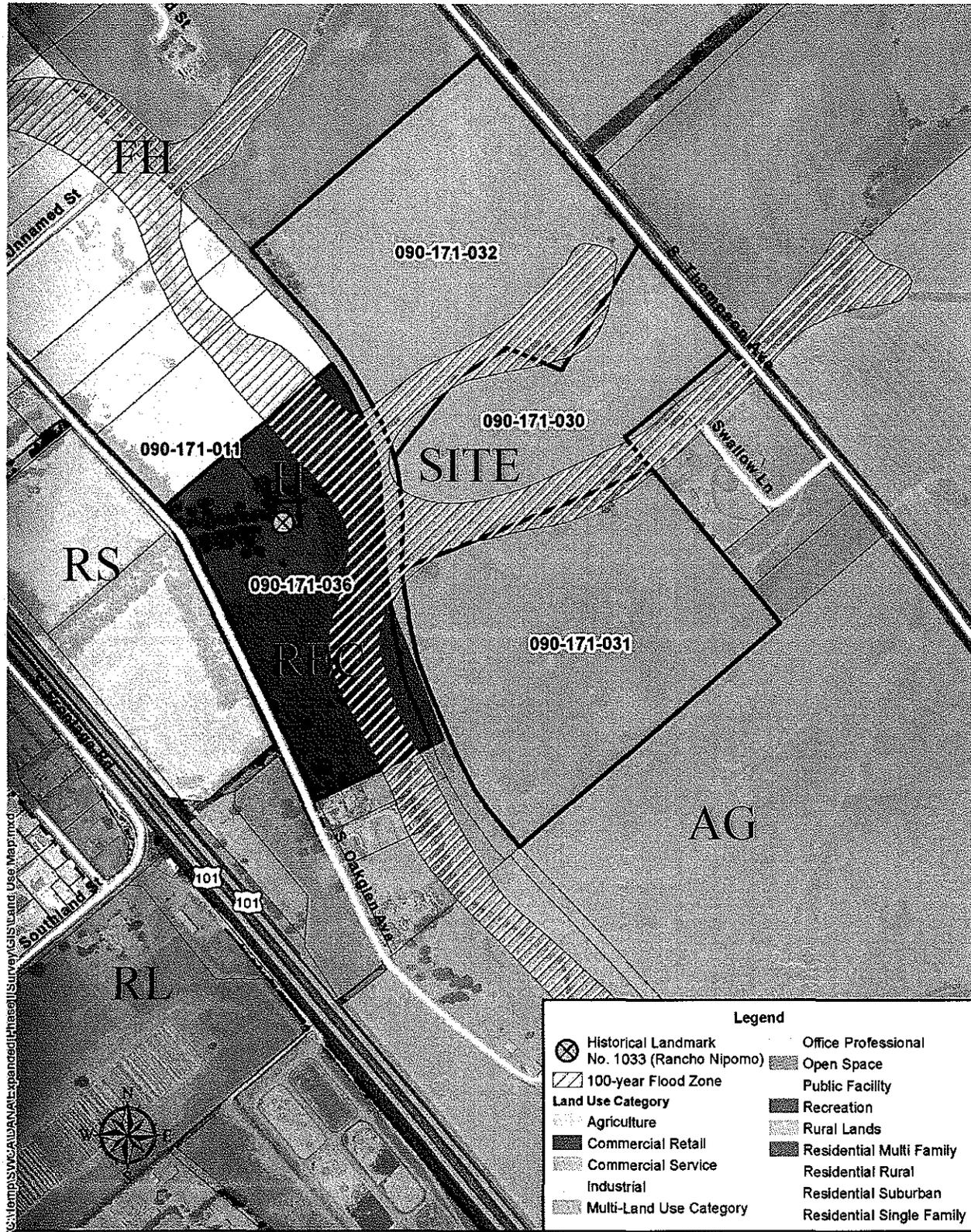


C:\Temp\SWCA\DANA Expanded Phase I Survey\GIS\Project Location Map.mxd

**PROJECT**  
DANA LUO Amendment and CUP  
LRP2011-00001 / DRC2011-00042



**EXHIBIT**  
Site Vicinity



**PROJECT**  
**DANA LUO Amendment and CUP**  
**LRP2011-00001 / DRC2011-00042**



**EXHIBIT**  
**Land Use Category**

HORSE TRAILER PARKING AREA

DATE: 11/10/11

EXISTING RANCH ROADS TO BE ABANDONED (TYPICAL)

EXISTING RANCH ROAD TO BE USED AS HIKING TRAIL (TYPICAL). (MAINTENANCE VEHICLE ACCESS, DRY SEASON ONLY)

EXISTING RANCH ROAD TO BE USED AS HIKING TRAIL (TYPICAL)

EMERGENCY ACCESS CONNECTION TO SWALLOW LAKE

NATIVE BUFFER PLANTINGS

HIKING TRAILS APPROX. 8' WIDE. EXISTING RANCH ROADS TO BE ABANDONED (TYPICAL)

HIKING TRAILS. SEE TYPICAL SECTION, THIS SHEET

EMERGENCY ACCESS DRIVE 18 FT. ALL WEATHER SURFACE (LESS THAN 12%, TYPICAL)

INTERPRETIVE PATH LOOP 8' WIDE, CLASS 2 BASE

EMERGENCY ACCESS DRIVE 18 FT. ALL WEATHER SURFACE, ALL-WEATHER

**Restoration Areas:**

-  County Conservation Easement  
22.85 acres
-  Land Conservancy Conservation Easement  
5.87 acres
-  Proposed Dana Riparian Restoration Area  
0.36 acres

CARETAKER RESIDENCE

THE RANCHO LEVA  
OFF STREET 3 & 4

VISITOR CENTER

CHUMASH VILLAGE

SERVICE ACCESS

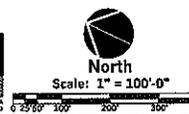
MAIN ACCESS

SERVICE ACCESS

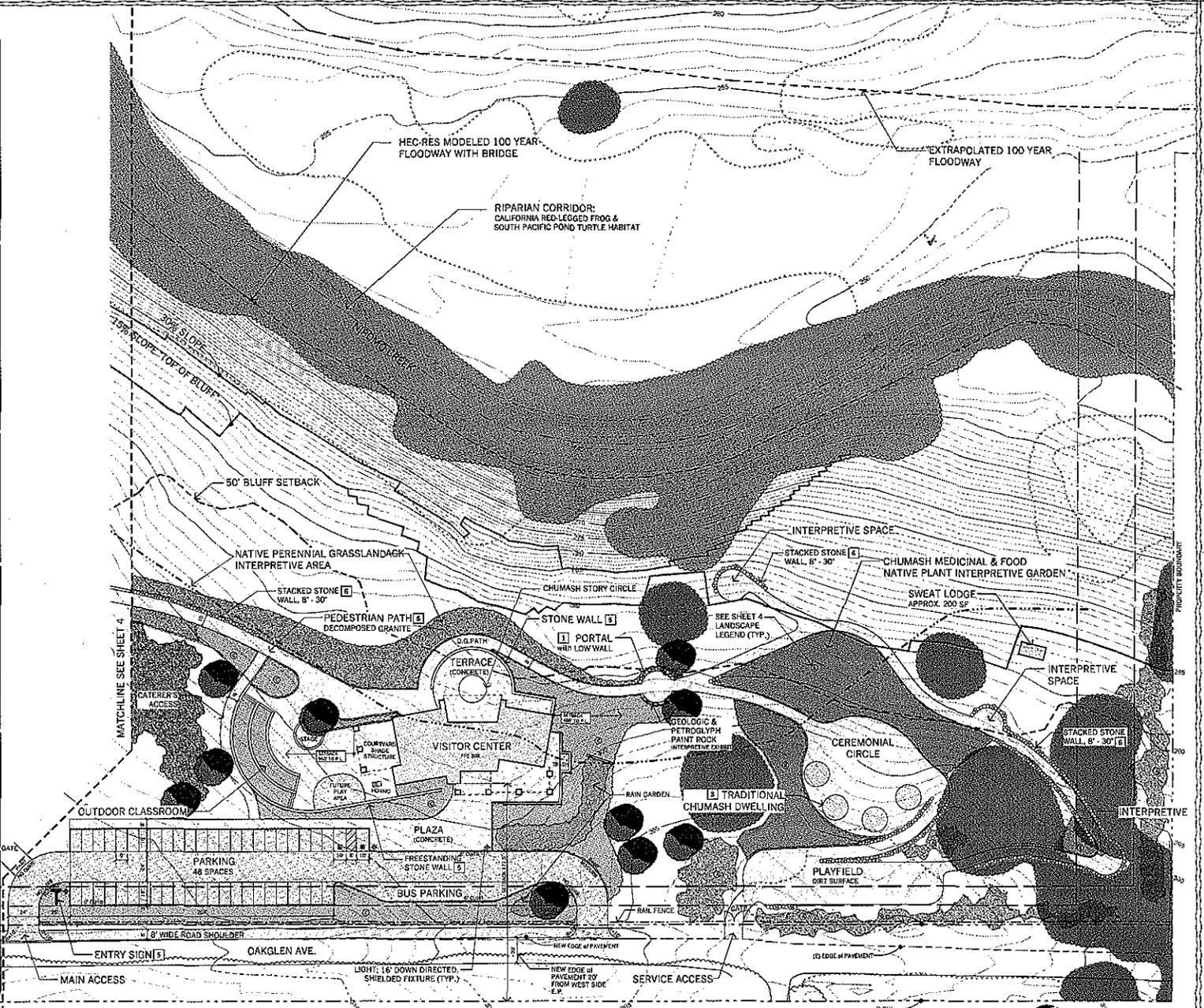
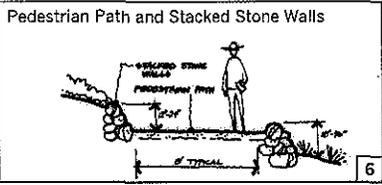
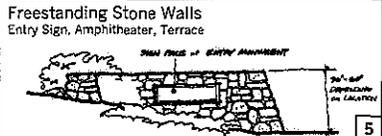
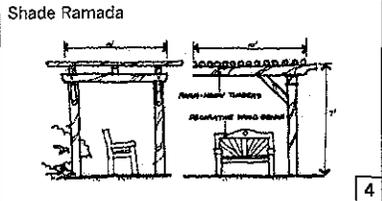
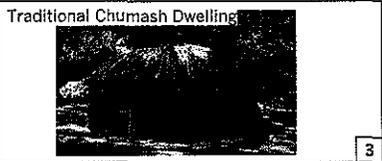
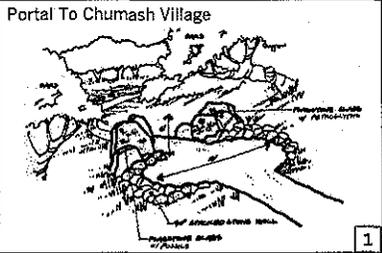
# Stories of the Ranchos

Dana Adobe Nipomo Amigos

# Master Plan



**Typical Site Elements:**



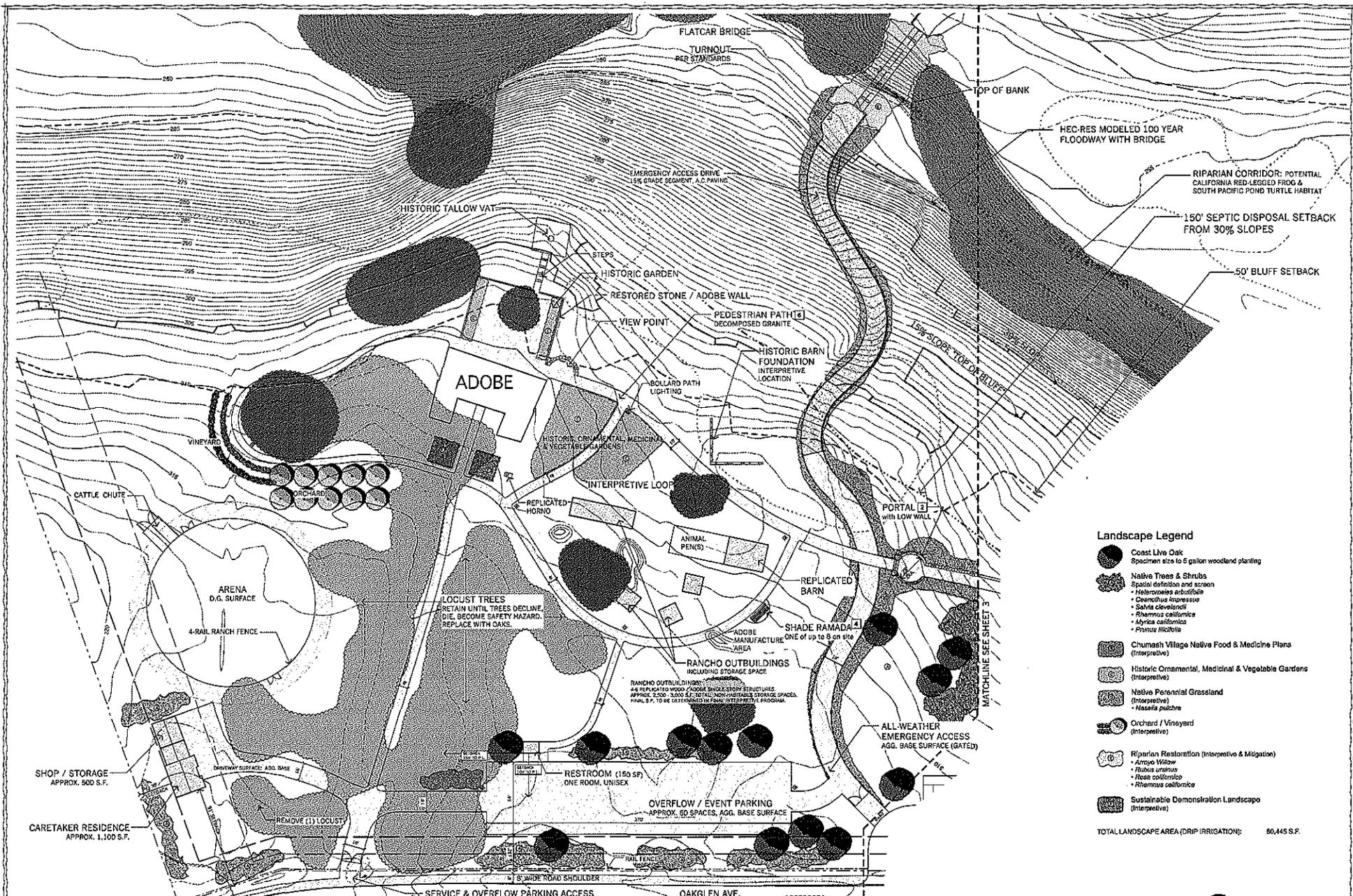
**Stories of the Ranchos**  
Dana Adobe Nipomo Amigos

**Site Plan**  
Visitor Center & Chumash Village



3

November 30, 2011



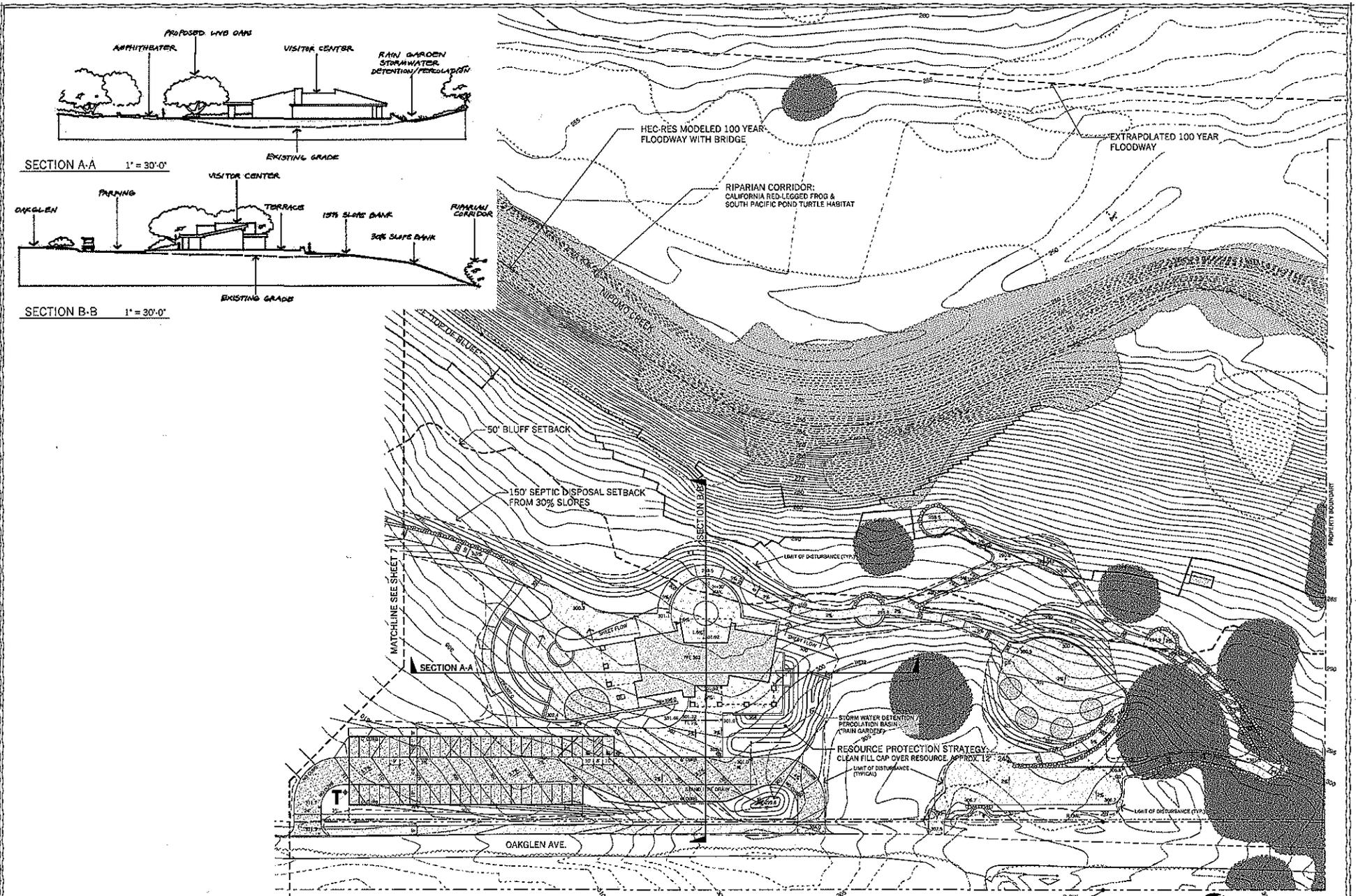
- Landscape Legend**
- Coast Live Oak  
Specimen size to 5 gallon woodland planting
  - Native Trees & Shrubs  
Spatial definition and screen
    - *Hesperis matronalis*
    - *Ceanothus impressus*
    - *Salvia clevelandii*
    - *Rhus californica*
    - *Myrica californica*
    - *Pinus mitis*
  - Chumash Village Native Food & Medicine Plants  
(Interpretive)
  - Historic Ornamental, Medicinal & Vegetable Gardens  
(Interpretive)
  - Native Perennial Grassland  
(Interpretive)
    - *Nassella pulchra*
  - Orchard / Vineyard  
(Interpretive)
  - Riparian Restoration (Interpretive & Mitigation)
    - *Alnus incana*
    - *Rhus urens*
    - *Rosa californica*
    - *Rhamnus californica*
  - Sustainable Demonstration Landscape  
(Interpretive)
- TOTAL LANDSCAPE AREA (DRIP IRRIGATION): 66,445 S.F.

**Stories of the Ranchos**  
Dana Adobe Nipomo Amigos

**Site Plan**  
The Rancho Era







**Stories of the Ranchos**  
 Dana Adobe Nipomo Amigos

**Preliminary Grading & Drainage**  
 Visitor Center & Chumash Village





**Stories of the Ranchos**  
 Dana Adobe Nipomo Amigos

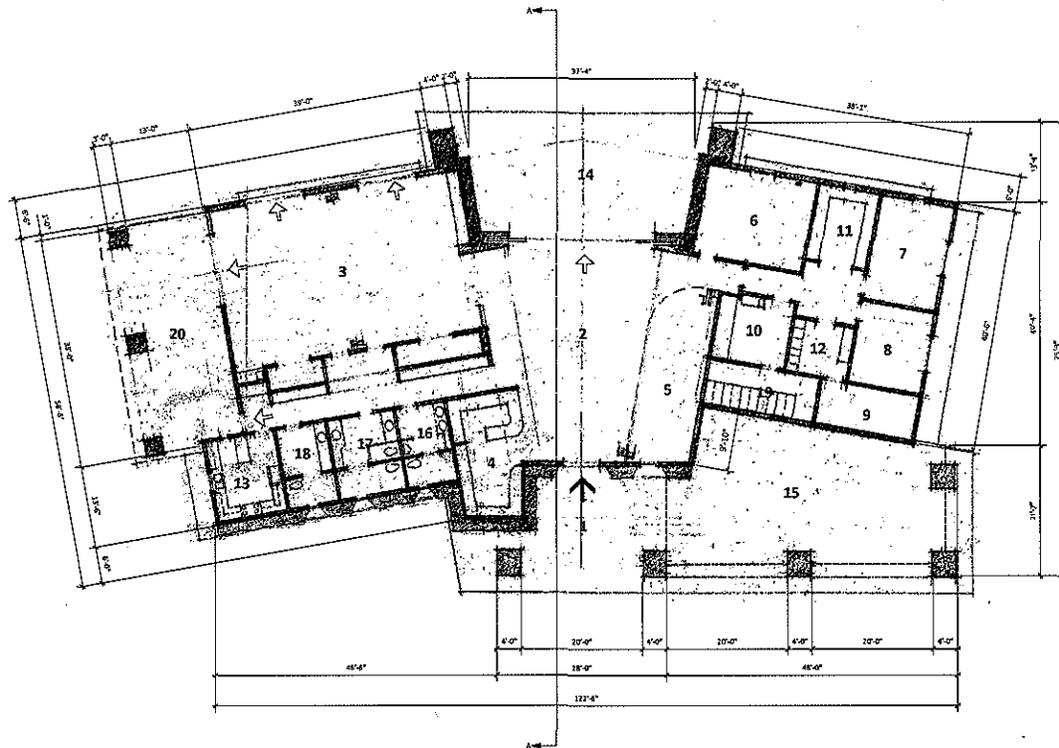
**Preliminary Grading & Drainage**  
 Visitor Center & Chumash Village



North  
 Scale: 1" = 30'-0"

7

Northup 10, 2011  
 50' 20' 10' 0"



**ROOM LEGEND**

Number	Name	Size
1	Entry	20' x 18'
2	Gallery	20' (Ave.) x 35'
3	Classrooms	20' x 20' each
4	Bookshop	11' (Ave.) x 20'
5	Exhibit	10'6" x 25'
6	Multi Function	18' x 15'
7	Office 1	12' x 17'6"
8	Office 2	12' x 13'6"
9	Storage	16' x 9'
10	Curator 1	12' x 11'
11	Work / Copy	10' x 12'6"
12	Doors	10' x 8'6"
13	Kitchen	11'6" x 13'
14	Covered Outdoor Space 1	37' (Ave.) x 20'
15	Future Conference & Curator	48' x 25' (ave.)
16	Men's Restroom	8' x 13'
17	Women's Restroom	11' x 13'
18	Bride's Dressing & Restroom	8' x 13'
19	Curator 2	18' x 9'
20	Covered Outdoor Space 2	18'6" x 35'

**Stories of the Ranchos**

Dana Adobe Nipomo Amigos

**FLOOR PLAN**  
 FOOTPRINT: 5,300 s.f.  
 FUTURE EXPANSION: 966 s.f.

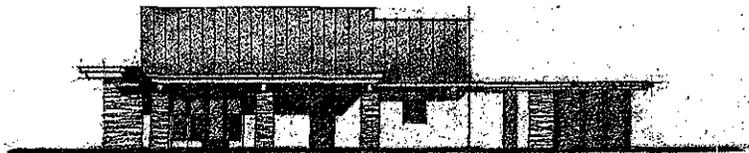


**Steven Pughisi**  
 ARCHITECTURE  
 583 Dana Street, San Luis Obispo, Ca 95061  
 Phone: 805.965.1969 Fax: 805.965.1980

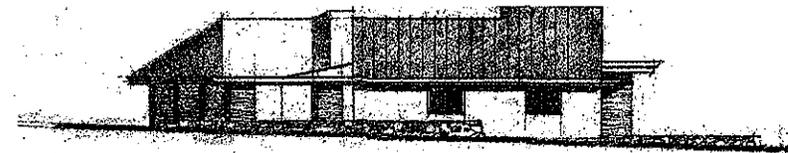
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 4' 0' 2' 4' 8' 16'



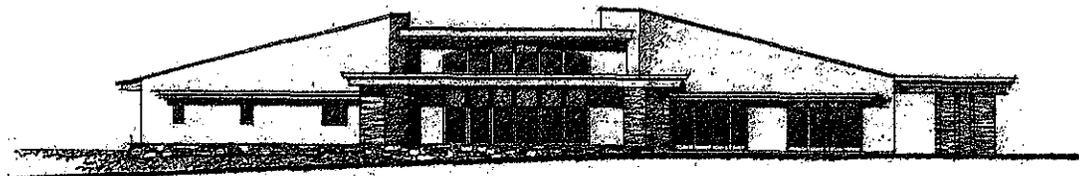
WEST (FRONT) VIEW



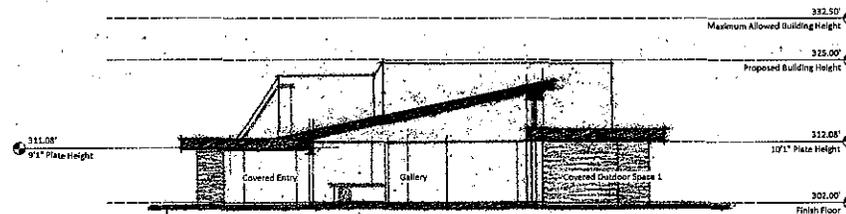
NORTH VIEW



SOUTH VIEW



EAST (REAR) VIEW



SECTION A

<b>MAXIMUM BUILDING HEIGHT ALLOWED</b>	
Average Natural Grade	297.50
Maximum Height Above Grade	35.00
Maximum Building Height Allowed	332.50

<b>PROPOSED BUILDING HEIGHT</b>	
Finish Floor	302.00
Plate Height	11.00
Roof Truss Height (39'0" @ 3:12)	9.75
Roof Framing Section	2.00
Roof Sheathing & Rafting	0.25
<b>TOTAL PROPOSED BUILDING HEIGHT</b>	<b>325.00</b>

# Stories of the Ranchos

Dana Adobe Nipomo Amigos

## EXTERIOR ELEVATIONS



Steven Puglisi  
ARCHITECTURE  
383 Bana Street, San Luis Obispo, CA 93401  
Phone: 805.595.1949 Fax: 805.595.1980

Scale: 1/8" = 1'-0"  
4' 0' 2' 4' 8' 16'

**10**

06/04/21, 2011



# SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS

Paavo Ogren, Director

County Government Center, Room 207 • San Luis Obispo, CA 93408 • (805) 781-5252

Fax (805) 781-1229 • email: address: [pwd@co.slo.ca.us](mailto:pwd@co.slo.ca.us)

## MEMORANDUM

Date: December 8, 2011

To: Brian Pedrotti, South County Team Planner

From: Tim Tomlinson, Development Services Engineer

Subject: Public Works Project referral for DRC2011-00042 – Dana Adobe Nipomo Amigos, Master Plan for the Dana Adobe, Oakglen Avenue, Nipomo APN 090-171-011 etc.

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

### **PUBLIC WORKS REQUESTS THAT AN INFORMATION HOLD BE PLACED ON THIS PROJECT UNTIL THE APPLICANT PROVIDES THE FOLLOWING DOCUMENTS FOR PUBLIC WORKS REVIEW AND COMMENT:**

1. Please have the applicant provide a Traffic Engineers Report addressing, at a minimum:
  - a. Evaluation of event traffic impacts, circulation and recommended mitigations
  - b. Center left turn lane evaluation for the proposed access driveways off Oakglen Avenue.
2. In accordance with Land Use Ordinance, Section 22.10.155, the proposed project is considered a Priority Project and required to submit a Stormwater Quality Priority Project Application with the project application:  
<http://www.slocounty.ca.gov/Assets/PL/Grading+and+Stormwater+Mgmt/stormwaterapp.pdf>

### **Public Works Comments:**

- A. The project meets the applicability criteria outlined in Title 22.10.155 or Title 23.04.450 for Stormwater Management, therefore, the project may be subject to the NPDES General Permit Attachment 4 Design Standards.
- B. The proposed project is within the South County Road Improvement Fee Area 1. Road Improvement Fees must be paid prior to building permit issuance.
- C. The proposed project is within a drainage review area and includes a 100 year flood hazard area within its boundaries.
- D. It is recommended that the proposed project be designed to promote groundwater recharge (22.52.140) by application of LID design. Techniques to mitigate the proposed impervious parking and building areas should be implemented.

- E. Drainage and Flood Hazard plans are required and will be reviewed at the time of Building Permit submittal. The applicant should review Chapters 22.52.110 and 22.14.060 of the Land Use Ordinance prior to plan submittal.
- F. Dana Adobe should address the waste and recycling collection and container storage for visitors and staff. The Adobe's consultants can contact the garbage company servicing that area to discuss the type and size of containers, the placement of them and the collection schedule. The company can send out a representative to discuss this so service can be well planned for the specific site. The company can be reached at 805-486-4246

**Recommended Project Conditions of Approval:**

**Roads**

- 1. Street plan and profile for widening **Oakglen Avenue** to complete the project side of an A-1 rural street section fronting the property. All proposed driveways shall be constructed in accordance with County Standard B-1 series drawings.

**Fees**

- 2. **On-going condition of approval (valid for the life of the project)**, and in accordance with Title 13.01 of the County Code the applicant shall be responsible for paying to the Department of Public Works the South County Area 1 Road Fee for future building permits in the amount prevailing at the time of payment.

**Drainage**

- 3. **At the time of application for construction permits**, the applicant shall submit complete drainage and or Flood Hazard plans for review and approval in accordance with Sections 22.52.110 (Drainage Plan Required) and 22.14.060 (Flood Hazard Area) of the Land Use Ordinance.
- 4. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.
- 5. **At the time of application for construction permits**, the applicant shall demonstrate that the project construction plans are in conformance with the Source Control BMP's as identified for project incorporation in the applicant's *Stormwater Quality Plan Application for Priority Projects*.
- 6. **On-going condition of approval (valid for the life of the project)**; the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

**Recycling**

- 7. **On-going condition of approval (valid for the life of the project)**, the applicants shall provide recycling opportunities to all facility users at all events in accordance with Ordinance 2008-3 of the San Luis Obispo County Integrated Waste Management Authority (mandatory recycling for residential, commercial and special events).

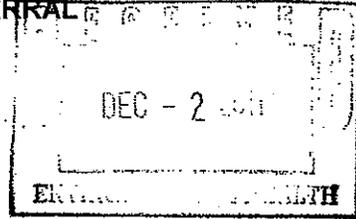


SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 11/28 /2011

TO: Env. Health



FROM: Brian Pedrotti, South County Team

**PROJECT DESCRIPTION:** DRC2011-00042 DANA ADOBE NIPOMO AMIGOS- Conditional use permit for the master plan for the Dana Adobe. 130 acre site located off South Oakglen Ave. in Nipomo. Project includes 6,266 sf visitor center on 30 acres. APNs: 090-171-011-, 036, 030, 031 and 032.

Return this letter with your comments attached no later than: 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

**PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?**

- YES (Please go on to PART II.)
- NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

**PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?**

- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
- NO (Please go on to PART III)

**PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.**

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

If the "catering kitchen" will be used to provide food to the public then it must be constructed to H&S code standards & must obtain a health permit.

12/15/11  
Date

[Signature]  
Name

X5551  
Phone



COUNTY OF SAN LUIS OBISPO

**Department of Agriculture/Weights and Measures**

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556

(805) 781-5910 • FAX (805) 781-1035

Martin Settevendemie  
Agricultural Commissioner/Sealer

[www.slocounty.ca.gov/agcomm](http://www.slocounty.ca.gov/agcomm)

[AgCommSLO@co.slo.ca.us](mailto:AgCommSLO@co.slo.ca.us)

**DATE:** March 26, 2012  
**TO:** Brian Pedrotti, Project Manager  
**FROM:** Lynda L. Auchinachie, Agriculture Department *GA*  
**SUBJECT:** Dana Adobe Conditional Use Permit DRC2011-00042 (16)

The Agriculture Department's review finds that the proposed Dana Adobe Conditional Use Permit for a master planned visitor/interpretive center on a 130 acre project site will have less than significant impacts to agricultural resources or operations. The Department recommends the following conditions to maximize the availability of water for agricultural production, to minimize runoff, and to maximize groundwater recharge:

- Minimize lawn/turf areas and irrigated landscaping, and require all landscaped areas to be drip irrigated. This measure minimizes non-agricultural water use and helps to protect groundwater resources for agricultural production.
- Maximize the use of pervious and semi-pervious areas in order to promote groundwater recharge, minimize erosion and sedimentation and protect farmland for agricultural use.

Comments and recommendations are based on policies in the San Luis Obispo County Agriculture Element, Conservation and Open Space Element, the Land Use Ordinance, the California Environmental Quality Act (CEQA), and on current departmental policy to conserve agricultural resources and to provide for public health, safety and welfare while mitigating to the extent feasible the negative impacts of development to agriculture.

If you have questions, please call 781-5914.

### **Project Description and Agricultural Setting**

The project site is located between South Oakglen and Thompson Avenue, in southern Nipomo. The 130 acre site is located within both the Recreation and Agriculture land use categories. Proposed visitor serving development is concentrated on the 30-acre Recreation portion of the project site that is naturally divided from the surrounding agricultural areas by an extensive riparian area. The area designated Agriculture is limited to interpretive trails along existing internal roadways and a parking/staging area located immediately off Thompson Avenue. The trails will have controlled access and do not interface with adjacent agricultural operations. The majority of the Agriculture portion of the site will be used for agricultural production that compliments the interpretive objectives of the project.

The properties to the northeast and southeast continue to be used for agriculture production. The area currently supports irrigated vegetable production, dry farm grains, and cattle grazing.

### **Impacts to Agricultural Resources**

The proposed development would result in the development of a visitor/interpretive center and trails on an approximately 130 acre project site. The project has been designed to be compatible with surrounding agricultural uses by locating proposed development an adequate distance from off-site agricultural resources/operations and interpretive trails along existing internal roadways away from adjacent agricultural uses consistent with AGP 18 – Location of Improvements. Impacts to agricultural resources will be less than significant; however, the Department recommends the following conditions to maximize the availability of water for agricultural production, to minimize runoff, and to maximize groundwater recharge:

- Minimize lawn/turf areas and irrigated landscaping, and require all landscaped areas to be drip irrigated. This measure minimizes non-agricultural water use and helps to protect groundwater resources for agricultural production.
- Maximize the use of pervious and semi-pervious areas in order to promote groundwater recharge, minimize erosion and sedimentation and protect farmland for agricultural use.



**CAL FIRE**  
**San Luis Obispo**  
**County Fire Department**

635 N. Santa Rosa • San Luis Obispo, CA 93405  
Phone: 805-543-4244 • Fax: 805-543-4248  
www.calfireslo.org



*Robert Lewin, Fire Chief*

## COMMERCIAL FIRE PLAN REVIEW

December 16, 2011

Subject: DRC2011-00042 Dana Adobe Nipomo Amigos

To: Brian Pedrotti, South County Team

I have reviewed the Condition Use Permit for the master plan for the Dana Adobe Nipomo Amigos project located on a 130-acre site at 671 South Oakglen Avenue in Nipomo, California. The project is in State Responsibility Area within a moderate fire hazard severity zone with a 5-minute response time from the nearest County Fire Station. The project and applicant shall comply with the 2010 California Fire Code (CFC), the 2010 California Building Code (CBC), the Public Resources Code (PRC) and any other applicable fire laws.

### **Roof Coverings:**

The roof type will have to be consistent with the requirements of Chapter 1505 of the 2010 CBC and no less than a Class "C" roof.

### **Roof Access:**

- All buildings over 18 feet in height will have fixed laddering at two exterior remote locations or provide landscaping which reduces the ladder access height to 18 feet. The exception to this requirement is if the building has a protected stairway to the roof.

### **Fire Flow Requirements within a Community Water System:**

A commercial water system shall be required with fire flows meeting the standards of CFC Article 5 and Appendix B. The minimum main size shall not be less than 6 inches. Pressures may not be less than 20 psi or more than 150 psi. The Plans for the entire system should be submitted to the County Fire Department.

### **Water Supply Connection:**

This project will require the installation of new pressurized fire hydrants. Fire hydrants are to be located as outlined in Chapter 5 & Appendix C of the 2010 CFC. Plans shall be submitted to the County Fire Department for approval of the distribution system and hydrant locations. Fire hydrants shall have two, 2 1/2 inch outlets with National Standard Fire threads and one 4-inch suction outlet with National Standard Fire threads and comply with County Standard W-1. Each hydrant shall be identified by a blue reflective dot located on a non-skid surface located just off of center on the fire hydrant side. Hydrants must be protected from vehicle impact with the use of curbing or bollards.

**Fire Protection Systems:**

A Fire Alarm System is required as outlined in CBC Section 907 & County Code 19.20.019(b) for all buildings over 2000 sq. ft. The alarm system shall comply with NFPA 72. The alarm system shall terminate at a 24-hour monitoring point (CFC Section 907). Three sets of plans shall be submitted to the County Fire Department for approval.

This project will require a commercial fire sprinkler system in all **new** buildings. The existing "Adobe" shall be exempted from having a fire sprinkler system but shall have both heat and smoke detectors installed and are to be monitored by the projects fire alarm system. The type of sprinklers required will depend on the occupancy type and must comply with NFPA 13, 20, 22. The applicant will have to identify what Hazard Class the project is for review by the fire department (exp. Ordinary Hazard Class II), for each of the buildings in the project. Three sets of plans and calculations shall be submitted for functional review and approval to the County Fire Department. The contractor shall be licensed by the State of California, CFC 903. A licensed alarm company shall monitor the fire sprinkler and alarm system. The fire department connection (FDC) supporting the sprinkler systems shall be located within 20 feet of a County standard hydrant and visible on fire engine approach to the building. A letter from the monitoring company shall be submitted to the County Fire Department verifying service.

**Technical Report:**

A Fire Protection Engineer shall review the Fire Protection Systems for this project. A list of Fire Protection Engineers is available on our website at <http://www.calfireslo.org>. The Fire Protection Engineer will require that you provide working plans as outlined in NFPA 13, 14.1 (2002). The Fire Protection Engineer will be required to send an original letter of their project review when completed, including all changes needed.

**Portable Fire Extinguishers:**

Portable fire extinguishers shall be installed in all the occupancies in compliance with the CFC 906 and Title 19. The contractor shall be licensed by the State Fire Marshal.

**Exiting:**

All egress and exiting requirements shall comply with the California Building Code to provide egress from the building to the public way.

**Building Set Backs New Buildings:**

A minimum 30-foot setback shall be provided from all property lines, PRC 4290, Section 1276.01.

**Note: Setbacks are subject to County Planning Department approval.**

**Commercial Access Road South Oakglen Avenue entrances:**

- A commercial access road must be 20 feet wide.
- Parking is only allowed where an additional 8 feet of width is added for each side of the road that has parking.
- "No Parking - Fire Lane" signs will be required.
- Fire lanes shall be provided as set forth in the California Fire Code Section 503.
- Fire access shall be provided within 150 feet of the outside building perimeter.
- Must be an all weather non-skid paved surface.
- All roads must be able to support a fire engine weighing 40,000 pounds.
- Vertical clearance of 13'6" is required.

### **Secondary Access Driveway to Swallow/Thompson Avenue:**

- A secondary access driveway from Oakglen Avenue to Swallow Lane must be 18 feet wide.
- "No Parking – Fire Lane" signs will be required.
- Must be all weather non-skid paved surface.
- Must be able to support a fire engine weighing 40,000 pounds.
- Vertical clearance of 13'6" is required.
- A 10-foot wide "railcar" bridge will be allowed to cross Nipomo Creek.
- The bridge is required to support a fire engine load weight of 20 tons.
- The bridge must have a sign indicating load & vertical clearance limits at entrances.
- The bridge must have a turnout at both ends and have clear visibility.
- Gates must be locked open anytime there is the potential to have 50 or more people on the property.

### **Gates:**

- Must be setback from the road 30 feet from the intersection.
- Must automatically open with no special knowledge.
- Must have a KNOX key box or switch for fire department access. Call the Prevention Bureau for an order form at (805) 593-3429.
- Gate shall have an approved means of emergency operation at all times. CFC 503.6
- Gate must be 2 feet wider than the road on each side.
- Gates must have a turnaround located on each side of the each gate.

### **Addressing:**

Address numbers must be legible from the roadway and on all buildings. They shall be on a contrasting background and a minimum of 8 inches high with a 1/2" stroke. A monument sign displaying the location of all buildings in the complex must be displayed in a prominent location at the entrance to the facility. CFC 505.1 Streets and roads shall be identified with approved signs. CFC 505.2

### **Trails:**

All trails shall have signage to identify whereabouts of visitors in the event of emergency. The signage will be placed so visitors can describe their location to emergency responders.

### **Emergency Access:**

All commercial buildings shall install a Knox key box for fire department emergency access. The box shall be installed prior to final inspection of the building. An order form is available from the Prevention Bureau, call for more information at (805) 593-3429.

### **Defensible Space and Construction Type:**

Each building site will be built with a "Defensible Space." Public Resource Code 4291 requires all structures to provide a 100 foot clearance free of flammable vegetation around all structures. This project must comply with the 2010 California Building Code Chapter 7A "Materials and Construction methods for exterior wildfire exposure." Building sites should be located so that the structure is not directly above or below a topographic "chimney." All landscaping should be of fire resistive plants, preferably natives.

**A Wildland Fire/Vegetation Management Plan must be developed and approved by CDF.**

**Building Signage:** All interior & exterior doors providing access to fire protection or building systems shall be labeled. Examples: electrical, fire alarm control panel, fire riser, standpipes, test valves, roof access etc. The signs shall be a minimum size of 12" x 12" with characters at least 1-inch high in block lettering with a minimum of 1/4" stroke. The lettering shall be of a contrasting color to the sign background.

**Fire Safety during Construction:**

Prior to construction, an operational water supply system and established access roads must be installed. CFC Section 503.1 & 508. During construction all applicable Public Resources Codes must be complied with to prevent a wildfire. These will include the use of spark arresters, adequate clearance around welding operations, smoking restrictions and having extinguishers on site. The Industrial Operations Fire Prevention Field Guide will assist the applicant and can be found at the following website:  
[http://cdfdata.fire.ca.gov/fire\\_er/fpp\\_engineering\\_view?guide\\_id=12](http://cdfdata.fire.ca.gov/fire_er/fpp_engineering_view?guide_id=12)

**Special Events:**

No special events will be allowed until the completion of the "secondary access driveway" to Swallow/Thompson Avenue. All special events shall be approved by the County Fire Department 30 days in advance. A list of Special Events should be submitted each year. The applicant must submit a site plan, a description of the events, the number of anticipated participants, measures taken to mitigate the impact of the events on public safety and a written emergency plan for medical aids, injuries, structure fires, wildland fires and other emergencies. The buildings which will be used for special events must be identified during plan review as they may impact the occupancy classification, thus changing the building requirements. No special events will be allowed in buildings designed for other uses, such as stables and barns unless the building is in full compliance of all requirements for assembly occupancy type. The County Fire Department will review the submitted plans and make comments and necessary requirements.

**Emergency Plans:**

A written emergency plan will be developed and written for medical aids, structure fires, wildland fires and other types of emergencies. This plan should include an inventory of equipment and its location, trained personnel and their responsibilities, evacuation procedures of buildings, trails and other facilities, identification of safe refuge areas, facility evacuation and any other pertinent information. The plan should include a site map. NFPA 299 Chapter 10, NFPA 1620

If I can provide additional information or assistance on this mater, please don't hesitate to contact me at (805) 543-4244.

Respectfully,



Tina Rose  
Fire Inspector

C: SLO County – Shaun Cooper  
Marina Washburn  
Jan Di Leo

NOV 1 200

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER

DATE: DECEMBER 9, 2011

**AGENDA ITEM**  
**E-2**  
**DECEMBER 14, 2011**

## **REVIEW DANA ADOBE NIPOMO AMIGOS PROJECT WATER USE PROJECTION**

### **ITEM**

Review Dana Adobe Nipomo Amigos (DANA) Project Water Use Projection [RECOMMEND REVIEW INFORMATION AND DIRECT STAFF]

### **BACKGROUND**

In April 2011, DANA received a grant of \$2.9 million to design, permit and construct Stories of the Rancho Project (Project). The County General Plan restricts development along South Oakglen Avenue. DANA is seeking revision to the applicable sections of the General Plan to allow the Project to move forward.

DANA receives potable water service from the District under an Outside Users Agreement (Attached). As an Outside User, DANA pays double the stand-by and use rates of regular District customers. The District and the DANA Project are located within the Nipomo Mesa Water Conservation Area as established by County Ordinance 3090. Ordinance 3090 prohibits General Plan Amendments that increase non-agricultural water demand more than the amount otherwise available based on the land uses possible under the current County General Plan within the Nipomo Mesa Water Conservation Area.

The District requested DANA provide a water use projection for the proposed project (see attached). District review of the water use projection indicates that the projections are prepared in accordance with industry professional standards of practice and District requirements. The proposed project is estimated to require an equivalent amount of water as currently permitted by the District's Water Service Limitations if the parcels were developed as residential. Thus it appears that the project will not increase non-agricultural water demand more than the amount otherwise available based on the land uses possible under the current County General Plan.

### **FISCAL IMPACT**

Minor budgeted staff time was utilized to prepare these materials.

### **RECOMMENDATION**

Staff recommends that the Board receive staff's presentation, consider the draft comment letter, suggest edits and revisions, and by motion and roll call vote, direct staff to provide the comment letter for the project to the County.

### **ATTACHMENTS**

- DANA Outside Users Agreement
- DANA Water Use Projection
- Draft Comment Letter

**MEMORANDUM OF ASSIGNMENT OF WATER SERVICE AGREEMENT  
DANA ADOBE**

San Luis Obispo County Historical Society ("Assignor" or "SLOCHS") and the Nipomo Community Services District ("NCSD") enter into this Memorandum of Assignment ("Memorandum of Assignment") of a Water Service Agreement for the benefit of the Dana Adobe located at 671 S. Oakglen Avenue, Nipomo, California, with reference to the following Recitals:

**RECITALS**

- A. On or about June 5, 1972, NCSD and SLOCHS entered into an agreement ("Agreement") whereby the NCSD agreed to provide the Dana Adobe water from the NCSD water system for the use of the Dana Adobe. Said Agreement is attached hereto as Exhibit "A" and incorporated herein by reference as though set forth at length (herein "Agreement").
- B. SLOCHS desires to transfer, or has transferred, the Dana Adobe to Dana Adobe Nipomo Amigos, a non-profit corporation, ("DANA" or "Assignees").
- C. Section 7 of the Agreement provides as follows:  
  
"Neither party shall assign this Agreement or any rights thereunder without the prior written consent of the other party".
- D. The parties enter into this Memorandum of Assignment for the purposes of acknowledging the NCSD's consent to the assignment of the Agreement from SLOCHS to DANA.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. Incorporation of Recitals

Recitals A through D are incorporated herein by reference as though set forth at length.

MEMORANDUM OF ASSIGNMENT OF WATER SERVICE AGREEMENT  
DANA ADOBE

2. Assignment to DANA

Pursuant to Paragraph 7 of the Agreement, SLOCHS requests the NCSD's consent to the assignment of the Agreement to DANA.

3. NCSD's consent

On January 14, 2004, the NCSD, at its regularly scheduled meeting, approved the Assignment and instructed District Legal Counsel to prepare an agreement acknowledging NCSD's consent.

4. Incorporation of Agreement

The terms and conditions of the Agreement are incorporated herein by reference.

5. Successors and Assigns

This Memorandum of Assignment shall bind and inure to the benefit of the parties and their respective heirs, successors, and assigns, subject, however, to the provisions of the Agreement.

6. Governing Law

This Memorandum and the Agreement are governed by California law.

Executed as of the date referenced below at Nipomo, California, County of San Luis Obispo, State of California.

ASSIGNOR: SLOCHS

ASSIGNEE: DANA

  
San Luis Obispo Historical Society

  
Dana Adobe Nipomo Amigos

By: JOHN SCHURZ  
(Print Name)

By: KATHY KUBIAR  
(Print Name)

Date: July 2, 2004

Date: JULY 6, 2004

///  
///

MEMORANDUM OF ASSIGNMENT OF WATER SERVICE AGREEMENT  
DANA ADOBE

CONSENT OF NCSD

Effective the date the real property known as the Dana Adobe is transferred to DANA and subject to the terms and conditions of this Memorandum of Assignment, NCSD consents to the Assignment of the Agreement to Assignee.

Executed the 6<sup>th</sup> day of July, 2004 in Nipomo, California, on behalf of the Nipomo Community Services District.

By: Michael Winn  
Michael Winn, President  
Nipomo Community Services District  
Board of Directors

ATTEST:

Donna K. Johnson  
Donna K. Johnson, Secretary  
to the Nipomo Community Services District  
Board of Directors

## AGREEMENT

THIS AGREEMENT entered into this 5th day of June 1972, by and between the NIPOMO COMMUNITY SERVICES DISTRICT, a public corporation located in the County of San Luis Obispo, State of California, and hereinafter termed "District", and the SAN LUIS OBISPO COUNTY HISTORICAL SOCIETY, a non-profit corporation located in the County of San Luis Obispo, State of California, and hereinafter termed "Society":

### WITNESSETH:

WHEREAS, Society operates the Dana Adobe located outside of the Nipomo Community Services District boundaries, and

WHEREAS, the Dana Adobe is a structure of outstanding historical significance in the County of San Luis Obispo and is open to the public for viewing, and

WHEREAS, the Dana Adobe has no water presently available to it, but has urgent need of water for sanitary purposes, and

WHEREAS, Nipomo Community Services District has water which it can make available to the Dana Adobe for said purposes, it is in the public interest that such be done, District has the legal power so to do, and there is no other source of water for the Dana Adobe than District.

NOW, THEREFORE, in consideration of the mutual covenants, conditions, promises and agreements herein set forth, District

District and Society, the parties hereto, hereby mutually covenant and agree as follows:

1. That the above recitals are true and correct.
2. That District shall provide to Society water from the District water system for the use of the Dana Adobe, and Society shall pay District for said water pursuant to the duly established District water rates.
3. That Society shall pay for all costs of connecting the Dana Adobe to the District water system.
4. That the District shall install a water meter for the Dana Adobe in the County road right of way at the end of Districts ten (10) inch water main on Oak Glenn (a County road); provided, however, that Society shall pay District the cost of said meter, and Society shall pay District the regular District hook-up charge.
5. That Society shall at its own sole cost and expense install waterpipes from said meter to the Dana Adobe approximately 5/8 of a mile in said County road; provided that said waterpipes shall be the property of Society and shall be operated, maintained, repaired, replaced and enlarged by Society at its sole cost and expense.
6. That Society agrees that District has prior waterpipe and appurtenant facility rights in said County road where Society will install said waterpipes as stated hereinabove, and that District is not waiving said prior rights therein by this Agreement; therefore, Society agrees that if at

anytime in the future it is in the judgment of District in its interest to so do, District may install its own waterpipes and appurtenant facilities in said County road in said same area; and Society further agrees that in the above event, if at such time or any other time the relocation of the waterpipes or any portion thereof installed by Society pursuant to this Agreement is required, that Society will pay for the full cost of said relocation.

7. Neither party shall assign this Agreement or any rights thereunder without the prior written consent of the other party.

8. In the event that title to the Dana Adobe is transferred, either voluntarily or involuntarily, at any time, to any person, firm, corporation or entity, public or private, other than Society, then in that event this Agreement shall automatically terminate and be null and void; provided that in that event District may cease furnishing water to said Dana Adobe, and Society agrees that it is not acquiring any water rights by this Agreement.

9. This Agreement shall be binding on the successors and assigns of District and of Society.

IN WITNESS WHEREOF, District and Society have executed this Agreement on the day and year first hereinabove set forth.

NIPOMO COMMUNITY SERVICES DISTRICT

By: *Ronald J. Sullivan*  
President of the Governing Board  
of said District

ATTEST:

*M. H. All*  
Secretary of the Governing Board  
of said District

SAN LUIS OBISPO COUNTY HISTORICAL  
SOCIETY

By: *W. Young Davis*  
President of said Society

*Philip W. Andrews*  
Secretary of said Society

Hodge  
Land Planning + Civil Engineering

This letter is to provide supporting analysis for the determination that the proposed Stories of the Ranchos Project CUP application Master Plan will not use more water than the amount otherwise available under NCSD ordinance based on the land uses possible today under the County Land Use Element.

The proposed project includes a Visitor Center, caretaker residence, and associated landscape. See attached Master Plan.

Under the General Plan, uses currently allowed are limited to those in the Residential Suburban Land Use category. The category allows secondary dwellings.

**Water Demand Certification Requirement**

Legal parcels:

090.171.036 (30.72 acres)

090.171.011 (0.253 acres / 11,025 s.f.)

NCSD Ordinance No. 2009-114 section 3.05.030 sets the residential water use limits by parcel size:

For parcels less than 12,768 s.f. the allocation is **0.40 AFY**

For parcels greater than 25,536 s.f. the allocation is 0.82 AFY and a secondary dwelling is allocated an additional 10%, yielding **0.90**

Therefore, based on the two Dana parcels with the assumption that a secondary dwelling is allowed on 090.171.036, the allocation would be **1.30 AFY** (0.40 + 0.90)

**Estimated Water Demand**

**Visitor Center and freestanding restroom<sup>1</sup>.** Calculations use 1 gallon per flush.

Staff: up to 10 persons for 6 hours daily, two uses per day, 312 days=6,240 gallons

Students: up to 2 busses per week with 75 students for 2 hour duration, 36 weeks (school year) and 0.33 students using the restrooms= 1,782 gallons

Regular visitors: up to 75 people per day, 312 days and 0.33 persons using restroom in 2 hour visit= 7,722 gallons

Events: up to 270 persons, twelve times a year, with 100% using restroom= 3,240 gallons

Total domestic demand for Visitor Center: 18,984 gallons X 1.15 added for interior miscellaneous use= 21,831 gallons per year or 0.07 AFY



<sup>1</sup> Domestic water use and visitor levels provided by Steven Puglisi Architecture and Dana Adobe Nipomo Amigos.

### Caretaker Residence

Per NCSD ordinance, the allocation is 0.28 AFY for multi-family / apt size caretaker residence including irrigation demand. Landscape for other areas is accounted for separately below.

### Landscape Irrigation Demand<sup>2</sup>

Calculations are attached using the State Water Efficient Landscape Ordinance template and factors, prepared by Firma. Native plants using plant factor of 0.1, with the interpretive garden using a plant factor of 0.3. (Turf is a factor of 0.6, no turf is proposed).

Irrigation method is drip. Individual oak trees and orchard trees do not fit the template so a factor has been added to the total to account for miscellaneous individual plants.

WELO Estimated irrigation water budget: 0.83 AFY

Miscellaneous individual tree factor: 0.10%

Total: 297,689 gallons or 0.93 AFY

### Total CUP Master Plan water demand:

Visitor Center:	0.07 AFY
Caretaker Residence:	0.28 AFY
Landscape:	<u>0.93 AFY</u>

**Total: 1.28 AFY**

### CONCLUSION

**Based on the factors presented compared to the ordinance established water demand certifications for the land uses permitted under the General Plan, the proposed Master Plan would use 0.02 AFY less than the allocation.**



<sup>2</sup> Landscape irrigation water demand provided by Firma, David Foote ASLA, see attachment

**Estimated Total Water Use (ETWU) using  
 State Model Water Efficient Landscape Ordinance Method**

To Calculate MAWA (Maximum Applied Water Allowance)	
ETo	47.4
LA	56,870
SLA	0
MAWA (Gallons)	
MAWA (Inches per sq ft)	33.0
MAWA (Inches per DAY)	0.09

1,169,907

DEFINITIONS:	
ETo	Reference provided in Appendix A - CIMS
LA	Landscaped area
SLA	Special landscaped area WITHIN the landscaped area
P.F.	Plant water use factor - WUCOLS
H.A.	Hydro zone area = Irrigated area
I.E.	Irrigation efficiency. Must exceed 0.71.

Maximum Applied Water Allowance Equation:  
 $MAWA = (ETo) (0.62) [(0.7 \times LA) + (0.3 \times SLA)]$

To Calculate ETWU (Estimated Total Water Use)	
ETo	47.4
PE(HA) (see chart)	7367
HA (same as LA)	56,870
IE (see chart)	0.8
SLA	0
ETWU (Gallons)	
ETWU (Inches per sq ft)	7.6
ETWU (Inches per DAY)	0.32

270,827

To Determine Plant Water Use by Hydro Zone				
H.Z.	Type	P.F.	H.A.	Weighted P.F.
1	very low	0.1	48,470	
2	low	0.3	8,400	
3				
4				
5				
6				
		TOTAL	56,870	0.74

Estimate Total Water Use Equation:  
 $ETWU = (ETo \times 0.62) [(PF \times HA)/IE] + SLA$

To Determine Average System IE (exceeds 71)					
H.Z.	Type	Sprinkler	HA	IE	Weighted IE/HA
1	LOW (LW)	D (DRIP)	56,870	0.8	
2					
3					
4					
5					
6					
			56,870	TOTAL	45.49

HORSE TRAILER PARKING AREA

EXISTING RANCH ROAD TO BE ABANDONED (TYPICAL)

EXISTING RANCH ROAD TO BE USED AS HORSE TRAIL (TYPICAL)

EXISTING RANCH ROAD TO BE USED AS HORSE TRAIL (TYPICAL)

EMERGENCY ACCESS CONNECTION TO SHALLOW LAKE

EMERGENCY ACCESS DRIVE 18 FT. ALL WEATHER SURFACE (LESS THAN 10% SLOPE)

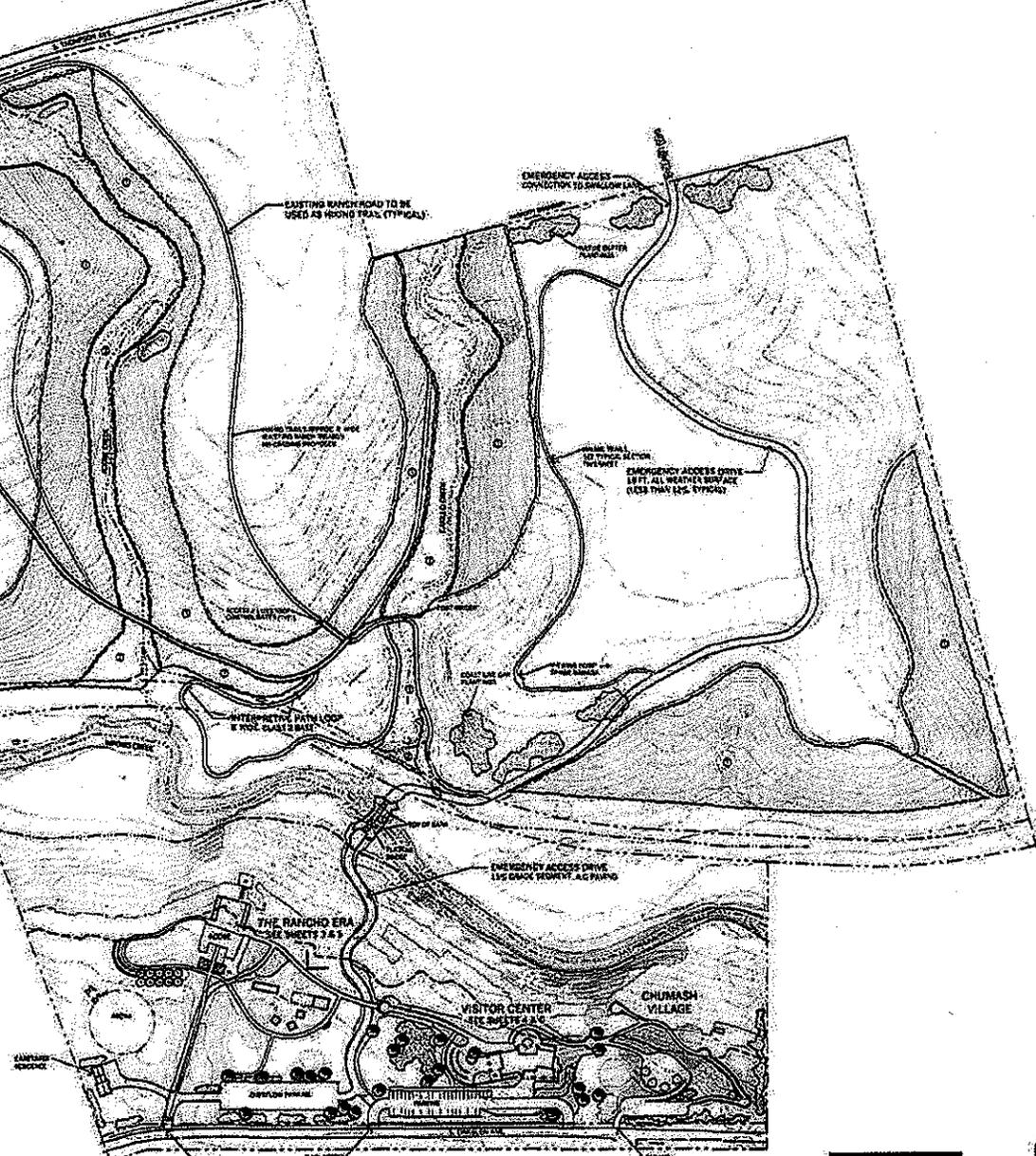
EMERGENCY ACCESS DRIVE 18 FT. ALL WEATHER SURFACE (LESS THAN 10% SLOPE)

EMERGENCY ACCESS DRIVE 18 FT. ALL WEATHER SURFACE (LESS THAN 10% SLOPE)

EMERGENCY ACCESS DRIVE 18 FT. ALL WEATHER SURFACE (LESS THAN 10% SLOPE)

EMERGENCY ACCESS DRIVE 18 FT. ALL WEATHER SURFACE (LESS THAN 10% SLOPE)

- Restoration Areas:**
-  County Conservation Easement  
22.65 acres
  -  Land Conservancy Conservation Easement  
4.07 acres
  -  Proposed Dana Riparian Restoration Area  
6.34 acres



# Stories of the Ranchos

Dana Adobe Nipomo Amigos

## Master Plan



# NIPOMO COMMUNITY

## BOARD MEMBERS

JAMES HARRISON, PRESIDENT  
LARRY VIERHEILIG, VICE PRESIDENT  
MICHAEL WINN, DIRECTOR  
ED EBY, DIRECTOR  
DAN A. GADDIS, DIRECTOR



# SERVICES DISTRICT

## STAFF

MICHAEL S. LEBRUN, GENERAL MANAGER  
LISA BOGNUDA, ASSISTANT GENERAL MANAGER  
PETER SEVCIK, P.E., DISTRICT ENGINEER  
TINA GRIETENS, UTILITY SUPERINTENDENT  
JON SEITZ, GENERAL COUNSEL

*Serving the Community Since 1965*

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148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326  
(805) 929-1133 FAX (805) 929-1932 Website address: [ncsd.ca.gov](http://ncsd.ca.gov)

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December 19, 2011

Board of Supervisors  
County of San Luis Obispo  
Room D-430, County Government Center  
San Luis Obispo, CA 93408

**SUBJECT: DANA ADOBE NIPOMO AMIGOS STORIES OF THE RANCHO PROJECT  
SUPPORT LETTER**

Dear Chairperson Hill, Vice-Chairperson Patterson, Supervisor Teixeira, Supervisor Gibson and Supervisor Mecham:

Please accept this letter providing comment of the Nipomo Community Services District ("District") to the proposed General Plan Amendment to allow the development and construction of the Dana Adobe Nipomo Amigos (DANA) Stories of the Rancho Project (Rancho Project). The District Board of Directors received a presentation on the projected water use for the Rancho Project during the District's December 14, 2011 and approved this letter at that time.

The District Board of Directors supports the development of the Rancho Project. However, there is also strong opposition to any General Plan Amendment that is contrary to the Rules, Regulations and Prohibitions established by County Ordinance 3090. Ordinance 3090 prohibits General Plan Amendments that increase non-agricultural water demand more than the amount otherwise available based on the land uses possible under the current County General Plan within the Nipomo Mesa Water Conservation Area.

The District requested that DANA provide a water use projection for the Rancho Project. District review of the water use projection indicates that the Rancho Project will use the equivalent amount of water as currently permitted by the District's Water Service Limitations if the parcels were developed as residential. Thus it appears that the project will not increase non-agricultural water demand more than the amount otherwise available based on the land uses possible under the current County General Plan.

The Rancho Project includes elements of water conservation education, both active and passive, that will stand to complement the District's conservation efforts for generations to come.

Thank you for considering this letter.

Very truly yours,

NIPOMO COMMUNITY SERVICES DISTRICT



James Harrison  
Board President

C:

Ms. Marina Washburn, Executive Director Dana Adobe Nipomo Amigos  
Mr. Chuck Stevenson, San Luis Obispo Planning and Building Department





**NATIVE AMERICAN HERITAGE COMMISSION**

915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814  
(916) 653-6251  
Fax (916) 657-5390  
Web Site [www.nahc.ca.gov](http://www.nahc.ca.gov)  
ds\_nahc@pacbell.net



DEC 21 2012  
Planning & Bldg

December 18, 2012

Mr. Brian Pedrotti, Project Planner

**San Luis Obispo County Department of Planning & Building**

976 Osos Street, Room 200  
San Luis Obispo, CA 93408

Re: SCH#2012041037 CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the "Dana Adobe Nipomo Amigos Land Use Ordinance (LUO) Amendment (LRP2011-00001) and Conditional Use Permit (DRC2011-00042) Project;" located adjacent to the Community of Nipomo, South County Inland Planning Area; San Luis Obispo County, California

Dear Mr. Pedrotti:

The California Native American Heritage Commission (NAHC) is the State of California 'trustee agency' for the preservation and protection of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3<sup>rd</sup> 604).

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC advises the Lead Agency to request a Sacred Lands File search of the NAHC if one has not been done for the 'area of potential effect' or APE previously.

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and California Public Resources Code Section 21083.2 (Archaeological Resources) that requires documentation, data recovery of cultural resources, construction to avoid sites and the possible use of covenant easements to protect sites.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254( r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

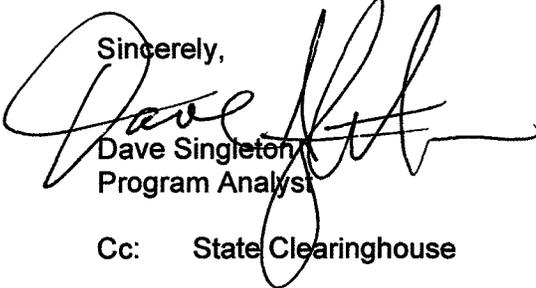
Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Singleton", written over the typed name and title.

Dave Singleton  
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

**Native American Contacts  
San Luis Obispo County  
December 18, 2012**

✓ Beverly Salazar Folkes  
1931 Shadybrook Drive  
Thousand Oaks, CA 91362  
folkes@msn.com  
805 492-7255  
(805) 558-1154 - cell

Chumash  
Tataviam  
Fernandeño

*NOW*  
Judith Bomar Grindstaff  
63161 Argyle Road Salinan  
King City, CA 93930  
(831) 385-3759-home

✓ Santa Ynez Band of Mission Indians  
Vincent Armenta, Chairperson

P.O. Box 517 Chumash  
Santa Ynez, CA 93460  
varmenta@santaynezchumash.  
(805) 688-7997  
(805) 686-9578 Fax

San Luis Obispo County Chumash Council  
Chief Mark Steven Vigil

✓ 1030 Ritchie Road Chumash  
Grover Beach CA 93433  
(805) 481-2461  
(805) 474-4729 - Fax

✓ Barbareno/Ventureno Band of Mission Indians  
Julie Lynn Tumamait-Stennsle, Chairwoman

365 North Poli Ave Chumash  
Ojai, CA 93023  
jtumamait@sbcglobal.net  
(805) 646-6214

✓ Peggy Odom  
1339 24th Street Chumash  
Oceano, 93445  
(805) 489-5390

✓ Lei Lynn Odom  
1339 24th Street Chumash  
Oceano, CA 93445  
(805) 489-5390

*NOW*  
Salinan Tribe of Monterey, San Luis Obispo Counties  
John W. Burch, Traditional Chairperson  
14650 Morro Road Salinan  
Atascadero, CA 93422 Chumash  
salinatribe@aol.com  
805-460-9202  
805 235-2730 Cell  
805-460-9204

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012041037; cEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Dana Adobe Nipomo Amigos LUO Amendment and Conditional Use Permit (DRC2011-00042); located near the Community of Nipomo; San Luis Obispo County, California.

**Native American Contacts  
San Luis Obispo County  
December 18, 2012**

Santa Ynez Tribal Elders Council  
Adelina Alva-Padilla, Chair Woman  
P.O. Box 365 Chumash  
Santa Ynez , CA 93460  
elders@santaynezchumash.org  
✓ (805) 688-8446  
(805) 693-1768 FAX

Salinan Nation Cultural Preservation Association  
Robert Duckworth, Environmental Coordinator  
4777 Driver Rd. Salinan  
Valley Springs CA 95252  
**dirobduck@thegrid.net**  
831-578-1852

Randy Guzman - Folkes  
✓ 6471 Cornell Circle Chumash  
Moorpark , CA 93021 Fernandeño  
**ndnRandy@yahoo.com** Tataviam  
(805) 905-1675 - cell Shoshone Paiute  
Yaqui

Coastal Band of the Chumash Nation  
Toni Cordero, Chairwoman  
P.O. Box 4464 Chumash  
Santa Barbara CA 93140  
cordero44@charter.net  
805-964-3447

*ndn*  
Xolon Salinan Tribe  
Johnny R Eddy Jr  
3179 Garrity Way #734 Salinan  
Richmond , CA 94806  
831-210-9771

yak tityu tityu - Northern Chumash Tribe  
Mona Olivas Tucker, Chairwoman  
660 Camino Del Rey Chumash  
Arroyo Grande CA 93420  
(805) 489-1052 Home  
(805) 748-2121 Cell  
olivas.mona@gmail.com

*ndn*  
Salinan Nation Cultural Preservation Association  
Doug Alger, Cultural Resources Coordinator  
PO Box 56 Salinan  
Lockwood , CA 93932  
**fabbq2000@earthlink.net**

Matthew Darian Goldman  
495 Mentone Chumash  
Grover Beach CA 93433  
805-748-6913

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**Native American Contacts  
San Luis Obispo County  
December 18, 2012**

Santa Ynez Band of Mission Indians  
Tribal Administrator/Counsel Sam Cohen  
P.O. Box 517 Chumash  
Santa Ynez , CA 93460  
info@santaynezchumash.  
(805) 688-7997  
(805) 686-9578 Fax

Frank Arredondo  
PO Box 161 Chumash  
Santa Barbara CA 93102  
ksen\_sku\_mu@yahoo.com  
805-617-6884  
805-893-1459  
ksen\_sku\_mu@yahoo.com

Salinan Nation Cultural Preservation Association  
Gregg Castro, Administrator  
5225 Roeder Road Salinan  
San Jose , CA 95111  
glcastro@pacbell.net  
(408) 219-2754

Santa Ynez Tribal Elders Council  
Freddie Romero, Cultural Preservation Consint  
P.O. Box 365 Chumash  
Santa Ynez , CA 93460  
805-688-7997, Ext 37  
freddyromero1959@yahoo.  
com

Salinan-Chumash Nation  
Xielolixii  
3901 Q Street, Suite 31B Salinan  
Bakersfield , CA 93301 Chumash

Barbareno/Ventureno Band of Mission Indians  
Kathleen Pappo  
2762 Vista Mesa Drive Chumash  
Rancho Pales Verdes CA 90275  
310-831-5295

408-966-8807 - cell

Northern Chumash Tribal Council  
Fred Collins, Spokesperson  
67 South Street Chumash  
San Luis Obispo CA 93401  
fcollins@northernchumash.  
org  
(805) 801-0347 )cell)

Barbareno/Ventureno Band of Mission Indians  
Raudel Joe Banuelos, Jr.  
331 Mira Flores Court Chumash  
Camarillo , CA 93012  
805-987-5314

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**Native American Contacts  
San Luis Obispo County  
December 18, 2012**

Coastal Band of the Chumash Nation  
Janet Darlene Garcia  
P.O. Box 4464                      Chumash  
Santa Barbara CA 93140  
805-689-9528

Coastal Band of the Chumash Nation  
Crystal Baker  
P.O. Box 4464                      Chumash  
Santa Barbara CA 93140  
805-689-9528

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# **Northern Chumash Tribal Council**

*A Native American Corporation - NorthernChumash.org  
67 South Street, San Luis Obispo, CA 93401 805-801-0347*

**Brian Pedrotti, AICP  
San Luis Obispo County  
Department of Planning & Building  
San Luis Obispo California 93401**

**December 19, 2012**

**RE: Dana Adobe LUO/CUP**

**Dear Brian:**

**The Northern Chumash Tribal Council (NCTC) is providing the following comments for the draft EIR that the San Luis Obispo County Planning & Building Department has begun pursuant to the California Environmental Quality Act (CEQA) for the proposed Dana Adobe Land Use Ordinance Amendment and Conditional Use Permit.**

**The Dana Adobe was built by California Chumash Native Americans on a Sacred Chumash Village and Ceremonial Site. The Nipomo area has been the home of the Chumash Nation for over 10,000 years. The bluff where the Dana Adobe sits is a part of a large Chumash Village complex or district. The complex of villages, camps, ceremonial areas stretch from the foothills of Nipomo Valley to the Pacific Ocean.**

**California Native American Sacred sites are being lost at alarming rate, State and Federal agencies are mandating the protection of Native American Sacred Sites. Since the beginning of times, the Creator and Mother Earth have given our peoples places to learn the teachings that will allow us to continue and reaffirm our responsibilities and ways on the lands from which we have come. Indigenous peoples are place-based societies, and at the center of those places are the most sacred of our sites, where we reaffirm our relationships. These sites must be preserved to continue our existence, and we believe the existence of all living beings.**

**Everywhere there are indigenous people, there are sacred sites, there are ways of knowing, there are relationships. The people, the rivers, the mountains, the lakes, the animals and the fish are all related. We know this, as did our ancestors in these lands long ago. The sacredness is specific to its place and its people that speak to the sacred relationships between humans and their relatives. Within the place and the cultural practice of Indigenous peoples are many of the answers that are essential to our collective survival. The protection of sacred sites is, therefore, a United Nations recognized essential right, and it is an essential strategy for preservation of our future.**

*December 06, 2012 2:30 pm • Associated Press*

*WASHINGTON — Protection of sites held sacred by American Indian and Alaska Natives will be bolstered under a memorandum of understanding signed by four federal agencies and the Advisory Council on Historic Preservation.*

*The memo signed Thursday by the departments of Agriculture, Defense, Energy and Interior also calls for improving tribal access to sites that are on federal land.*

**ENVIRONMENTAL & LAND-USE CONSULTING  
EDUCATIONAL SERVICES TEACHING NATURE, NATIVE CULTURES &  
FARMING**

*Interior Secretary Ken Salazar says the agreement recognizes the shared responsibility the agencies have to respect and foster Native American cultural and religious heritage.*

*The agencies plan to work during the next five years to raise awareness about sacred sites. That includes developing a website, a training program for federal employees and guidance for managing sacred sites.*

*The agreement comes just weeks after thieves made off with rock carvings that had graced a sacred site in California's Sierra Nevada*

**The current plans for the proposed Dana Adobe project completely overlay the Chumash Sacred lands which surround the Dana Adobe. Religious and ceremonial practices of Californian Chumash Native Americans are inseparably bound to land and waters. The relationship between physical areas and religious ceremonies is a basic and essential component of our religions and cultures. Sacred sites are places where ceremonies and rituals have or are performed, traditional medicine is gathered, places of star studying significance, trees, rock outcroppings, streams, overviews, and places of life. Sacred Places tell us who we are and where we are, and they must be protected.**

**California Native Americans came to the land of the Chumash because of our great weather and abundant food sources and peaceful life ways, and celebrated the wonders of Mother Earth and Father Sky. The incredible stories of the Chumash Peoples have been woven into the living Nipomo landscape, the land is alive, our stories are alive, and we are alive today. Our Sacred Places are being built upon and the destruction of our culture is being impacted by the onslaught of development projects and public safety projects. The Dana Adobe is a historic landmark and as such must preserve not only the Dana stories but the stories of the Chumash Peoples, the destruction of any portion of our Sacred Site is not within the scope of a Historic Landmark project, and would be a destruction of a magical living indigenous culture on a Sacred Site.**

**Laws, guidelines, regulation and ordinances that protect California Native Americans: Constitution of the U.S., United Nations Declaration of the Rights of Indigenous Peoples, SB 18, CEQA, American Indian Religious Freedom Act, Antiquities Act, Archaeological and Historic Preservation Act, Archaeological Resources Protection Act, Executive Order 11593, Executive Order 13007, Executive Order 13175, Executive Order 13287, Historic Sites, Buildings, and Antiquities Act, National Historic Preservation Act.**

**\*The proposed project must be designed to avoid Chumash Cultural Resources.**

**\*The scope of Cultural Resource mapping must be thorough and complete.**

**\*Longitude and latitude mapping of all Cultural Resources identified during surveys or excavations.**

**\*Significance of the Clovis Point found on leased property.**

**\*Significance of Ceremonial Circles found on the leased property.**

**\*Significance of the all the Chumash Cultural Resources in the surrounding area.**

**\*Significance of the Ethno history.**

**\*Significance pre-history and history of the Chumash Peoples who lived at the Dana Adobe.**

**Aesthetics** – proposed project site will completely block out any potential for Sacred Ceremony by not allowing Chumash of today to have the peaceful surroundings of the site and by covering the site, this covering or capping will not allow for ceremony to occur.

**Biological Resources** – The Animal and Plant Nations will be impacted by this very large events center, with up to 1,500 people at a time, this will have serve impacts to the habitat for several sensitive plant and wildlife species, including the CA Red Legged Frog, White-tailed Kite, wetland and riparian habitats.

**Geology and Soils** – The proposed car/truck bridge and foot bridges are usually hazardous and are lethality zones for endangered species.

**Flood plain** issues are very important for creek erosion and the larger storms that will come with global warming.

**Emergency Access** - for the amount of people (1500) at the events center is a concern.

**Transportation** to and from the proposed events center must be thoroughly reviewed.

**Water** - need to consider all cumulative impacts to surface and groundwater.

**Land Use** – project is an LUO Amendment, access considerations must be review thoroughly, and must be consistent with San Luis Obispo County General Plan and Planning Area Standards.

*- President Barack Obama*

*Remarks Before Signing the Tribal Law and Order Act*

*July 29, 2010*

*"I intend to send a clear message that all of our people whether they live in our biggest cities or our most remote reservations have the right to feel safe in their own communities, and to raise their children in peace, and enjoy the fullest protection of our laws."*

*- Attorney General Eric Holder*

*"This Administration is taking concrete steps to redefine the government relationship with Native Americans. By working together, by using every tool at our disposal, by facing up to hard truths and by refusing to ever back down or give up, we can make a real difference and we will."*

*- Assistant Attorney General Thomas Perez*

*"I have made the Civil Rights of American Indians a priority for the Civil Rights Division. For far too long Native Americans have experienced discrimination and injustice, and the federal government can and must stop such discrimination."*

**The United Nations Declaration on the Rights of Indigenous Peoples assures that all indigenous people have the right to be who they are, that they have the right to exist as distinct peoples, and that they have the right to “maintain, protect and develop the past, present and future manifestations of their cultures.” We have the stated right to “practice and revitalize” our sacred cultural traditions and customs.**

**The Declaration affirms the rights of indigenous peoples to “manifest, practice, develop and teach their spiritual and religious traditions, customs and ceremonies,” and “to maintain, protect, and have access in privacy to their religious and cultural sites.”**

**The Declaration recognizes that much of what indigenous peoples hold sacred in this world has been taken or otherwise lost “without their free, prior and informed consent or in violation of their laws, traditions and customs,” and it calls for states to provide redress “through effective mechanisms” and “through fair, transparent and effective mechanisms developed in conjunction with indigenous peoples concerned.”**

**The phrase “through effective mechanisms” appears twice in Articles 11 and 12, serving to underscore the fact that nation states should utilize the power of regulatory, legislative and other authorities to assure that the rights of Indigenous peoples to practice and worship in sacred sites and continue religious and cultural ways of living are secure. We are in the midst of a great planetary crisis, a holocaust of lost species and disappearing indigenous peoples. In the Western hemisphere alone more than 2,000 indigenous nations and tribes have become extinct in the last 500 years. Languages and species are rendered extinct that we may never know existed. This speaks to the pace of extinction, the pace of the holocaust. Changes in technology deepen and widen the threats we face as indigenous peoples, and accelerate the pace of destruction. We must recognize the vast scale and urgency of the common threat. The ability to pray at our Ceremonial Sacred Sites remains an essential element of the preservation of Mother Earth for all races and Peoples.**

**Please call us if you have any questions.**

**Sincerely,**

**Fred Collins  
Tribal Administrator  
NCTC**

## Shawna Scott

---

**From:** bpedrotti@co.slo.ca.us  
**Sent:** Friday, December 21, 2012 11:35 AM  
**To:** Shawna Scott  
**Subject:** Dana Adobe letter - Felicity Lazo

Shawna-

Here come a few letters regarding the Dana Adobe NOP -- look for a few to follow....

-Brian

Brian Pedrotti, AICP  
San Luis Obispo County  
Department of Planning & Building  
(805) 788-2788  
bpedrotti@co.slo.ca.us

----- Forwarded by Brian Pedrotti/Planning/COSLO on 12/21/2012 11:34 AM

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From: FELICITYS FARM <felicitysfarm@gmail.com>  
To: bpedrotti@co.slo.ca.us  
Date: 12/21/2012 10:01 AM  
Subject: Dana Adobe

Dear Mr Pedrotti

My property is contingent to the Dana Adobe. I was instrumental in the beginning of the Adobe around 1993 Kathy Hall Vider principal at Dana School and I started an event recognizing the importance of our history in Nipomo. I am a retired teacher and historian. I am a founding member of the Nipomo Native Garden.

We dont need more pavements and roofs. We came here for the great outdoors.

And we are losing this, people . Just met with some new board members.

Thoses that dont know the history of this group. The people who have been active lately have alienated many people that volunteered to help. They are very restricted in their view of history. The Rancho Period was short.

These ranchers destroyed a culture that lived here for 14000 yrs. From 1849 to 1864 the total destruction of the California habitat. They cut down oaks to cut the food supply off, they used oak for the steam ships and the narrow gauge railroad. They paid the native in wine and then created a law that they could enslave any native found drunk.

1864, the great drought and the rancho period ended sending the herds of cattle over the pt Sal cliffs.

Save the lead bullets. The grazers were mucking up the waterholes. They cut the last trees to feed their cattle. Code of Silence here in Nipomo.

The Daurios especially dont really have the history straight. They have been docents at an LA site called the Los Alamitos Adobe. Go visit it. isnt an adobe. It may have been an adobe site but now its the Bixbys, built this century. The Daurios are grandstanding this Capt Dana as a saint. Not so.

This is a quite rural road with a deadend. Lots of fire hazard. They put up no parking signs on the road instead of maintaining the grasses on the side of the road. We just had a fire in Nipomo because something fell of a car on the

frewway and started a fire on the Bartleson Ranch. No where to turn around without driving on to the shoulder. Have you seen the Christmas Tree farm traffic on the road? Very dangerous. Very crowded. For an entire month every year.

The adobe. We are looking at 60 events a year, one a week and one that could have 1500 at an event. Not that many 80 yr olds in Nipomo that are ambulatory. The median age of the large events is close to 70. I know they do have school children bused in but the history told is not correct. We dont need children feed corrupted inaccurate history. There are no hispanics or natives on the board. Capt Dana was the only American at the adobe. Please recognize the native peoples.

Please note news article posted today.

Posted: Monday, December 17, 2012 6:00 pm | Updated: 10:48 am, Thu Dec 20, 2012.

Blair Tellers | 0 comments

Posted on December 17, 2012

by Blair Tellers

A landmark event for a local Native American tribe with roots tracing back to this area nearly 3,000 years is approaching Saturday, when Bishop Richard Garcia of the Monterey Diocese will offer a mass of reconciliation at the San Juan Bautista Mission and “apologize for the tragic events which occurred during mission times.”

Principally associated with Mission San Juan Bautista and the surrounding areas of Hollister and Gilroy, the Amah-Mutsun Tribal Band occupied the San Juan Valley “long before the Spanish arrived in the late 1700s,” as noted on the tribe’s website. The indigenous peoples were subjected to a subservient existence beneath the Spanish Catholic regime when European colonization of the Pacific coast began in the 1770s.”

Genecide, slavery, alcoholism, and a lot more horrors. promoted by the early settlers.

I was really hoping that the Adobe would be an honest historical site. But if history is to be told only by the victors I dont want these fakes as neighbors. No real horse rider will want to ride around in circles on 100 acres, what a farce.

Look this is ranch land and they want to pave , roof 20% of of their 30 acres. Please stop the development. We have the parks master plan. We lost the Charro Arena in the regional park years ago cause the new residents from the city didnt like the dust and noise so they take it out of their neighborhood and put it in mine. Thanks.

Questions please contact me.

This is very wrong. I live in a neighborhood that will be dramatically change by this event center. NO NO NO weddings birthdays etc. Wineries cant do it and I dont want it here. The silent adobe can tell a better story.

thank you for considering the other side. Rural is rural not roofed and paved. with historical fantasy

--

Felicity Lazo.... Broker Associate  
Keller Williams Coastal Valley Santa Maria  
805-441-6782  
DRE #01411579

[Scanned @co.slo.ca.us]

## Shawna Scott

---

**From:** bpedrotti@co.slo.ca.us  
**Sent:** Friday, December 21, 2012 11:37 AM  
**To:** Shawna Scott  
**Subject:** Fw: Dana Adobe Nipomo Amigos Project (UNCLASSIFIED)

----- Forwarded by Brian Pedrotti/Planning/COSLO on 12/21/2012 11:37 AM

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From: "Henderson, Bruce A SPL" <[Bruce.A.Henderson@usace.army.mil](mailto:Bruce.A.Henderson@usace.army.mil)>  
To: "[bpedrotti@co.slo.ca.us](mailto:bpedrotti@co.slo.ca.us)" <[bpedrotti@co.slo.ca.us](mailto:bpedrotti@co.slo.ca.us)>  
Date: 12/17/2012 05:41 PM  
Subject: Dana Adobe Nipomo Amigos Project (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Good afternoon, Mr. Pedrotti

I'd like to take this opportunity to provide brief comments on the Dana Adobe Nipomo Amigos Land Use Ordinance Amendment and Conditional Use Permit/ED11-044 (LRP 2011-00001/DRC2011-00042) notice dated December 11, 2012.

With time limited as it is for many, I tend to give such notices a quick scan to look for those concerns that may pertain to my agency's responsibilities. This project does have features that may require active review on the part of the Corps of Engineers. Specifically, Nipomo Creek is a jurisdictional water of the United States. Discharges of fill material are regulated under Section 404 of the Clean Water Act.

The notice makes mention of "flatcar bridge over Nipomo Creek and foot bridges over Adobe and Carillo Creeks..." Corps jurisdiction occurs within the stream channel to what we refer to as "the plane of the ordinary high water mark" (OHWM) which is identified by physical characteristics observable in the field, and to the outer extent of any adjacent wetlands.

If a project proposes a discharge of fill material within Corps jurisdiction, it must have a Section 404 permit prior to conducting the discharge. Bridge projects that do not include a discharge of material within Corps jurisdiction do not need permits from the Corps.

County staff is experienced with our regulations and program implementation. The County's EIR will discuss these considerations in detail and if it is determined a permit is required, a permit application will be forthcoming. If you have any questions, please call or e-mail me.

Regards,

Bruce Henderson  
Sr. Project Manager

Regulatory Division, North Coast Branch  
2151 Alessandro Drive, Suite 110  
Ventura, CA 93001  
805-585-2145

---

Assist us in better serving you!

You are invited to complete our customer survey, located at the following link: <http://per2.nwp.usace.army.mil/survey.html>

Note: If the link is not active, copy and paste it into your internet browser.

Classification: UNCLASSIFIED

Caveats: NONE

[Scanned @co.slo.ca.us]



County of San Luis Obispo  
Planning and Building Department  
976 Osos Street, Room 300  
San Luis Obispo, CA 93408

December 27, 2012

TO: Brian Pedrotti, EIR Manager

RE: Dana Adobe Nipomo Amigos (DANA) Land Use Ordinance Amendment and Conditional Use Permit --  
Availability of Notice of EIR Preparation (LRP2011-00001 and DRC2011-00042)

Brian,

Thank you for an opportunity to comment on this permit. I have a personal and professional interest in the Dana Adobe, having performed a casual magnetic survey on their behalf.

To my mind, there are two occupation sites, the original homestead at "the bottom of the hill" and the contemporary reconstruction at the top. My principal concern revolves about the original homestead. Assuming it is an important and valuable historic resource, its discovery and mapping is best performed with a combination of high-data-sample-density magnetic survey combined with traditional archaeological survey. The vegetation is relatively dense and bioturbation, severe. I do not know if there is a significant plow zone. Under these conditions, I am confident that the original homestead/occupation can be detected and mapped with a high-quality magnetic survey supplemented with an archaeological survey. Conductivity/resistivity survey is not likely to be productive. Ground penetrating radar (GPR) survey may or may not be useful, would be significantly more expensive, and is typically used to image archaeological feature detail after feature location has been obtained by other methods.

If such a survey was performed, the original homestead could become an interpretive component of the Dana Adobe Nipomo complex. For example, a simple, inexpensive, authoritative interpretation might consist of a self-guided trail with markers and graphic illustrations.

With respect to the principal adobe (top of hill) and its surround (barn, well, activity areas, outhouse, other outbuildings, etc.), magnetic and conductivity/resistivity surveys would probably be less productive than ground penetrating radar survey. Our casual survey suggests that except for iron artifacts, the magnetic and conductivity/resistivity feature contrast is relatively low, suggesting that only the largest features are likely to be detected.

I hope these reflections are useful. I would not like to see the original homestead undervalued. This homestead is well worth a competent, high-data-sample-density magnetic survey supplemented with a traditional archaeological survey.

For your reference, the Archaeophysics, LLC webpage contains numerous historic and prehistoric case studies; [www.archaeophysics.com](http://www.archaeophysics.com).

Sincerely,

Dr. Lewis Somers

**Dr. Lewis Somers**

829 East Fifth Avenue, Durango, CO, 81301  
phone: 970-946-9464 e-mail: [somers@mcn.org](mailto:somers@mcn.org)

**NATIVE AMERICAN HERITAGE COMMISSION**

915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814  
(916) 653-6251  
Fax (916) 657-5390  
Web Site [www.nahc.ca.gov](http://www.nahc.ca.gov)  
ds\_nahc@pacbell.net



January 10, 2013

Mr. Brian Pedrotti, AICP, Project Manager

**County of San Luis Obispo****Department of Planning and Building**

976 Osos Street, Room 200  
San Luis Obispo, CA 93408

Re: SCH#2012041037 CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the “Dana Adobe Nipomo Amigos (DANA) Land Use Ordinance Amendment and Conditional Use Permit/ ED11-044 (LRP 2011-00001 / DRC2011-00042) Project;” located in the Community of Nipomo; San Luis Obispo County, California

Dear Mr. Pedrotti:

The California Native American Heritage Commission (NAHC) is the State of California 'trustee agency' for the preservation and protection of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3<sup>rd</sup> 604).

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC advises the Lead Agency to request a Sacred Lands File search of the NAHC if one has not been done for the 'area of potential effect' or APE previously.

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and California Public Resources Code Section 21083.2 (Archaeological Resources) that requires documentation, data recovery of cultural resources, construction to avoid sites and the possible use of covenant easements to protect sites.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254( r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

*ORIGINAL SIGNATURE ON FILE*

Dave Singleton  
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

**Native American Contacts  
San Luis Obispo County  
January 10, 2013**

Beverly Salazar Folkes  
1931 Shadybrook Drive  
Thousand Oaks, CA 91362  
folkes@msn.com  
805 492-7255  
(805) 558-1154 - cell

Chumash  
Tataviam  
Ferrnandeño

Judith Bomar Grindstaff  
63161 Argyle Road  
King City, CA 93930  
(831) 385-3759-home  
Salinan

Santa Ynez Band of Mission Indians  
Vincent Armenta, Chairperson  
P.O. Box 517  
Santa Ynez, CA 93460  
varmenta@santaynezchumash.  
(805) 688-7997  
(805) 686-9578 Fax  
Chumash

San Luis Obispo County Chumash Council  
Chief Mark Steven Vigil  
1030 Ritchie Road  
Grover Beach CA 93433  
(805) 481-2461  
(805) 474-4729 - Fax  
Chumash

Barbareno/Ventureno Band of Mission Indians  
Julie Lynn Tumamait-Stennslie, Chairwoman  
365 North Poli Ave  
Ojai, CA 93023  
jtumamait@sbcglobal.net  
(805) 646-6214  
Chumash

Peggy Odom  
1339 24th Street  
Oceano, 93445  
(805) 489-5390  
Chumash

Lei Lynn Odom  
1339 24th Street  
Oceano, CA 93445  
(805) 489-5390  
Chumash

Salinan Tribe of Monterey, San Luis Obispo Counties  
John W. Burch, Traditional Chairperson  
14650 Morro Road  
Atascadero, CA 93422  
salinantribe@aol.com  
805-460-9202  
805 235-2730 Cell  
805-460-9204  
Salinan  
Chumash

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012041037; CEQA Notice of Preparation (NOP; draft Environmental Impact Report (DEIR) for the Dana Adobe Nipomo Amigos (DANA) Project; located in the Community of Nipomo; San Luis Obispo County, California.

**Native American Contacts  
San Luis Obispo County  
January 10, 2013**

Santa Ynez Tribal Elders Council  
Adelina Alva-Padilla, Chair Woman  
P.O. Box 365 Chumash  
Santa Ynez , CA 93460  
elders@santaynezchumash.org  
(805) 688-8446  
(805) 693-1768 FAX

Salinan Nation Cultural Preservation Association  
Robert Duckworth, Environmental Coordinator  
4777 Driver Rd. Salinan  
Valley Springs CA 95252  
**dirobduck@thegrid.net**  
831-578-1852

Randy Guzman - Folkes  
6471 Cornell Circle Chumash  
Moorpark , CA 93021 Fernandefio  
**ndnRandy@yahoo.com** Tataviam  
(805) 905-1675 - cell Shoshone Paiute  
Yaqui

Coastal Band of the Chumash Nation  
Toni Cordero, Chairwoman  
P.O. Box 4464 Chumash  
Santa Barbara CA 93140  
cordero44@charter.net  
805-964-3447

Xolon Salinan Tribe  
Johnny R Eddy Jr  
3179 Garrity Way #734 Salinan  
Richmond , CA 94806  
831-210-9771

yak tityu tityu - Northern Chumash Tribe  
Mona Olivas Tucker, Chairwoman  
660 Camino Del Rey Chumash  
Arroyo Grande CA 93420  
(805) 489-1052 Home  
(805) 748-2121 Cell  
olivas.mona@gmail.com

Salinan Nation Cultural Preservation Association  
Doug Alger, Cultural Resources Coordinator  
PO Box 56 Salinan  
Lockwood , CA 93932  
fabbq2000@earthlink.net

Matthew Darian Goldman  
495 Mentone Chumash  
Grover Beach CA 93433  
805-748-6913

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**Native American Contacts  
San Luis Obispo County  
January 10, 2013**

Santa Ynez Band of Mission Indians  
Tribal Administrator/Counsel Sam Cohen  
P.O. Box 517 Chumash  
Santa Ynez , CA 93460  
info@santaynezechumash.  
(805) 688-7997  
(805) 686-9578 Fax

Frank Arredondo  
PO Box 161 Chumash  
Santa Barbara CA 93102  
ksen\_sku\_mu@yahoo.com  
805-617-6884  
805-893-1459  
ksen\_sku\_mu@yahoo.com

Salinan Nation Cultural Preservation Association  
Gregg Castro, Administrator  
5225 Roeder Road Salinan  
San Jose , CA 95111  
glcastro@pacbell.net  
(408) 219-2754

Santa Ynez Tribal Elders Council  
Freddie Romero, Cultural Preservation Constnt  
P.O. Box 365 Chumash  
Santa Ynez , CA 93460  
805-688-7997, Ext 37  
freddyromero1959@yahoo.  
com

Salinan-Chumash Nation  
Xielolixii  
3901 Q Street, Suite 31B Salinan  
Bakersfield , CA 93301 Chumash  
  
408-966-8807 - cell

Barbareno/Ventureno Band of Mission Indians  
Kathleen Pappo  
2762 Vista Mesa Drive Chumash  
Rancho Pales Verdes CA 90275  
  
310-831-5295

Northern Chumash Tribal Council  
Fred Collins, Spokesperson  
67 South Street Chumash  
San Luis Obispo CA 93401  
fcollins@northernchumash.  
org  
(805) 801-0347 )cell)

Barbareno/Ventureno Band of Mission Indians  
Raudel Joe Banuelos, Jr.  
331 Mira Flores Court Chumash  
Camarillo , CA 93012  
805-987-5314

This list is current only as of the date of this document.

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This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012041037; CEQA Notice of Preparation (NOP; draft Environmental Impact Report (DEIR) for the Dana Adobe Nipomo Amigos (DANA) Project; located in the Community of Nipomo; San Luis Obispo County, California.

**Native American Contacts  
San Luis Obispo County  
January 10, 2013**

Coastal Band of the Chumash Nation  
Janet Darlene Garcia  
P.O. Box 4464 Chumash  
Santa Barbara CA 93140  
805-689-9528

Coastal Band of the Chumash Nation  
Crystal Baker  
P.O. Box 4464 Chumash  
Santa Barbara CA 93140  
805-689-9528

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012041037; CEQA Notice of Preparation (NOP; draft Environmental Impact Report (DEIR) for the Dana Adobe Nipomo Amigos (DANA) Project; located in the Community of Nipomo; San Luis Obispo County, California.



Air Pollution Control District  
San Luis Obispo County

January 14, 2013

Brian Pedrotti  
Project Manager  
San Luis Obispo County  
Department of Planning and Building  
976 Osos St., Room 300  
San Luis Obispo, CA 93408-2040

SUBJECT: APCD Comments Regarding the Notice of Preparation (NOP) for a Draft Environmental Impact Report (EIR) addressing the preparation of the Dana Adobe Nipomo Amigos (DANA) Land Use Ordinance Amendment and Conditional Use Permit/ED11-004 (LRP 2011-0001/DRC2011-00042)

Dear Mr. Pedrotti,

Thank you for including the San Luis Obispo (SLO) County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the Notice of Preparation (NOP) for a Draft Environmental Impact Report (EIR) addressing the preparation of the Dana Adobe Nipomo Amigos (DANA) Land Use Ordinance Amendment and Conditional Use Permit/ED11-004.

The project includes the implementation of The Stories of the Rancho Project, including a 6,200 sq. ft. visitor center, outdoor amphitheater, Chumash Village including exhibits and interpretive features, 3,000 sq. ft. of replicated rancho-era buildings, demonstration area, replacement of existing caretaker's 1,600 sq. ft. unit and shop, restroom and septic system, ADA trails system, 80,445 sq. ft. of landscaping, historical gardens, vineyard and orchard, 21,750 sq. ft. of parking, 17,280 sq. ft. of overflow parking, 0.6 mile emergency access drive, including a flatcar bridge over Nipomo Creek and footbridges over Adobe and Carillo Creeks, 250 sq. ft. horse trailer parking and staging area off of North Thompson Road. The project also includes continued restoration of the Dana Adobe and 0.36 acres restoration of Carillo Creek.

*The following are APCD comments that are pertinent to this project.*

1. APCD Contact Person:

Gary Arcemont  
Air Pollution Control District  
3433 Roberto Court  
San Luis Obispo, CA 93401  
(805) 781-5912

2. Permit(s) or Approval(s) Authority:

Permits for Equipment

Based on the information provided, we are unsure of the types of equipment that may be used as part of this project. Portable equipment may require statewide registration or an APCD permit. Additionally, future developments may require APCD permits and/or applicants may need to apply for an Authority to Construct. Please contact our Engineering Division at (805) 781-5912 for more information on APCD permits. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to the APCD's 2012 CEQA Handbook.

- Portable generators and equipment with engines that are 50 hp or greater; and
- Internal combustion engines.

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

3. Environmental Information:

The potential air quality impacts should be assessed in the Environmental Impact Report (EIR). This analysis should address both short-term and long-term emissions impacts (including traditional air pollutants and greenhouse gas emissions) and include the following information:

- a) A description of existing air quality and emissions in the impact area, including the attainment status of SLO County relative to State and Federal air quality standards and any existing regulatory restrictions to development. The most recent Clean Air Plan should be consulted for applicable information.
- b) A complete emission analysis should be performed on all relevant emission sources, using emission factors from the EPA document AP-42 "Compilation of Air Pollutant Emission Factors", the latest approved version of CalEEMod, EMFAC, OFF-ROAD or other approved emission calculator tools. Documentation of emission factors and all assumptions (i.e. construction impacts, operational impacts, vehicle trip length, vehicle and equipment emission factors, etc.) should be provided in an appendix to the EIR. The quantitative analysis should address criteria pollutants, greenhouse gases, toxics, diesel particulate matter and fugitive dust.

- c) The EIR should include a range of feasible alternatives to the proposed project that could effectively minimize air quality impacts. A thorough emissions analysis should be conducted for each of the proposed alternatives identified. The EIR author should contact the SLO County APCD if additional information and guidance is required. All calculations and assumptions used should be fully documented in an appendix to the EIR.
- d) Assembly Bill 32, the California Global Warming Solution Act of 2006 and California Governor Schwarzenegger Executive Order S-3-05 (June 1, 2005), both require reductions of greenhouse gases (GHG) in the State of California. The Governor has recognized mitigation efforts will be necessary to reduce greenhouse gas emissions. In order to address these issues, greenhouse gas emissions should be evaluated in the EIR, and appropriate mitigation efforts identified.
- e) A cumulative impact analysis should be performed to evaluate the combined air quality impacts of this project and impacts from existing and proposed future projects in the area.
- f) The data analyses should address local and regional impacts with respect to maintaining applicable air quality standards.
- g) Any temporary impacts, such as fugitive dust and combustion emissions from the use of heavy equipment and grading activities, should be quantified and mitigation measures proposed.
- h) Mitigation measures to reduce or avoid significant air quality impacts should be recommended. The EIR should address any proposed mitigation measures and describe feasible mitigation measures to reduce air quality impacts.
- i) Naturally occurring asbestos (NOA) has been identified by the state Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common throughout California and may contain naturally occurring asbestos. The SLO County APCD has identified areas throughout the County where NOA may be present (see the APCD's 2012 CEQA Handbook, Technical Appendix 4.4). The project referral indicated that there will be ground disturbance. The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), therefore the following requirements apply. Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to any ground disturbance activities, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the APCD.** If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. If NOA is not present, an exemption request must be filed with the Air District. More information on NOA can be found at <http://www.slocleanair.org/business/asbestos.php>.
- j) Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing

buildings. Asbestos can also be found in utility pipes/pipelines (pipes or insulation). **If building(s) are removed or renovated; or utility pipelines are scheduled for removal or relocation, this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include, but are not limited to: 1) notification requirements to the APCD, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. Please contact the APCD Enforcement Division at (805) 781-5912 for further information.

4. Permit Stipulations/Conditions:

It is recommended that you refer to the "2012 CEQA Air Quality Handbook" (the Handbook). If you do not have a copy, it can be accessed on the APCD web page ([www.slocleanair.org](http://www.slocleanair.org)) in the Business Assistance section, listed under Regulations, or a hardcopy can be requested by contacting the APCD. The Handbook provides information on mitigating emissions, which should be discussed in the Draft EIR.

5. Alternatives:

Any alternatives described in the Draft EIR should involve the same level of air quality analysis as described in section 3 above.

6. Reasonably Foreseeable Projects, Programs, or Plans:

The 2012 version of the APCD's CEQA Air Quality Handbook provides guidance for preparing the EIR.

7. Relevant Information:

The 2012 version of the APCD's CEQA Air Quality Handbook should be referenced in the EIR for determining the significance of impacts and level of mitigation recommended.

8. Further Comments:

Emissions Calculation Tools

The project referral indicated that the emission calculation tool URBEMIS was used in the evaluation of air quality emissions. The APCD now requires that CalEEMod be used for emissions calculations, in place of URBEMIS.

Construction and Operational Phase Impacts

Estimate the construction and operational phase impacts of this project in the EIR. The air quality assessment should include all associated construction activities and pollutants identified in the 2012 version of the APCD's CEQA Air Quality Handbook.

Sensitive Receptors

As indicated in the project referral, this project may generate DPM and fugitive dust, potentially adversely affecting nearby sensitive receptors. The EIR should include an evaluation of the project air quality impact on the sensitive receptors. See the APCD 2012 CEQA Handbook for guidance.

Thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at 781-5912.

Sincerely,



Gary Arcemont  
Air Quality Specialist

GJA/arr

cc: Tim Fuhs, Enforcement Division, APCD  
Karen Brooks, Enforcement Division, APCD  
Gary Willey, Engineering Division, APCD

Attachments:

1. Naturally Occurring Asbestos – Construction & Grading Project Exemption Request Form, Construction & Grading Project Form

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## Shawna Scott

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**From:** bpedrotti@co.slo.ca.us  
**Sent:** Monday, January 14, 2013 11:48 AM  
**To:** Shawna Scott  
**Subject:** Fw: Dana Adobe EIR

Shawna -- FYI from Cal Fire (see below)

-Brian

Brian Pedrotti, AICP  
San Luis Obispo County  
Department of Planning & Building  
(805) 788-2788  
[bpedrotti@co.slo.ca.us](mailto:bpedrotti@co.slo.ca.us)

----- Forwarded by Brian Pedrotti/Planning/COSLO on 01/14/2013 11:46 AM

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From: "Donnelly, Laurie@CALFIRE" <[Laurie.Donnelly@fire.ca.gov](mailto:Laurie.Donnelly@fire.ca.gov)>  
To: "[jan@danaadobe.org](mailto:jan@danaadobe.org)" <[jan@danaadobe.org](mailto:jan@danaadobe.org)>  
Cc: "[bpedrotti@co.slo.ca.us](mailto:bpedrotti@co.slo.ca.us)" <[bpedrotti@co.slo.ca.us](mailto:bpedrotti@co.slo.ca.us)>  
Date: 01/14/2013 11:36 AM  
Subject: Dana Adobe EIR

Hello Jan,

After reviewing the Draft EIR CAL FIRE thought it would be helpful to add the following clarifying verbiage relational to the access road required.

CAL FIRE emergency egress road requirement is to ensure Public Safety access and egress, not require an always open available to the public access road. The required emergency egress road is viewed as a driveway and not an access road. The driveway/emergency egress road is only required to be locked open during events to ensure public safety and emergency vehicle access.

Thank you for your support, please feel free to contact me if you have any questions.

Laurie Donnelly ~ Fire Captain  
CAL FIRE San Luis Obispo Unit  
805-543-4244  
805-593-3423

yak tit<sup>y</sup>u tit<sup>y</sup>u – Northern Chumash Tribe  
660 Camino Del Rey Arroyo Grande, CA 93420  
805-748-2121 [olivas.mona@gmail.com](mailto:olivas.mona@gmail.com)

January 14, 2012

Brian Pedrotti  
County of San Luis Obispo  
Planning and Building  
976 Osos Street  
Room 200  
San Luis Obispo, Ca. 93408  
[bpedrotti@co.slo.ca.us](mailto:bpedrotti@co.slo.ca.us)

Mr. Pedrotti:

I'm writing regarding the preparation of the Environmental Impact Report (EIR) for the Dana Adobe Nipomo Amigos (DANA) Land Use Ordinance Amendment (LRP2011-00001) and Conditional Use Permit (DRC2011-00042).

I represent yak tit<sup>y</sup>u tit<sup>y</sup>u – Northern Chumash Tribe which is a tribe consisting of Northern Chumash families and individuals.

The proposed Project has been described as follows:

A 6,200 square-foot (sf) visitor center, outdoor amphitheater, Chumash Village including exhibits and interpretive features, approximately 3,000 sf of replicated rancho-era building, demonstration arena, replacement of existing caretaker's unit with 1,600 sf caretaker's unit and attached shop restroom and associated onsite septic system, American Disabilities Act (ADA) trail system with exhibits and interpretive features, 90,445 sf of landscaping and historical gardens, vineyards, and orchard, approximate 21,750 sf main parking area, 17,280 sf overflow parking area and an 0.6 mile emergency access drive including flatcar bridge over Nipomo Creek and foot bridges over Adobe and Carillo Creeks, 2,5000 sf horse trailer parking and staging area off N. Thompson Rd.

Note: The existing caretaker's unit is a trailer with no anchoring to the soil, so the replacement of this unit nets additional ground disturbance.

Our comments and concerns are as follows:

1. A detailed archaeology study and subsequent archaeology plan is needed prior to any excavation or dirt moving activity. Preserving cultural resources, native soil and cultural landscape should be the priority. Avoidance of the culturally sensitive sites should be a priority.

2. Maps are needed that show all existing improvements and features such as the adobe, other historical features, trees, tree canopies, creeks, bluffs, nearby roads, nearby homes and etc. Overlay maps are needed including a map of all Northern Chumash sensitive sites, cultural resources, a topographical map, and a map showing all proposed project improvements including locations of utilities supply lines and wastewater treatment. All maps should be to the same scale.
3. Capping has been proposed as part of the construction process. A detailed capping study is needed to show how it would impact cultural resources, native soil and the cultural landscape. Avoidance of the culturally sensitive sites should be a priority.
4. A study of installation of utilities and wastewater treatment is needed to determine how cultural resources, native soil and the cultural landscape can be protected.
5. We have noticed that this entire site has artifacts, both pre-contact and post-contact, that are on the surface of the ground. Tribal member, Sean Morris recommends that visitors be advised that artifacts must be left in place.
6. As proposed the Project will include numerous indigenous components. The Northern Chumash culture should be the culture that is called upon for an accurate telling of the indigenous story.
7. A study is needed for protection of the Oak trees and other important trees.
8. A study is needed for protection and restoration of the creeks.
9. A study is needed for protection and restoration of native plants and grasses, wildlife, and fish.
10. While the landscape is still relatively undamaged it should be documented to the fullest. Photographic work, topographic maps, geological studies and indigenous observations and observations by others and etc are important as new Geographic Information Systems (GIS) mapping technologies are available to help reconstruct the original landscape and landscapes over time. GIS will help us to better understand our culture, provide us information on how we lived and help us tell our stories. Please see <http://www.smithsonianmag.com/video/Anne-Kelly-Knowles-2012-Smithsonian-American-Ingenuity-Awards.html>
11. On February 25, 2012 in an action by DANA Board of Directors the directors agreed to provide an open space easement that includes protection of the indigenous culture. The easement would run in perpetuity and be recorded. It was envisioned that the County of San Luis Obispo would be the easement owner. We feel that an open space easement should be considered by the EIR as it will not only provide protection for our culture but will provide scenic beauty to the public, provide open space for visitors to enjoy, help with drainage, be valuable to wildlife by providing habitat and help protect the rural character of Nipomo.

12. The EIR should consider how the overall Project will impact the rural character of Nipomo.

Thank you,

A handwritten signature in cursive script that reads "Mona Tucker". The signature is written in black ink and is positioned below the typed name.

Mona Olivas Tucker  
Tribal Chair



**APPENDIX B.  
AIR QUALITY  
BACKGROUND INFORMATION**



**DANA EIR**  
**San Luis Obispo County, Annual**

**1.0 Project Characteristics**

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**1.1 Land Usage**

Land Uses	Size	Metric
City Park	8.3	Acre

**1.2 Other Project Characteristics**

<b>Urbanization</b>	Urban	<b>Wind Speed (m/s)</b>	3.2	<b>Utility Company</b>	Pacific Gas & Electric Company
<b>Climate Zone</b>	4	<b>Precipitation Freq (Days)</b>	44		

**1.3 User Entered Comments**

Project Characteristics -

Land Use -

Construction Phase -

Vehicle Trips - Trip rate based on Traffic Impact Analysis (Rick Engineering, March 2012), Table 10 - Net Change in Project Site Trips Associated with the Proposed Uses. Trip rate adjusted for metric (/size/day).

**2.0 Emissions Summary**

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## 2.1 Overall Construction

### Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2014	0.69	4.88	3.41	0.01	0.16	0.29	0.45	0.08	0.29	0.37	0.00	542.11	542.11	0.06	0.00	543.29
2015	0.10	0.60	0.45	0.00	0.00	0.04	0.05	0.00	0.04	0.04	0.00	65.17	65.17	0.01	0.00	65.34
<b>Total</b>	<b>0.79</b>	<b>5.48</b>	<b>3.86</b>	<b>0.01</b>	<b>0.16</b>	<b>0.33</b>	<b>0.50</b>	<b>0.08</b>	<b>0.33</b>	<b>0.41</b>	<b>0.00</b>	<b>607.28</b>	<b>607.28</b>	<b>0.07</b>	<b>0.00</b>	<b>608.63</b>

### Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2014	0.00	0.00	0.03	0.01	0.08	0.00	0.08	0.04	0.00	0.04	0.00	542.11	542.11	0.06	0.00	543.29
2015	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	65.17	65.17	0.01	0.00	65.34
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.04</b>	<b>0.01</b>	<b>0.08</b>	<b>0.00</b>	<b>0.08</b>	<b>0.04</b>	<b>0.00</b>	<b>0.04</b>	<b>0.00</b>	<b>607.28</b>	<b>607.28</b>	<b>0.07</b>	<b>0.00</b>	<b>608.63</b>

## 2.2 Overall Operational

### Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Energy	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Mobile	0.07	0.13	0.69	0.00	6.58	0.00	6.58	0.65	0.00	0.66	0.00	70.01	70.01	0.00	0.00	70.09
Waste						0.00	0.00		0.00	0.00	0.14	0.00	0.14	0.01	0.00	0.32
Water						0.00	0.00		0.00	0.00	0.00	0.49	0.49	0.00	0.00	0.59
<b>Total</b>	<b>0.07</b>	<b>0.13</b>	<b>0.69</b>	<b>0.00</b>	<b>6.58</b>	<b>0.00</b>	<b>6.58</b>	<b>0.65</b>	<b>0.00</b>	<b>0.66</b>	<b>0.14</b>	<b>70.50</b>	<b>70.64</b>	<b>0.01</b>	<b>0.00</b>	<b>71.00</b>

## 2.2 Overall Operational

### Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Energy	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Mobile	0.07	0.13	0.69	0.00	6.51	0.00	6.51	0.64	0.00	0.65	0.00	69.34	69.34	0.00	0.00	69.41
Waste						0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Water						0.00	0.00		0.00	0.00	0.00	0.49	0.49	0.00	0.00	0.59
<b>Total</b>	<b>0.07</b>	<b>0.13</b>	<b>0.69</b>	<b>0.00</b>	<b>6.51</b>	<b>0.00</b>	<b>6.51</b>	<b>0.64</b>	<b>0.00</b>	<b>0.65</b>	<b>0.00</b>	<b>69.83</b>	<b>69.83</b>	<b>0.00</b>	<b>0.00</b>	<b>70.00</b>

## 2.3 Vegetation

### Vegetation

	ROG	NOx	CO	SO2	CO2e
Category	tons				MT
New Trees					16.88
Vegetation Land Change					-28.23
<b>Total</b>					<b>-11.35</b>

### 3.0 Construction Detail

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#### 3.1 Mitigation Measures Construction

- Use Soil Stabilizer
- Replace Ground Cover
- Water Exposed Area
- Water Unpaved Roads
- Reduce Vehicle Speed on Unpaved Roads

#### 3.2 Demolition - 2014

##### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.08	0.66	0.41	0.00		0.03	0.03		0.03	0.03	0.00	68.12	68.12	0.01	0.00	68.26
<b>Total</b>	<b>0.08</b>	<b>0.66</b>	<b>0.41</b>	<b>0.00</b>		<b>0.03</b>	<b>0.03</b>		<b>0.03</b>	<b>0.03</b>	<b>0.00</b>	<b>68.12</b>	<b>68.12</b>	<b>0.01</b>	<b>0.00</b>	<b>68.26</b>

### 3.2 Demolition - 2014

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.38	1.38	0.00	0.00	1.38
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.01</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1.38</b>	<b>1.38</b>	<b>0.00</b>	<b>0.00</b>	<b>1.38</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	68.12	68.12	0.01	0.00	68.26
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>68.12</b>	<b>68.12</b>	<b>0.01</b>	<b>0.00</b>	<b>68.26</b>

### 3.2 Demolition - 2014

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.38	1.38	0.00	0.00	1.38
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.01</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1.38</b>	<b>1.38</b>	<b>0.00</b>	<b>0.00</b>	<b>1.38</b>

### 3.3 Site Preparation - 2014

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.09	0.00	0.09	0.05	0.00	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Off-Road	0.05	0.37	0.22	0.00		0.02	0.02		0.02	0.02	0.00	36.27	36.27	0.00	0.00	36.35
<b>Total</b>	<b>0.05</b>	<b>0.37</b>	<b>0.22</b>	<b>0.00</b>	<b>0.09</b>	<b>0.02</b>	<b>0.11</b>	<b>0.05</b>	<b>0.02</b>	<b>0.07</b>	<b>0.00</b>	<b>36.27</b>	<b>36.27</b>	<b>0.00</b>	<b>0.00</b>	<b>36.35</b>

### 3.3 Site Preparation - 2014

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.83	0.83	0.00	0.00	0.83
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.01</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.83</b>	<b>0.83</b>	<b>0.00</b>	<b>0.00</b>	<b>0.83</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.04	0.00	0.04	0.02	0.00	0.02	0.00	0.00	0.00	0.00	0.00	0.00
Off-Road	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	36.27	36.27	0.00	0.00	36.35
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.04</b>	<b>0.00</b>	<b>0.04</b>	<b>0.02</b>	<b>0.00</b>	<b>0.02</b>	<b>0.00</b>	<b>36.27</b>	<b>36.27</b>	<b>0.00</b>	<b>0.00</b>	<b>36.35</b>

### 3.3 Site Preparation - 2014

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.83	0.83	0.00	0.00	0.83
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.01</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.83</b>	<b>0.83</b>	<b>0.00</b>	<b>0.00</b>	<b>0.83</b>

### 3.4 Grading - 2014

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.07	0.00	0.07	0.03	0.00	0.03	0.00	0.00	0.00	0.00	0.00	0.00
Off-Road	0.06	0.46	0.30	0.00		0.02	0.02		0.02	0.02	0.00	47.52	47.52	0.00	0.00	47.63
<b>Total</b>	<b>0.06</b>	<b>0.46</b>	<b>0.30</b>	<b>0.00</b>	<b>0.07</b>	<b>0.02</b>	<b>0.09</b>	<b>0.03</b>	<b>0.02</b>	<b>0.05</b>	<b>0.00</b>	<b>47.52</b>	<b>47.52</b>	<b>0.00</b>	<b>0.00</b>	<b>47.63</b>

### 3.4 Grading - 2014

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.38	1.38	0.00	0.00	1.38
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.01</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1.38</b>	<b>1.38</b>	<b>0.00</b>	<b>0.00</b>	<b>1.38</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.03	0.00	0.03	0.02	0.00	0.02	0.00	0.00	0.00	0.00	0.00	0.00
Off-Road	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	47.52	47.52	0.00	0.00	47.63
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.03</b>	<b>0.00</b>	<b>0.03</b>	<b>0.02</b>	<b>0.00</b>	<b>0.02</b>	<b>0.00</b>	<b>47.52</b>	<b>47.52</b>	<b>0.00</b>	<b>0.00</b>	<b>47.63</b>

### 3.4 Grading - 2014

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.38	1.38	0.00	0.00	1.38
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.01</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1.38</b>	<b>1.38</b>	<b>0.00</b>	<b>0.00</b>	<b>1.38</b>

### 3.5 Building Construction - 2014

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.50	3.38	2.45	0.00		0.21	0.21		0.21	0.21	0.00	386.61	386.61	0.04	0.00	387.46
<b>Total</b>	<b>0.50</b>	<b>3.38</b>	<b>2.45</b>	<b>0.00</b>		<b>0.21</b>	<b>0.21</b>		<b>0.21</b>	<b>0.21</b>	<b>0.00</b>	<b>386.61</b>	<b>386.61</b>	<b>0.04</b>	<b>0.00</b>	<b>387.46</b>

### 3.5 Building Construction - 2014

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	386.61	386.61	0.04	0.00	387.46
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>386.61</b>	<b>386.61</b>	<b>0.04</b>	<b>0.00</b>	<b>387.46</b>

### 3.5 Building Construction - 2014

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

### 3.5 Building Construction - 2015

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.04	0.28	0.22	0.00		0.02	0.02		0.02	0.02	0.00	34.81	34.81	0.00	0.00	34.88
<b>Total</b>	<b>0.04</b>	<b>0.28</b>	<b>0.22</b>	<b>0.00</b>		<b>0.02</b>	<b>0.02</b>		<b>0.02</b>	<b>0.02</b>	<b>0.00</b>	<b>34.81</b>	<b>34.81</b>	<b>0.00</b>	<b>0.00</b>	<b>34.88</b>

### 3.5 Building Construction - 2015

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	34.81	34.81	0.00	0.00	34.88
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>34.81</b>	<b>34.81</b>	<b>0.00</b>	<b>0.00</b>	<b>34.88</b>

### 3.5 Building Construction - 2015

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

### 3.6 Paving - 2015

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.05	0.30	0.21	0.00		0.03	0.03		0.03	0.03	0.00	26.46	26.46	0.00	0.00	26.54
Paving	0.00					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>0.05</b>	<b>0.30</b>	<b>0.21</b>	<b>0.00</b>		<b>0.03</b>	<b>0.03</b>		<b>0.03</b>	<b>0.03</b>	<b>0.00</b>	<b>26.46</b>	<b>26.46</b>	<b>0.00</b>	<b>0.00</b>	<b>26.54</b>

### 3.6 Paving - 2015

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.35	1.35	0.00	0.00	1.35
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.01</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1.35</b>	<b>1.35</b>	<b>0.00</b>	<b>0.00</b>	<b>1.35</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	26.46	26.46	0.00	0.00	26.54
Paving	0.00					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>26.46</b>	<b>26.46</b>	<b>0.00</b>	<b>0.00</b>	<b>26.54</b>

### 3.6 Paving - 2015

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.35	1.35	0.00	0.00	1.35
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.01</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1.35</b>	<b>1.35</b>	<b>0.00</b>	<b>0.00</b>	<b>1.35</b>

### 3.7 Architectural Coating - 2015

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.00					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Off-Road	0.00	0.03	0.02	0.00		0.00	0.00		0.00	0.00	0.00	2.55	2.55	0.00	0.00	2.56
<b>Total</b>	<b>0.00</b>	<b>0.03</b>	<b>0.02</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2.55</b>	<b>2.55</b>	<b>0.00</b>	<b>0.00</b>	<b>2.56</b>

### 3.7 Architectural Coating - 2015

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.00					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Off-Road	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	2.55	2.55	0.00	0.00	2.56
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2.55</b>	<b>2.55</b>	<b>0.00</b>	<b>0.00</b>	<b>2.56</b>

### 3.7 Architectural Coating - 2015

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	tons/yr										MT/yr						
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

### 4.0 Mobile Detail

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#### 4.1 Mitigation Measures Mobile

Improve Pedestrian Network

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.07	0.13	0.69	0.00	6.51	0.00	6.51	0.64	0.00	0.65	0.00	69.34	69.34	0.00	0.00	69.41
Unmitigated	0.07	0.13	0.69	0.00	6.58	0.00	6.58	0.65	0.00	0.66	0.00	70.01	70.01	0.00	0.00	70.09
<b>Total</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>

#### 4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
City Park	103.75	29.05	29.05	167,475	165,800
<b>Total</b>	<b>103.75</b>	<b>29.05</b>	<b>29.05</b>	<b>167,475</b>	<b>165,800</b>

#### 4.3 Trip Type Information

Land Use	Miles			Trip %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW
City Park	13.00	5.00	5.00	33.00	48.00	19.00

### 5.0 Energy Detail

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#### 5.1 Mitigation Measures Energy

Exceed Title 24

Install High Efficiency Lighting

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Electricity Unmitigated						0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NaturalGas Mitigated	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NaturalGas Unmitigated	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>

### 5.2 Energy by Land Use - NaturalGas

#### Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU	tons/yr										MT/yr					
City Park	0	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

### 5.2 Energy by Land Use - NaturalGas

#### Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Land Use	kBTU	tons/yr										MT/yr						
City Park	0	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

### 5.3 Energy by Land Use - Electricity

#### Unmitigated

	Electricity Use	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Land Use	kWh	tons/yr				MT/yr			
City Park	0					0.00	0.00	0.00	0.00
<b>Total</b>						<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

### 5.3 Energy by Land Use - Electricity

#### Mitigated

	Electricity Use	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Land Use	kWh	tons/yr				MT/yr			
City Park	0					0.00	0.00	0.00	0.00
<b>Total</b>						<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

## 6.0 Area Detail

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### 6.1 Mitigation Measures Area

Use Low VOC Paint - Residential Interior

Use Low VOC Paint - Residential Exterior

Use Low VOC Paint - Non-Residential Interior

Use Low VOC Paint - Non-Residential Exterior

No Hearths Installed

Use Low VOC Cleaning Supplies

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Unmitigated	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>

## 6.2 Area by SubCategory

### Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.00					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Consumer Products	0.00					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Landscaping	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

## 6.2 Area by SubCategory

### Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
SubCategory	tons/yr										MT/yr						
Architectural Coating	0.00					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Consumer Products	0.00					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Landscaping	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

## 7.0 Water Detail

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### 7.1 Mitigation Measures Water

- Apply Water Conservation Strategy
- Install Low Flow Bathroom Faucet
- Install Low Flow Toilet
- Use Water Efficient Irrigation System
- Use Water Efficient Landscaping

	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr				MT/yr			
Mitigated					0.49	0.00	0.00	0.59
Unmitigated					0.49	0.00	0.00	0.59
<b>Total</b>	<b>NA</b>							

## 7.2 Water by Land Use

### Unmitigated

	Indoor/Outdoor Use	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	tons/yr				MT/yr			
City Park	0.114048 / 0.303042					0.49	0.00	0.00	0.59
<b>Total</b>						<b>0.49</b>	<b>0.00</b>	<b>0.00</b>	<b>0.59</b>

## 7.2 Water by Land Use

### Mitigated

	Indoor/Outdoor Use	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	tons/yr				MT/yr			
City Park	0.114048 / 0.303042					0.49	0.00	0.00	0.59
<b>Total</b>						<b>0.49</b>	<b>0.00</b>	<b>0.00</b>	<b>0.59</b>

## 8.0 Waste Detail

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### 8.1 Mitigation Measures Waste

Institute Recycling and Composting Services

### Category/Year

	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
	tons/yr				MT/yr			
Mitigated					0.00	0.00	0.00	0.00
Unmitigated					0.14	0.01	0.00	0.32
<b>Total</b>	<b>NA</b>							

## 8.2 Waste by Land Use

### Unmitigated

	Waste Disposed	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Land Use	tons	tons/yr				MT/yr			
City Park	0.71					0.14	0.01	0.00	0.32
<b>Total</b>						<b>0.14</b>	<b>0.01</b>	<b>0.00</b>	<b>0.32</b>

### Mitigated

	Waste Disposed	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Land Use	tons	tons/yr				MT/yr			
City Park						0.00	0.00	0.00	0.00
<b>Total</b>						<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

## 9.0 Vegetation

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	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Category	tons				MT			
Unmitigated					-11.35	0.00	0.00	-11.35
<b>Total</b>	<b>NA</b>							

## 9.1 Vegetation Land Change

### Vegetation Type

	Initial/Final	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
	Acres	tons				MT			
Grassland	30 / 23.45					-28.23	0.00	0.00	-28.23
<b>Total</b>						<b>-28.23</b>	<b>0.00</b>	<b>0.00</b>	<b>-28.23</b>

## 9.1 Net New Trees

### Species Class

	Number of Trees	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
		tons				MT			
Mixed Hardwood	23					16.88	0.00	0.00	16.88
<b>Total</b>						<b>16.88</b>	<b>0.00</b>	<b>0.00</b>	<b>16.88</b>





**DANA EIR**  
**San Luis Obispo County, Summer**

**1.0 Project Characteristics**

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**1.1 Land Usage**

Land Uses	Size	Metric
City Park	8.3	Acre

**1.2 Other Project Characteristics**

<b>Urbanization</b>	Urban	<b>Wind Speed (m/s)</b>	3.2	<b>Utility Company</b>	Pacific Gas & Electric Company
<b>Climate Zone</b>	4	<b>Precipitation Freq (Days)</b>	44		

**1.3 User Entered Comments**

Project Characteristics -

Land Use -

Construction Phase -

Vehicle Trips - Trip rate based on Traffic Impact Analysis (Rick Engineering, March 2012), Table 10 - Net Change in Project Site Trips Associated with the Proposed Uses. Trip rate adjusted for metric (/size/day).

**2.0 Emissions Summary**

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## 2.1 Overall Construction (Maximum Daily Emission)

### Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2014	9.52	75.06	44.69	0.08	18.35	3.61	21.96	9.94	3.61	13.56	0.00	8,191.50	0.00	0.85	0.00	8,209.41
2015	5.00	30.24	22.98	0.04	0.24	2.55	2.78	0.01	2.55	2.56	0.00	4,040.61	0.00	0.45	0.00	4,050.05
<b>Total</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>

### Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2014	0.15	0.18	1.63	0.08	8.41	0.01	8.42	4.48	0.01	4.49	0.00	8,191.50	0.00	0.85	0.00	8,209.41
2015	0.11	0.13	1.22	0.04	0.24	0.01	0.24	0.01	0.01	0.01	0.00	4,040.61	0.00	0.45	0.00	4,050.05
<b>Total</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>

## 2.2 Overall Operational

### Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00		0.00
Energy	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00	0.00	0.00
Mobile	0.51	0.87	4.61	0.01	45.58	0.03	45.61	4.51	0.03	4.53		559.78		0.03		560.41
<b>Total</b>	<b>0.51</b>	<b>0.87</b>	<b>4.61</b>	<b>0.01</b>	<b>45.58</b>	<b>0.03</b>	<b>45.61</b>	<b>4.51</b>	<b>0.03</b>	<b>4.53</b>		<b>559.78</b>		<b>0.03</b>	<b>0.00</b>	<b>560.41</b>

### Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00		0.00
Energy	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00	0.00	0.00
Mobile	0.51	0.86	4.57	0.01	45.13	0.03	45.15	4.46	0.03	4.49		554.39		0.03		555.02
<b>Total</b>	<b>0.51</b>	<b>0.86</b>	<b>4.57</b>	<b>0.01</b>	<b>45.13</b>	<b>0.03</b>	<b>45.15</b>	<b>4.46</b>	<b>0.03</b>	<b>4.49</b>		<b>554.39</b>		<b>0.03</b>	<b>0.00</b>	<b>555.02</b>

## 3.0 Construction Detail

### 3.1 Mitigation Measures Construction

- Use Soil Stabilizer
- Replace Ground Cover
- Water Exposed Area
- Water Unpaved Roads
- Reduce Vehicle Speed on Unpaved Roads

### 3.2 Demolition - 2014

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	8.39	66.18	41.03	0.07		3.21	3.21		3.21	3.21		7,510.81		0.75		7,526.57
<b>Total</b>	<b>8.39</b>	<b>66.18</b>	<b>41.03</b>	<b>0.07</b>		<b>3.21</b>	<b>3.21</b>		<b>3.21</b>	<b>3.21</b>		<b>7,510.81</b>		<b>0.75</b>		<b>7,526.57</b>

### 3.2 Demolition - 2014

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.12	0.15	1.36	0.00	0.24	0.01	0.24	0.01	0.01	0.02		161.51		0.01		161.75
<b>Total</b>	<b>0.12</b>	<b>0.15</b>	<b>1.36</b>	<b>0.00</b>	<b>0.24</b>	<b>0.01</b>	<b>0.24</b>	<b>0.01</b>	<b>0.01</b>	<b>0.02</b>		<b>161.51</b>		<b>0.01</b>		<b>161.75</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.00	0.00	0.00	0.07		0.00	0.00		0.00	0.00	0.00	7,510.81		0.75		7,526.57
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.07</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>7,510.81</b>		<b>0.75</b>		<b>7,526.57</b>

### 3.2 Demolition - 2014

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.12	0.15	1.36	0.00	0.24	0.01	0.24	0.01	0.01	0.02		161.51		0.01		161.75
<b>Total</b>	<b>0.12</b>	<b>0.15</b>	<b>1.36</b>	<b>0.00</b>	<b>0.24</b>	<b>0.01</b>	<b>0.24</b>	<b>0.01</b>	<b>0.01</b>	<b>0.02</b>		<b>161.51</b>		<b>0.01</b>		<b>161.75</b>

### 3.3 Site Preparation - 2014

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					18.07	0.00	18.07	9.93	0.00	9.93						0.00
Off-Road	9.37	74.88	43.05	0.07		3.61	3.61		3.61	3.61		7,997.69		0.84		8,015.31
<b>Total</b>	<b>9.37</b>	<b>74.88</b>	<b>43.05</b>	<b>0.07</b>	<b>18.07</b>	<b>3.61</b>	<b>21.68</b>	<b>9.93</b>	<b>3.61</b>	<b>13.54</b>		<b>7,997.69</b>		<b>0.84</b>		<b>8,015.31</b>

### 3.3 Site Preparation - 2014

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.15	0.18	1.63	0.00	0.28	0.01	0.29	0.01	0.01	0.02		193.81		0.01		194.10
<b>Total</b>	<b>0.15</b>	<b>0.18</b>	<b>1.63</b>	<b>0.00</b>	<b>0.28</b>	<b>0.01</b>	<b>0.29</b>	<b>0.01</b>	<b>0.01</b>	<b>0.02</b>		<b>193.81</b>		<b>0.01</b>		<b>194.10</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.13	0.00	8.13	4.47	0.00	4.47						0.00
Off-Road	0.00	0.00	0.00	0.07		0.00	0.00		0.00	0.00	0.00	7,997.69		0.84		8,015.31
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.07</b>	<b>8.13</b>	<b>0.00</b>	<b>8.13</b>	<b>4.47</b>	<b>0.00</b>	<b>4.47</b>	<b>0.00</b>	<b>7,997.69</b>		<b>0.84</b>		<b>8,015.31</b>

### 3.3 Site Preparation - 2014

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.15	0.18	1.63	0.00	0.28	0.01	0.29	0.01	0.01	0.02		193.81		0.01		194.10
<b>Total</b>	<b>0.15</b>	<b>0.18</b>	<b>1.63</b>	<b>0.00</b>	<b>0.28</b>	<b>0.01</b>	<b>0.29</b>	<b>0.01</b>	<b>0.01</b>	<b>0.02</b>		<b>193.81</b>		<b>0.01</b>		<b>194.10</b>

### 3.4 Grading - 2014

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					6.55	0.00	6.55	3.31	0.00	3.31						0.00
Off-Road	5.98	45.66	30.18	0.05		2.47	2.47		2.47	2.47		5,240.06		0.53		5,251.29
<b>Total</b>	<b>5.98</b>	<b>45.66</b>	<b>30.18</b>	<b>0.05</b>	<b>6.55</b>	<b>2.47</b>	<b>9.02</b>	<b>3.31</b>	<b>2.47</b>	<b>5.78</b>		<b>5,240.06</b>		<b>0.53</b>		<b>5,251.29</b>

### 3.4 Grading - 2014

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.12	0.15	1.36	0.00	0.24	0.01	0.24	0.01	0.01	0.02		161.51		0.01		161.75
<b>Total</b>	<b>0.12</b>	<b>0.15</b>	<b>1.36</b>	<b>0.00</b>	<b>0.24</b>	<b>0.01</b>	<b>0.24</b>	<b>0.01</b>	<b>0.01</b>	<b>0.02</b>		<b>161.51</b>		<b>0.01</b>		<b>161.75</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					2.95	0.00	2.95	1.49	0.00	1.49						0.00
Off-Road	0.00	0.00	0.00	0.05		0.00	0.00		0.00	0.00	0.00	5,240.06		0.53		5,251.29
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.05</b>	<b>2.95</b>	<b>0.00</b>	<b>2.95</b>	<b>1.49</b>	<b>0.00</b>	<b>1.49</b>	<b>0.00</b>	<b>5,240.06</b>		<b>0.53</b>		<b>5,251.29</b>

### 3.4 Grading - 2014

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.12	0.15	1.36	0.00	0.24	0.01	0.24	0.01	0.01	0.02		161.51		0.01		161.75
<b>Total</b>	<b>0.12</b>	<b>0.15</b>	<b>1.36</b>	<b>0.00</b>	<b>0.24</b>	<b>0.01</b>	<b>0.24</b>	<b>0.01</b>	<b>0.01</b>	<b>0.02</b>		<b>161.51</b>		<b>0.01</b>		<b>161.75</b>

### 3.5 Building Construction - 2014

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	4.74	32.06	23.20	0.04		2.02	2.02		2.02	2.02		4,040.61		0.42		4,049.51
<b>Total</b>	<b>4.74</b>	<b>32.06</b>	<b>23.20</b>	<b>0.04</b>		<b>2.02</b>	<b>2.02</b>		<b>2.02</b>	<b>2.02</b>		<b>4,040.61</b>		<b>0.42</b>		<b>4,049.51</b>

### 3.5 Building Construction - 2014

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.00	0.00	0.00	0.04		0.00	0.00		0.00	0.00	0.00	4,040.61		0.42		4,049.51
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.04</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4,040.61</b>		<b>0.42</b>		<b>4,049.51</b>

### 3.5 Building Construction - 2014

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>

### 3.5 Building Construction - 2015

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	4.34	29.16	22.98	0.04		1.80	1.80		1.80	1.80		4,040.61		0.39		4,048.81
<b>Total</b>	<b>4.34</b>	<b>29.16</b>	<b>22.98</b>	<b>0.04</b>		<b>1.80</b>	<b>1.80</b>		<b>1.80</b>	<b>1.80</b>		<b>4,040.61</b>		<b>0.39</b>		<b>4,048.81</b>

### 3.5 Building Construction - 2015

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.00	0.00	0.00	0.04		0.00	0.00		0.00	0.00	0.00	4,040.61		0.39		4,048.81
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.04</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4,040.61</b>		<b>0.39</b>		<b>4,048.81</b>

### 3.5 Building Construction - 2015

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>

### 3.6 Paving - 2015

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	4.89	30.10	20.54	0.03		2.54	2.54		2.54	2.54		2,917.65		0.44		2,926.87
Paving	0.00					0.00	0.00		0.00	0.00						0.00
<b>Total</b>	<b>4.89</b>	<b>30.10</b>	<b>20.54</b>	<b>0.03</b>		<b>2.54</b>	<b>2.54</b>		<b>2.54</b>	<b>2.54</b>		<b>2,917.65</b>		<b>0.44</b>		<b>2,926.87</b>

### 3.6 Paving - 2015

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.11	0.13	1.22	0.00	0.24	0.01	0.24	0.01	0.01	0.01		157.72		0.01		157.94
<b>Total</b>	<b>0.11</b>	<b>0.13</b>	<b>1.22</b>	<b>0.00</b>	<b>0.24</b>	<b>0.01</b>	<b>0.24</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>		<b>157.72</b>		<b>0.01</b>		<b>157.94</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.00	0.00	0.00	0.03		0.00	0.00		0.00	0.00	0.00	2,917.65		0.44		2,926.87
Paving	0.00					0.00	0.00		0.00	0.00						0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.03</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2,917.65</b>		<b>0.44</b>		<b>2,926.87</b>

### 3.6 Paving - 2015

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.11	0.13	1.22	0.00	0.24	0.01	0.24	0.01	0.01	0.01		157.72		0.01		157.94
<b>Total</b>	<b>0.11</b>	<b>0.13</b>	<b>1.22</b>	<b>0.00</b>	<b>0.24</b>	<b>0.01</b>	<b>0.24</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>		<b>157.72</b>		<b>0.01</b>		<b>157.94</b>

### 3.7 Architectural Coating - 2015

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	0.00					0.00	0.00		0.00	0.00						0.00
Off-Road	0.41	2.57	1.90	0.00		0.22	0.22		0.22	0.22		281.19		0.04		281.96
<b>Total</b>	<b>0.41</b>	<b>2.57</b>	<b>1.90</b>	<b>0.00</b>		<b>0.22</b>	<b>0.22</b>		<b>0.22</b>	<b>0.22</b>		<b>281.19</b>		<b>0.04</b>		<b>281.96</b>

### 3.7 Architectural Coating - 2015

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	0.00					0.00	0.00		0.00	0.00						0.00
Off-Road	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	281.19		0.04		281.96
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>281.19</b>		<b>0.04</b>		<b>281.96</b>

### 3.7 Architectural Coating - 2015

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>

### 4.0 Mobile Detail

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#### 4.1 Mitigation Measures Mobile

Improve Pedestrian Network

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	0.51	0.86	4.57	0.01	45.13	0.03	45.15	4.46	0.03	4.49		554.39		0.03		555.02
Unmitigated	0.51	0.87	4.61	0.01	45.58	0.03	45.61	4.51	0.03	4.53		559.78		0.03		560.41
<b>Total</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>

#### 4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
City Park	103.75	29.05	29.05	167,475	165,800
<b>Total</b>	<b>103.75</b>	<b>29.05</b>	<b>29.05</b>	<b>167,475</b>	<b>165,800</b>

#### 4.3 Trip Type Information

Land Use	Miles			Trip %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW
City Park	13.00	5.00	5.00	33.00	48.00	19.00

### 5.0 Energy Detail

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#### 5.1 Mitigation Measures Energy

Exceed Title 24

Install High Efficiency Lighting

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00	0.00	0.00
NaturalGas Unmitigated	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00	0.00	0.00
<b>Total</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>

## 5.2 Energy by Land Use - NaturalGas

### Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU	lb/day										lb/day					
City Park	0	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00	0.00	0.00
<b>Total</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

## 5.2 Energy by Land Use - NaturalGas

### Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU	lb/day										lb/day					
City Park	0	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00	0.00	0.00
<b>Total</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

## 6.0 Area Detail

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### 6.1 Mitigation Measures Area

Use Low VOC Paint - Residential Interior

Use Low VOC Paint - Residential Exterior

Use Low VOC Paint - Non-Residential Interior

Use Low VOC Paint - Non-Residential Exterior

No Hearths Installed

Use Low VOC Cleaning Supplies

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00		0.00
Unmitigated	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00		0.00
<b>Total</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>

## 6.2 Area by SubCategory

### Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.00					0.00	0.00		0.00	0.00						0.00
Consumer Products	0.00					0.00	0.00		0.00	0.00						0.00
Landscaping	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00		0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>

## 6.2 Area by SubCategory

### Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e	
SubCategory	lb/day										lb/day						
Architectural Coating	0.00					0.00	0.00		0.00	0.00							0.00
Consumer Products	0.00					0.00	0.00		0.00	0.00							0.00
Landscaping	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00			0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>			<b>0.00</b>

## 7.0 Water Detail

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### 7.1 Mitigation Measures Water

- Apply Water Conservation Strategy
- Install Low Flow Bathroom Faucet
- Install Low Flow Toilet
- Use Water Efficient Irrigation System
- Use Water Efficient Landscaping

## 8.0 Waste Detail

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### 8.1 Mitigation Measures Waste

## **9.0 Vegetation**

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**DANA EIR**  
**San Luis Obispo County, Winter**

**1.0 Project Characteristics**

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**1.1 Land Usage**

Land Uses	Size	Metric
City Park	8.3	Acre

**1.2 Other Project Characteristics**

<b>Urbanization</b>	Urban	<b>Wind Speed (m/s)</b>	3.2	<b>Utility Company</b>	Pacific Gas & Electric Company
<b>Climate Zone</b>	4	<b>Precipitation Freq (Days)</b>	44		

**1.3 User Entered Comments**

Project Characteristics -

Land Use -

Construction Phase -

Vehicle Trips - Trip rate based on Traffic Impact Analysis (Rick Engineering, March 2012), Table 10 - Net Change in Project Site Trips Associated with the Proposed Uses. Trip rate adjusted for metric (/size/day).

**2.0 Emissions Summary**

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## 2.1 Overall Construction (Maximum Daily Emission)

### Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2014	9.53	75.08	44.63	0.08	18.35	3.61	21.96	9.94	3.61	13.56	0.00	8,176.49	0.00	0.85	0.00	8,194.39
2015	5.01	30.25	22.98	0.04	0.24	2.55	2.78	0.01	2.55	2.56	0.00	4,040.61	0.00	0.45	0.00	4,050.05
<b>Total</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>

### Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2014	0.16	0.20	1.57	0.08	8.41	0.01	8.42	4.48	0.01	4.49	0.00	8,176.49	0.00	0.85	0.00	8,194.39
2015	0.12	0.15	1.18	0.04	0.24	0.01	0.24	0.01	0.01	0.01	0.00	4,040.61	0.00	0.45	0.00	4,050.05
<b>Total</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>

## 2.2 Overall Operational

### Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00		0.00
Energy	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00	0.00	0.00
Mobile	0.55	0.92	4.79	0.01	45.58	0.03	45.61	4.51	0.03	4.53		525.24		0.03		525.84
<b>Total</b>	<b>0.55</b>	<b>0.92</b>	<b>4.79</b>	<b>0.01</b>	<b>45.58</b>	<b>0.03</b>	<b>45.61</b>	<b>4.51</b>	<b>0.03</b>	<b>4.53</b>		<b>525.24</b>		<b>0.03</b>	<b>0.00</b>	<b>525.84</b>

### Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00		0.00
Energy	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00	0.00	0.00
Mobile	0.54	0.91	4.75	0.01	45.13	0.03	45.15	4.46	0.03	4.49		520.19		0.03		520.78
<b>Total</b>	<b>0.54</b>	<b>0.91</b>	<b>4.75</b>	<b>0.01</b>	<b>45.13</b>	<b>0.03</b>	<b>45.15</b>	<b>4.46</b>	<b>0.03</b>	<b>4.49</b>		<b>520.19</b>		<b>0.03</b>	<b>0.00</b>	<b>520.78</b>

## 3.0 Construction Detail

### 3.1 Mitigation Measures Construction

- Use Soil Stabilizer
- Replace Ground Cover
- Water Exposed Area
- Water Unpaved Roads
- Reduce Vehicle Speed on Unpaved Roads

### 3.2 Demolition - 2014

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	8.39	66.18	41.03	0.07		3.21	3.21		3.21	3.21		7,510.81		0.75		7,526.57
<b>Total</b>	<b>8.39</b>	<b>66.18</b>	<b>41.03</b>	<b>0.07</b>		<b>3.21</b>	<b>3.21</b>		<b>3.21</b>	<b>3.21</b>		<b>7,510.81</b>		<b>0.75</b>		<b>7,526.57</b>

### 3.2 Demolition - 2014

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.14	0.16	1.31	0.00	0.24	0.01	0.24	0.01	0.01	0.02		149.00		0.01		149.24
<b>Total</b>	<b>0.14</b>	<b>0.16</b>	<b>1.31</b>	<b>0.00</b>	<b>0.24</b>	<b>0.01</b>	<b>0.24</b>	<b>0.01</b>	<b>0.01</b>	<b>0.02</b>		<b>149.00</b>		<b>0.01</b>		<b>149.24</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.00	0.00	0.00	0.07		0.00	0.00		0.00	0.00	0.00	7,510.81		0.75		7,526.57
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.07</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>7,510.81</b>		<b>0.75</b>		<b>7,526.57</b>

### 3.2 Demolition - 2014

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.14	0.16	1.31	0.00	0.24	0.01	0.24	0.01	0.01	0.02		149.00		0.01		149.24
<b>Total</b>	<b>0.14</b>	<b>0.16</b>	<b>1.31</b>	<b>0.00</b>	<b>0.24</b>	<b>0.01</b>	<b>0.24</b>	<b>0.01</b>	<b>0.01</b>	<b>0.02</b>		<b>149.00</b>		<b>0.01</b>		<b>149.24</b>

### 3.3 Site Preparation - 2014

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					18.07	0.00	18.07	9.93	0.00	9.93						0.00
Off-Road	9.37	74.88	43.05	0.07		3.61	3.61		3.61	3.61		7,997.69		0.84		8,015.31
<b>Total</b>	<b>9.37</b>	<b>74.88</b>	<b>43.05</b>	<b>0.07</b>	<b>18.07</b>	<b>3.61</b>	<b>21.68</b>	<b>9.93</b>	<b>3.61</b>	<b>13.54</b>		<b>7,997.69</b>		<b>0.84</b>		<b>8,015.31</b>

### 3.3 Site Preparation - 2014

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.16	0.20	1.57	0.00	0.28	0.01	0.29	0.01	0.01	0.02		178.80		0.01		179.09
<b>Total</b>	<b>0.16</b>	<b>0.20</b>	<b>1.57</b>	<b>0.00</b>	<b>0.28</b>	<b>0.01</b>	<b>0.29</b>	<b>0.01</b>	<b>0.01</b>	<b>0.02</b>		<b>178.80</b>		<b>0.01</b>		<b>179.09</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.13	0.00	8.13	4.47	0.00	4.47						0.00
Off-Road	0.00	0.00	0.00	0.07		0.00	0.00		0.00	0.00	0.00	7,997.69		0.84		8,015.31
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.07</b>	<b>8.13</b>	<b>0.00</b>	<b>8.13</b>	<b>4.47</b>	<b>0.00</b>	<b>4.47</b>	<b>0.00</b>	<b>7,997.69</b>		<b>0.84</b>		<b>8,015.31</b>

### 3.3 Site Preparation - 2014

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.16	0.20	1.57	0.00	0.28	0.01	0.29	0.01	0.01	0.02		178.80		0.01		179.09
<b>Total</b>	<b>0.16</b>	<b>0.20</b>	<b>1.57</b>	<b>0.00</b>	<b>0.28</b>	<b>0.01</b>	<b>0.29</b>	<b>0.01</b>	<b>0.01</b>	<b>0.02</b>		<b>178.80</b>		<b>0.01</b>		<b>179.09</b>

### 3.4 Grading - 2014

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					6.55	0.00	6.55	3.31	0.00	3.31						0.00
Off-Road	5.98	45.66	30.18	0.05		2.47	2.47		2.47	2.47		5,240.06		0.53		5,251.29
<b>Total</b>	<b>5.98</b>	<b>45.66</b>	<b>30.18</b>	<b>0.05</b>	<b>6.55</b>	<b>2.47</b>	<b>9.02</b>	<b>3.31</b>	<b>2.47</b>	<b>5.78</b>		<b>5,240.06</b>		<b>0.53</b>		<b>5,251.29</b>

### 3.4 Grading - 2014

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.14	0.16	1.31	0.00	0.24	0.01	0.24	0.01	0.01	0.02		149.00		0.01		149.24
<b>Total</b>	<b>0.14</b>	<b>0.16</b>	<b>1.31</b>	<b>0.00</b>	<b>0.24</b>	<b>0.01</b>	<b>0.24</b>	<b>0.01</b>	<b>0.01</b>	<b>0.02</b>		<b>149.00</b>		<b>0.01</b>		<b>149.24</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					2.95	0.00	2.95	1.49	0.00	1.49						0.00
Off-Road	0.00	0.00	0.00	0.05		0.00	0.00		0.00	0.00	0.00	5,240.06		0.53		5,251.29
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.05</b>	<b>2.95</b>	<b>0.00</b>	<b>2.95</b>	<b>1.49</b>	<b>0.00</b>	<b>1.49</b>	<b>0.00</b>	<b>5,240.06</b>		<b>0.53</b>		<b>5,251.29</b>

### 3.4 Grading - 2014

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.14	0.16	1.31	0.00	0.24	0.01	0.24	0.01	0.01	0.02		149.00		0.01		149.24
<b>Total</b>	<b>0.14</b>	<b>0.16</b>	<b>1.31</b>	<b>0.00</b>	<b>0.24</b>	<b>0.01</b>	<b>0.24</b>	<b>0.01</b>	<b>0.01</b>	<b>0.02</b>		<b>149.00</b>		<b>0.01</b>		<b>149.24</b>

### 3.5 Building Construction - 2014

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	4.74	32.06	23.20	0.04		2.02	2.02		2.02	2.02		4,040.61		0.42		4,049.51
<b>Total</b>	<b>4.74</b>	<b>32.06</b>	<b>23.20</b>	<b>0.04</b>		<b>2.02</b>	<b>2.02</b>		<b>2.02</b>	<b>2.02</b>		<b>4,040.61</b>		<b>0.42</b>		<b>4,049.51</b>

### 3.5 Building Construction - 2014

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.00	0.00	0.00	0.04		0.00	0.00		0.00	0.00	0.00	4,040.61		0.42		4,049.51
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.04</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4,040.61</b>		<b>0.42</b>		<b>4,049.51</b>

### 3.5 Building Construction - 2014

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>

### 3.5 Building Construction - 2015

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	4.34	29.16	22.98	0.04		1.80	1.80		1.80	1.80		4,040.61		0.39		4,048.81
<b>Total</b>	<b>4.34</b>	<b>29.16</b>	<b>22.98</b>	<b>0.04</b>		<b>1.80</b>	<b>1.80</b>		<b>1.80</b>	<b>1.80</b>		<b>4,040.61</b>		<b>0.39</b>		<b>4,048.81</b>

### 3.5 Building Construction - 2015

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.00	0.00	0.00	0.04		0.00	0.00		0.00	0.00	0.00	4,040.61		0.39		4,048.81
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.04</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4,040.61</b>		<b>0.39</b>		<b>4,048.81</b>

### 3.5 Building Construction - 2015

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>

### 3.6 Paving - 2015

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	4.89	30.10	20.54	0.03		2.54	2.54		2.54	2.54		2,917.65		0.44		2,926.87
Paving	0.00					0.00	0.00		0.00	0.00						0.00
<b>Total</b>	<b>4.89</b>	<b>30.10</b>	<b>20.54</b>	<b>0.03</b>		<b>2.54</b>	<b>2.54</b>		<b>2.54</b>	<b>2.54</b>		<b>2,917.65</b>		<b>0.44</b>		<b>2,926.87</b>

### 3.6 Paving - 2015

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.12	0.15	1.18	0.00	0.24	0.01	0.24	0.01	0.01	0.01		145.45		0.01		145.67
<b>Total</b>	<b>0.12</b>	<b>0.15</b>	<b>1.18</b>	<b>0.00</b>	<b>0.24</b>	<b>0.01</b>	<b>0.24</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>		<b>145.45</b>		<b>0.01</b>		<b>145.67</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.00	0.00	0.00	0.03		0.00	0.00		0.00	0.00	0.00	2,917.65		0.44		2,926.87
Paving	0.00					0.00	0.00		0.00	0.00						0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.03</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2,917.65</b>		<b>0.44</b>		<b>2,926.87</b>

### 3.6 Paving - 2015

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.12	0.15	1.18	0.00	0.24	0.01	0.24	0.01	0.01	0.01		145.45		0.01		145.67
<b>Total</b>	<b>0.12</b>	<b>0.15</b>	<b>1.18</b>	<b>0.00</b>	<b>0.24</b>	<b>0.01</b>	<b>0.24</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>		<b>145.45</b>		<b>0.01</b>		<b>145.67</b>

### 3.7 Architectural Coating - 2015

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	0.00					0.00	0.00		0.00	0.00						0.00
Off-Road	0.41	2.57	1.90	0.00		0.22	0.22		0.22	0.22		281.19		0.04		281.96
<b>Total</b>	<b>0.41</b>	<b>2.57</b>	<b>1.90</b>	<b>0.00</b>		<b>0.22</b>	<b>0.22</b>		<b>0.22</b>	<b>0.22</b>		<b>281.19</b>		<b>0.04</b>		<b>281.96</b>

### 3.7 Architectural Coating - 2015

#### Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	0.00					0.00	0.00		0.00	0.00						0.00
Off-Road	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	281.19		0.04		281.96
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>281.19</b>		<b>0.04</b>		<b>281.96</b>

### 3.7 Architectural Coating - 2015

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00		0.00		0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>

### 4.0 Mobile Detail

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#### 4.1 Mitigation Measures Mobile

Improve Pedestrian Network

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	0.54	0.91	4.75	0.01	45.13	0.03	45.15	4.46	0.03	4.49		520.19		0.03		520.78
Unmitigated	0.55	0.92	4.79	0.01	45.58	0.03	45.61	4.51	0.03	4.53		525.24		0.03		525.84
<b>Total</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>

#### 4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
City Park	103.75	29.05	29.05	167,475	165,800
<b>Total</b>	<b>103.75</b>	<b>29.05</b>	<b>29.05</b>	<b>167,475</b>	<b>165,800</b>

#### 4.3 Trip Type Information

Land Use	Miles			Trip %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW
City Park	13.00	5.00	5.00	33.00	48.00	19.00

### 5.0 Energy Detail

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#### 5.1 Mitigation Measures Energy

Exceed Title 24

Install High Efficiency Lighting

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00	0.00	0.00
NaturalGas Unmitigated	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00	0.00	0.00
<b>Total</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>

### 5.2 Energy by Land Use - NaturalGas

#### Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU	lb/day										lb/day					
City Park	0	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00	0.00	0.00
<b>Total</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

## 5.2 Energy by Land Use - NaturalGas

### Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU	lb/day										lb/day					
City Park	0	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00	0.00	0.00
<b>Total</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

## 6.0 Area Detail

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### 6.1 Mitigation Measures Area

Use Low VOC Paint - Residential Interior

Use Low VOC Paint - Residential Exterior

Use Low VOC Paint - Non-Residential Interior

Use Low VOC Paint - Non-Residential Exterior

No Hearths Installed

Use Low VOC Cleaning Supplies

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00		0.00
Unmitigated	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00		0.00
<b>Total</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>

## 6.2 Area by SubCategory

### Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.00					0.00	0.00		0.00	0.00						0.00
Consumer Products	0.00					0.00	0.00		0.00	0.00						0.00
Landscaping	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00		0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>		<b>0.00</b>

## 6.2 Area by SubCategory

### Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
SubCategory	lb/day										lb/day						
Architectural Coating	0.00					0.00	0.00		0.00	0.00							0.00
Consumer Products	0.00					0.00	0.00		0.00	0.00							0.00
Landscaping	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00			0.00
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>			<b>0.00</b>

## 7.0 Water Detail

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### 7.1 Mitigation Measures Water

- Apply Water Conservation Strategy
- Install Low Flow Bathroom Faucet
- Install Low Flow Toilet
- Use Water Efficient Irrigation System
- Use Water Efficient Landscaping

## 8.0 Waste Detail

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### 8.1 Mitigation Measures Waste

## **9.0 Vegetation**

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**APPENDIX C.  
BIOLOGICAL RESOURCES  
BACKGROUND INFORMATION**



**BIOLOGICAL RESOURCES ASSESSMENT  
STORIES OF THE RANCHO PROJECT  
DANA ADOBE NIPOMO AMIGOS  
APNs: 090-171-011, 090-171-030, 090-171-031,  
090-171-032, 090-171-036  
Nipomo, California**

**Prepared for:**

Dana Adobe Nipomo Amigos  
671 South Oakglen Avenue  
Nipomo, California 93444

**Prepared by:**

Terra Verde Environmental Consulting, LLC  
3765 South Higuera Street, Suite 102  
San Luis Obispo, California 93401

December 2011

“As a County-approved biologist, I hereby certify that this Biological Resources Assessment was prepared according to the Guidelines established by the County of San Luis Obispo Department of Planning and Building and that the statements furnished in the report and associated maps are true and correct to the best of my knowledge and belief; and I further certify that Terra Verde staff were present throughout the site visit(s) associated with this report.”



Signature line

14 December 2011

Date

**Contents**

**EXECUTIVE SUMMARY ..... 1**  
**INTRODUCTION ..... 3**  
**METHODOLOGY ..... 3**  
**RESULTS ..... 5**  
Existing Site Conditions ..... 6  
Soils..... 6  
Vegetation Community..... 7  
Sensitive Species ..... 11  
**IMPACT ASSESSMENT AND MITIGATION ..... 19**  
Sufficiency of Biological Data ..... 19  
Summary of Potential Impacts ..... 19  
Short-term, Long-term, and Cumulative Impacts..... 20  
Recommended Mitigation Measures..... 21  
**CONCLUSION ..... 24**  
**REFERENCES..... 25**

- Appendix A: Maps
- Appendix B: Potential Sensitive Species List
- Appendix C: Observed Plant and Wildlife Species List
- Appendix D: Site Photographs
- Appendix E: CNDDDB Form

## **EXECUTIVE SUMMARY**

This biological resources assessment was prepared at the request of Dana Adobe Nipomo Amigos for a property located off of South Oakglen Avenue, in the community of Nipomo, near the southern boundary of San Luis Obispo County, California (APNs: 090-171-011, 090-171-030, 090-171-031, 090-171-032, and 090-171-036). Dana Adobe Nipomo Amigos is a non-profit organization proposing to design and construct the Stories of the Rancho Project, which will include construction of the following facilities: an approximately 6,266-square foot (sf) visitor and education center, administrative office and curator's building; an approximately 1.4-mile long interpretive nature trail system (including landscaping, benches, and fencing); Native American interpretive features (including a living Chumash village, Knapping exhibits, story boulders, Native American gardens, and painted caves); a native habitat interpretation and restoration area; two picnic areas; support facilities; and associated infrastructure (i.e., parking area, trash enclosures, restrooms, fencing, landscaping and irrigation, lighting, utility connections, walkways, a wastewater facility, and drainage/erosion control). The proposed project would include crossings of Nipomo Creek (emergency access), Adobe Creek (new foot bridge), and Carillo Creek (new foot bridge).

The project site encompasses approximately 130 acres, almost all of which will be utilized and disturbed for implementation of the proposed project. A majority of the development and permanent structures will be situated on the 30 acres of APN 090-171-011 and 090-171-036 (30-acre area), with the interpretive nature trails primarily occurring on the 100 acres east of Nipomo Creek (100-acre area; APNs 090-171-030, 090-171-031, and 090-171-032).

The 30-acre area (APN 090-171-011 and 090-171-036) is partially developed with the historic Dana Adobe building, an unpaved driveway, and a small, unpaved parking area. Most of this existing development occurs on APN 090-171-011, while most of APN 090-171-036 is undeveloped and supports horse pasture dominated by non-native grassland. The project site will primarily be accessed at 671 South Oakglen Avenue, via a new paved parking lot. In order to provide emergency access to the site, a secondary drive has been proposed, which will be accessible at South Oakglen Avenue and South Thompson Avenue and will include a bridge over Nipomo Creek. The emergency access would traverse the entire 100-acre area from east to west through approximately 1,500 feet of agricultural fields, which have been overgrown with non-native annual grassland and weedy species.

Dana Adobe Nipomo Amigos is also working with the County of San Luis Obispo (County) and the Land Conservancy of San Luis Obispo (LCSLO) to implement a native habitat restoration project on the 100 acres east of Nipomo Creek (APN 090-171-030, 090-171-031, and 090-171-032). To date, 10,000 riparian plants have been planted along Adobe Creek and Carillo Creek within the 100-acre area of the proposed project site. Both creeks drain into the main stem of Nipomo Creek. The County has committed to plant 3,500 oak trees and 2.5 acres of native coastal chaparral vegetation within the

project site. In addition to restoring native riparian vegetation along the watercourses on site, the Applicant proposes to repair a headcut that has formed in Carillo Creek at the western-most reach of the creek, before it drains into Nipomo Creek. This will improve and protected water quality in both Carillo and Nipomo Creeks.

The severe headcut has formed as a result of a buried pipe, which sticks out of the bank into the creek channel. Flows out of the pipe have resulted in excessive channel and bank erosion. The Applicant proposes to cut the pipe back into the bank, cap the end, and then rebury it. This effort will result in disturbance of approximately 0.36 acres within and adjacent to Carillo Creek, which will be restored by the Applicant after completion. California Department of Fish and Game (CDFG), U.S. Army Corps of Engineers (Corps), and Regional Water Quality Control Board (RWQCB) permits will be needed for this component of the proposed action.

Terra Verde Environmental Consulting (Terra Verde) staff conducted three field surveys relevant to this property: May 31, 2010 and May 19 and 25, 2011. The survey conducted in 2010 focused only on the parcels of the project site west of Nipomo Creek, totaling approximately 30 acres (APN 090-171-011 and 090-171-036). The 2011 surveys encompassed the entire 130-acre proposed project site. Four main vegetation communities were identified within the survey area: grassland, riparian, coastal scrub, and seasonal wetland.

The survey area has the potential to support 21 sensitive plant species, none of which were observed during appropriately timed field surveys. The survey area also has the potential to support 16 sensitive wildlife species, one of which was observed during field surveys. Additionally, one sensitive wildlife species is documented as occurring in Nipomo Creek within the project vicinity: California red-legged frog (*Rana draytonii*). The proposed project may impact Nipomo Creek and the associated riparian vegetation, as well as the surrounding non-native grassland, and a small area of coastal scrub.

Mitigation measures are offered to minimize any potential impacts to sensitive resources during implementation of this project. Identified potential impacts are mostly associated with construction activities and not with long-term effects, although some long-term and cumulative impacts will result due to the nature of the proposed development, which will encourage regular visitors to the site.

## **INTRODUCTION**

Dana Adobe Nipomo Amigos (Applicant) is pursuing the necessary permits and authorizations to fulfill environmental review requirements under the California Environmental Quality Act (CEQA). The proposed activities will involve grading and infrastructure improvements necessary to support the proposed facilities. A total of approximately 130 acres will be developed or disturbed as a result of the proposed project. The project site occurs on both public land (100-acre area) and private land (30-acre area), and is bordered by South Thompson Avenue and private residences to the east, South Oakglen Avenue to the west, and a mixture of agricultural fields and private residences to the north and south. Nipomo Creek, Carillo Creek, and Adobe Creek run through the proposed project site. The Applicant has requested a summary of short-term, long-term, cumulative, and otherwise significant environmental impacts associated with the project as part of this report.

The project site is situated between South Oakglen Avenue and South Thompson Avenue, and straddles Nipomo Creek, within San Luis Obispo County, California (see Appendix A: Figure 1- Location Map). It is most readily accessed from South Oakglen Avenue. Emergency access will be developed as part of this project, and will extend from the new paved parking lot at 671 South Oakglen Avenue, over Nipomo Creek, and connect to South Thompson Avenue at the eastern boundary of the project site. This emergency access will be used primarily in case of emergency, as well as occasionally for maintenance vehicles, agricultural equipment, and access associated with the restoration effort along the three creek corridors on site.

The project site is located within the Nipomo United States Geological Survey (USGS) 7.5-minute topographic quadrangle and encompasses the five parcels that have been assigned the APNs: 090-171-011, 090-171-030, 090-171-031, 090-171-032 and 090-171-036 (see Appendix A: Figure 2 - Topographic Map). The project site is located within the Nipomo Watershed, Hydrologic Unit Code # 18060008 (USGS, 1978).

## **METHODOLOGY**

Terra Verde conducted a biological resources assessment (BRA) within the previously defined survey area. The County of San Luis Obispo (County) is the lead agency under CEQA, and as such, has the primary authority for approval of the proposed project. The purpose of this report is to document the results of the biological and botanical surveys conducted within the survey area, which include:

- Characterization of the vegetation communities present within the survey area;
- creation of a list of regionally occurring special-status species determined to have the potential to occur within the vegetation communities identified within the survey area (i.e., target species list);
- evaluation of the potential for the occurrence of special-status plant and wildlife species within the survey area;

- determine the presence/absence of special-status plant species within the survey area, based on the target species list;
- report the results of the survey conducted within the survey area;
- characterization and determination of the approximate boundaries of wetlands and other waters of the U.S. if present within the survey area;
- review existing relevant scientific literature and other pertinent information related to the project site;
- assess the potential for the proposed project to adversely impact biological or botanical resources;
- summarize the short-term, long-term, cumulative, and otherwise significant impacts associated with the proposed development; and
- recommend mitigation measures designed to avoid or minimize any project-related impacts to biological resources.

This report is prepared according to the guidance provided by the County for biologists that are pre-approved for environmental work within the County and meets all of the associated County requirements.

For the purposes of this report, the survey area includes the entire 130-acre project site and an approximately 100-foot wide buffer surrounding the proposed development and disturbance areas. Terra Verde staff Brooke Langle and Kristie Haydu conducted a field survey within the 30-acre area on May 31, 2010. This survey covered the portion of the project site that has been assigned the APN 090-171-011 and 090-171-036. An additional field survey was conducted within the entire 130-acre proposed project area by Terra Verde staff Brooke Langle, Jessica Adinolfi, and Kyle Giacomini on May 19 and 25, 2011. Since that period, Terra Verde staff members Brooke Langle, Brian Dugas, and Amy Keate have made focused visits to the site to review Carillo Creek and the surrounding areas. Spring field surveys were pedestrian in nature and lasted approximately three hours. During the surveys, the vegetation communities on site were classified and further evaluated for the occurrence of and the overall potential to support special-status plant and wildlife species. Habitat characterization was based on the classification systems presented in *A Manual of California Vegetation* (MCV) (Sawyer, Keeler-Wolf, and Evens 2008) and *California Vegetation* (Holland and Keil 1995), but has been modified to reflect the existing site conditions. All visible plant and wildlife species encountered were noted and identified to the most specific possible taxonomic level, which is required for accurate identification and reporting. The timing was suitable for detection of all potentially occurring sensitive plant species.

All tracks, scat, or signs of wildlife observed on site were also noted. Plant species identification, nomenclature, and taxonomy followed the *Jepson Manual: Higher Plants of California* (Hickman 1993) and the *Jepson Online Interchange* (Rosatti 2009). Wildlife identification, nomenclature, and taxonomy followed standard reference texts including: *Sibley Field Guide to Birds of Western North America* (Sibley 2003), *Field Guide to Western Reptiles and Amphibians* (Stebbins 2003), and *Mammals of California* (Jameson and Peeters 2004).

Prior to conducting the field surveys, Terra Verde staff reviewed the following resources:

- Aerial photographs and draft development plans of the project site;
- U.S. Geological Survey Nipomo, CA 7.5-minute topographic quadrangle;
- online Soil Survey of San Luis Obispo County, California – Nipomo Area (Natural Resources Conservation Service (NRCS) 2011);
- a U.S. Fish and Wildlife Service (USFWS) list of federally listed special-status species with potential to occur within the County (USFWS, 2011);
- a California Natural Diversity Database (CNDDDB) list of state and federally listed special-status species with potential to occur within the Nipomo, CA 7.5-minute quadrangle and the surrounding 7.5-minute quadrangles (Arroyo Grande NE, Caldwell Mesa, Guadalupe, Huasna Peak, Oceano, Santa Maria, Tar Springs Ridge, and Twitchell Dam) (California Department of Fish and Game (CDFG) 2011);
- a CNDDDB map of state and federally listed special-status species that have been documented within a five-mile radius of the project site (CDFG 2011); and;
- a California Native Plant Society (CNPS) list of special-status plant species with potential to occur within the Nipomo, CA 7.5-minute quadrangle and the surrounding 7.5-minute quadrangles (CNPS 2011).

A complete list of all of the regionally occurring special-status species reported in the scientific database queries was compiled for the project site (see Appendix B: Potential Sensitive Species List). An analysis to determine which of these special-status species have the potential to occur within the survey area was conducted. The habitat requirements for each special-status species were assessed and compared to the type and quality of habitats observed on site during the field surveys. Several special-status species were eliminated due to lack of suitable habitat within the survey area, elevation range, lack of soils/substrate, and/or distribution. As previously mentioned, the analysis was also based on a review of resource agency materials, pertinent scientific literature, aerial photography of the project site, topographic maps of the project site, and other local information. Special-status species determined to have the potential to occur within the survey area are discussed below. Special-status species that were not determined to have the potential to occur within the survey area are not discussed further in this report.

## RESULTS

No sensitive plant species were observed on site during the field surveys. One sensitive avian species, white-tailed kite, (*leucurus*) was observed during the surveys and a federally threatened species, California red-legged frog (*Rana draytonii*), was historically documented as occurring within the riparian habitat that occurs on the project site. This section summarizes the results of the field surveys that were conducted within the survey area and provides further analysis of the data collected in the field. Discussions regarding the existing site conditions, soils on site, vegetation communities, including terrestrial

and aquatic habitat types identified on site, and potentially occurring special-status species are presented below.

### ***Existing Site Conditions***

The project site is located near the southern boundary of San Luis Obispo County, within the community of Nipomo. Elevations within the project site range from approximately 76 to 95 meters (m) or 250 to 310 feet above mean sea level (msl). The project site is located adjacent to agricultural fields and a few private residences. Three creek corridors associated with Nipomo Creek, Adobe Creek, and Carillo Creek, occur on the proposed project site. The site is bordered by South Thompson Avenue on the east, South Oakglen Avenue on the west, and primarily privately-owned agricultural lands to the north and south, with a few private residences along the southern and eastern boundaries.

The climate within the County is highly variable and ranges from a cool, coastal climate in the west to a hotter, more typical Mediterranean climate in the east. The project site is located within the Central Coast Ranges along State Highway 101. This region of the County receives limited coastal fog and is considered to have a less strong maritime influence than the coast.

### ***Soils***

According to the NRCS online soil survey of San Luis Obispo County, seven soil units occur within the survey area (NRCS 2011): Diablo clay, Diablo and Cibo clays, Marimel silty clay loam, Oceano sand (0 to 9 percent slopes), Oceano sand (9 to 30 percent slopes), Tierra loam, and Zaca clay, which are discussed below. The soil review for this report is directed at determining the conditions present in regard to the potential to support special-status species or wetland habitats. As such, this information should not be construed as a detailed soil analysis.

#### ***129 – Diablo clay, 5-9 percent slopes***

The Diablo clay component makes up approximately 10 percent of the map unit. The parent material of this soil type is residuum weathered from mudstone, sandstone, and/or shale. The natural drainage class of this unit is well drained, and it is composed of clay over weathered bedrock. Diablo clay soils tend to occur on backslopes and summits. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.

#### ***130 – Diablo and Cibo clays, 9-15 percent slopes***

The Diablo and Cibo clay component makes up approximately five percent of the map unit. The parent material of this soil type is residuum weathered from mudstone, sandstone, and/or shale. The natural drainage class of this unit is well drained, and it is composed of clay over weathered bedrock. Diablo and Cibo clay soils tend to occur on backslopes and summits. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.

***170 – Marimel silty clay loam, 0-2 percent slopes***

The Marimel component makes up approximately 13 percent of the map unit. The parent material of this soil type is alluvium derived from sedimentary rock. The natural drainage class of this unit is well drained, and it is composed of silty clay loam and stratified loam to clay loam to silty clay loam. Marimel soils tend to occur on alluvial fans and in valleys. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.

***184 – Oceano sand, 0-9 percent slopes***

The Oceano (0-9 percent slopes) component makes up approximately seven percent of the map unit. The parent material of this soil type is Eolian deposits. The natural drainage class of this unit is excessively drained, and it is composed entirely of sand. Oceano soils tend to occur on dunes and toeslopes. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.

***185 – Oceano sand, 9-30 percent slopes***

The Oceano (9-30 percent slopes) component makes up approximately five percent of the map unit. The parent material of this soil type is Eolian deposits. The natural drainage class of this unit is excessively drained, and it is composed entirely of sand. Oceano soils tend to occur on dunes and toeslopes. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.

***218 – Tierra loam, 15-30 percent slopes***

The Tierra component makes up approximately 11 percent of the map unit. The parent material of this soil type is alluvium derived from sedimentary rock. The natural drainage class of this unit is moderately well drained, and it is composed of loam, clay, and sandy clay loam. Tierra loam soils tend to occur on terraces, backslopes, summits, and toeslopes. This soil unit does not have any listed hydric components or inclusions that meet the hydric soils criteria.

***224 – Zaca clay, 9-15 percent slopes***

The Zaca component makes up approximately 49 percent of the map unit. The parent material of this soil type is residuum weathered from calcareous mudstone, sandstone, and/or shale. The natural drainage class of this unit is well drained, and it is composed of clay and silty clay over weathered bedrock. Zaca soils tend to occur on summits and backslopes.

***Vegetation Community***

Four vegetation communities were observed within the survey area: grassland, riparian, coastal scrub, and seasonal wetland. A map that illustrates the extent of the vegetation on site is included for reference (see Appendix A: Figure 3- Vegetation Map). Site photographs of the survey area are presented in Appendix D.

## Grasslands

### *Wild Oats Grassland*

This community is dominated by non-native annual grasses and forbs; trees and shrubs are largely absent or present in low cover. The dominant species found in this community are slender wild oats (*Avena barbata*) and ripgut brome (*Bromus diandrus*). Other species present that had greater cover in other grasslands on site include black mustard (*Brassica nigra*), Italian ryegrass (*Lolium multiflorum*)\*, soft chess brome (*Bromus hordeaceus*), Harding grass (*Phalaris aquatica*), and Italian thistle (*Carduus pycnocephalus*). Some native species are present in this community but not at great enough cover to constitute an additional vegetative community. This community occupies a large part of the site east of Nipomo Creek and mostly on the hilltops. This species composition was used in determining the community classification, which most closely corresponds with the *Avena (barbata, fatua)* Semi-Natural Herbaceous Stands, Wild oats grassland, in the MCV classification system (Sawyer, Keeler-Wolf, and Evens 2008).

### *Perennial Ryegrass Fields*

This community represents the other grassland identified within the survey area. The dominant species present is Italian ryegrass. In this community, shrubs and trees are largely absent or present in low cover. The community is mostly composed of non-native grasses and forbs such as common wild oats (*Avena fatua*), Harding grass, bromes (*Bromus spp.*), barleys (*Hordeum spp.*), curly dock (*Rumex crispus*), and Italian thistle. Some native species are present in this community but not at great enough cover to constitute an additional vegetative community. This community occupies a large part of the site east of Nipomo Creek and is found around the Wild Oats Grassland community. This species composition was used in determining the community classification, which most closely corresponds with the *Lolium perenne*\* Semi-Natural Herbaceous Stands, Perennial ryegrass fields, in the MCV classification system (Sawyer, Keeler-Wolf, and Evens 2008).

\*This species is undergoing taxonomic changes, and *Lolium perenne* subspecies *multiflorum* is a nomenclatural synonym for *Lolium multiflorum*, which is currently the accepted name for the species per the *Jepson Interchange for California Floristics*.

Grasslands often provide important habitat for a variety of wildlife species. Raptors, such red-tailed hawk (*Buteo jamaicensis*), barn owl (*Tyto alba*), and American kestrel (*Falco sparverius*), commonly use open grassland areas extensively for foraging purposes, while species such as western meadowlark (*Sturnella neglecta*) and red-winged blackbirds (*Agelaius phoeniceus*) use open grasslands for nesting. In addition, a white-tailed kite (*Elanus leucurus*) has been observed foraging in the grasslands of the property. Reptiles which commonly breed within grassland habitats include western fence lizard (*Sceloporus occidentalis*), gopher snake (*Pituophis catinifer*), and western rattlesnake (*Crotalus viridis*). Grasslands can also provide habitat for a variety of small mammal species such as Botta's pocket gopher (*Thomomys bottae*), California mouse (*Peromyscus californicus*), and western harvest mouse (*Reithrodontomys megalotis*). Larger mammals such as bobcat (*Lynx rufus*), coyote (*Canis latrans*), and mule deer (*Odocoileus hemionus*) may occur.

Bird species that are expected to occur in or frequent this habitat include California towhee (*Pipilo crissaliss*), spotted towhee (*Pipilo maculates*), white-crowned sparrow (*Zonotricha leucophrys*), wrenit (*Chamaea fasciata*), California thrasher (*Toxostoma redivivum*), and western scrub jay (*Aphelocoma californica*).

## **Coastal Scrub**

### *Coastal Scrub (Yellow Bush Lupine Scrub)*

This vegetation community occupies the site west of Nipomo Creek. The shrub layer is developed and intermittent, and the dominant species present are coastal bush lupine (*Lupinus arboreus*), coyote brush (*Baccharis pilularis*), and mock heather (*Ericameria ericoides*). The herbaceous layer is dominated by veldt grass (*Ehrharta calycina*), an invasive grass species common in local coastal areas with sandy soils. One native grass, purple needlegrass (*Stipa pulchra*), is found in relatively high cover, but not enough to constitute an additional vegetation community. A stand of needlegrass occurs in a small patch (approximately 50 by 50 feet) around the rock outcropping on the east side of the property north of Carillo Creek). A fairly developed patch of coastal scrub occurs on the southwestern portion of the property, surrounded by oaks.

Other species found in this community include black mustard, fennel (*Foeniculum vulgare*), and Italian ryegrass. This species composition was used in determining the community classification, which most closely corresponds with the *Lupinus arboreus*-*Ericameria ericoides* Association of the *Lupinus arboreus* Shrubland Alliance and Semi-Natural Shrubland Stands, Yellow bush lupine scrub, in the MCV classification system (Sawyer, Keeler-Wolf, and Evens 2008).

### *Coastal Scrub (Silver Bush Lupine Scrub)*

This community occupies the sandy soils in the northwestern most portion of the survey area. Compared to other communities on site, this community supports a relatively high presence of native plant species. Native shrubs such as silver bush lupine and coyote brush dominate, with a variety of both native and non-native herbaceous species composing the understory. Native species such as telegraph weed (*Heterotheca grandiflora*), California croton (*Croton californicus*), common cryptantha (*Cryptantha clevelandii*), and suncups (*Camissonia spp.*) dominate the intermittent herbaceous understory. Additionally, non-native grasses such as ripgut brome are also locally common. This species composition was used in determining the community classification, which most closely corresponds with the *Lupinus albifrons* coastal Association of the *Lupinus albifrons* Shrubland Alliance, Silver bush lupine scrub, in the MCV classification system (Sawyer, Keeler-Wolf, and Evens 2008).

## **Riparian**

### *Seasonal Drainage (Arroyo Willow Scrub)*

There are two creek corridors on site within the survey area that drain to Nipomo Creek, which runs from the northwest to the south through the site. Both drainage corridors show similar species composition and are identified as the same vegetation community. Both drainages show signs of active restoration in the form of irrigation lines and recently

planted shrubs, trees, and flowers. The dominant species within this community is arroyo willow (*Salix lasiolepis*). Other native shrubs and trees such as blue elderberry (*Sambucus nigra*) and coyote brush are co-dominants in the canopy and shrub layer. The herbaceous understory is composed of a mix of native and non-native species such as mugwort (*Artemisia douglasiana*), yellow monkeyflower (*Mimulus guttatus*), California wild rose (*Rosa californica*), and poison hemlock (*Conium maculatum*).

#### *Riparian Oak Woodland (Coast Live Oak Woodland)*

The vegetation of Nipomo Creek above and below the survey area is composed of a mixed tree layer dominated by coast live oak (*Quercus agrifolia*), California box elder (*Acer negundo* var. *californica*), and arroyo willow. The canopy is continuous with an intermittent shrub layer and sparse to absent herbaceous understory. Dominant understory species include poison oak (*Toxicodendron diversilobum*) and creeping snowberry (*Symphoricarpos mollis*). Within the creek, watercress (*Nasturtium officinale*), a native perennial herb, is abundant. Outside of the canopy and along the streambank, Harding grass, a non-native perennial grass is abundant. Oak trees also occur in the southwestern corner of the property, though not in enough density to constitute a separate vegetation community. This species composition was used in determining the community classification, which most closely corresponds with the *Quercus agrifolia*/*Toxicodendron diversilobum* riparian Association of the *Quercus agrifolia* Woodland Alliance, Coast live oak woodland, in the MCV classification system (Sawyer, Keeler-Wolf, and Evens 2008).

This vegetation community is noted due to the potential impacts to the riparian habitat associated with the construction of an emergency access bridge. These impacts are expected to be minimal, and mitigation for these impacts is offered in this report.

Riparian woodlands provide excellent habitat for a wide variety of species, often including reptiles and amphibians. These habitats are expected to provide suitable habitat for a diverse assemblage of semi-aquatic and terrestrial wildlife species. A variety of amphibian and reptile species, including Pacific chorus frog (*Pseudacris regilla*), bullfrog (*Rana catesbiana*), and common garter snake (*Thamnophis sirtalis*), were observed or are to be expected to frequent or benefit from the riparian habitat onsite. Riparian plant communities are an important component of ecosystems found along stream channels. Trees help to shade the streams, keeping water temperatures low. They also provide important nesting and foraging habitat for songbirds, while the roots help hold the soil and provide in-stream cover for aquatic species. As noted above, one sensitive species that has been documented as occurring in the riparian area along Nipomo Creek is California red-legged frog.

#### **Wetland**

##### *Seasonal Wetland (Creeping Rye Grass Turfs)*

Several small areas dominated by native grasses creeping wild rye (*Leymus triticoides*) and salt grass (*Distichlis spicata*) were observed just east of Nipomo Creek. Salt grass is a facultative wetland species and usually occurs in wetlands, and creeping wild rye is commonly found in wetlands; although, it is equally likely to occur in non-wetlands. This

community is easily invaded by non-native species, and both black mustard and Italian thistle were found occasionally within the community and abundant in the surrounding vegetation. This species composition and habitat on site were used in determining the community classification, which most closely corresponds with the *Leymus triticoides* Herbaceous Alliance, Creeping rye grass turfs, in the MCV classification system (Sawyer, Keeler-Wolf, and Evens 2008).

## **Other**

### *Agricultural/Rangeland*

Within the survey area east of Nipomo Creek and a portion west of the creek, there are large areas that appear to have once been cultivated or grazed and are identified as agricultural/rangeland. Non-native species are dominant, and natives are nearly absent or occur in low cover. The dominant species in these areas are tocalote (*Centaurea melitensis*), Italian thistle, and fennel. Other species occur at low frequency and cover, and include black mustard, milk thistle (*Silybum marianum*), and Italian ryegrass. This species composition was used in determining the community classification, which most closely corresponds with the *Centaurea melitensis-Brassica nigra* Stand Type of the *Centaurea (solstitialis, melitensis)* Herbaceous Stands, Yellow star-thistle fields, in the MCV classification system (Sawyer, Keeler-Wolf, and Evens 2008).

## **Sensitive Species**

For the purposes of this BRA, a sensitive species is defined as a species that is of management concern to state and/or federal resource agencies and includes those species that are:

- Listed as endangered, threatened, or candidate for listing under the Federal Endangered Species Act (FESA);
- listed as rare, endangered, threatened, or proposed for listing under the California Endangered Species Act (CESA);
- designated as endangered or rare, pursuant to the California Fish and Game Code (Section 1901, Chapter 10 – Native Plant Protection Act);
- designated as fully protected, pursuant to the California Fish and Game Code (Section 3511, Section 4700, or Section 5050);
- designated as a species of special concern by CDFG; and
- plants that meet the definitions of rare, threatened, or endangered under the California Environmental Quality Act (CEQA), including plants listed by CNPS to be “rare, threatened, or endangered in California” (CNPS Lists 1A, 1B, and 2). Local or regional agencies (e.g., County, City) may consider plant species that CNPS believes require additional information (i.e., CNPS List 3) and plant species that have been placed on a watch list (i.e., CNPS List 4) by CNPS.

All occurrences of special-status species and sensitive habitat types previously documented from the CNDDDB within a five-mile radius of the project site were plotted on a map using geographic information systems (GIS) software (Appendix A: Figure 4 - CNDDDB Five-mile Radius Map). As previously discussed in the Methodology Section,

an analysis was conducted to determine which of these special-status species has potential to occur within the survey area (Appendix B: Potential Sensitive Species List).

Terra Verde staff determined that the proposed project may affect and/or that the survey area contains suitable habitat for 21 sensitive plants and 16 sensitive wildlife species. More detailed descriptions of the sensitive species with potential to occur within the survey area are also provided below.

The survey area has suitable habitat for the federally protected species, steelhead (*Oncorhynchus mykiss irideus*). Historic records note steelhead as occurring in Nipomo Creek. However, a significant barrier exists for upstream anadromous fish migration to Nipomo Creek from the Santa Maria River confluence. An additional barrier, an approximate drop of 15 feet at an Arizona crossing, exists in the vicinity of the Santa Maria Raceway (Bob Hill, Land Conservancy 2011). Steelhead are not discussed further in this document due to the significant barriers noted downstream.

### **Sensitive Plant Species Descriptions**

Terra Verde staff planned the field surveys so that they would correspond with the bloom periods of those sensitive plant species determined to have potential to occur within the survey area. All manzanitas are evergreen and as such can be identified outside of the typical blooming window. No sensitive plant species were observed on site during the field surveys, thus, none are discussed further in this document.

A comprehensive list of all the plant species observed within the survey area during the field surveys is included in Appendix C.

### **Sensitive Mammal Species Descriptions**

#### **American Badger (*Taxidea taxus*), State Species of Special Concern**

American badger is a non-migratory species that occurs throughout most of California. It occurs in more open and arid habitats including grasslands, meadows, savannahs, open-canopy desert scrub, and open chaparrals. It requires friable soils in areas with low to moderate slopes. American badger is known to occur in nearly every region of California except for the North Coast region which includes Del Norte, Humboldt, Mendocino, Sonoma, and Marin counties. This species occurs at elevations that range from approximately zero to 3,600 m above msl. American badger typically breeds from May through September, but it may not breed every year. This species has not been previously documented within a five-mile radius of the project site (CDFG 2011).

The grasslands within and surrounding the survey area are considered suitable habitat for American badger, although suitable burrows for this species were not observed. This species was not observed within the survey area during the field surveys.

#### **Pallid Bat (*Antrozous pallidus*), State Species of Special Concern**

Pallid bat is typically found in arid desert habitats and utilizes protective landscape features for roosting such as rock crevices, caves, tree hollows, mines, old buildings, and bridges. They also occur in oak and pine forested areas and open farmland. This species

uses semi-dark day-roosts which provide some protective cover. Pallid bats prefer darkness, shelter from wind and rain, and an easy escape if they are disturbed. Although not a requirement, roosts are generally found near a source of water. Breeding begins in October and continues sporadically throughout the winter. The range of this species is from British Columbia to Mexico, along the Pacific coast and as far east as Texas. This species has not been previously documented within a five-mile radius of the project site (CDFG 2011).

The open agricultural lands and the riparian corridor are considered suitable foraging lands for this species. This species was not observed within the survey area during the field surveys.

### **Sensitive Amphibian Species Descriptions**

**California Red-legged Frog (*Rana draytonii*)**, Federal Threatened, State Species of Special Concern

California red-legged frogs require permanent or semi-permanent bodies of water such as lakes, streams, or ponds with plant cover for foraging and breeding habitat. These frogs also use lowland and grassland areas to hunt and forage for food. Frogs have been documented more than a mile away from waterbodies. Reproduction occurs in aquatic habitats and occurs from late November to early April. Egg masses are laid in the water, often under the protection of emergent vegetation. This species is known to occur from Mendocino County to Northern Baja California and eastward through the Northern Sacramento Valley and Sierra Nevada foothills. It is known to occur from 0 to 1,525 m above msl.

California red-legged frog is known to occur near the project site. This species has been documented within a five-mile radius of the project site (CDFG 2011).

The riparian corridor is not considered suitable breeding habitat for this species due to the variable source of water and lack of deep pools. The dense riparian vegetation around the creek and the surrounding open grassland provide suitable foraging and upland habitat for this species. This species was not observed within the survey area during the field surveys, however, a documented occurrence is known near the project site.

**California Tiger Salamander (*Ambystoma californiense*)**, Federal and State Threatened, State Species of Special Concern

Grasslands with shallow, temporary pools provide suitable habitat for California tiger salamander. They spend most of their time in underground burrows but require ponds or vernal pools for breeding from late winter to the end of March. This species also utilizes upland habitats including grasslands, oak savanna, and edges of mixed woodland and lower elevation coniferous forest. California tiger salamander is endemic to California, commonly found in vernal pools and grasslands of the central valley and marsh habitats along the coast from San Francisco to San Luis Obispo County. This species has not been previously documented within a five-mile radius of the project site (CDFG 2011).

Because there is no suitable breeding habitat within or adjacent to the project area, this species is not expected to occur. This species was not observed within the survey area during the field surveys.

**Coast Range Newt (*Taricha torosa torosa*), State Species of Special Concern**

Coast range newts are typically found in slow moving streams, ponds, and lakes with surrounding evergreen and oak forests, chaparral, and rolling grasslands along the coast. In southern California, drier chaparral, oak woodland, and grasslands are also used as habitat. Adults migrate from terrestrial habitats to ponds, reservoirs, and sluggish pools in streams to breed, typically between December and February, depending on rainfall amounts. This species is endemic to California, found along the coast and Coast Range Mountains from Mendocino County south to San Diego County. This species has not been previously documented within a five-mile radius of the project site (CDFG 2011).

The riparian corridor and adjacent grasslands are considered suitable habitat for this species. This species was not observed within the survey area during the field surveys.

**Western Spadefoot Toad (*Spea hammondi*), State Species of Special Concern**

Western spadefoot toads generally require grassland, open chaparral, or valley foothill woodland habitats for feeding and aestivation. It also requires aquatic habitats including permanent or temporary wetlands, rivers, creeks, pools in intermittent streams, or stock ponds for breeding. Western spadefoot toad is a predominantly terrestrial species and enters water for reproduction. It breeds from January through March, but the breeding season can extend through May in wetter years. Further research is required to determine the dispersal distance western spadefoot toads travel from aquatic habitats to upland refugia. Some studies suggest that the dispersal distance can be as great as 368 m. This species occurs throughout the Central Valley from Shasta County south through western Kern County. In the Coast Ranges it occurs from Point Conception in Santa Barbara County south to the Mexican border. Western spadefoot toad also occurs along inland Monterey and northern San Benito counties south through inland San Luis Obispo County. It is known to occur at elevations that range from approximately 0 to 1,363 m above msl. This species has been documented within a five-mile radius of the project site (CDFG 2011).

No western spadefoot toads were observed and likely do not occur in the project area due to the lack of suitable aquatic breeding habitat in or near the survey area.

**Sensitive Reptile Species Descriptions**

**Southern Pacific Pond Turtle (*Actinemys marmorata pallida*), State Species of Special Concern**

Southern Pacific pond turtle, formerly known as the western pond turtle, occupies a wide range of habitats including wetlands, rivers, streams, lakes, and stock ponds for feeding and basking sites. These turtles also require upland areas for aestivation, wintering, and nesting sites. Nesting typically occurs along the edges of lakes or ponds but may also occur up to 500 meters from water. This species starts nesting in April with a peak in

May through July and typically concludes in August. Turtles have been documented as traveling up to 60 meters into upland areas for aestivation sites. This species occurs from western Washington to northern Baja California. Coastal populations exist in San Luis Obispo and Los Angeles Counties. It is known to occur at elevations that range from approximately 0 to 2,084 m above msl. This species has not been previously documented within a five-mile radius of the project site (CDFG 2011).

The project area lacks deep pools and basking sites required by turtles. However, the riparian corridor and the adjacent upland areas are considered marginally suitable habitat for this species. No pond turtles were observed during the surveys.

**Silvery Legless Lizard (*Anniella pulchra pulchra*)**, State Species of Special Concern  
Silvery legless lizard requires sandy or loose loamy soils within coastal dune scrub, coastal sage scrub, chaparral, woodland, riparian, or forest habitats. It requires cover such as debris, logs, leaf litter, or rocks and will cover itself with loose soil. Relatively little is known about the specific behavior and ecology of this species. Silvery legless lizard is thought to be a diurnal species that breeds between the months of March through July. It gives live birth to young in the early fall. This species occurs from Antioch in Contra Costa County south through the Coast, Transverse, and Peninsular Ranges, along the western edge of the Sierra Nevada, and in parts of the San Joaquin Valley and Mojave Desert to El Consuelo in Baja. Silvery legless lizard is known to occur at elevations that range from approximately 0 to 1,800 m above msl. This species has not been previously documented within a five-mile radius of the project site (CDFG 2011).

The coastal scrub community on the western side of the survey area is suitable habitat for this species. Silvery legless lizard was not observed within the survey area during the field surveys.

**Coast Horned Lizard (*Phrynosoma blainvillii*)**, State Species of Special Concern  
Coast horned lizards inhabit open areas of sandy soil and low vegetation in valleys, foothills, and semiarid mountains from sea level to 82,438 m in elevation. They are typically found in grasslands, coniferous forests, woodlands, and chaparral, with open areas and patches of loose soil. Additionally, they are often found in lowlands along sandy washes with scattered shrubs and along dirt roads, and are frequently found near ant hills.

Historically, this species has been found along the Pacific coast from the Baja California border west of the deserts and the Sierra Nevada, north to the Bay Area, and inland as far north as Shasta Reservoir, and south into Baja California. This species ranges up onto the Kern Plateau east of the crest of the Sierra Nevada, although the current range is more fragmented (californiaherps.com). This species has been documented within a five-mile radius of the project site (CDFG 2011).

The sandy soils and shrubs on the western side of the survey area are suitable habitat for this species. This species was not observed within the survey area during the field surveys.

**Two-striped Gartersnake (*Thamnophis hammondi*)**, State Species of Special Concern  
Highly aquatic, two-striped garter snakes forage primarily in and along streams hunting fishes, especially trout and sculpins and their eggs, and amphibians and amphibian larvae. Small mammals and invertebrates such as leeches and earthworms are also taken (Fitch 1941, Nussbaum et al. 1983, Rathburn et al. 1993). The preferred nocturnal retreats of this active diurnal snake are thought to be holes, especially mammal burrows, crevices, and surface objects (Rathburn et al. 1993). During the day this gartersnake often basks on streamside rocks or on densely vegetated stream banks. When disturbed it usually retreats rapidly to water. In milder areas, mammal burrows and surface objects such as rocks and rotting logs serve as winter refuges. Courtship and mating normally occur soon after spring emergence. Young are born alive in the late summer, usually in secluded sites such as under the loose bark of rotting logs or in dense vegetation near pond or stream margins (Cunningham 1959, Rossman et al. 1996).

Two-striped gartersnake is distributed from the southeastern slope of the Diablo Range and the Salinas Valley south along the South Coast and Transverse ranges to the Mexican border, and on Santa Catalina Island (Jennings and Hayes 1994). Historically common, it is associated with permanent or semi-permanent bodies of water in a variety of habitats from sea level to 2,400 m. It is now gone from about 40 percent of its historical range (Jennings and Hayes 1994). Much of this species' life history has been gleaned from study of other gartersnakes. This species has not been previously documented within a five-mile radius of the project site (CDFG 2011).

Nipomo Creek and the riparian corridor is suitable habitat for this species. This species was not observed within the survey area during the field surveys.

### **Sensitive Bird Species Descriptions**

**Sharp-shinned Hawk (*Accipiter striatus*)**, Federal Threatened, State Species of Special Concern

Sharp-shinned hawk inhabits a variety of natural and urban habitat communities, including aspen, pine, and fir forests and urban, rural, and agricultural areas. This species typically nests in conifer trees, 20 to 60 feet above the ground where there is sufficient overhead shading. Peak nesting season for this species is from March to June, but often extends through the summer. Breeding range for this species typically occurs in colder areas, including high elevation forests in the Rocky Mountains, large areas of Canada, Alaska, and most of the northeastern United States. Breeding grounds also extend into portions of northern California, Nevada, and Washington. Much of the Canadian territory for sharp-shinned hawk is utilized only during the breeding season. This species has been documented within a five-mile radius of the project site (CDFG 2011).

The agricultural fields and upland habitat occurring on and near the project site are considered potential foraging habitat for this species. This species was not observed during the field surveys.

**Burrowing Owl (*Athene cunicularia*), State Species of Special Concern**

Burrowing owls are yearlong residents of open, dry grasslands and desert habitats, and in grass, forb, and open shrub stages of pinyon-juniper woodland and ponderosa pine forest habitats. These owls were formerly common in appropriate habitats throughout the state. Burrowing owls eat mostly insects, but will also eat small mammals, reptiles, birds, and carrion. They use rodent or other burrows for roosting and nesting cover, moving between perches and burrows to thermoregulate as temperatures change throughout the day. Nesting occurs in old burrows of small mammals but they may dig their own burrows in soft soils. These owls may also use pipes, culverts, or nest boxes when burrows are sparse. Breeding occurs from March through August, with a peak in April and May (Zeiner, et al). This species is typically a winter resident in the western portion of San Luis Obispo County, with breeding occurring in the eastern portion of the County. This species has not been previously documented within a five-mile radius of the project site (CDFG 2011).

The agricultural fields on and near the project site are considered suitable habitat for this species. However, no suitable burrows were observed, and the vegetation of the grasslands is taller than that typically used by these owls. This species was not observed during the field surveys.

**White-tailed Kite (*Elanus leucurus*), State Fully Protected Species**

White-tailed kites require coastal and valley lowlands along with herbaceous open space habitats. Suitable habitat for this species consists of three components; nesting, foraging, and roosting. Kites will nest in various types of trees including dense oaks, willows, or other tree stands. Nests are placed atop trees at least 6 to 20 meters above the ground and are made from sticks, twigs, or other ground litter. This species forages for small mammals during long-distance flights over a wide variety of terrain including grasslands, meadows, and farmlands. Kites hover above the ground at 30 meters then descend onto prey with wings held high. Kites spend the majority of time perched in roosting and nesting sites that are adjacent or close to foraging habitats. This species' current range in California consists of what is often referred to as cismontane California. This range includes lands west of the Cascade-Sierra Nevada-Peninsular crest ranges. Kite nesting season is typically from February to October with a peak from May to August. This species has not previously been documented within a five mile radius of the project site (CDFG 2011). However, a white-tailed kite was observed foraging on the east side of the property on several occasions.

The open grassland and agricultural fields provide foraging habitat for this species. As noted above, it appears white-tailed kites use the eastern grasslands of the property for foraging purposes as they were observed frequently hovering over this area.

**Southwestern Willow Flycatcher (*Empidonax traillii extimus*), Federally Endangered, State Endangered**

Southwestern willow flycatcher requires dense riparian habitats with microclimatic conditions dictated by the local surroundings. Saturated soils, standing water, or nearby streams, pools, or cienegas are a component of nesting habitat that also influences the

microclimate and density of the vegetation component. Habitat not suitable for nesting may be used for migration and foraging. This species eats primarily flying insects.

The flycatcher is a summer breeder within its range in the United States. It migrates to wintering areas in Central America by the end of September. Nest territories are set up for breeding, and there is some site fidelity to nest territories. Southwestern willow flycatchers arrive on breeding grounds in late April to early May. Nesting begins in late May and early June, with fledging from late June to mid-August.

Loss and degradation of dense riparian habitats are the primary habitat threat to the flycatcher. Historically, water developments that altered flows in the rivers and streams were the primary threat. Now, with riparian areas limited and re-growth difficult due to changes in flows, fire is a significant risk to remaining habitats. Human disturbances at nesting sites may result in nest abandonment (U.S. Fish and Wildlife Service 2011). This species has not been previously documented within a five-mile radius of the project site (CDFG 2011).

The willow riparian corridor is suitable habitat for southwestern willow flycatcher. This species was not observed or heard during the field surveys.

**Prairie Falcon (*Falco mexicanus*), State Species of Special Concern**

Prairie falcons utilize a variety of habitats, including dry grasslands, woodlands, savannahs, cultivated fields, lake shores, and rangelands. These birds are aerial foragers, often feeding in canyons on rodents and smaller birds. Nesting sites are typically on south-facing, overhanging cliffs and rock outcrops, up to 500 feet high. This species has a nesting period that lasts between one and two months, typically between February and April, but sometimes extending into the summer. Prairie falcons have a geographic range that extends from southern Canada, down through Mexico and from the Pacific coast to the Rocky Mountains. It is known to occur at elevations that range from approximately 0 to 3,048 m above msl. This species has not been previously documented within a five-mile radius of the project site (CDFG 2011).

The agricultural fields and upland habitat occurring on and near the project site are considered potential foraging habitat for this species. No prairie falcons were observed during the surveys.

**Least Bell's Vireo (*Vireo bellii pusillus*), Federally Endangered, State Endangered**  
Least Bell's vireos primarily occupy riparian habitats along open water or dry parts of intermittent streams, generally below 460 m in elevation (USFWS 1986; Small 1994, as cited in Dudek and Associates 2005, Kus 2002). They are generally associated with the following vegetation types: southern willow scrub, cottonwood forest, mule fat scrub, sycamore alluvial woodland, coast live oak riparian forest, arroyo willow riparian forest, wild blackberry scrub, and mesquite scrub in desert localities (Kus 2002).

Kus (2002) indicates that the vireo typically forages in riparian and adjoining upland habitat. The historical distribution of least Bell's vireo ranged from central northern

California through the Sacramento and San Joaquin valleys and Sierra Nevada foothills, and from the southern Coast Ranges (including the Santa Clara River watershed) to Baja California, Mexico (Kus 2002, USFWS 1998). Historical populations were also documented in Owens Valley, Death Valley, and scattered locations in the Mojave Desert (USFWS 1998, Kus 2002).

Today, the breeding range of least Bell's vireo is limited primarily from Santa Barbara County south to San Diego County (where the majority of remaining populations occur) (Franzreb 1989, as cited in Labinger and Greaves 2001a, Kus 2002). Breeding pairs have also been sighted near Gilroy (Santa Clara County) (Roberson et al. 1997, as cited in Kus 2002) and along the Santa Clara River (Ventura County) (Labinger and Greaves 2001a), Mojave River (San Bernardino County) (Kus and Beack 1998, as cited in Kus 2002), and San Joaquin River (San Joaquin County) (River Partners 2005, Stillwater Sciences).

Critical habitat for the species has been designated in Santa Barbara, Ventura, Los Angeles, San Bernardino, Riverside, and San Diego counties (USFWS 1992). Critical habitat patches occur on the Santa Ynez, Santa Clara, Santa Margarita, San Luis Rey, Sweetwater, San Diego, and Tijuana rivers (USFWS 1992). This species has not been previously documented within a five-mile radius of the project site (CDFG 2011).

The willow riparian corridor is suitable habitat for least Bell's vireo. This species was not observed or heard during field surveys.

## **IMPACT ASSESSMENT AND MITIGATION**

### ***Sufficiency of Biological Data***

The field surveys that Terra Verde staff conducted are of sufficient technical detail and biological and botanical expertise. The survey effort occurred during the appropriate bloom periods for the target sensitive plant species and the survey effort is both adequate and satisfactory for the purpose of determining the presence/absence of potentially occurring sensitive plant species within the survey area. The County received above average rainfall during the past two wet seasons (i.e., approximately October 2009 to May 2010 and October 2010 to June 2011) and it is assumed that many plant populations within the County experienced above average growth and reproductive success because of the abundant rainfall. Therefore, all results presented within this BRA report are considered valid and accurate as they pertain to the proposed project.

### ***Summary of Potential Impacts***

The proposed project will indirectly impact the riparian woodland along Nipomo Creek and directly impact portions of the surrounding grasslands and agriculture fields. No potentially occurring sensitive plant species were observed within the project area during field surveys. Although considered unlikely, the proposed project has the potential to impact 16 sensitive wildlife species and migratory nesting birds, should they be present during construction. Direct impacts to these species could result from take (e.g., injury,

death) via construction-related disturbances such as trampling or crushing from equipment or construction workers. Indirect impacts to the wildlife species could result from noise, harassment, or other disruption during construction activities or through modifications to the species' habitat.

The project has been specifically designed to avoid and minimize impacts to the creek systems on the property, including free span bridges.

### ***Short-term, Long-term, and Cumulative Impacts***

Terra Verde staff evaluated impacts to determine if the project may result in short-term, long-term, cumulative, and otherwise significant environmental impacts. The Applicant intends to use the development and facilities for environmental and cultural education programs. As such, they have a strong interest in maintaining the integrity and viability of all cultural, historical, and environmental resources existing on the project site. Further, this summary of short-term, long-term, and cumulative impacts will help inform CEQA review for the proposed project.

#### **Short-term Impacts**

Short-term impacts are those associated with construction activities and a limited period of post-construction restoration. The proposed project will include grading, grubbing, vegetation clearing, and infrastructure improvements on the site, in preparation of building construction. Short-term impacts to wildlife may include take (e.g., injury, death) as a result of construction traffic (i.e., equipment, trucks, pedestrian) or harassment and disturbance resulting from elevated noise levels and habitat modification. Additionally, nesting birds may be impacted during construction activities. Short-term impacts to plants and vegetation communities may occur as a result of trampling due to increased traffic, trimming for access purposes, or elimination of portions of some communities and individuals. Short-term impacts to Carillo Creek and Nipomo Creek will occur during the headcut repair of Carillo and any dissipation needed to protect the western bank of Nipomo Creek.

#### **Long-term Impacts**

The current condition of the site is such that human traffic (pedestrian and vehicular) is regular, with approximately 3,000 annual visitors. The proposed development will significantly alter the long-term use of the site to further encourage and invite regular visitor traffic at the site. In addition to a small complex of educational and administrative facilities, a system of nature trails will be established throughout the project site and open to the public. As such, it is expected that pedestrian traffic throughout the site will increase, possibly doubling to 6,000 annual visitors. This impact will likely result in long-term alterations to portions of the vegetation communities and may impede some wildlife presence on site.

#### **Cumulative Impacts**

Construction-related disturbance to vegetation and wildlife on the project site will cause a shift in the overall structure of suitable habitat present. This otherwise temporary impact

will be sustained by the significant alteration to the land use within the survey area. Thus, the short-term and long-term impacts associated with this project will cumulatively result in a significant change to the habitat structure, vegetation communities, and wildlife present on site. At this time, no other projects are known that would add to cumulative impacts as a result of this project.

### **Beneficial Impacts**

The Applicant proposes several design features and components of the project, which aim to preserve the cultural, historical, and environmental resources present on site to the extent feasible, including: on-site storm water management, use of recycled materials, native and drought-tolerant landscaping, and on-site wastewater treatment. Additionally, a significant component of the proposed project is the riparian restoration effort being implemented in conjunction with the County and LCSLO. It is also anticipated that the actions proposed to fix the headcut on Carillo Creek will improve the adjacent habitat communities and reduce erosion and sedimentation into Nipomo Creek. Finally, the landscape-scale restoration that is planned by the Applicant, the County, and LCSLO will have a significant benefit to native plants and wildlife.

### ***Recommended Mitigation Measures***

#### **Impact 1: Sensitive Amphibians and Reptiles**

The proposed project could result in direct impacts to California red-legged frogs, coast range newts, western spadefoot toads, southern Pacific pond turtles, coast horned lizards, two-striped garter snakes, and silvery legless lizards if present during clearing and grading activities. Likewise, elevated noise levels, increased traffic and human activity, and construction-related disturbance (e.g., erosion and sedimentation into the riparian corridor) associated with implementation of the proposed project could result in indirect impacts to these species if they are present during construction.

#### ***Recommended Mitigation Measures***

1. Prior to construction, a qualified biologist shall conduct pre-construction surveys for sensitive amphibian and reptile species within all portions of the project site containing suitable habitat. The surveys shall include at least two nighttime surveys and one daytime survey immediately preceding construction. If any sensitive species are detected, the following actions shall occur:
  - A. Any detected adults will be relocated to a nearby suitable aquatic habitat. The location shall be in suitable habitat not subject to disturbance or known threats to the species. Terrestrial habitat surrounding the proposed relocation site shall be as similar in type, aspect, and density to the location of the existing riparian corridor. Sensitive species, such as California red-legged frog, will only be moved if prior approval has been granted by the U.S. Fish and Wildlife Service (see D below).
  - B. A qualified biological monitor will be present during any clearing, grading, or creek activities. Additionally, a qualified biological

- monitor will be on site during construction activities to ensure no sensitive species have entered the work area overnight or throughout the day (i.e., they will conduct a morning clearance survey and regular daily checks of the work areas).
- C. The work areas will be clearly marked to ensure that no work occurs outside of the approved limits of disturbance (i.e., lathe and flagging, t-posts and yellow ropes, and temporary signage).
  - D. The qualified biologist will receive project-specific approvals from resource agencies prior to handling any wildlife species, especially any sensitive species.
  - E. Speed limits shall be restricted to 15 miles per hour.
  - F. Work will occur only during daylight hours.
2. Construction should be limited to the typical dry season (April 15 to October 15) in order to avoid impacts (e.g., erosion and sedimentation) to the creek and water quality. If work must occur during the rainy season, the Applicant shall install adequate erosion and sedimentation controls to prevent any sediment-laden runoff from entering Nipomo Creek. Upon completion of construction, disturbed areas will be stabilized or vegetated as detailed in the project's re-vegetation plan.

Implementation of the recommended mitigation measures would reduce potential impacts to sensitive amphibian and reptile species.

### **Impact 2: Sensitive Mammals**

The proposed project could result in direct impacts to American badger and pallid bat if present during construction activities. Likewise, elevated noise levels, increased traffic and human activity, and construction-related disturbance associated with implementation of the proposed project could result in indirect impacts to this species.

#### ***Recommended Mitigation Measure***

A qualified biologist shall conduct a pre-construction survey within 30 days prior to the onset of construction activities within all potentially impacted areas of suitable badger habitat (grasslands and agricultural fields). If badger dens are discovered, they will be inspected to determine if they are currently occupied. If dens are discovered and are inactive, they will be excavated to prevent re-occupation prior to construction. If badgers are found during their breeding and rearing season (February to July), these dens shall be avoided with an appropriate buffer to protect them from construction activities. If badgers are found outside of their breeding period, CDFG will be contacted regarding the accepted approach to exclude and excavate the den prior to equipment and other ground disturbing activity on the site.

### **Impact 3: Sensitive and Nesting Birds**

The proposed project has the potential to impact sensitive birds and migratory nesting birds if construction activities occur during the nesting season (approximately February 1 through August 15). Activities associated with the proposed project (e.g., ground disturbance and vegetation removal) could impact nesting birds if their nests are located

within or near the work area. Likewise, increased human activity and traffic, elevated noise levels, and operation of machinery could also impact nesting birds if nests are located within the vicinity of the project area.

***Recommended Mitigation Measures***

1. All work shall be avoided during the nesting bird season. If any construction activities are scheduled to occur during the nesting season, pre-construction bird surveys shall be conducted by a qualified biologist. The pre-construction bird surveys shall be conducted within all areas of potentially suitable nesting bird habitat that are within 250 feet of any proposed construction activity. The surveys shall be conducted no more than one week prior to the scheduled onset of construction activities.
2. If nesting bird species are observed within 250 feet of the construction area during the surveys, the biologist shall determine the appropriate exclusion zone for the specific species. A buffer of 250 feet shall be maintained around any nesting raptors. The nesting bird exclusion zones shall be completely avoided until the qualified biologist determines that the young have successfully fledged. A qualified biologist shall conduct periodic site inspections to ensure that the exclusion zone is maintained and to monitor the nesting progression. In the event that sensitive bird species are discovered, the U.S. Fish and Wildlife Service and/or the California Department of Fish and Game will be contacted to determine the appropriate protective measures prior to any construction beginning.
3. If construction activities must occur within 250 feet of a nesting raptor nest, a qualified biologist shall be consulted to determine if the buffer can be reduced. If, in the opinion of the qualified biologist, the buffer cannot be safely reduced, a full-time avian monitor shall be present during all construction activities occurring within the established buffer to ensure no impacts occur. The avian monitor will have the authority to halt or re-direct work if raptors show signs of disturbance.

Implementation of the recommended mitigation measures would reduce potential impacts to sensitive and/or migratory nesting bird species.

**Impact 4: Riparian/Nipomo Creek**

The proposed project will result in disturbance to a small portion of Nipomo Creek, where the bridge will be constructed along the emergency access drive. This proposed activity will include vegetation trimming and may result in sedimentation and run-off into Nipomo Creek. The western bank of Nipomo Creek at this location may be impacted by installation of rip rap or other dissipation measures. This dissipation may be needed in order to avoid erosion to the western bank where Carillo Creek enters Nipomo Creek.

***Recommended Mitigation Measures***

1. Disturbance should be minimized to what is necessary to safely install the emergency access bridge. Appropriate exclusion and erosion control measures shall be installed and maintained during construction activities to minimize sedimentation into the creek and impacts to sensitive habitat. Appropriate permanent sedimentation and erosion control structures shall be included in the bridge design in order to minimize long-term impacts associated with vehicular traffic near the creek (e.g., sedimentation and erosion into the creek due to increased runoff associated with soil compaction and/or installation of impermeable surfaces). The Applicant shall restore and re-vegetate any disturbed areas along the access bridge in order to stabilize the streambank.
2. If work within the channel is identified as being necessary, the Applicant will coordinate with the appropriate regulatory agencies in order to obtain permits prior to the start of construction. These agencies are likely to include: U.S. Army Corps of Engineers, California Department of Fish and Game, Regional Water Quality Control Board, and the U.S. Fish and Wildlife Service.

**CONCLUSION**

One sensitive species, white-tailed kite, was documented as occurring on or near the proposed project site. There is the potential for 15 additional sensitive wildlife species and/or nesting birds to occur during construction.

Implementation of the recommended mitigation measures will avoid or minimize impacts to potentially occurring sensitive species.

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Nipomo, California

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Biological Resources Assessment  
Nipomo, California

## **APPENDIX A: MAPS**

# Dana Adobe Nipomo Amigos Stories of the Rancho APN 090-171-011,-030,-031,-032,-036

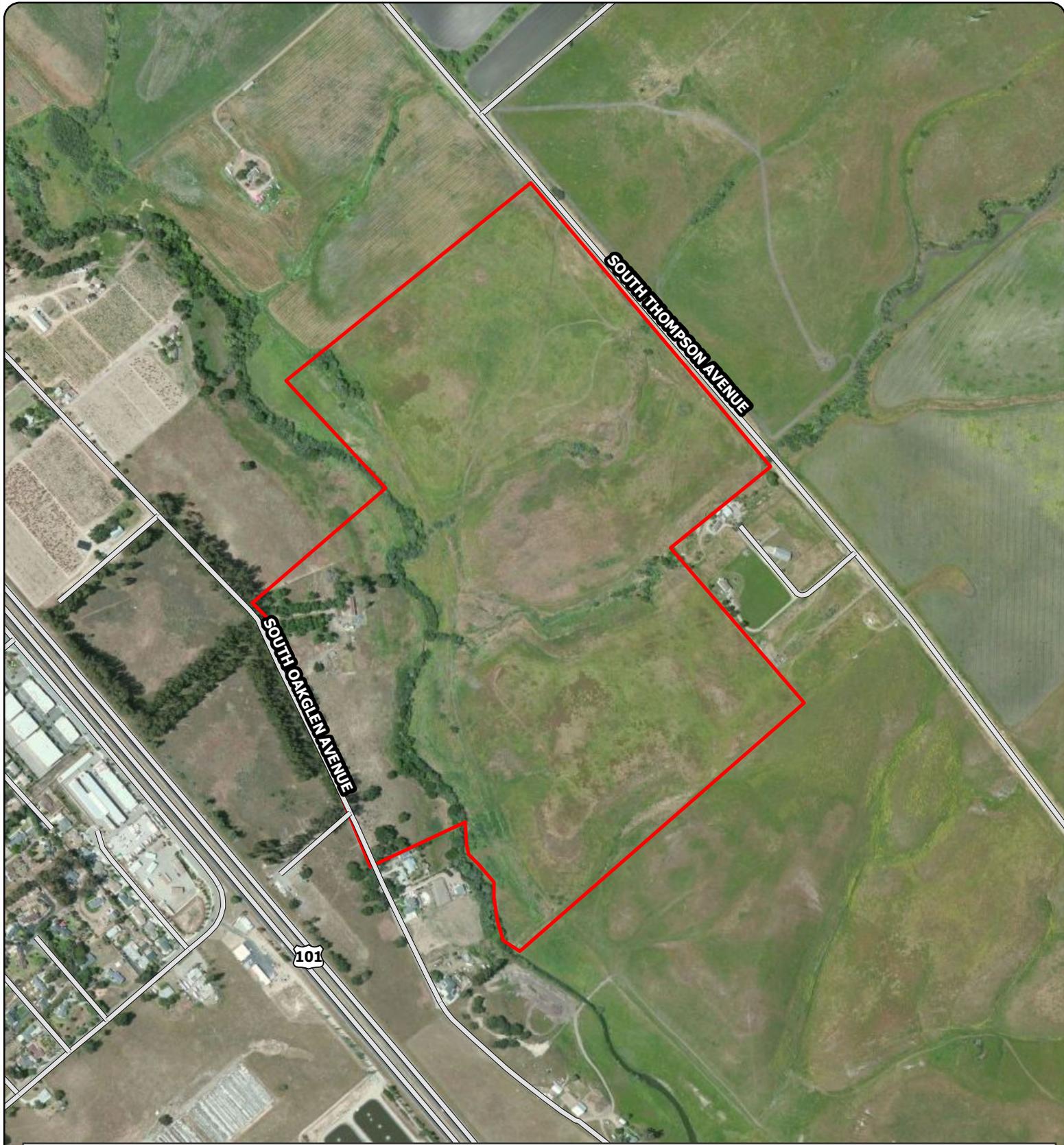


Figure 1: Location map



# Dana Adobe Nipomo Amigos Stories of the Rancho APN 090-171-011,-030,-031,-032,-036

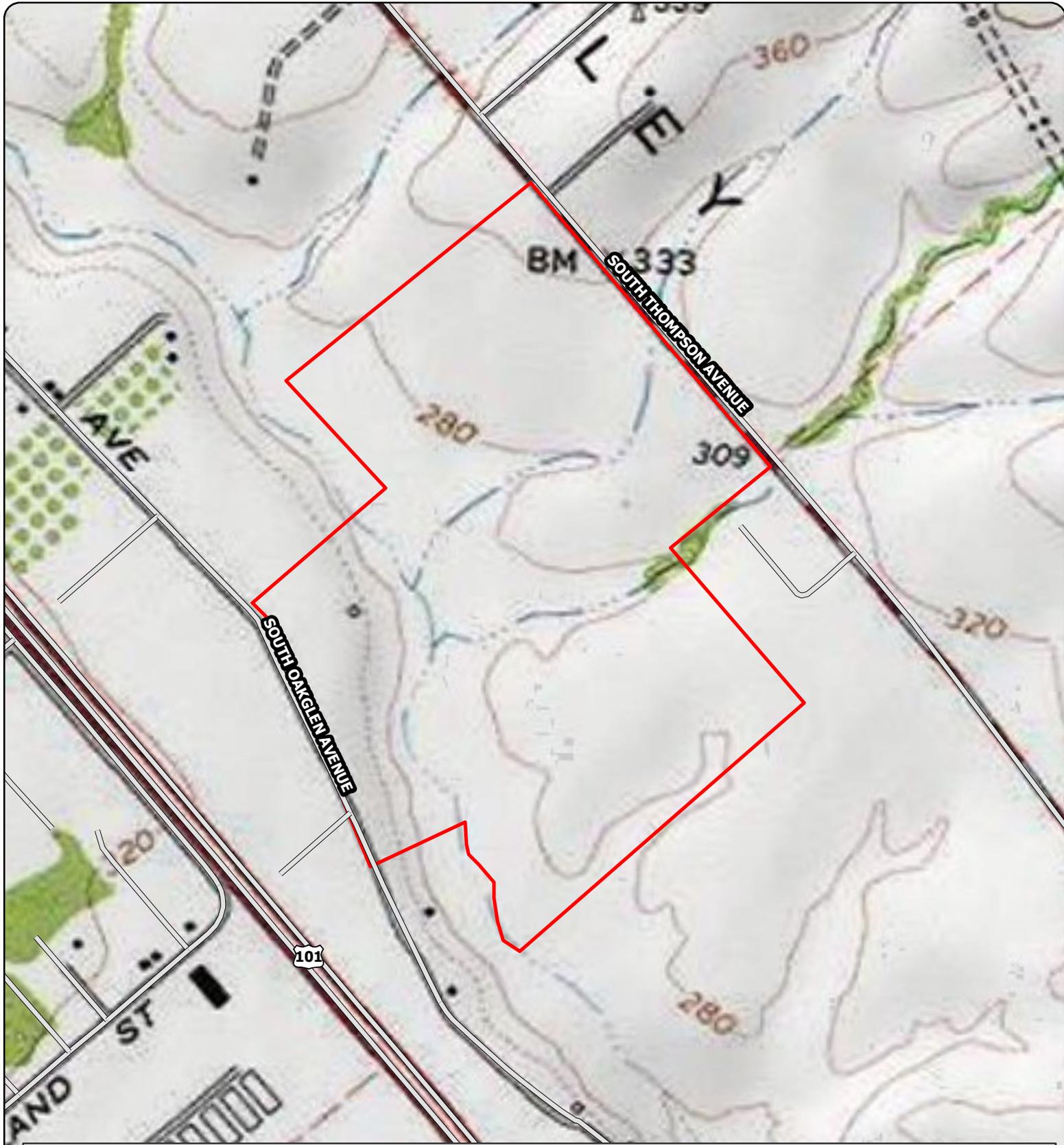


Figure 2: Topographic map



# Dana Adobe Nipomo Amigos Stories of the Rancho

## APN 090-171-011 -030,-031,-032,-036



0 250 500 1,000 1,500 2,000 Feet

- |                       |                           |
|-----------------------|---------------------------|
| Eucalyptus            | Yellow bush lupine scrub  |
| Coastal scrub         | Willow scrub              |
| Ruderal               | Perennial rye grass field |
| Riparian oak woodland | Seasonal wetland          |
| Anthropogenic         | Rock outcrop              |
| Wild oat grassland    |                           |

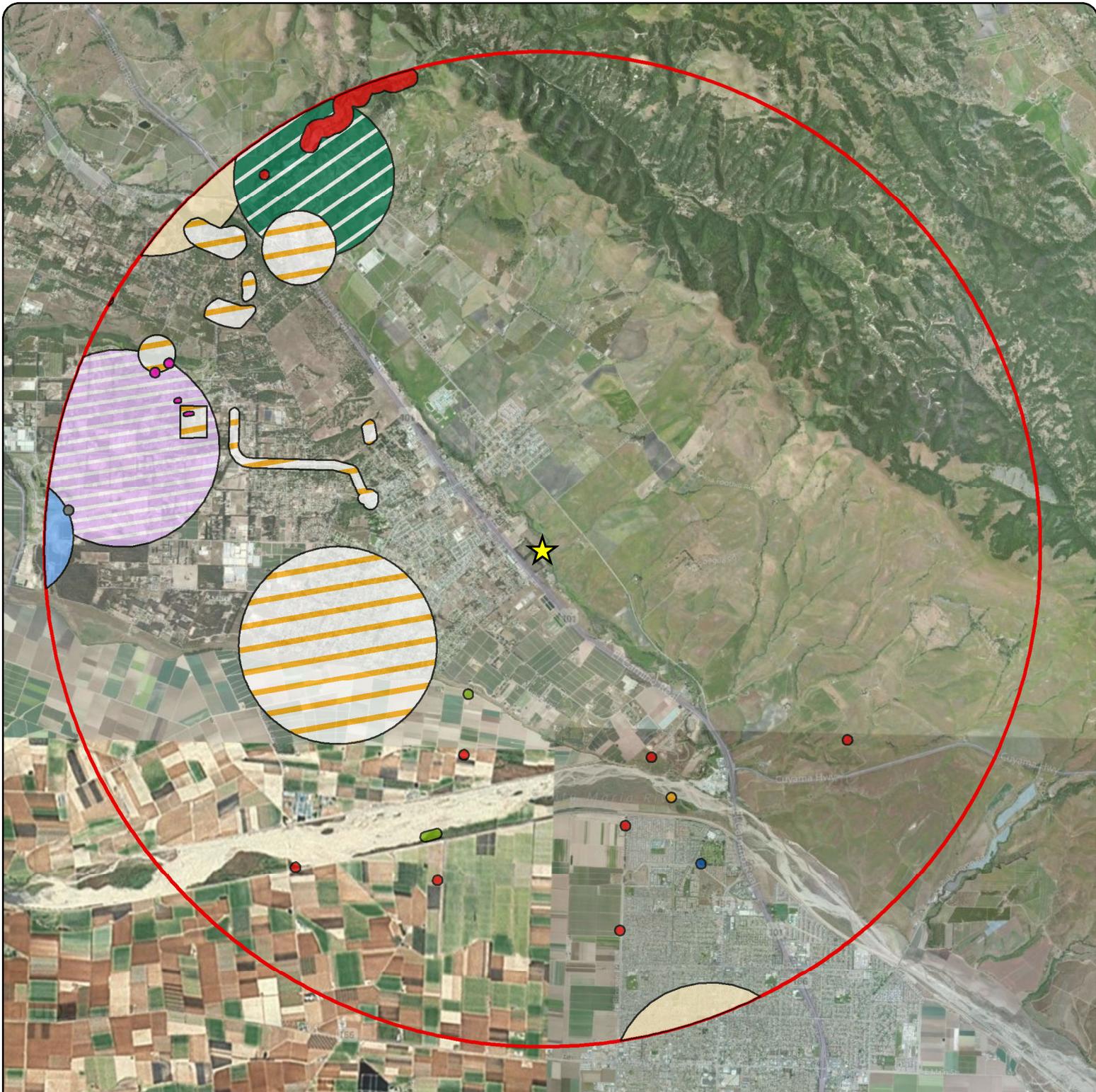
Figure 3: Vegetation Map

04 Nov 2011



# Dana Adobe Nipomo Amigos Stories of the Rancho

APN 090-171-011,-030,-031,-032,-036



0 0.5 1 2 3 4 5 Miles

Figure 4: 5 mile CNDDB map

04 Nov 2011

- |                            |                     |                    |
|----------------------------|---------------------|--------------------|
| California red-legged frog | Coast horned lizard | Sharp-shinned hawk |
| Kellogg's horkelia         | Crisp monardella    | Steelhead          |
| Pismo clarkia              | Dune larkspur       | Western spadefoot  |
| San Luis Obispo monardella | Monarch butterfly   | Project location   |
| Wells' manzanita           | Sand mesa manzanita |                    |



Dana Adobe Stories of the Rancho Project  
Biological Resources Assessment  
Nipomo, California

## **APPENDIX B: POTENTIAL SENSITIVE SPECIES LIST**

**Potential Sensitive Species for Nipomo and surrounding 7.5 quadrangles: Arroyo Grande NE, Caldwell Mesa, Guadalupe, Huasna Peak, Oceano, Santa Maria, Tar Springs Ridge, and Twitchell Dam (CNDDDB and CNPS 2011).**

<b>VEGETATION COMMUNITIES</b>			
<b>Community Name</b>	<b>Description</b>	<b>Observed on Site?</b>	<b>Comments</b>
Central Dune Scrub	Restricted to coastal areas with stabilized back dunes slopes, ridges, and flats. Vegetation consists of shrubs, subshrubs, and herbs less than a meter tall. Indicator species include <i>Lupinus chamissonis</i> .	No	This habitat does not occur within the project area.
Central Foredunes	Sand dunes along the immediate coastline characterized by dune mat species such as <i>Abronia latifolia</i> and <i>Ambrosia chamissonis</i> . Greater species richness on inner dunes than on leading edge of the beach. Perennial herbs, grasses, and low shrubs form a low canopy.	No	This habitat does not occur within the project area.
Coastal and Valley Freshwater Marsh	Dominated by perennial, emergent, and tall monocots that often form closed canopies. Tend to be <i>Typha</i> dominated and permanently flooded in fresh water, which results in deep peaty soils.	No	This habitat does not occur within the project area.
Southern Vernal Pool	Occur in topographic depressions over poorly-drained soils. Coastal pools usually form on relatively flat mesas; pools in inland valleys form over soils of alluvial or volcanic origin; montane pools are small depressions on areas of sharp temperature swings.	No	This habitat does not occur within the project area.

**PLANTS**

<b>Scientific/Common Name</b>	<b>Listing Status</b>	<b>Blooming Period</b>	<b>Habitat Type</b>	<b>Observed on Site?</b>	<b>Comments</b>
<i>Agrostis hooveri</i> Hoover's bent grass	List 1B.2	April - July	Closed - cone coniferous forest, chaparral, cismontane woodland, valley and foothill grassland/usually sandy. Elevation; < 610 m.	No	Not observed during appropriately timed surveys.
<i>Arctostaphylos luciana</i> Santa Lucia manzanita	List 1B.2	December - March	Chaparral and cismontane woodlands with shale outcrops. Elevation; 350 - 850 m.	No	Not observed during appropriately timed surveys. No suitable habitat on-site.
<i>Arctostaphylos pilosula</i> Santa Margarita manzanita	List 1B.2	December - March	Shale outcrops, chaparral, and coniferous forest. Endemic to SLO County. Elevation; 170 - 1,100 m.	No	Not observed during appropriately timed surveys. No suitable habitat on-site.
<i>Arctostaphylos rudis</i> Sand mesa manzanita	List 1B.2	November - February	Chaparral (maritime), coastal scrub/sandy soils. Elevation; < 322 m.	No	Not observed during appropriately timed surveys.
<i>Arctostaphylos wellsii</i> Wells's manzanita	List 1B.1	December - May	Sandstone outcrops in chaparral and oak woodlands. Elevation; < 400 m.	No	Not observed during appropriately timed surveys. No suitable habitat on-site.
<i>Arenaria paludicola</i> Marsh sandwort	Fed: Endangered State: Endangered List 1B.2	May - August	Marshes and swamps (freshwater or brackish), and meadows. Elevation; < 300 m.	No	Not observed during appropriately timed surveys. No suitable habitat on-site.
<i>Astragalus didymocarpus</i> var. <i>milesianus</i> Miles's milk-vetch	List 1B.2	March - June	Marshes and swamps (freshwater or brackish), grassy areas near coast, and meadows. Elevation; <90 m.	No	Not observed during appropriately timed surveys.

**PLANTS**

<b>Scientific/Common Name</b>	<b>Listing Status</b>	<b>Blooming Period</b>	<b>Habitat Type</b>	<b>Observed on Site?</b>	<b>Comments</b>
<i>Atriplex serenana</i> var. <i> davidsonii</i> Davidson's saltscale	List 1B.2	April - October	Common on coastal bluffs in association with Coastal Sage Scrub; wetland-riparian habitats; alkaline soils. Elevation; < 200 m.	No	Not observed during appropriately timed surveys.
<i>Calochortus obispoensis</i> San Luis mariposa lily	List 1B.2	May - July	Dry serpentine soils in chaparral communities. Elevation; 75 - 730 m.	No	Not observed during appropriately timed surveys. No suitable habitat on-site.
<i>Calochortus palmeri</i> var. <i> palmeri</i> Palmer's mariposa lily	List 1B.2	April - July	Found in wetlands and meadows in Chaparral, Yellow Pine Forest, and wetland-riparian communities. Elevation; 1,000 - 2,390 m.	No	Not observed during appropriately timed surveys.
<i>Calystegia subacaulis</i> ssp. <i> episcopalis</i> Cambria morning glory	List 1B.2	March - July	Dry, open scrub, chaparral, woodland, coastal prairie, and grasslands. Elevation; < 500 m.	No	Not observed during appropriately timed surveys.
<i>Castilleja densiflora</i> ssp. <i> obispoensis</i> Obispo indian paintbrush	List 1B.2	March - May	Meadows and seeps, valley, foothill, and coastal grassland/sometimes serpentinite. Elevation; < 400 m.	No	Not observed during appropriately timed surveys.
<i>Chorizanthe breweri</i> Brewer's spineflower	List 1B.3	April - August	Chaparral, closed-cone coniferous forest, foothill woodland, and coastal scrub on serpentine, rocky/gravelly. Elevation; < 800 m.	No	Not observed during appropriately timed surveys. No suitable habitat on-site.

**PLANTS**

<b>Scientific/Common Name</b>	<b>Listing Status</b>	<b>Blooming Period</b>	<b>Habitat Type</b>	<b>Observed on Site?</b>	<b>Comments</b>
<i>Chorizanthe rectispina</i> Straight-awned spineflower	List 1B.3	April - July	Chaparral, coastal scrub, and dry woodland in sandy soil. Elevation; 85 - 1,035 m.	No	Not observed during appropriately timed surveys.
<i>Cirsium rhotopilum</i> Surf thistle	State: Threatened List 1B.2	April - June	Coastal bluff scrub, coastal dunes. Elevation; < 60 m.	No	Not observed during appropriately timed surveys. No suitable habitat on-site.
<i>Cirsium loncholepis</i> La Graciosa thistle	Fed: Endangered State: Threatened List 1B.1	May - August	Coastal dune, scrub, cismontane woodland, valley and foothill grasslands with mesic/sandy soils. Elevation; < 220 m.	No	Not observed during appropriately timed surveys. No suitable habitat on-site.
<i>Cladium californicum</i> California sawgrass	List 2.2	June - September	Freshwater marsh, swamps, alkaline sink, wetland riparian. Elevation; 60 - 600 m.	No	Not observed during appropriately timed surveys (perennial herb). No suitable habitat on-site.
<i>Clarkia speciosa ssp. immaculata</i> Pismo clarkia	Fed: Endangered State: Rare List 1B.1	May - July	Chaparral (margins, openings), cismontane woodland, valley and foothill grasslands with sandy soils. Elevation; < 185 m.	No	Not observed during appropriately timed surveys. No suitable habitat on-site.
<i>Corethrogyne leucophylla</i> Branching beach aster	List 3.2	May - December	Coastal dunes, closed cone conifer forests. Elevation; > 60 m.	No	Not observed during appropriately timed surveys. No suitable habitat on-site.

**PLANTS**

<b>Scientific/Common Name</b>	<b>Listing Status</b>	<b>Blooming Period</b>	<b>Habitat Type</b>	<b>Observed on Site?</b>	<b>Comments</b>
<i>Deinandra increscens ssp. foliosa</i> Leafy tarplant	List 1B.2	June - September	Foothill and valley grasslands/sandy. Elevation; 300 - 500 m.	No	Not observed during appropriately timed surveys.
<i>Deinandra increscens ssp. villosa</i> Gaviota tarplant	Fed: Endangered State: Endangered List 1B.1	May - October	Coastal scrub and valley and foothill grasslands. Elevation; 35 – 340 m.	No	Not observed during appropriately timed surveys.
<i>Delphinium parryi ssp. blochmaniae</i> Dune larkspur	List 1B.2	April - May	Chaparral and coastal sand dunes. Elevation; < 200 m.	No	Not observed during appropriately timed surveys.
<i>Delphinium umbraculorum</i> Umbrella larkspur	List 1B.3	April - June	Cismontane woodland and moist oak forest. Elevation; 400 - 1,600 m.	No	Not observed during appropriately timed surveys.
<i>Dithyrea maritima</i> Beach spectaclepod	State: Threatened List 1B.1	March - May	Coastal dunes, coastal scrub (sandy). Elevations; < 50 m.	No	Not observed during appropriately timed surveys. No suitable habitat on-site.
<i>Dudleya abramsii ssp. murina</i> Mouse-gray dudleya	List 1B.3	May - June	Chaparral, cismontane woodland, valley and foothill grassland/serpentinite. Elevation; 90 - 440 m.	No	Not observed during appropriately timed surveys. No suitable habitat on-site.
<i>Erigeron blochmaniae</i> Blochman's leafy daisy	List 1B.2	June - August	Coastal scrub and sand dunes and hills. Elevation; < 45 m.	No	Not observed during appropriately timed surveys.
<i>Horkelia cuneata ssp. puberula</i> Mesa horkelia	List 1B.1	February - September	Dry, sandy, and gravelly, coastal chaparral. Elevation; 70 - 810 m.	No	Not observed during appropriately timed surveys.

**PLANTS**

<b>Scientific/Common Name</b>	<b>Listing Status</b>	<b>Blooming Period</b>	<b>Habitat Type</b>	<b>Observed on Site?</b>	<b>Comments</b>
<i>Horkelia cuneata ssp. sericea</i> Kellogg's horkelia	List 1B.1	April - September	Closed-cone coniferous forest, chaparral (maritime), cismontane woodland, coastal dunes and sandhills, and coastal scrub/sandy or gravelly, openings. Elevation; < 200 m.	No	Not observed during appropriately timed surveys.
<i>Lupinus ludovicianus</i> San Luis Obispo County lupine	List 1B.2	April - June	Chaparral, cismontane woodland, grassy areas, limestone/sandstone or sandy. Elevation; 50 - 525m.	No	Not observed during appropriately timed surveys.
<i>Lupinus nipomensis</i> Nipomo Mesa lupine	Fed: Endangered State: Endangered List 1B.1	December - May	Coastal dunes. Elevation; 10 -50 m.	No	Not observed during appropriately timed surveys.
<i>Monardella crista</i> Crisp monardella	List 1B.2	April - August	Coastal dunes, coastal scrub. Elevation; 10 - 120 m.	No	Not observed during appropriately timed surveys.
<i>Monardella frutescens</i> San Luis Obispo monardella	List 1B.2	May - September	Coastal dunes and coastal scrub (sandy). Elevation; < 200 m.	No	Not observed during appropriately timed surveys.

**PLANTS**

<b>Scientific/Common Name</b>	<b>Listing Status</b>	<b>Blooming Period</b>	<b>Habitat Type</b>	<b>Observed on Site?</b>	<b>Comments</b>
<i>Nasturtium gambelii</i> Gambel's water cress	Fed: Endangered State: Threatened List 1B.1	April - October	Freshwater or brackish marshes. Elevation; 5- 330 m.	No	Not observed during appropriately timed surveys. No suitable habitat on-site.
<i>Nemacladus secundiflorus</i> var. <i>robbinsii</i> Robbins' nemacladus	List 1B.2	April - June	Chaparral, valley/foothill grasslands openings, and dry gravelly slopes. Elevation; 200 - 2,000 m.	No	Not observed during appropriately timed surveys.
<i>Orobanche parishii</i> ssp. <i>brachyloba</i> Short-lobed broomrape	List 4.2	April - October	Coastal associations including scrub and dunes. Elevation; < 305 m.	No	Not observed during appropriately timed surveys. No suitable habitat on-site.
<i>Scrophularia atrata</i> Black-flowered figwort	List 1B.2	March - July	Closed cone coniferous forest, coastal dunes, coastal scrub, and riparian scrub. Elevation; 10 -500 m.	No	Not observed during appropriately timed surveys.
<i>Symphyotrichum defoliatum</i> San Bernardino aster	List 1B.2	July - November	Cismontane woodlands, meadows, seeps, coastal scrub, foothill/valley grasslands near streams, ditches or springs. Elevation; 0 - 2,040 m.	No	Not observed during appropriately timed surveys (perennial herb).

**WILDLIFE**

<b>Scientific/Common Name</b>	<b>Listing Status</b>	<b>Nesting/ Breeding Period</b>	<b>Habitat Type</b>	<b>Observed on Site?</b>	<b>Comments</b>
<i>Ablautus schlingeri</i> Oso Flaco robber fly	State: CSC	Unknown	Occurs on sand dunes in the vicinity of Oso Flaco Lake.	No	Not observed during surveys. No suitable habitat on-site.
<i>Accipiter striatus</i> Sharp-shinned hawk	Fed: Endangered State: CSC	March - June	Aspen, pine, and fir forests along with urban, rural and agricultural areas. Elevation from sea level to mountains.	No	Not observed during surveys.
<i>Actinemys marmorata pallida</i> Southern Pacific pond turtle	State: CSC	April - August	Permanent or semi-permanent streams, ponds, and lakes, logs, rocks, and mats for basking. May enter brackish water.	No	Not observed during surveys. No suitable aquatic habitat is available within the survey area. May travel through the riparian corridor.
<i>Agelaius tricolor</i> Tricolored blackbird	State: CSC	Varies, but likely early spring through early summer locally	Needs nest sites near open, fresh water, protected habitat (flooded, thorny), and suitable feeding areas (pastures, rice fields, grassland, etc.).	No	Not observed during surveys. No suitable habitat on-site.
<i>Ambystoma californiense</i> California tiger salamander	Fed: Threatened State: Threatened State: CSC	December - February	Found in grasslands, oak savanna, and edges of mixed woodland and lower elevation coniferous forest.	No	Not observed during surveys. No aquatic suitable habitat on-site.

**WILDLIFE**

Scientific/Common Name	Listing Status	Nesting/ Breeding Period	Habitat Type	Observed on Site?	Comments
<i>Anaxyrus (=Bufo) californicus</i> Arroyo toad	Fed: Endangered State: CSC	March - July	Inhabits washes, arroyos, sandy riverbanks, and riparian areas; specialized habitat needs include exposed sandy streambanks with stable terraces for burrowing, scattered vegetation for shelter, and areas of quiet water free of predatory fishes with sandy or gravel bottoms without silt for breeding.	No	Not observed during surveys. No suitable habitat on-site.
<i>Anniella pulchra pulchra</i> Silvery legless lizard	State: CSC	March - July; live birth September - November	Moist loose soil with plant cover and under leaf litter. Found in beach dunes, chaparral, foothill woodlands, desert scrub, sandy washes, and stream terraces.	No	Not observed during surveys. Suitable habitat is located on the western portion of the survey area (possible dewatering location).
<i>Antrozous pallidus</i> Pallid bat	State: CSC	Spring - Summer	Arid areas, rock crevices, caves, tree hollows, mines, old buildings, and bridges.	No	Not observed during surveys. No suitable habitat on-site.

**WILDLIFE**

<b>Scientific/Common Name</b>	<b>Listing Status</b>	<b>Nesting/ Breeding Period</b>	<b>Habitat Type</b>	<b>Observed on Site?</b>	<b>Comments</b>
<i>Areniscythis brachypteris</i> Oso Flaco flightless moth	State: CSC	Unknown	Dunes along the Central Coast of San Luis Obispo. Larvae eat and are reared on a variety of dune vegetation.	No	Not observed during surveys. No suitable habitat on-site.
<i>Athene cunicularia</i> Burrowing owl	State: CSC	March - July	Open, dry grasslands, often short grasses without trees. Relies on ground burrowing animals for terrestrial habitat.	No	Not observed during surveys. Marginally suitable habitat within the grassland.
<i>Charadrius alexandrinus nivosus</i> Western snowy plover	Fed: Threatened State: CSC	March - August	Sandy beaches, salt pond levees, and shorelines of large alkali lakes. Needs friable soil for nesting.	No	Not observed during surveys. No suitable habitat on-site.
<i>Chlosyne leanira elegans</i> Oso Flaco patch butterfly	State: CSC	Unknown	Dunes within the Oso Flaco Lake system.	No	Not observed during surveys. No suitable habitat on-site.

**WILDLIFE**

Scientific/Common Name	Listing Status	Nesting/ Breeding Period	Habitat Type	Observed on Site?	Comments
<i>Cicindela hirticollis gravida</i> Sandy beach tiger beetle	State: CSC	Unknown	Found in moist sand near the ocean, for example in swales behind dunes or upper beaches beyond normal high tides. Adjacent to non-brackish water near the coast from San Francisco to northern Mexico. Clean, dry light colored sand in the upper zone.	No	Not observed during surveys. No suitable habitat on-site.
<i>Danaus plexippus</i> Monarch butterfly	Special Animal	Spring	Rely on milkweed and need protected stands of trees for roosting. Found in fields, meadows, weedy areas, marshes, and along roadsides.	No	Not observed during surveys. No suitable habitat on-site.
<i>Elanus leucurus</i> White-tailed kite	State: Fully protected	February – October	Tree nesting species that requires coastal or valley lowlands with herbaceous open space for foraging.	Yes	Observed foraging over the eastern portion of the property on a number of occasions.
<i>Empidonax traillii extimus</i> Southwestern willow flycatcher	Fed: Endangered State: Endangered	May – August	Dense riparian habitats with saturated soils, standing water, or other nearby water. Feeds primarily on flying insects.	No	Not observed during surveys. Suitable habitat on-site along Nipomo Creek.

**WILDLIFE**

<b>Scientific/Common Name</b>	<b>Listing Status</b>	<b>Nesting/ Breeding Period</b>	<b>Habitat Type</b>	<b>Observed on Site?</b>	<b>Comments</b>
<i>Eucyclogobius newberryi</i> Tidewater goby	Fed: Endangered State: CSC	Year - round (April - November)	Found in shallow water lagoons and lower stream reaches, they need fairly still but not stagnant water and high oxygen levels.	No	Not observed during surveys. No suitable habitat on-site.
<i>Falco mexicanus</i> Prairie falcon	State: CSC	February - April	Primarily inhabits dry grasslands, woodlands, savannahs, cultivated fields, lake shores, and rangelands. Nests on cliffs, canyons, and rock outcrops.	No	Not observed during surveys.
<i>Gila orcuttii</i> Arroyo chub	State: CSC	Unknown	Inhabits sandy and muddy bottoms of flowing pools and headwaters of small to medium freshwater streams; often found in intermittent streams.	No	Not observed during surveys. No suitable habitat on-site.
<i>Gymnogyps californianus</i> California condor	Fed: Endangered State: Endangered	Early Spring - Summer	Rocky scrubland, montane coniferous forest, valley and foothill grasslands, oak savannah, chaparral, woodland/ forest habitats. Nesting on cliffs and trees.	No	Not observed during surveys. No suitable habitat on-site. May occur as flyover.
<i>Laterallus jamaicensis coturniculus</i> California black rail	State: Threatened Fully Protected	February - June	Saltwater, brackish, and freshwater marshes.	No	Not observed during surveys. No suitable habitat on-site.
<i>Lichnanthe albipilosa</i> White sand bear scarab beetle	State: CSC	Unknown	Inhabits coastal dunes of San Luis Obispo County, in the vicinity of dune lakes.	No	Not observed during surveys. No suitable habitat on-site.

**WILDLIFE**

Scientific/Common Name	Listing Status	Nesting/ Breeding Period	Habitat Type	Observed on Site?	Comments
<i>Oncorhynchus mykiss irideus</i> Steelhead - South/Central California Coast DPS	Fed: Threatened State: CSC	February - April	Federal listing refers to runs in coastal basins from Pajaro River south to, but not including, the Santa Maria River.	No	Not observed during surveys. No suitable habitat on-site. National Marine Fisheries Service has confirmed steelhead do not occur in this stream (C. Cleveland 2011).
<i>Phrynosoma blainvillii</i> Coast horned lizard	State: CSC	May - September	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Rely on harvester ants for food source.	No	Not observed during surveys. Marginally suitable habitat surrounding the survey area. No ant hills observed.
<i>Plebejus icarioides moroensis</i> Morro Bay blue butterfly	Special Animal	March - July	Found on the immediate coast of San Luis Obispo and Santa Barbara Counties. Silver dune lupine (host plant).	No	Not observed during surveys. No suitable habitat on-site.
<i>Rana draytonii</i> California red-legged frog	Fed: Threatened State: CSC	January - March	Lowlands and foothills in or near sources of deep water with dense, shrubby or emergent riparian vegetation. Breed in permanent or ephemeral water sources.	No	Not observed during surveys. Marginally suitable habitat on-site within creek and riparian corridor. Documented occurrence in the project area.

**WILDLIFE**

Scientific/Common Name	Listing Status	Nesting/ Breeding Period	Habitat Type	Observed on Site?	Comments
<i>Spea hammondi</i> Western spadefoot toad	State: CSC	January - August	Seasonal/vernal pools in grassland, coastal scrub, chaparral, woodland habitat, and open areas with sandy or gravelly soils.	No	Not observed during surveys. Unlikely to occur in project area due to lack of appropriate breeding habitat within one- quarter mile of the project area.
<i>Sternula antillarum browni</i> California least tern	Fed: Endangered State: Endangered Fully Protected	April - June	Coastal areas, nests on beach in loose sandy soils.	No	Not observed during surveys. No suitable habitat on-site.
<i>Taricha torosa torosa</i> Coast Range newt	State: CSC	December - May	Slow moving streams, ponds, and lakes with surrounding evergreen and oak forests, chaparral, and grasslands along coast.	No	Not observed during surveys.
<i>Taxidea taxus</i> American badger	State: CSC	February - May	Needs friable soils in open ground with an abundant food source such as California ground squirrels.	No	Not observed during surveys. No suitable burrows observed during surveys.
<i>Thamnophis hammondi</i> Two-striped garter snake	State: CSC	April - November	Typically found near pools, creeks, cattle tanks, and other water sources, often in rocky areas, in oak woodland, chaparral, brush land, and coniferous forest.	No	Not observed during surveys. May occur in project area.

<b>WILDLIFE</b>					
<b>Scientific/Common Name</b>	<b>Listing Status</b>	<b>Nesting/ Breeding Period</b>	<b>Habitat Type</b>	<b>Observed on Site?</b>	<b>Comments</b>
<i>Tryonia imitator</i> Mimic tryonia	State: CSC	Unknown	Found in brackish salt marshes, coastal lagoons and estuaries; able to withstand a wide range of salinities.	No	Not observed during surveys. No suitable habitat on-site.
<i>Vireo bellii pusillus</i> Least Bell's vireo	Fed: Endangered State: Endangered		Associated with thick scrub, particularly riparian forests in lower elevations (below 460 m).	No	Not observed during surveys. Suitable habitat on-site along Nipomo Creek.

Listing status shown in order of Federal, State, and CNPS list status.

Dana Adobe Stories of the Rancho Project  
Biological Resources Assessment  
Nipomo, California

## **APPENDIX C: OBSERVED PLANT AND WILDLIFE SPECIES LIST**

Dana Adobe Stories of the Rancho Project  
 Plant Species Observed

\*Indicates non-native species

Scientific Name	Common Name
<b>Adoxaceae</b>	<b>Elderberry Family</b>
<i>Sambucus nigra</i>	Blue elderberry
<b>Anacardiaceae</b>	<b>Cashew Family</b>
<i>Schinus molle</i> *	Peruvian pepper
<i>Toxicodendron diversilobum</i>	Poison oak
<b>Apiaceae</b>	<b>Carrot Family</b>
<i>Conium maculatum</i> *	Poison hemlock
<i>Foeniculum vulgare</i> *	Fennel
<b>Apocynaceae</b>	<b>Dogbane Family</b>
<i>Asclepias fascicularis</i>	Narrow leaf milkweed
<i>Vinca major</i> *	Periwinkle
<b>Asteraceae</b>	<b>Sunflower Family</b>
<i>Achillea millefolium</i>	Common yarrow
<i>Agoseris heterophylla</i>	California dandelion
<i>Ambrosia psilostachya</i>	Western ragweed
<i>Anthemis cotula</i> *	Dog fennel
<i>Artemisia douglasiana</i>	Mugwort
<i>Baccharis pilularis</i>	Coyote brush
<i>Carduus pycnocephalus</i> *	Italian thistle
<i>Centaurea melitensis</i> *	Tocalote
<i>Conyza canadensis</i>	Horseweed
<i>Corethrogyne filaginifolia</i>	California-aster
<i>Cynara cardunculus</i> *	Artichoke thistle
<i>Deinandra fasciculata</i>	Common tarweed
<i>Ericameria ericoides</i>	Mock heather
<i>Hemizonia congesta ssp. luzulifolia</i>	Hayfield tarweed
<i>Heterotheca grandiflora</i>	Telegraph weed
<i>Lactuca serriola</i> *	Prickly lettuce
<i>Picris echioides</i> *	Bristly ox tongue
<i>Silybum marianum</i> *	Milk thistle
<i>Sonchus asper</i> *	Spiny sow thistle
<i>Sonchus oleraceus</i> *	Sow thistle
<b>Boraginaceae</b>	<b>Borage Family</b>
<i>Amsinckia menziesii</i>	Rancher's fireweed
<i>Cryptantha clevelandii</i>	Common cryptantha
<b>Brassicaceae</b>	<b>Mustard Family</b>
<i>Brassica nigra</i> *	Black mustard
<i>Hirschfeldia incana</i> *	Wild mustard

Dana Adobe Stories of the Rancho Project  
 Biological Resources Assessment  
 Nipomo, California

<i>Nasturtium officinale</i>	Watercress
<i>Raphanus raphanistrum</i> *	Wild radish
<b>Caprifoliaceae</b>	<b>Honeysuckle Family</b>
<i>Symphoricarpos mollis</i>	Creeping snowberry
<b>Caryophyllaceae</b>	<b>Pink Family</b>
<i>Silene gallica</i> *	Windmill pink
<i>Spergula arvensis</i> *	Corn spurry
<i>Stellaria media</i> *	Common chickweed
<b>Chenopodiaceae</b>	<b>Goosefoot Family</b>
<i>Chenopodium californicum</i>	California goosefoot
<i>Chenopodium murale</i> *	Sowbane
<b>Convolvulaceae</b>	<b>Morning-glory Family</b>
<i>Convolvulus arvensis</i> *	Field bindweed
<b>Cucurbitaceae</b>	<b>Gourd Family</b>
<i>Marah fabaceus</i>	Manroot
<b>Cyperaceae</b>	<b>Sedge Family</b>
<i>Isolepis cernua</i>	Low bulrush
<b>Euphorbiaceae</b>	<b>Spurge Family</b>
<i>Croton californicus</i>	California croton
<i>Eremocarpus setigerus</i>	Dove weed
<b>Fabaceae</b>	<b>Legume Family</b>
<i>Lupinus arboreus</i>	Coastal bush lupine
<i>Lupinus albifrons</i>	Silver bush lupine
<i>Lupinus bicolor</i>	Miniature lupine
<i>Lupinus nanus</i>	Sky lupine
<i>Medicago polymorpha</i> *	Burclover
<i>Trifolium hirtum</i> *	Rose clover
<i>Robinia pseudoacacia</i> *	Black locust
<i>Vicia sativa</i> *	Spring vetch
<i>Vicia villosa</i> *	Hairy vetch
<b>Fagaceae</b>	<b>Oak Family</b>
<i>Quercus agrifolia</i>	Coast live oak
<i>Quercus lobata</i>	Valley oak
<b>Geraniaceae</b>	<b>Geranium Family</b>
<i>Erodium botrys</i> *	Broad leaf filaree
<i>Erodium cicutarium</i> *	Red-stem filaree
<i>Erodium moschatum</i> *	White-stem filaree
<i>Geranium dissectum</i> *	Cut-leaf geranium
<b>Iridaceae</b>	<b>Iris Family</b>
<i>Sisyrinchium bellum</i>	Blue-eyed grass
<b>Juncaceae</b>	<b>Rush Family</b>
<i>Juncus effusus</i>	Common rush
<i>Juncus phaeocephalus</i>	Brown headed rush
<b>Lamiaceae</b>	<b>Mint Family</b>

Dana Adobe Stories of the Rancho Project  
 Biological Resources Assessment  
 Nipomo, California

<i>Marrubium vulgare</i> *	Horehound
<i>Stachys bullata</i>	California hedgenettle
<b>Liliaceae</b>	<b>Lily Family</b>
<i>Bloomeria crocea</i>	Golden stars
<b>Malvaceae</b>	<b>Mallow Family</b>
<i>Malva parviflora</i> *	Cheeseweed
<b>Montiaceae</b>	<b>Montia Family</b>
<i>Claytonia perfoliata</i>	Miner's lettuce
<b>Myrsinaceae</b>	<b>Myrsine Family</b>
<i>Anagallis arvensis</i> *	Scarlet pimpernel
<b>Myrtaceae</b>	<b>Myrtle Family</b>
<i>Eucalyptus globulus</i> *	Blue gum
<b>Oleaceae</b>	<b>Olive Family</b>
<i>Fraxinus dipetala</i>	California ash
<b>Onagraceae</b>	<b>Evening Primrose Family</b>
<i>Camissonia intermedia</i>	Intermediate suncup
<i>Camissonia strigulosa</i>	Strigose suncup
<i>Clarkia purpurea ssp. quadrivulnera</i>	Purple clarkia
<b>Papaveraceae</b>	<b>Poppy Family</b>
<i>Eschscholzia californica</i>	California poppy
<b>Phrymaceae</b>	<b>Lopseed Family</b>
<i>Mimulus guttatus</i>	Yellow monkeyflower
<b>Platanaceae</b>	<b>Sycamore Family</b>
<i>Platanus racemosa</i>	California sycamore
<b>Plantaginaceae</b>	<b>Plantain Family</b>
<i>Linaria pinifolia</i> *	Pineneedle toadflax
<i>Plantago erecta</i>	Annual plantain
<i>Veronica peregrina</i>	Neckweed
<b>Poaceae</b>	<b>Grass Family</b>
<i>Avena barbata</i> *	Slender wild oats
<i>Avena fatua</i> *	Common wild oats
<i>Bromus carinatus</i>	California brome
<i>Bromus catharticus</i> *	Rescue grass
<i>Bromus diandrus</i> *	Ripgut brome
<i>Bromus hordeaceus</i> *	Soft chess brome
<i>Bromus madritensis ssp. rubens</i>	Red brome
<i>Distichlis spicata</i>	Salt grass
<i>Ehrharta calycina</i> *	Veldt grass
<i>Hordeum marinum</i> *	Seaside barley
<i>Hordeum murinum</i> *	Foxtail barley
<i>Lamarckia aurea</i> *	Goldentop grass
<i>Leymus condensatus</i>	Giant wildrye
<i>Leymus triticoides</i>	Beardless wildrye
<i>Lolium mutliflorum</i> *	Italian ryegrass

Dana Adobe Stories of the Rancho Project  
 Biological Resources Assessment  
 Nipomo, California

<i>Panicum dichotomiflorum</i> *	Fall panicgrass
<i>Phalaris aquatica</i> *	Harding grass
<i>Poa annua</i> *	Annual bluegrass
<i>Poa secunda</i>	One-sides bluegrass
<i>Polypogon monspeliensis</i> *	Rabbitfoot grass
<i>Stipa cernua</i>	Nodding needlegrass
<i>Stipa pulchra</i>	Purple needlegrass
<i>Vulpia myuros</i> *	Rattail fescue
<b>Polemoniaceae</b>	<b>Phlox Family</b>
<i>Gilia capitata</i> ssp. <i>staminea</i>	Globe gilia
<b>Polygonaceae</b>	<b>Buckwheat Family</b>
<i>Chorizanthe clevelandii</i>	Cleveland's spineflower
<i>Eriogonum elongatum</i>	Long stem buckwheat
<i>Polygonum arenastrum</i> *	Common knotweed
<i>Polygonum aviculare</i> *	Prostrate knotweed
<i>Rumex acetosella</i> *	Sheep sorrel
<i>Rumex crispus</i> *	Curly dock
<b>Rhamnaceae</b>	<b>Buckthorn Fmaily</b>
<i>Frangula californica</i>	California coffeeberry
<b>Rosaceae</b>	<b>Rose Family</b>
<i>Rosa californica</i>	California wild rose
<i>Rubus ursinus</i>	Wild blackberry
<b>Salicaceae</b>	<b>Willow Family</b>
<i>Populus balsamifera</i> ssp. <i>trichocarpa</i>	Black cottonwood
<i>Salix lasiolepis</i>	Arroyo willow
<b>Sapindaceae</b>	<b>Soapberry Family</b>
<i>Acer negundo</i> var. <i>californicum</i>	California box elder
<b>Urticaceae</b>	<b>Nettle Family</b>
<i>Hesperocnide tenella</i>	Western nettle
<i>Urtica dioica</i>	Stinging nettle
<b>Verbenaceae</b>	<b>Vervain Family</b>
<i>Verbena lasiostachys</i>	Common verbena

Dana Adobe Stories of the Rancho Project  
Wildlife Species Observed

Scientific Name	Common Name
<i>Agelaius phoeniceus</i>	Red-winged blackbird
<i>Aphelocoma californica</i>	Western scrub jay
<i>Buteo jamaicensis</i>	Red-tailed hawk
<i>Carpodacus mexicanus</i>	House finch
<i>Cathartes aura</i>	Turkey vulture
<i>Elanus leucurus</i>	White-tailed kite
<i>Falco sparverius</i>	Kestrel
<i>Hirundo rustica</i>	Barn swallow
<i>Icterus bullockii</i>	Bullock's oriole
<i>Melanerpes formicivorus</i>	Acorn woodpecker
<i>Mimus polyglottos</i>	Mockingbird
<i>Odocoileus hemionus</i>	Mule deer
<i>Petrochelidon pyrrhonota</i>	Cliff swallow
<i>Pipilo crissalis</i>	California towhee
<i>Pheucticus melanocephalus</i>	Black headed grosbeak
<i>Sayornis nigricans</i>	Black phoebe
<i>Sceloporus occidentalis</i>	Western fence lizard
<i>Spermophilus beechyi</i>	Ground squirrel
<i>Sturnus vulgaris</i>	European starling
<i>Troglodytes aedon</i>	House wren

Dana Adobe Stories of the Rancho Project  
Biological Resources Assessment  
Nipomo, California

## **APPENDIX D: SITE PHOTOGRAPHS**

Dana Adobe Stories of the Rancho Project  
Biological Resources Assessment  
Nipomo, California

## **APPENDIX E: CNDDDB FORM**

Dana Adobe Stories of the Rancho Project  
Biological Resources Assessment  
Nipomo, California



View south of drainage and non-native annual grassland. May 27, 2011



View east of drainage and non-native annual grassland. May 27, 2011



Riparian corridor and associated vegetation along Nipomo Creek. May 27, 2011



Riparian corridor of Nipomo Creek. May 27, 2011

Dana Adobe Stories of the Rancho Project  
Biological Resources Assessment  
Nipomo, California



View northeast of non-native annual grassland and drainage corridor. May 27, 2011



View southwest of rock outcrop and native bunchgrass vegetation. May 27, 2011

Dana Adobe Stories of the Rancho Project  
Biological Resources Assessment  
Nipomo, California



View southeast of grassland and riparian corridor of Nipomo Creek. May 27, 2011



View south of non-native annual grassland and Dana Adobe. May 27, 2011

For Office Use Only	
Source Code _____	Quad Code _____
Elm Code _____	Occ. No. _____
EO Index No. _____	Map Index No. _____

**Date of Field Work (mm/dd/yyyy):** \_\_\_\_\_

## California Native Species Field Survey Form

<b>Scientific Name:</b> _____	
<b>Common Name:</b> _____	
<p><b>Species Found?</b>    <input type="radio"/> Yes    <input type="radio"/> No    _____ If not, why?</p> <p>Total No. Individuals _____ Subsequent Visit?    <input type="radio"/> yes    <input type="radio"/> no</p> <p><b>Is this an existing NDDDB occurrence?</b> _____    <input type="radio"/> no    <input type="radio"/> unk.  <small>Yes, Occ. #</small></p> <p>Collection? If yes: _____  <small>Number                                  Museum / Herbarium</small></p>	<p><b>Reporter:</b> _____</p> <p><b>Address:</b> _____</p> <p><b>E-mail Address:</b> _____</p> <p><b>Phone:</b> _____</p>

<p><b>Plant Information</b></p> <p>Phenology:    _____% vegetative    _____% flowering    _____% fruiting</p>	<p><b>Animal Information</b></p> <table style="width: 100%; text-align: center;"> <tr> <td>_____ # adults</td> <td>_____ # juveniles</td> <td>_____ # larvae</td> <td>_____ # egg masses</td> <td>_____ # unknown</td> </tr> <tr> <td><input type="radio"/> wintering</td> <td><input type="radio"/> breeding</td> <td><input type="radio"/> nesting</td> <td><input type="radio"/> rookery</td> <td><input type="radio"/> burrow site</td> </tr> <tr> <td><input type="radio"/> other</td> <td></td> <td></td> <td></td> <td></td> </tr> </table>	_____ # adults	_____ # juveniles	_____ # larvae	_____ # egg masses	_____ # unknown	<input type="radio"/> wintering	<input type="radio"/> breeding	<input type="radio"/> nesting	<input type="radio"/> rookery	<input type="radio"/> burrow site	<input type="radio"/> other				
_____ # adults	_____ # juveniles	_____ # larvae	_____ # egg masses	_____ # unknown												
<input type="radio"/> wintering	<input type="radio"/> breeding	<input type="radio"/> nesting	<input type="radio"/> rookery	<input type="radio"/> burrow site												
<input type="radio"/> other																

**Location Description (please attach map AND/OR fill out your choice of coordinates, below)**

County: \_\_\_\_\_ Landowner / Mgr.: \_\_\_\_\_

Quad Name: \_\_\_\_\_ Elevation: \_\_\_\_\_

T \_\_\_\_\_ R \_\_\_\_\_ Sec \_\_\_\_\_, \_\_\_\_\_ ¼ of \_\_\_\_\_ ¼, Meridian: H M S    Source of Coordinates (GPS, topo. map & type): \_\_\_\_\_

T \_\_\_\_\_ R \_\_\_\_\_ Sec \_\_\_\_\_, \_\_\_\_\_ ¼ of \_\_\_\_\_ ¼, Meridian: H M S    GPS Make & Model \_\_\_\_\_

**DATUM:**    **NAD27**            **NAD83**            **WGS84**            Horizontal Accuracy \_\_\_\_\_ meters/feet

**Coordinate System:**    UTM Zone 10            UTM Zone 11            **OR**    Geographic (Latitude & Longitude)

**Coordinates:** \_\_\_\_\_

**Habitat Description (plants & animals)** plant communities, dominants, associates, substrates/soils, aspects/slope:

**Animal Behavior** (Describe observed behavior, such as territoriality, foraging, singing, calling, copulating, perching, roosting, etc., especially for avifauna):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please fill out separate form for other rare taxa seen at this site.

**Site Information** Overall site/occurrence quality/viability (site + population):     Excellent     Good     Fair     Poor

Immediate AND surrounding land use: \_\_\_\_\_

Visible disturbances: \_\_\_\_\_

Threats: \_\_\_\_\_

Comments: \_\_\_\_\_

<p><b>Determination:</b> (check one or more, and fill in blanks)</p> <p>Keyed (cite reference): _____</p> <p>Compared with specimen housed at: _____</p> <p>Compared with photo / drawing in: _____</p> <p>By another person (name): _____</p> <p>Other: _____</p>	<p><b>Photographs:</b> (check one or more)    Slide    Print    Digital</p> <p>Plant / animal</p> <p>Habitat</p> <p>Diagnostic feature</p> <p>May we obtain duplicates at our expense?    yes    no</p>
--	---









January 9, 2012

Shawna Scott  
SWCA Environmental Consultants  
1422 Monterey Street, Suite C200  
San Luis Obispo, CA 93401

RE: DANA Master Plan - Response to U.S. Fish and Wildlife Service comments on  
Biological Resources Assessment Report

Dear Ms. Scott,

We have received your email detailing the verbal feedback you have received from Colleen Mehlberg with the U.S. Fish and Wildlife Service (USFWS) regarding the Biological Resources Assessment Report submitted by Terra Verde Environmental Consulting (Terra Verde) on behalf of the DANA Adobe Amigos Master Plan. Our response and further information requested by Ms. Mehlberg is provided below.

**Comment 1:** Narrow down species list; some listed are extremely unlikely to occur. Please focus on what species are most likely to occur.

**Response:** Our report was written in the format required by San Luis Obispo County Planning and Building Department (County) for projects within the County. Specifically, they require a nine quadrangle search of the California Natural Diversity Database (CNDDDB) centered on the project area. This often results in numerous species that would not likely occur in a given project area, but ensures that all biologists working within the County are thoroughly addressing potentially occurring sensitive species. After research and field work have been conducted, the species discussed are narrowed to those discovered or with the potential to occur based on habitat.

**Comment 2:** Include specific information about plant and animal surveys, including:

- a. Who conducted the survey, and what are their qualifications
- b. When were the surveys conducted (specific month, day, year)
- c. Identify the study area

**Response:** a.) As noted in the document, Brooke Langle, Kristie Haydu, Jessica Adinolfi, Kyle Giacomini, Brian Dugas, and Amy Keate participated in the multiple surveys that occurred on the project. All of the work was conducted under direction of senior staff Brooke Langle and Brian Dugas. Ms. Langle has over 16 years of experience of conducting biological and botanical assessments in the County. Mr. Dugas possesses an equal amount of experience. In particular, Ms. Langle and Mr. Dugas have worked on



numerous projects in the Nipomo area, including projects with California red-legged frog and Pismo clarkia, thus, are familiar with the resources of the area. Ms. Adinolfi is an excellent botanist, having worked with Dr. David Keil at Cal Poly over the last two years. Ms. Haydu is an experienced botanist with many years of experience in environmental consulting; she is currently working on her Master's degree in botany at Cal Poly. Mr. Giacomini and Ms. Keate have degrees in natural resources management and served as assistants in the field.

b.) These dates are detailed in the report on page 4. The follow up surveys occurred from August 2011 through November 2011. Terra Verde was working on behalf of the County on a ConocoPhillips remediation project on the property, thus, we were frequently in the field during this timeframe.

c.) As noted in the report on page 4, 130 acres plus a 100-foot buffer was surveyed.

**Comments 3 and 4:** Expand the discussion about special-status plants, especially Pismo clarkia, because it seems like there may be habitat present for this species. Table notes that Nipomo mesa lupine was not observed; however, please provide information regarding suitable habitat (present or not).

**Response:** As noted in our report, numerous sensitive plants had the potential to occur on the property based on habitat, particularly vegetation types and soils present. Pismo clarkia was considered as a potentially occurring species due to the sandy soils found on the western portion of the property as well as the presence of oak trees in the southwest corner of the property. As such, surveys were conducted during the blooming period for this species. Terra Verde staff conducted focused Pismo clarkia surveys for other properties in the region in 2010 and 2011. A part of these survey efforts was to verify blooming periods of known populations of Pismo clarkia in the region. The spring surveys did not detect Pismo clarkia as occurring on the DANA property. Additionally, work conducted in previous years by ConocoPhillips did not discover this species or other sensitive plant species on the property.

Nipomo Mesa lupine was also considered during our work on the property. The sandy soils provide appropriate soil conditions, although this area is not considered as coastal dunes or stabilized back dune habitat, as occurs in the Guadalupe Dunes to the west. The disturbed, weedy nature of the site, including the invasion of veldt grass, further reduce the likelihood of Nipomo Mesa lupine occurring on the property. This species was not detected during the survey work nor detected by others during previous surveys.

**Comment 5:** RE: bird and frog surveys, include specific information including:

- a. Who conducted the surveys, and what are their qualifications
- b. How many surveys were conducted, and when (specific month, day, year)
- c. What were the weather conditions during the surveys

**Response:** Please see response to comment 2 above. Weather conditions varied between the surveys, but all occurred during fair weather conditions and in daylight hours.



Numerous nighttime surveys were conducted by ConocoPhillips biologists, specifically to look for California red-legged frogs in or near Nipomo Creek, prior to the start of the remediation project that occurred in early September. These surveys and daily monitoring by ConocoPhillips between August and early November 2011 did not detect California red-legged frogs.

**Comment 6:** Noted concern about deferring California red-legged frog surveys, suggests conducting surveys at the appropriate time, and provide more clarification about survey results and findings. USFWS is concerned that the species may be observed during the pre-construction surveys, which would halt construction and require further consultation and take authorization.

**Response:** Due to a positive identification of California red-legged frog in the past on the property and the availability of suitable habitat, we have assumed that this species may be present during project implementation. As such, DANA has been advised to consult with the USFWS to receive incidental take coverage prior to construction. At this time, the planned work will include the need to obtain U.S. Army Corps (Corps) authorization for work in Nipomo and/or Carrillo Creeks, thus, we are anticipating that the Corps will act as the lead Federal agency and will provide the Federal nexus for Section 7 consultation with the USFWS.

**Comment 7:** The discussion about wildlife was good – but please provide more discussion about possible plants (they are listed in the table but there is no discussion in the document).

**Response:** The report limited the discussion of sensitive plant species since most were ruled out based on lack of habitat and none were discovered during the surveys. However, 21 potential sensitive plants were listed as potentially occurring. We can prepare further species descriptions to include in the document to match the wildlife species discussion.

Please contact me if you have any questions or need further information.

Sincerely,

A handwritten signature in black ink that reads "Brooke Langle".

Brooke Langle  
Principal Biologist

CC: Marina Washburn, DANA Adobe Amigos  
Jan DiLeo, DANA Adobe Amigos



**APPENDIX D.  
TRANSPORTATION AND CIRCULATION  
BACKGROUND INFORMATION**



# TRAFFIC IMPACT ANALYSIS

Dana Adobe Master Plan

- Nipomo, California -

Job Number 16614-O

March 2, 2012

RICK ENGINEERING COMPANY

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ENGINEERING COMPANY

[rickengineering.com](http://rickengineering.com)

# TRAFFIC IMPACT ANALYSIS

## - Dana Adobe Master Plan -

Prepared for:

Dana Adobe Nipomo Amigos  
671 South Oakglen Avenue  
Nipomo, CA 93444



Larry D. Hail, CE, TE, PTOE  
**RICK ENGINEERING COMPANY**  
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(949) 588-0707 / FAX (949) 588-0709

March 2, 2012

## EXECUTIVE SUMMARY

The following report presents an evaluation of the potential traffic impacts associated with the Dana Adobe Master Plan project in the Nipomo community of unincorporated San Luis Obispo County. Dana Adobe is a State Historical Landmark. The master plan encompasses approximately 130 acres and proposes minimal development in close proximity to the existing adobe. The project will showcase the cultural and natural resources of the Nipomo Creek watershed and Nipomo Mesa through a variety of education programs. The project will also provide public education of the site's geological, paleontological, prehistoric, historical and botanical resources through various programs. Dana Adobe currently has an estimated 3,000 visitors a year. The majority of events are held on weekends. The project includes a visitor's center, a Chumash Village, an amphitheater, indoor & outdoor education exhibits, and trails linking the visitor center to the Chumash Village. The project buildout will occur over a roughly five (5) to greater than a twenty (20) year period as funding becomes available.

The new visitor's center will be open from 9:00 AM to 5:00 PM Tuesday through Saturday, and 12:00 Noon to 5:00 PM on Sundays. The trails will be open from sunrise to sunset, 7 days a week. It is also anticipated that portions of the site will be used for private group rentals (i.e., weddings, special events, etc). The master plan would potentially double the number of annual visitors to 6,000. Primary access will be provided via 2 new driveways on S. Oakglen Avenue (near visitor's center). The existing driveway will be used for access to the adobe and overflow parking. Parking on-site will be provided for approximately 200 vehicles, including 48 stalls in the paved lot adjacent to the visitor's center and 152 overflow spaces. Limited parking will also be provided off of S. Thompson Avenue for horse trailers and pedestrian / bicycle trail uses. Emergency fire access will be provided via a trail/road connection between S. Oakglen Avenue and S. Thompson Avenue.

Trip generation estimates for the project site were derived using data for the existing and proposed operations. Regular weekly activities at Dana Adobe include school bus tours, daily visitors and employee/volunteer activities. The annual and special events include a variety of meetings, celebrations, lectures and concerts. Most of the existing annual and special events only occur once a year and none of the events occur on the same day. The trip generation estimates for the existing and proposed site uses are based on the average number of participants. To evaluate the potential impacts associated with the proposed master plan the "net" change in project site trips were determined. The proposed project will generate approximately 104 additional daily trips during an average weekday, with 38 additional daily trips during an average weekend day. The project is also estimated to generate 8 additional trips during an average weekday AM and PM peak hour. During an average weekend day the project may result in a slight increase in the number of trips during the mid-day peak hour (i.e., between 2:00 to 3:00PM).

The traffic analysis scope was developed in consultation with staff at San Luis Obispo County Public Works. The evaluation of potential impacts includes an analysis of daily operations along W. Tefft Street and at the following study intersections:

1. W. Tefft Street and Mary Avenue
2. W. Tefft Street and US 101 Southbound Ramps-Frontage Road
3. W. Tefft Street and US 101 Northbound Ramps
4. W. Tefft Street and Oakglen Avenue
5. W. Tefft Street and Thompson Avenue

An evaluation of existing conditions was conducted using new roadway segment and intersection turning movement traffic count data. The evaluation of existing roadway segments indicates that daily traffic volumes are currently within acceptable limits (LOS C or better). The analysis also demonstrated that average vehicle delays at the study intersections are also within acceptable limits during a typical weekday PM peak hour. Observations conducted during the afternoon peak period did confirm that overall operations during the PM peak hour are within acceptable limits (majority of vehicle queues cleared every signal cycle). A review of traffic accident records obtained from the California Highway Patrol (5-year period) did not identify any significant accident problems along S. Oakglen Avenue.

An evaluation of “background” traffic conditions was conducted using a list of future approved projects provided by County staff. The background projects will generate an additional 15,406 daily trips (two-way trip ends); with 630 trips during the AM peak hour and 1,353 trips during the PM peak hour. The US 101/Willow Road interchange is currently under construction and planned for completion in late 2012/early 2013. Therefore, the trips associated with the background projects were assigned to the local street without and with the new Willow Road interchange. The roadway segment analysis indicates that background daily traffic volumes on the majority of study street segments will be within acceptable limits (LOS C or better), without or with the US 101/Willow Road interchange. However, the segment of Mary Avenue north of W. Tefft Street is projected to experience daily traffic demands at unacceptable levels (LOS E or F). A review of the background projects material indicates that the majority of new traffic on this segment of Mary Avenue will be attributable to the development of the Landev LLC parcel. Information provided by the County indicates that the Landev LLC project has been conditioned to widen the deficient segment of Mary Avenue, north of W. Tefft Street. Widening the deficient segment of Mary Avenue to a 2 lane collector section with left turn lanes will provide acceptable LOS. The evaluation of intersections operations indicates that average vehicle delays will remain within acceptable limits at the study intersections (with the Willow Road interchange completed), except at the W. Tefft Street/US 101 SB ramps-Frontage Road intersection. Delays at this intersection are projected to be in the LOS D range with the additional trips attributable to the background projects.

The evaluation of potential project impacts was conducted using “level of significance” criteria defined by San Luis Obispo County and the California Environmental Quality Act (CEQA). The roadway segment analysis indicates that background plus project daily traffic volumes on the majority of study street segments will be within acceptable limits (LOS C or better), without or with the US 101/Willow Road interchange. However, as discussed under the background conditions the segment of Mary Avenue north of W. Tefft Street is projected to experience daily traffic demands within the LOS E or F range. County staff has indicated that the Landev LLC project has been conditioned to widen this segment of Mary Avenue (2 lane collector with left turn lanes), which will provide acceptable LOS. Therefore, it is concluded that the proposed project will not have a potentially significant impact on background daily traffic operations. An evaluation of background plus project intersection operations indicates that with the US 101/ Willow Road interchange average vehicle delays will be within acceptable limits at the study intersections, except at the US 101 southbound ramps intersection. Therefore, the project will have a potentially significant impact on traffic operations during the PM peak hour at the US 101/West Tefft Street southbound ramps intersection.

An evaluation of project access reviewed existing roadway conditions and stopping sight distance along S. Oakglen Avenue. The evaluation concluded that there is sufficient stopping sight distance for southbound vehicles at the existing driveway and proposed driveways. Peak traffic demands

traveling to the project driveways will be below the criteria warranting a southbound left turn lane on S. Oakglen Road. The evaluation of project access demonstrates that the project traffic will not significantly impact safety along S. Oakglen Road. The paved parking lot adjacent to the visitor's center will accommodate 48 vehicles. A sidewalk/pedestrian path is provided on the east side of the parking lot, which will minimize the potential conflict between vehicular and pedestrian traffic. A bus parking area is also provided on-site for unloading and loading activities. All bus unloading and loading activities shall be monitored by an adult(s) to minimize the potential conflict between students and entering vehicles. A separate pedestrian path should be provided between the overflow parking areas and paved parking lot to help reduce the potential for pedestrians to wander through the parking areas. A review of on-site circulation indicates that it may be difficult for a bus/large truck to enter the overflow parking area(s). The scheduling of school/student field trips should be planned to avoid having more than 1 bus on-site at a time.

An evaluation of "cumulative" traffic conditions was conducted using a list of future pending projects provided by County staff. The cumulative projects could generate an additional 1,732 daily trips (two-way trip ends); with 136 trips during the AM peak hour and 183 trips during the PM peak hour. The analysis cumulative conditions assumed the completion of the US 101/Willow Road interchange. The roadway segment analysis indicates that cumulative project daily traffic volumes on the majority of study street segments will be within acceptable limits (LOS C or better), without or with the project. However, as discussed under the background conditions the segment of Mary Avenue north of W. Tefft Street is projected to experience daily traffic demands within the LOS E or F range. County staff has indicated that the Landev LLC project has been conditioned to widen this segment of Mary Avenue, which will provide acceptable LOS. Therefore, it is concluded that the project will not have a potentially significant impact on cumulative daily traffic operations. An evaluation of cumulative plus project intersection operations indicates that average vehicle delays will be within acceptable limits at the study intersections, except at the US 101 southbound ramps intersection. Therefore, the project will have a potentially significant impact on operations during the PM peak hour at the US 101/West Tefft Street southbound ramps intersection.

The County Public Works Department is currently evaluating various operational improvement alternatives for the southbound on ramp intersection. It is estimated that operational improvements could result in LOS C-D operations during the PM peak hour at the US 101/West Tefft Street southbound ramps intersection. However, these improvement alternatives are not designed or funded at this time. Therefore, these improvements can't be used as project mitigation measures to possibly reduce the potentially significant project impact to a level of "less than significant."

A review of the project trip generation estimates indicates that the majority of trips during the PM peak hour are associated with the visitor's center guests and employees/volunteers. To reduce the potentially significant impact to a level of "less than significant" would require eliminating the majority of trips during the PM peak hour under the background and cumulative scenarios. The implementation of a "Transportation Demand Management" (TDM) Program could potentially reduce and/or eliminate the PM peak hour trips. TDM measures should include, but not be limited to, opening the visitor's center at 9:30 AM in lieu of opening at 9:00 AM closing the center at 3:30-4:00 PM in lieu of closing at 5:00 PM. In addition, the TDM Program measures could require the employees /volunteers to leave before 4:00-4:30 PM or after 6:00-6:30 PM, and the scheduling of annual or special events to not occur at the same time and on the same day.

It should also be noted that to reduce the potentially significant project impacts to a level of "less than significant" development of the master plan could be limited until the County has completed a

design, secured funding and established a formal schedule for future operational improvements at the W. Tefft Street/US 101 southbound ramps intersection. Once this project becomes part of the long range infrastructure improvement plans in the South County Traffic Model they can be assumed to mitigate the potentially significant project impact at this intersection. It should also be mentioned that the County's "roadway improvement fee" (RIF) defined in the South County Traffic Model Final Report provides a funding mechanism for long range improvements in this portion of the County. Therefore, payment of the County's RIF or elimination of additional PM peak hour trips could serve as the project mitigation.

Information received from County staff indicated that the following "conditions of approval" would be required to help mitigate the identified potentially significant impacts.

1. Pay the appropriate County Roadway Improvement Fee (RIF).
2. Improve the project frontage along S. Oakglen Avenue to Rural County Standards, with a shoulder.
3. Improve the existing driveway and construct new driveways to County Standards.
4. Restrict on-street parking on west side of S. Oakglen Avenue due to existing eucalyptus trees near shoulder.
5. Prepare a "Transportation Demand Management" (TDM) Program which restricts hours of operations and having multiple events at the same time.

**TABLE OF CONTENTS**

<u>Report Section</u>	<u>Page</u>
I. Introduction .....	1
II. Existing Conditions .....	3
III. Background Conditions .....	8
IV. Project Conditions .....	15
V. Cumulative Conditions .....	24
VI. Mitigation Measures .....	30

**LIST OF TABLES**

Table 1 - Existing Roadway Segment LOS Analysis .....	6
Table 2 - Existing PM Peak Hour LOS Analysis .....	7
Table 3 - Summary of Traffic Accident Data .....	7
Table 4 - ITE Trip Generation Rates .....	8
Table 5 - Background Projects Trip Generation Estimates .....	10
Table 6 - Background Roadway Segment LOS Analysis .....	11
Table 7 - Background PM Peak Hour LOS Analysis .....	14
Table 8 - Existing Project Site Uses Trip Generation Estimates .....	17
Table 9 - Proposed Project Site Uses Trip Generation Estimates .....	18
Table 10 - Net Change in Project Site Trips Associated with Proposed Uses .....	19
Table 11 - Background Plus Project Roadway Segment LOS Analysis .....	21
Table 12 - Background Plus Project PM Peak Hour LOS Analysis .....	22
Table 13 - Cumulative Projects Trip Generation Estimates .....	24
Table 14 - Cumulative Plus Project Roadway Segment LOS Analysis .....	27
Table 15 - Cumulative Plus Project PM Peak Hour LOS Analysis .....	28

**LIST OF FIGURES**

Figure 1 - Project Location Map .....	2
Figure 2 - Existing Traffic Volumes ..	5
Figure 3 - Background Projects Location Map .....	9
Figure 4A - Background Traffic Volumes (w/o Willow Rd. I/C) .....	12
Figure 4B - Background Traffic Volumes (w/ Willow Rd. I/C) .....	13
Figure 5 - Preliminary Master Plan .....	16
Figure 6 - Project Traffic Volumes .....	20
Figure 7 - Cumulative Projects Location Map .....	25
Figure 8 - Cumulative Traffic Volumes .....	26

**APPENDIX MATERIAL**

- New 24-Hour Traffic Counts on W. Tefft Street and S. Oakglen Avenue (November 2011)
- New PM Peak Period Turning Movement Traffic Count Data (November 2011)
- Level of Service (LOS) Descriptions
- South County ADT Level of Service Threshold Criteria for Roadway Segments
- Level of Service (LOS) Value - Vehicle Delay Relationship Data
- Level of Service (LOS) Worksheets
- CHP Traffic Accident Records (Jan. 2005 thru Dec. 2010)
- Dana Adobe Existing and Proposed Operational Data

## I. INTRODUCTION

The following report presents an evaluation of the potential traffic impacts associated with the “Dana Adobe Master Plan” project in the Nipomo community of unincorporated San Luis Obispo County. Dana Adobe is a State Historical Landmark (No. 1033). The proposed Master Plan project encompasses approximately 130 acres between S. Oakglen Avenue and S. Thompson Avenue, south of W. Tefft Street (671 S. Oakglen Avenue). The project site is located east and west of the Nipomo Creek, with the existing adobe located west of the creek on approximately 30 acres. The Dana Adobe has developed a Preliminary Master Plan, which includes minimal new development in close proximity to the existing adobe. The project will showcase the cultural and natural resources of the Nipomo Creek watershed and Nipomo Mesa through a variety of education programs. The project will also provide public education of the site's geological, paleontological, prehistoric, historical and botanical resources through various programs. Access will be provided via two (2) new driveways on S. Oakglen Avenue (near visitor’s center) and the existing driveway. Primary access will be provided via the 2 new driveways, and the existing driveway will be used for access to the adobe and overflow parking. Parking on-site will be provided for approximately 200 vehicles. The general location of the project site is illustrated on Figure 1.

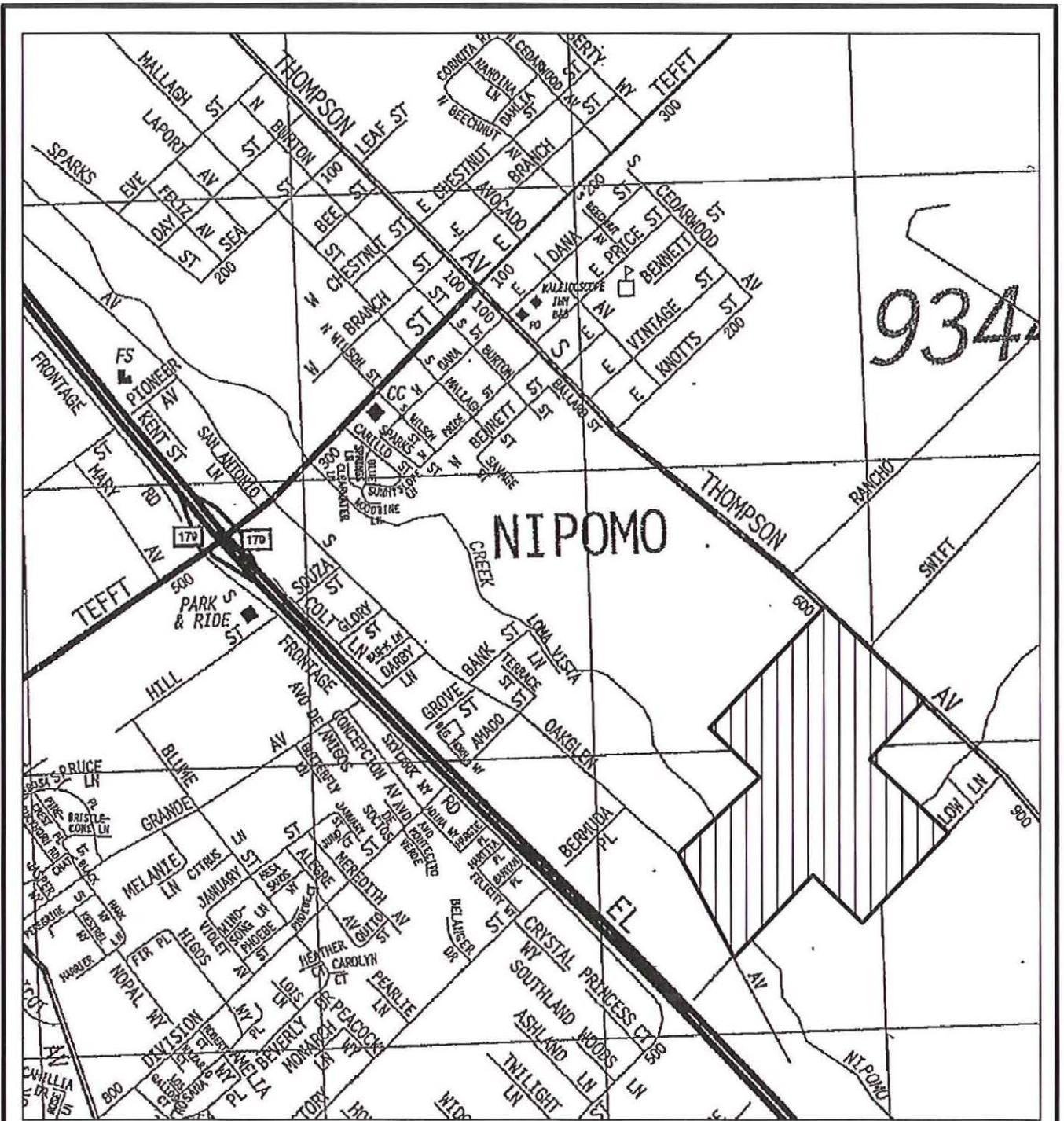
The traffic analysis scope was developed in consultation with staff at San Luis Obispo County Public Works. The evaluation of potential impacts includes an analysis of traffic operations along W. Tefft Street between Mary Avenue and Thompson Avenue. The evaluation of potential project impacts focuses on the analysis of traffic operations during an average weekday afternoon (PM) commuter peak hour at the following study intersection:

1. W. Tefft Street and Mary Avenue
2. W. Tefft Street and US 101 Southbound Ramps-Frontage Road
3. W. Tefft Street and US 101 Northbound Ramps
4. W. Tefft Street and Oakglen Avenue
5. W. Tefft Street and Thompson Avenue

New roadway segment and intersection turning movement traffic count data was collected for the analysis. Information contained in the following public documents was reviewed during the course of conducting the analysis:

- South County Traffic Model Update - 2006 Annual Report (Final Report)
- South County Circulation Study - 2009 Annual Update
- San Luis Obispo County General Plan Transportation Plan
- US101/Willow Road Interchange Project - Final Traffic Operations Report
- Willow Road Extension Final Supplemental EIR
- Community Health Center Traffic Impact Analysis (May 2011)

The traffic impact analysis was conducted according to the guidelines published by the County (Traffic Impact Study Polices, March 2007) and Caltrans (Guide for the Preparation of Traffic Impact Studies, December 2002).



**LEGEND**



 = General Project Area



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- Traffic Impact Report -

**FIGURE 1**  
**PROJECT**  
**LOCATION MAP**

## II. EXISTING CONDITIONS

The local street system serving the project site includes US 101, W. Tefft Street, Oakglen Avenue, Mary Avenue and Thompson Avenue. The following is a brief description of the street system and an evaluation of existing traffic operations.

### Network Description

US 101 is a four lane north-south divided freeway through the Nipomo area of unincorporated San Luis Obispo County. US 101 provides regional access between northern and southern California. In the vicinity of Nipomo, there are “grade separated” interchanges at State Route (SR) 166 (Cuyama Highway), W. Tefft Street and Los Berros Road-North Thompson Avenue. The new Willow Road “grade separated” interchange is currently under construction and will connect to the Willow Road extension (planned for completion in late 2012/early 2013). The north and southbound ramps at the US 101/W. Tefft Street interchange are signalized.

W. Tefft Street is an east-west arterial that extends west from Thompson Avenue to Las Flores Drive. W. Tefft Street in the vicinity of the project site is posted with a 35 miles per hour (mph) speed limit. West of Mary Avenue this arterial has 2 lanes in each direction and a two-way left turn lane. Between Mary Avenue and US 101, W. Tefft Street has a raised median and provides access for various commercial uses. East of Oakglen Avenue, W. Tefft Street transitions to a single lane in each direction with a two-way left turn lane. The bridge over the Nipomo Creek is confined to 1 lane in each direction with no center turn lane (approximately 500’ east of Oakglen Avenue). East of the Nipomo Creek, W. Tefft Street has on-street parking on selected sections and provides access to local commercial and residential uses. W. Tefft Street is signalized at Mary Avenue, US 101 north and southbound ramps, Oakglen Avenue and Thompson Avenue.

Oakglen Avenue is a two-lane north-south local street through the community of Nipomo. Oakglen Avenue runs parallel to US 101 and ends approximately 1.5 miles south of and 1 mile north of W. Tefft Street. South of W. Tefft Street, this collected street is posted with a 40 mph speed limit. Between W. Tefft Street and Amado Street the width varies from 21’-23’. South of Amado Street, the road narrows to a width of approximately 19’. There is a more detailed description of existing conditions along this roadway presented in the Project Access discussion.

Mary Avenue is a two-lane north-south collector street between Juniper Street and Hill Road. Between W. Tefft Street and Hill Road this collector has left turn lanes. North and South of W. Tefft Street, Mary Avenue provides access to various local commercial and residential uses.

Thompson Avenue is a two-lane arterial through the community of “Olde Towne” Nipomo. This arterial provides access to US 101 at Los Berros Road/N. Thompson Avenue and SR 166. Thompson Avenue provides access to local residential and agricultural uses, and the Nipomo Elementary and High Schools.

### Local Bicycle and Transit Facilities

W. Tefft Street has Class II bike lanes between Las Flores Drive and Carillo Street. East of Carillo Street to Thompson Avenue W. Tefft Street has Class III bike routes. With an estimated population increase in the next 25 years, bicycling in San Luis Obispo County will continue to

grow. The provision of Class II bike lanes on N. Thompson Avenue is on the County's priorities list. South County Area Transit (Regional Transit Authority, RTA) currently provides limited service to the Nipomo community (Route 10). Local transit stops are provided at N. Thompson Avenue near US 101, Nipomo High School, Branch Street and on West Tefft Street near Carillo Street. The RTA also provides a "dial a ride" service for Nipomo.

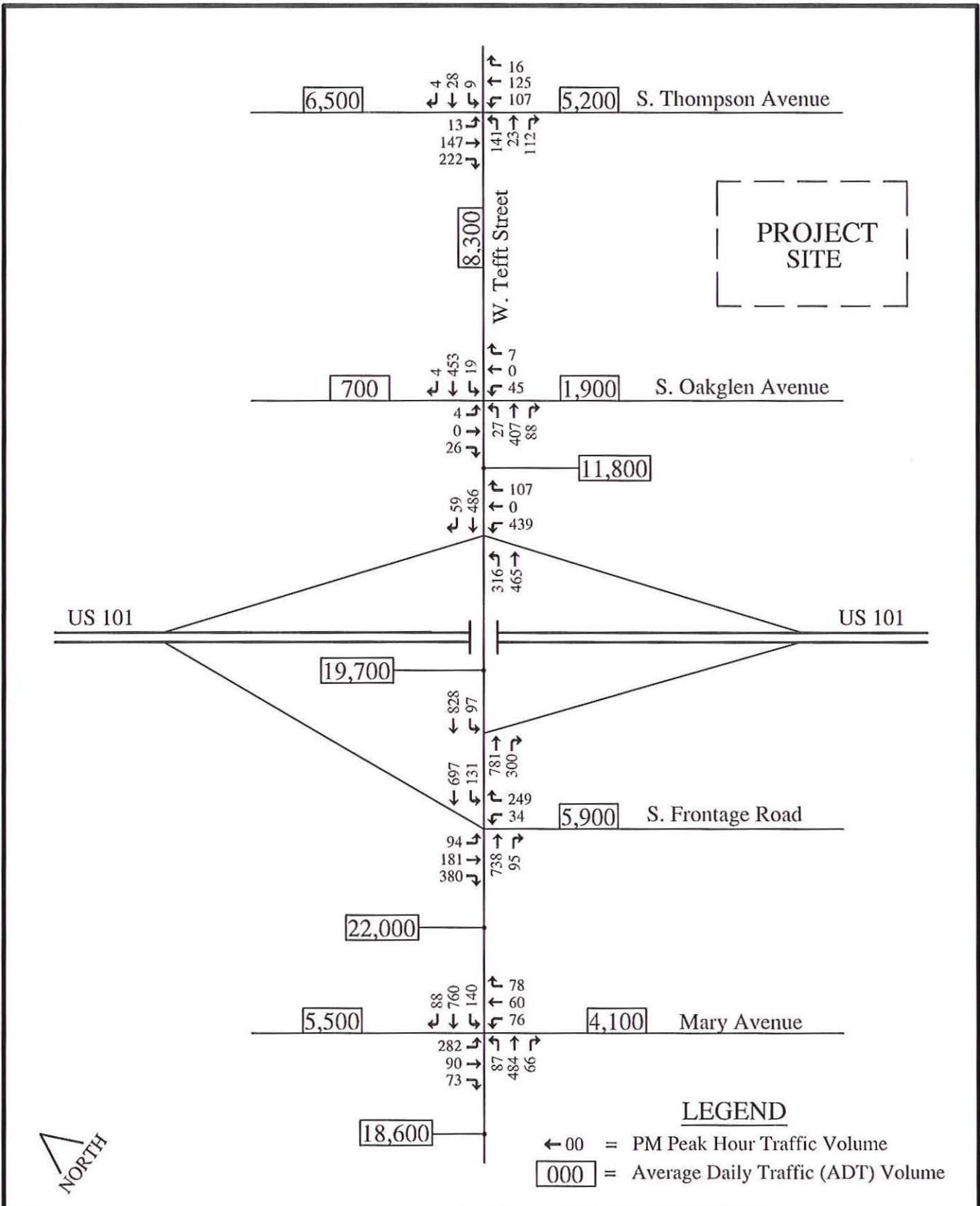
### **Traffic Volumes**

To document existing conditions new 24-hour traffic count data was collected for a 2-day period on W. Tefft Street east and west of US 101, and on Oakglen Avenue south of W. Tefft Street. New turning movement traffic count data was also collected at the study intersections during a weekday afternoon commuter period (4:00-6:00 PM). Existing traffic volume data contained in the South County Traffic Model Final Report and published on the County's website was also referenced. The existing traffic volumes are illustrated on Figure 2. Copies of the new traffic count data are included with the Appendix Material. A review of the new turning movement data indicates that the total intersection volumes during the PM peak hour are slightly higher at the southbound ramps intersection and lower at the northbound ramps intersection as compared to the existing volumes documented in the South County Traffic Model Final Report.

### **Level of Service Threshold Criteria and Analysis**

Various "level of service" (LOS) analyses methodologies are used to evaluate traffic operations. Operating conditions range from LOS "A" (free-flowing conditions) to LOS "F" (forced-flow conditions). LOS values for street segments can be estimated by comparing average daily traffic (ADT) volume data with the twenty-four (24) hour ADT threshold criteria developed from data in the Highway Capacity Manual (HCM2000), Transportation Research Board (TRB). ADT threshold criterion is also published in the South County Traffic Model Final Report. During peak commuter travel periods operations can be constrained at local intersections. Therefore, an analysis of peak period intersection operations can be a good method for measuring the potential impacts associated with a specific project. LOS values for intersection operations are based on estimated vehicle delays (seconds per vehicle). Vehicle delays are reported for the overall intersection operations as an "average" delay and for each "critical" movement (ie: stop sign controlled approaches on minor street, main line left turn, etc).

San Luis Obispo County has established the LOS C threshold as the lower limit for acceptable operations on rural facilities and LOS D threshold as the lower limit for acceptable operations on urban facilities. The Caltrans traffic impact study guidelines state that, "Caltrans endeavors to maintain a target level of service at the transition between LOS C and D on State highway facilities." The LOS C threshold is used in the South County Traffic Model Final Report as the lower limit for acceptable operations on the local street system. A brief description of the LOS values, the 24 Hour (2 day period) ADT Volume Threshold Criteria and the LOS-to-vehicle delay relationship data are included with the Appendix Material. The analysis of existing roadway segments is presented in Table 1.



Dana Adobe Master Plan  
- Traffic Impact Report -

**FIGURE 2**  
**EXISTING**  
**TRAFFIC VOLUMES**

Table 1 - Existing Roadway Segment LOS Analysis

Roadway Segment	No. of Lanes	LOS E Capacity	- ADT - Nov. '11	LOS
W. Tefft Street, w/o Mary Avenue	4 (a)	36,000	18,600	A
W. Tefft Street, Mary Ave. - US 101 SB Ramp	4 (a)	36,000	22,000	A
W. Tefft Street, US 101 SB Ramp - US 101 NB Ramp	4 (a)	36,000	19,700	A
W. Tefft Street, US 101 NB Ramp - S. Oakglen Ave.	4 (a)	36,000	11,800	A
W. Tefft Street, S. Oakglen Ave. to Thompson Ave.	2 (b)	18,000	8,300	A
Mary Ave., n/o W. Tefft Street	2 (c)	8,500	5,500	C
Mary Ave., s/o W. Tefft Street	2 (d)	12,000	4,100	A
N. Oakglen Ave., n/o W. Tefft Street	2 (f)	8,500	700	A
S. Oakglen Ave., s/o W. Tefft Street	2 (f)	8,500	1,900	A
N. Thompson Ave., n/o W. Tefft Street	2 (e)	15,000	6,500	A
S. Thompson Ave., s/o W. Tefft Street	2 (b)	18,000	5,200	A

- (a) 4 lane arterial with left turn lanes
- (b) 2 lane arterial with left turn lanes
- (c) 2 lane collector with no left turn lanes
- (d) 2 lane collector with left turn lanes
- (e) 2 lane arterial with no left turn lanes
- (f) 2 lane local with no left turn lanes

The roadway segment analysis indicates that existing daily traffic volumes are within acceptable limits as defined by San Luis Obispo County (LOS C or better). It should be noted that data contained in the South County Traffic Model Final Report demonstrates that existing PM peak hour traffic volumes along the street segments on W. Tefft Street are within the LOS B-C range (Las Flores Drive to Thompson Avenue). Data published on the Caltrans website indicates that daily traffic volumes on US 101 adjacent to the W. Tefft Street interchange are within the LOS B-C range.

The Synchro traffic signal simulation software was used to analyze the existing PM peak hour traffic operations at the study intersections. Observations of existing conditions were conducted to document signal phasing and timing parameters. Synchro software files for the PM peak hour were also provided by County Public Works staff. To accurately model existing operations the appropriate peak hour factor (PHF) adjustments were applied. Discounts for “right turns on red” were also applied to the approaches with exclusive right turn lanes, as follows:

- W. Tefft Street / Mary Avenue (NB, SB and EB)
- W. Tefft Street / US 101 Southbound Ramps-Frontage Road (EB and SB)
- W. Tefft Street / Oakglen Avenue (EB)
- W. Tefft Street / Thompson Avenue (EB and WB)

The results of the existing PM peak hour LOS analysis are presented in Table 2, with a copy of the LOS worksheet included with the Appendix Material.

Table 2 - Existing PM Peak Hour LOS Analysis

Study Intersection	Delay - LOS
W. Tefft Street / Mary Avenue	29.3 - C
W. Tefft Street / US 101 SB Ramps	33.9 - C
W. Tefft Street / US 101 NB Ramps	29.4 - C
W. Tefft Street / Oakglen Avenue	10.6 - B
W. Tefft Street / Thompson Avenue	15.6 - B

The data in Table 2 indicates that average delays at the study intersections are within acceptable limits during a typical weekday PM peak hour (LOS C or better). It should be mentioned that congestion and vehicle delays are approaching the LOS D range (> 35.0 seconds per vehicle) at the US 101 southbound ramps. Observations of actual peak hour operations confirmed the LOS analysis of existing traffic conditions. It was noticed that during several signal cycles westbound vehicles would queue between the southbound ramps and Mary Avenue intersection. The existing 2 stage left turn signal phase (westbound) and configuration of the southbound ramps intersection do not promote the most efficient movement of traffic during peak demands periods. However, observations during the afternoon peak period did confirm that overall operations during the PM peak hour were within acceptable limits (majority of vehicle queues cleared every signal cycle). Data in the South County Traffic Model Final Report indicates that vehicle delays at the US 101/W. Tefft Street southbound ramps intersection are within the LOS D range during the AM peak hour and LOS E range during the PM peak hour.

### Traffic Accident Data

Traffic accident records for S. Oakglen Avenue were obtained from the California Highway Patrol (CHP) for a 5-year period (Jan. 2005 thru Dec. 2010). A summary of the traffic accident data is presented in Table 3. The records indicate that there were 4 reported accidents, including 1 accident at the W. Tefft Street/Oakglen Road intersection and 3 on S. Oakglen Avenue south of W. Tefft Street. Copies of the traffic accident records are included with the Appendix Material.

Table 3 - Summary of Traffic Accident Data (Jan. 1, 2005 - Dec. 31, 2010)

Date	Location (a)	Time-DOW	Primary Factor	Type
3/04/07	S. Oakglen Ave. 1500' s/o W. Tefft St.	6:55 PM-Sun.	Imp. Turn	Rear End (b)
4/18/07	S. Oakglen Ave., 528' s/o W. Tefft St.	10:25 PM-Wed.	DUI	Rear End (b)
12/11/08	W. Tefft St. at S. Oakglen Ave.(I)	9:38 AM-Thu.	FROW (c)	Head-On (b)
5/07/10	S. Oakglen Ave., 300' s/o W. Tefft St.	9:10 PM-Fri.	Imp. Turn	Hit Object (b)

(a) "I" indicates accident at intersection. (b) Property damage only (PDO).

(c) Failure to yield right of way (FROW).

The data in Table 3 does not demonstrate that there is a significant accident problem along S. Oakglen Avenue (less than 1 accident per year). One of the accidents was DUI related and one involved a single car (PDO), which are not necessarily related to existing roadway conditions.

### III. BACKGROUND CONDITIONS

An evaluation of “background” conditions is an analysis of traffic operations resulting from the development of future approved projects in this portion of the County. These projects have already received entitlements from the County’s Planning Commission or Board of Supervisors, and therefore, could be built and occupied prior to the construction of the proposed project. County staff provided a list of current background projects. Information on the County’s website was also researched. The general locations of the background projects are illustrated on Figure 3.

#### Trip Generation Estimates

The trip generation estimates associated with the background projects were derived using data contained in the Institute of Transportation Engineers (ITE) Trip Generation manual (8<sup>th</sup> Edition). The various land use category descriptions were reviewed to determine the most appropriate trips rates for each background project. Data from other project traffic reports is also referenced when applicable. The applicable ITE trip generation rates for the background projects are displayed in Table 4. Trip rate data for the cumulative projects is also presented in Table 4. The analysis of cumulative (approved and pending projects) traffic conditions is presented in a separate section.

Table 4 - ITE Trip Generation Rates

ITE Code - Land Use	Number of Vehicle Trips				Daily
	AM Peak Hour		PM Peak Hour		
	In	Out	In	Out	
#210 - Single Family Detached (a)	0.19	0.56	0.64	0.37	9.57
#220 - Apartment (a)	0.10	0.41	0.40	0.22	6.65
#230 - Condos (a)	0.07	0.37	0.35	0.17	5.81
#254 - Assisted Living (b)	0.09	0.05	0.10	0.12	2.66
#320 - Motel (c)	0.23	0.41	0.31	0.27	9.11
#412 - County Park (d)	0.01	0.00	0.02	0.04	2.28
#710 - General Office (e)	1.36	0.19	0.25	1.24	11.01
#814 - Specialty Retail Center (e)	N/A	N/A	1.19	1.52	44.32
#820 - Shopping Center (e)	0.61	0.39	1.83	1.90	42.94
#931 - Quality Restaurant (e)	0.42	0.39	5.02	2.47	89.95

(a) Number of vehicle trips per residential dwelling unit.

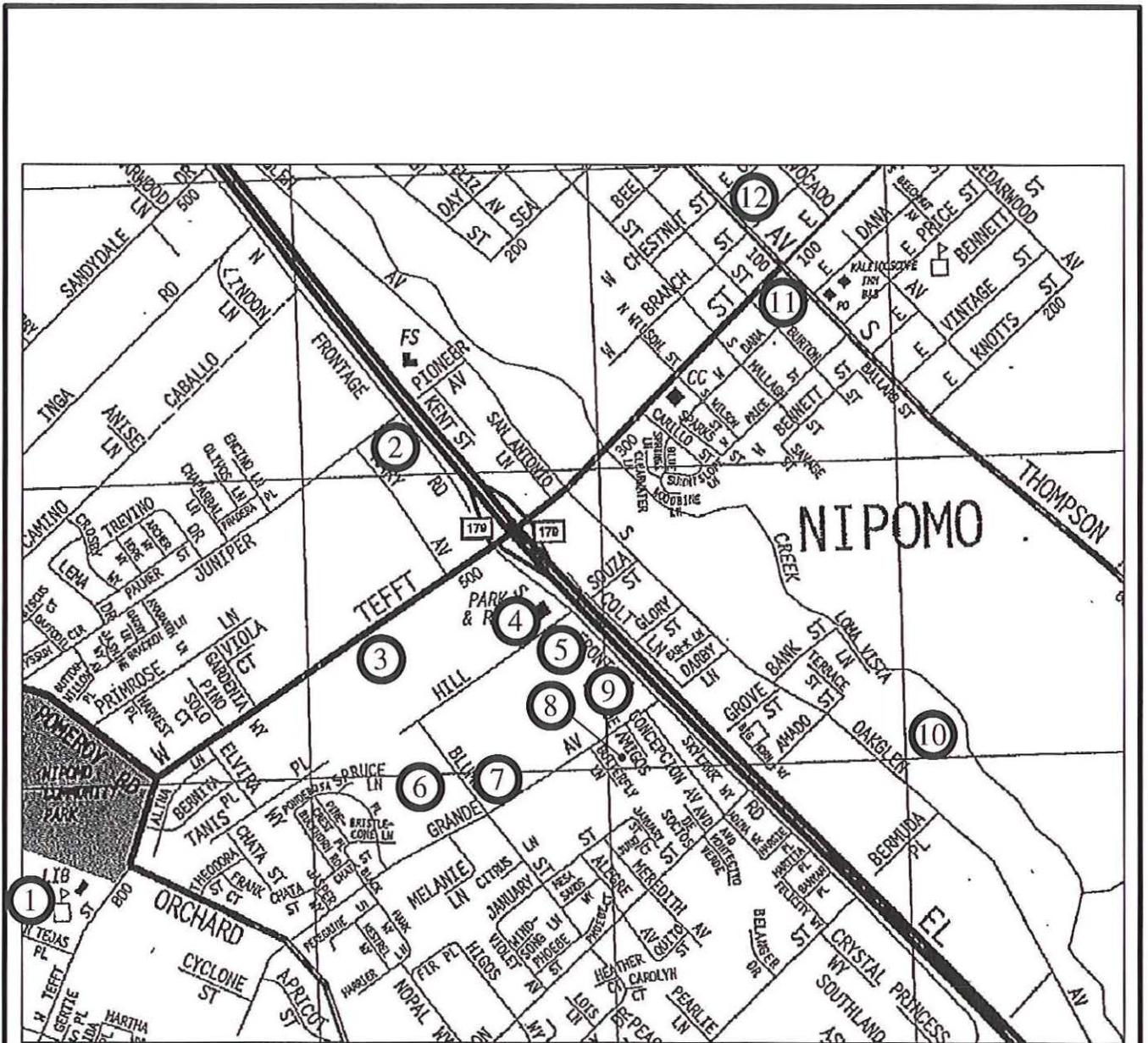
(b) Number of vehicle trips per bed.

(c) Number of vehicle trips per room.

(d) Number of vehicle trips per acres.

(e) Number of vehicle trips per 1,000 square feet.

The background projects trip generation estimates were derived using the ITE trip rate data presented in Table 4. The background projects trip generation estimates are displayed in Table 5.



**LEGEND**

① = Background Project No.  
(See Table 5)



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- Traffic Impact Report -

**FIGURE 3**  
**BACKGROUND**  
**PROJECTS**  
**LOCATION MAP**

Table 5 - Background Projects Trip Generation Estimates

Project No.	Land Use Description	Number of Vehicle Trips				
		AM Pk. Hr.		PM Pk. Hr.		Daily
		In	Out	In	Out	
1	Community Health Center (a)	99	17	32	99	828
2	<u>Landev LLC:</u>					
	Assisted Living - 112 Beds	10	6	11	13	298
	Rest. & Conf. Ct. - 8,000 SF (b)	3	3	40	20	720
	Retail - 65,000 SF (c)	40	25	119	124	2,792
	Office - 65,000 SF (c)	88	12	16	81	716
3	691 W. Tefft LLC - 20 Condos	1	7	7	3	116
4	<u>Shapiro:</u>					
	Office -12,000 SF	16	2	3	15	132
	Retail - 44,000 SF	0	0	52	67	1,950
	Quality Restaurant - 4,500 SF	2	2	23	11	404
	Apartment - 51 DU	5	21	20	11	340
5	Marinai - Motel - 71 Beds	16	29	22	19	646
6	Luis CUP - 52 Condos (d)	2	10	9	4	152
7	Gary Trust - 38 SFDU	7	21	24	14	364
8	Allshouse - Condos - 15 DU	1	6	5	3	88
9	<u>Nipomo Center:</u>					
	59 Parcels - 158 DU (e)	16	65	63	35	1,050
	Retail - 75, 868 SF	46	30	139	144	3,258
10	Hollway - 18 SFDU	3	10	12	7	172
11	<u>Vista Roble, LLC -</u>					
	Residential - 3 SFDU	1	2	2	1	28
	Retail - 15,000 SF	0	0	18	23	664
12	<u>Chestnut Villas (f) -</u>					
	Retail - 12,000 SF	0	0	14	18	532
	Apartments - 12 DU	1	5	5	3	80
13	Jack Ready Park- 33 Acres	0	0	1	1	76
Totals:		357	273	637	716	15,406
External Demands (g):		339	261	555	634	13,344

(a) Trip generation from Traffic Report prepared by ATE (May 11, 2011).

(b) Total 16,000 SF; Assumed 50% quality restaurant and 50% conference center.

Conference center will generate negligible traffic during “average” weekday conditions.

(c) Assumed 50% for specialty retail and 50% office/professional building.

(d) Built and assume 50% occupied.

(e) Mixture of duplexes, triplexes and fourplexes.

(f) Assumed 12,000 SF specialty retail and 12 apartments.

(g) Based on a 20% reduction for pass-by, diverted link and captured trips.

The data in Table 5 demonstrates that the background projects will generate an additional 15,406 daily trips (two-way trip ends); with 630 trips during the AM peak hour (357 inbound and 273 outbound) and 1,353 trips during the PM peak hour (637 inbound and 716 outbound). External

demands associated with the background projects will be approximately 87% of the total daily (13,344 ADT) and PM peak hour (1,189) trips.

### Trip Assignment and Background Traffic Volumes

The trips associated with each background project were assigned to the local street system based on a review of local peak hour traffic patterns and knowledge of local demographics. As previously discussed, the US 101/Willow Road interchange is currently under construction and planned for completion in late 2012/early 2013. Therefore, the background project trips were also assigned to the local street assuming the completion of the Willow Road interchange. The existing traffic volumes illustrated on Figure 2 were also adjusted to account for the new Willow Road interchange based on data presented in the Willow Road Extension EIR. The trips associated with the background projects were then combined with the existing traffic volumes. The background traffic volumes are illustrated on Figure 4A (without Willow Road Interchange) and Figure 4B (with the Willow Road interchange).

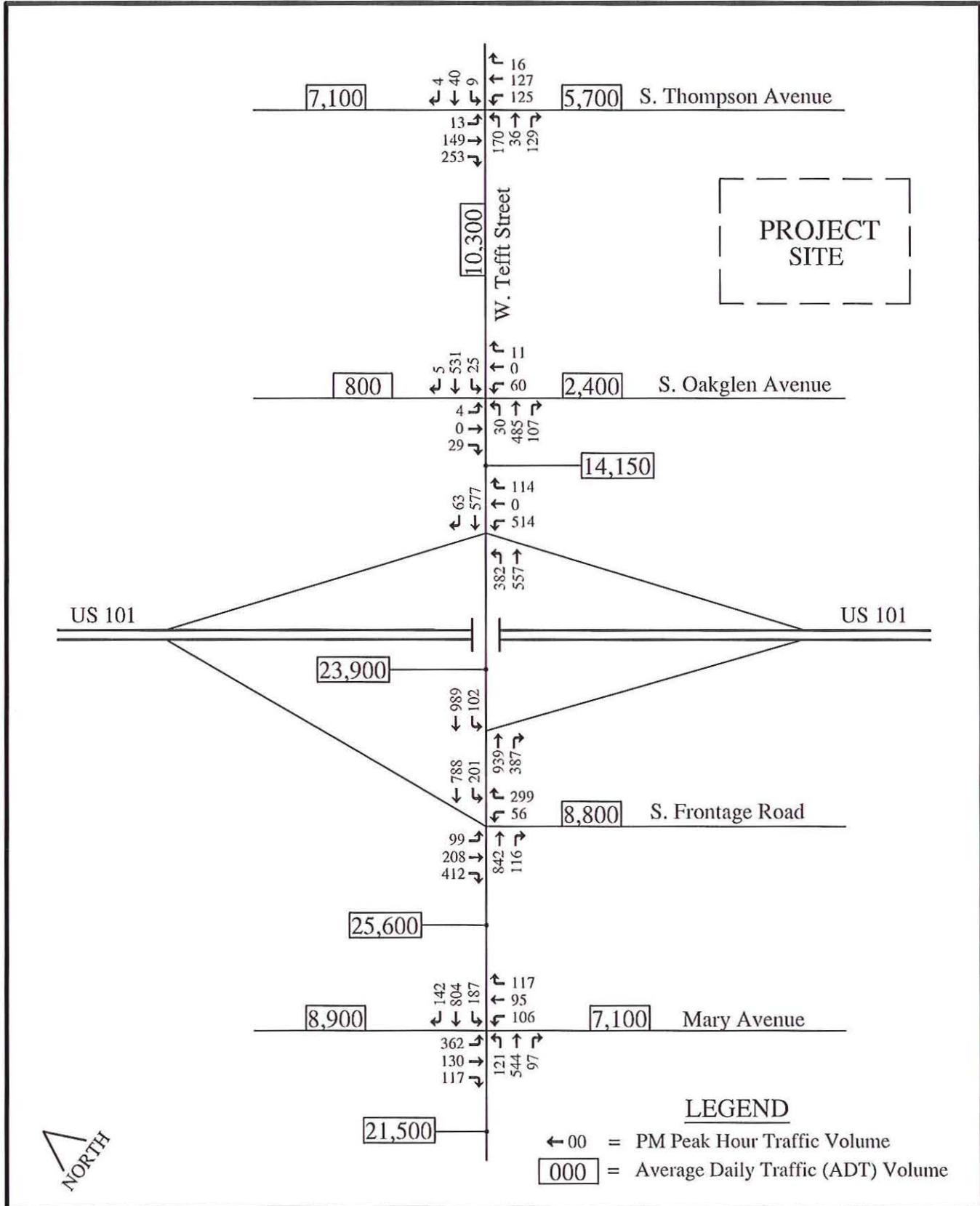
### Levels of Service Analysis

Similar to the analysis conducted for the existing conditions, the roadway segment and intersection peak hour LOS values were calculated for the background traffic conditions. The results of the background roadway segment analysis are presented in Table 6.

Table 6 - Background Roadway Segment LOS Analysis

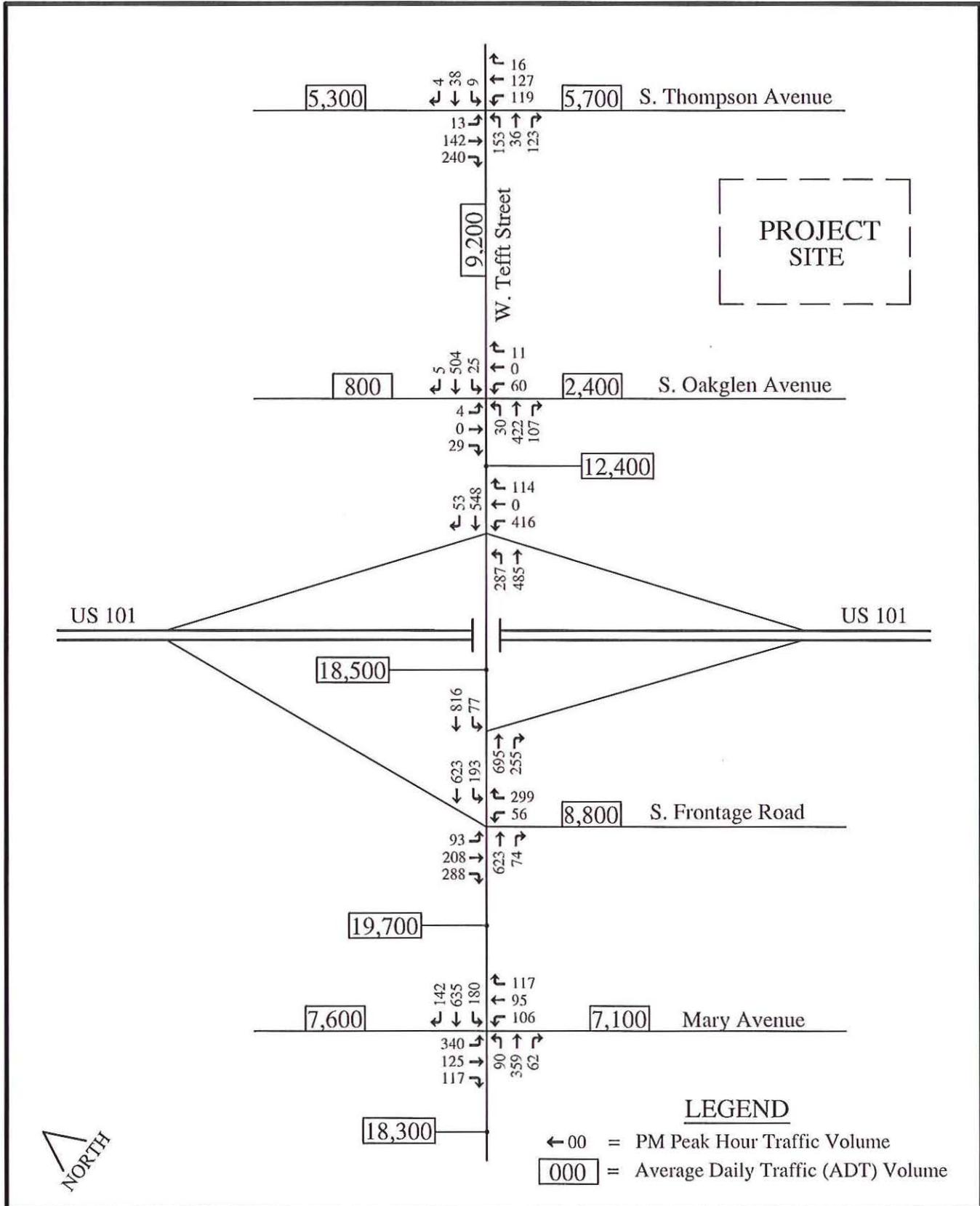
Roadway Segment	No. of Lanes	LOS E Capacity	ADT - LOS	
			Without Willow Rd. Interchange	With Willow Rd. Interchange
W. Tefft St., w/o Mary Ave.	4 (a)	36,000	21,500 - A	18,300 - A
W. Tefft St., Mary Ave. - US 101 SB Ramp	4 (a)	36,000	25,600 - C	19,700 - A
W. Tefft St., US 101 SB Ramp to NB Ramp	4 (a)	36,000	23,900 - B	18,500 - A
W. Tefft St., US 101 NB Ramp - S. Oakglen Ave.	4 (a)	36,000	14,200 - A	12,400 - A
W. Tefft St., S. Oakglen Ave. to Thompson Ave.	2 (b)	18,000	10,300 - A	9,200 - A
Mary Ave., n/o W. Tefft St.	2 (c)	8,500	8,900 - F	7,600 - E
Mary Ave., s/o W. Tefft St.	2 (d)	12,000	7,100 - B	7,100 - B
N. Oakglen Ave., n/o W. Tefft St.	2 (f)	8,500	800 - A	800 - A
S. Oakglen Ave., s/o W. Tefft St.	2 (f)	8,500	2,400 - A	2,400 - A
N. Thompson Ave., n/o W. Tefft St.	2 (e)	15,000	7,100 - A	5,300 - A
S. Thompson Ave., s/o W. Tefft St.	2 (b)	18,000	5,700 - A	5,700 - A

- (a) 4 lane arterial with left turn lanes
- (b) 2 lane arterial with left turn lanes
- (c) 2 lane collector with no left turn lanes
- (d) 2 lane collector with left turn lanes
- (e) 2 lane arterial with no left turn lanes
- (f) 2 lane local with no left turn lanes



Dana Adobe Master Plan  
 - Traffic Impact Report -

FIGURE 4A  
 BACKGROUND  
 TRAFFIC VOLUMES  
 (W/O WILLOW RD. I/C)



Dana Adobe Master Plan  
 - Traffic Impact Report -

**FIGURE 4B**  
**BACKGROUND**  
**TRAFFIC VOLUMES**  
 (W/ WILLOW RD. I/C)

The roadway segment analysis indicates that background daily traffic volumes on the majority of study street segments will be within acceptable limits (LOS C or better), without or with the new US 101/Willow Road interchange. However, the segment of Mary Avenue north of W. Tefft Street is projected to experience daily traffic demands at unacceptable levels (LOS E or F). A review of the background projects material indicates that the majority of new traffic on this segment of Mary Avenue will be attributable to the development of the Landev LLC parcel (Background Project No. 2 - see Table 5). Information provided by the County indicates that the Landev LLC project has been conditioned to widen the deficient segment of Mary Avenue, north of W. Tefft Street. Widening the deficient segment of Mary Avenue to a 2 lane collector section with left turn lanes will provide acceptable LOS.

The Synchro traffic signal simulation software was again utilized to analyze the background PM peak hour traffic operations at the study intersections. The analysis of background PM peak hour traffic operations is presented in Table 7 (without and with the Willow Road interchange). Copies of the LOS worksheets are included with the Appendix Material.

Table 7 - Background PM Peak Hour LOS Analysis

Study Intersection	Vehicle Delay - LOS Value	
	Without Willow Rd. Interchange	With Willow Rd. Interchange
W. Tefft St. / Mary Ave.	35.6 - D	34.0 - C
W. Tefft St. / US 101 SB Ramps	40.6 - D	36.7 - D
W. Tefft St. / US 101 NB Ramps	30.7 - C	27.1 - C
W. Tefft St. / Oakglen Ave.	11.1 - B	12.0 - B
W. Tefft St. / Thompson Ave.	18.2 - B	16.7 - B

The data in Table 7 indicates that average delays will remain within acceptable limits at the study intersections (with the Willow Road interchange completed), except at the W. Tefft Street/US 101 SB ramps-Frontage Road intersection. Delays at this intersection are projected to be in the LOS D range with the additional traffic attributable to the background projects. As discussed under existing conditions, the existing 2 stage left turn signal phase and configuration of this intersection do not promote the most efficient movement of traffic during peak demand periods.

#### **IV. PROJECT CONDITIONS**

The following is a description of the proposed project, an estimate of the project trip generation quantities, an assignment of the project trips to the local street system and an evaluation of the potential impacts on background traffic conditions.

##### **Description**

As previously stated, Dana Adobe has developed a Preliminary Master Plan that will minimize the amount of new development in close proximity to the existing historical adobe. The Dana Adobe currently has an estimated 3,000 visitors a year (about 40% are student fieldtrips). The majority of events are held on weekends. The project includes the construction of a visitor's center (6,266 SF), a Chumash Village, an amphitheater, indoor & outdoor education exhibits, and trails linking the visitor center to the Chumash Village. The project buildout will occur over a roughly five (5) to greater than a twenty (20) year period as funding becomes available.

The visitor's center will be open from 9:00 AM to 5:00 PM Tuesday through Saturday, and 12:00 Noon to 5:00 PM on Sundays. The trails will be open from sunrise to sunset, 7 days a week. It is also anticipated that portions of the site will be used for private group rentals (i.e., weddings, special events, etc). Dana's Master Plan would potentially double the number of annual visitors to 6,000. The Master Plan also includes various infrastructure improvements (i.e., restrooms, paved parking lot, bus drop-off/pickup area, wastewater facility, walkways, solar lighting, etc). Primary access will be provided via 2 new driveways on S. Oakglen Avenue (near visitor's center). The existing driveway will be used for access to the adobe and overflow parking. Frontage improvements along S. Oakglen Avenue will be constructed per the County Public Work's standards. Parking on-site will be provided for approximately 200 vehicles, which includes 48 parking stalls in the paved lot adjacent to the visitor's center and 152 overflow spaces. On-street parking along S. Oakglen Avenue will be prohibited. Ultimately portions of the trail system will also be accessible from S. Thompson Avenue. Limited parking will be provided for horse trailers and pedestrian / bicycle trail uses. Emergency fire access will be provided via a trail/road connection between S. Oakglen Avenue and S. Thompson Avenue. This access will be gated at Swallow Lane and near S. Oakglen Avenue to prohibit motor vehicle use except in an emergency. A copy of the Preliminary Master Plan is provided on Figure 5.

##### **Trip Generation and Trip Assignment**

The trip generation estimates for the project site were derived using data for the existing and proposed operations at Dana Adobe. Regular weekly activities include school bus tours, daily visitors and employee/volunteer activities. The annual and special events include a variety of meetings, celebrations, lectures and concerts. Most of the existing annual and special events only occur once a year. Therefore, none of the events occur on the same day. The project trip generation estimates associated with the existing site uses are presented in Table 8. Also displayed in Table 8 are the average number of participants, and activity time of year and day of the week. It should be noted that the average attendance numbers for the large events include guests and staff.



Table 8 - Existing Project Site Uses Trip Generation Estimates

Project Component	Number of Vehicle Trips				
	Average Weekday			Avg. Weekend Day	
	AM Pk.	PM Pk.	ADT	MD Pk.	ADT
<b>Weekly Activities:</b>					
School Bus Tours (20/yr), Friday Only	0	0	4	0	0
Daily Visitors - 5 Max. (a)	0	2-out	6	0	6
Employees / Volunteers (8)	1-in	1-out	16	0	2
Weekday Totals:	1-in	3-out	26	0	8
<b>Annual &amp; Special Events:</b>					
Membership Meeting, Jan. - 50 (a & b)	0	0	0	33-out	66
Heritage Day, Spring/Fall - 300 (b & d)	0	0	0	0	240
Lect. Series, May/Sept. (5/yr) - 20 (a & b)	0	0	0	13-out	26
Art @ the Adobe, June - 200 (c & d)	0	0	0	0	160
Concert, July - 350 (b, c & d)	0	0	0	140-in	280
Concert, September - 350 (b, c & d)	0	0	0	140-in	280
Dia De Los Muertos, Oct. - 50 (b, c & d)	0	0	0	0	40
Open House, Dec. - 50 (b & d)	0	0	0	0	40
Weekend Day Totals (e):	0	0	0	140/0	280

- (a) Vehicle occupancy estimated at 1.5 people per car.
- (b) Events held on Saturday.
- (c) Events held on Sunday.
- (d) Vehicle occupancy estimated at 2.5 people per car.
- (e) Maximum when a concert occurs on a Saturday or Sunday (inbound/outbound).

The data in Table 8 indicates that regular weekly activities at the project site currently generate about 26 daily trips (on a Friday), with few trips during the typical weekday commuter peak periods (7:00-9:00 AM and 4:00-6:00 PM). The data demonstrates that the highest number of weekend day trips occur between the Spring (May) to Fall (September) months (280 ADT). Multiple events currently do not occur at the same time and do not occur on the same day, as all of the annual and special events are scheduled during different months (membership meeting, Dia De Los Mertos, open house, etc). In addition, the scheduling of annual events are planned to not coincide with other larger special events at the project site (i.e., Heritage Day celebration & Art @ the Adobe event, Heritage Day celebration & a concert, or Art @ the Adobe event and a concert).

To determine the “net” change in trips associated with the proposed project, the project trip generation estimates for the proposed uses were also derived using operational data provided by Dana Adobe staff. A copy of the proposed uses and operational data are included with the Appendix Material. Dana staff will not schedule events, education groups, or tours on weekdays (excluding holidays) between 7:30 & 9:30 AM or 4:30 & 6:30 PM. Except for small gatherings, events will not be scheduled concurrently (at the same time). Although the operational data includes maximum attendance numbers for individual events, it is unlikely all events would be scheduled in any one year and/or that events would attract the maximum attendance numbers on a regular basis. Therefore, the analysis of potential project impacts was conducted using the “average” attendance numbers similar to the analysis of existing and background conditions

(operations during an average weekday). The project trip generation estimates for the proposed uses are presented in Table 9.

Table 9 - Proposed Project Site Uses Trip Generation Estimates

Project Component	Number of Vehicle Trips				
	Average Weekday			Avg. Weekend Day	
	AM Pk.	PM Pk.	ADT	MD Pk.	ADT
<u>Weekly Activities:</u>					
School Bus Tours (40/yr) - (a)	0	0	4	0	0
Daily Visitors - 20 Max. (e)	3-in	10-out	26	0	26
Employees / Volunteers (17)	6-in	1-out	34	0	2
Weekday Totals:	9-in	11-out	64	0	28
<u>Annual &amp; Special Events:</u>					
Medium Size (12/yr) - 100 (a, b, c & d)	0	0	80	0	80
Large Size Event (6/yr) - 290 (b, c & d)	0	0	0	116-in	232
Com. Mtg. & Lect. (20/yr) - 50 (a, b, c & e)	0	0	66	33-out	66
Heritage Day, Spring/Fall - 300 (b, c & d)	0	0	0	0	240
Employees / Volunteers / Mics. 10-15	0	0	0	0	30
Weekend Day Totals (f):	0	0	66	116/33	298

- (a) Events on weekdays.
- (b) Events on Saturdays.
- (c) Events on Sundays.
- (d) Vehicle occupancy estimated at 2.5 people per car.
- (e) Vehicle occupancy estimated at 1.5 people per car.
- (f) Maximum when a lecture and concert occur on same day (inbound/outbound).

The data in Table 9 indicates that weekly activities at the project site are estimated to generate about 130 daily trips (130=64+66), with 9 trips during the AM peak hour (inbound) and 11 trips during the PM peak hour (outbound). As discussed for the existing uses at the project site, the highest number of weekend day trips would occur between the Spring (May) to Fall (September) months when more than one event may occur on the same day (worst case). On a Saturday with average attendance and when there may be an educational lecture and large event the project site is estimated to generate up to 298 ADT (298=66+232). Again, multiple events will not occur at the same time and typically not occur on the same day. It should be noted that the maximum daily attendance for a large event would be approximately 750 quests and staff (750=1,500/2); which could generate up to 600 ADT (600=2x(750/2.5)). This represents a worst case scenario and only occurs 1 day a year.

The “net” change in trips associated with the Dana Adobe Master Plan is presented in Table 10. The data in Table 10 demonstrates that the proposed project will generate approximately 104 (104=38+66) additional daily trips during an average weekday, with 38 (38=20+18) additional daily trips during an average weekend day. The project is also estimated to generate 8 additional trips during an average weekday AM and PM peak hour. During an average weekend day the project may result in a slight increase in the number of trips during the mid-day peak hour (i.e., between 2:00 to 3:00PM).

Table 10 - Net Change in Project Site Trips Associated with Proposed Uses

Project Component	Number of Vehicle Trips				
	Average Weekday			Avg. Weekend Day	
	AM Pk.	PM Pk.	ADT	MD Pk.	ADT
<u>Weekly Activities:</u>					
Existing Uses (see Table 8) -	1-in	3-out	26	0	8
Proposed Uses (see Table 9) -	9-in	11-out	64	0	28
Net Change in Weekday Trips:	+8-in	+8-out	+38	0	+20
<u>Annual &amp; Special Events:</u>					
Existing Uses (see Table 8) -	0	0	0	140/0	280
Proposed Uses (see Table 9) -	0	0	66	116/33	298
Net Change in Weekend Day Totals:	0	0	+66	-24/+33	+18

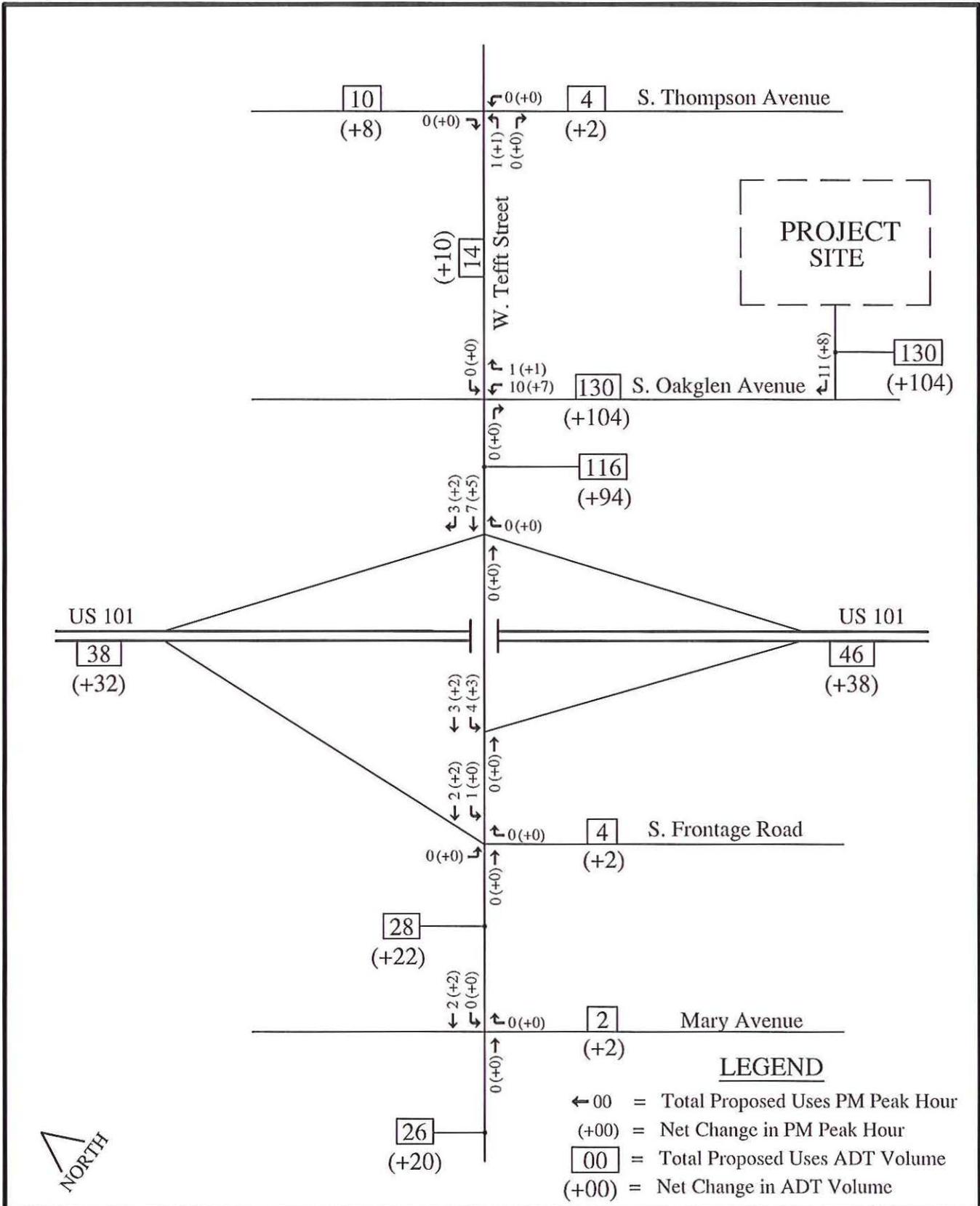
The project trips were assigned to the study street system based on a review of local traffic patterns and knowledge of local demographics. It is anticipated that approximately 65% of the project trips will be oriented to and from US 101 (30% north of W. Tefft Street and 35% south of W. Tefft Street), 10% to and from Thompson Avenue (7% north of W. Tefft Street and 3% south of W. Tefft Street), 3% to and from South Frontage Road, 2% to and from Mary Avenue (south of W. Tefft Street), and the remaining 20% on W. Tefft Street west of Mary Avenue. It should be noted that some of the daily visitors may come to use the trail system and utilize the parking off of S. Thompson Avenue. However, to present a “worst case” scenario for the analysis it was assumed that all project traffic will use S. Oakglen Avenue for access to the project site. The total and “net” increase project traffic volumes are illustrated on Figure 6.

### Level of Significance Criterion

Project specific impacts are identified using “level of significance” criteria defined by San Luis Obispo County and the California Environmental Quality Act (CEQA). The following criterion is used to identify potentially significant impacts associated with the proposed project:

- Substantially increased traffic relative to existing load and capacity
- Exceeded an established LOS standard (LOS C)
- Resulted in a change to air traffic patterns
- Substantially increased hazards due to design or incompatible uses;
- Results in inadequate emergency access;
- Results in inadequate parking capacity; or
- Conflicts with adopted alternative transportation policies, plans, or programs.

Any identified project specific impacts will require the appropriate mitigation measure to offset the potent impact to a “less than significant” level.



Dana Adobe Master Plan  
- Traffic Impact Report -

FIGURE 6  
PROJECT  
TRAFFIC VOLUMES  
(Average Weekday)

**Background Plus Project Levels of Service Analysis**

The evaluation of potential project impacts on background conditions is an analysis of the “background plus project” traffic operations. The results of the background plus project roadway segment analysis are presented in Table 11. The ADT and LOS values associated with the completion of the US 101/Willow Road interchange are also presented in Table 11.

Table 11 - Background Plus Project Roadway Segment LOS Analysis

Roadway Segment	No. of Lanes	LOS E Capacity	ADT - LOS	
			Without Willow Rd. Interchange	With Willow Rd. Interchange
W. Tefft St., w/o Mary Ave.	4 (a)	36,000	21,520 - A	18,320 - A
W. Tefft St., Mary Ave. - US 101 SB Ramp	4 (a)	36,000	25,622 - C	19,722 - A
W. Tefft St., US 101 SB Ramp to NB Ramp	4 (a)	36,000	23,956 - B	18,556 - A
W. Tefft St., US 101 NB Ramp - S. Oakglen Ave.	4 (a)	36,000	14,294 - A	12,494 - A
W. Tefft St., S. Oakglen Ave. to Thompson Ave.	2 (b)	18,000	10,310 - A	9,210 - A
Mary Ave., n/o W. Tefft St.	2 (c)	8,500	8,900 - F	7,600 - E
Mary Ave., s/o W. Tefft St.	2 (d)	12,000	7,102 - B	7,102 - B
N. Oakglen Ave., n/o W. Tefft St.	2 (f)	8,500	800 - A	800 - A
S. Oakglen Ave., s/o W. Tefft St.	2 (f)	8,500	2,504 - A	2,504 - A
N. Thompson Ave., n/o W. Tefft St.	2 (e)	15,000	7,108 - A	5,308 - A
S. Thompson Ave., s/o W. Tefft St.	2 (b)	18,000	5,702 - A	5,702 - A

- (a) 4 lane arterial with left turn lanes
- (b) 2 lane arterial with left turn lanes
- (c) 2 lane collector with no left turn lanes
- (d) 2 lane collector with left turn lanes
- (e) 2 lane arterial with no left turn lanes
- (f) 2 lane local with no left turn lanes

The roadway segment analysis indicates that background plus project daily traffic volumes on the majority of study street segments will be within acceptable limits (LOS C or better), without or with the new US 101/Willow Road interchange. However, as discussed under the background conditions the segment of Mary Avenue north of W. Tefft Street is projected to experience daily traffic demands in the LOS E or F range. As previously discussed, the majority of new traffic on this segment of Mary Avenue will be attributable to the development of the Landev LLC parcel. County staff has indicated that the Landev LLC project has been conditioned to widen the deficient segment of Mary Avenue, north of W. Tefft Street. Widening the deficient segment of Mary Avenue to a 2 lane collector section with left turn lanes will provide acceptable LOS. Therefore, it is concluded that the proposed project will not have a potentially significant impact on background daily traffic operations.

The Synchro traffic signal simulation software was again used to analyze the PM peak hour operations at the study intersections. The intersection peak hour LOS values were calculated assuming the addition of trips associated with the proposed project. The results of the PM peak hour LOS analysis are presented in Table 12. The LOS values associated with the completion of the US 101/Willow Road interchange are also presented in Table 12. Copies of the LOS worksheets are included with the Appendix Material.

Table 12 - Background Plus Project PM Peak Hour LOS Analysis

Study Intersection	Vehicle Delay - LOS Value	
	Without Willow Rd. Interchange	With Willow Rd. Interchange
W. Tefft St. / Mary Ave.	35.6 - D	34.0 - C
W. Tefft St. / US 101 SB Ramps	40.7 - D	36.7 - D
W. Tefft St. / US 101 NB Ramps	30.7 - C	27.1 - C
W. Tefft St. / Oakglen Ave.	11.5 - B	12.6 - B
W. Tefft St. / Thompson Ave.	18.7 - B	16.7 - B

The data in Table 12 indicates that without the US 101/Willow Road interchange average delays will remain within acceptable limits at the study intersections, except at the Mary Avenue and US 101 southbound ramps intersection. Completion of the US 101/Willow Road interchange is anticipated to reduce traffic demands and delays at the West Tefft Street interchange by about 40% during the PM peak hour. The US 101/Willow Road interchange will improve operations during the PM peak hour at the Mary Avenue intersection. However, the analysis in the Willow Road Extension EIR indicates that the benefits associated with the interchange improvements will not eliminate the adverse LOS at the southbound ramps intersection. Therefore, the project will have a potentially significant impact on traffic operations during the PM peak hour at the US 101/West Tefft Street southbound ramps intersection.

### Project Access and Evaluation of Potential Impacts

The evaluation of potential project impacts includes a review of access on S. Oakglen Road. S. Oakglen Road adjacent to the project site has a single travel lane in each direction with a speed limit of 40 mph. There is a vertical curve “crest” on S. Oakglen Road approximately 500’ north of the existing Dana Adobe driveway. Looking south from the existing driveway the line of sight is unrestricted (along a tangent section). S. Oakglen Avenue continues south of the existing driveway on a slight uphill alignment to Southland Street. The new project driveways will be located between the existing driveway and Southland Street. As previously stated, the CHP traffic accident data did not identify any significant accident problems along S. Oakglen Road.

A review of stopping sight distance was conducted using criteria in the Caltrans Highway Design Manual (HDM, Chapter 200). Stopping sight distance is the minimum distance required by a driver to bring a vehicle to a complete stop after an object on the roadway has become visible. Stopping sight distance for southbound traffic on S. Oakglen Road was measured by placing a

portable delineator at the east edge of the travel way (adjacent to existing driveway). Stopping sight distance was recorded at approximately 475' for southbound vehicles traveling towards the existing driveway. The southbound stopping sight distance for the existing driveway is adequate for a vehicle traveling at 50 mph. As previously stated, there is a relatively unobstructed line of sight looking south from the existing driveway to Southland Street. Therefore, stopping sight distance for southbound vehicles approaching the new project driveway will also be sufficient. It should be noted that there are 3 residences along S. Oakglen Avenue south of Southland Street. Southbound traffic approaching Dana Adobe would be required to yield to all northbound traffic. Peak traffic demands traveling to the project site will be below the criteria warranting a southbound left turn lane on S. Oakglen Road, since there will be little to no traffic opposing the movement during average weekday and weekday peak hours. The evaluation of project access does not demonstrate that the project traffic will significantly impact safety along S. Oakglen Road.

As previously discussed, the paved parking lot adjacent to the visitor's center will accommodate 48 vehicles. A sidewalk/pedestrian path is provided on the east side of the parking lot, which will minimize the potential conflict between vehicular and pedestrian traffic. A bus parking area is also provided on-site for unloading and loading activities (south of paved parking lot). All bus unloading and loading activities shall be monitored by an adult(s) to minimize the potential conflict between students and entering vehicles. In addition, a separate pedestrian path should be provided between the overflow parking areas and paved parking lot. This will help reduce the potential for pedestrians to wander through the parking areas. A review of on-site circulation indicates that it may be difficult for a bus/large truck to enter the overflow parking area(s). The scheduling of school/student field trips should be planned to avoid having more than 1 bus on-site at a time.

## V. CUMULATIVE CONDITIONS

An evaluation of “cumulative” conditions is an analysis of traffic operations resulting from the development of future approved and pending projects in this portion of the County. A discussion regarding current approved projects and related trip generation are presented in the Background Conditions section. Pending cumulative projects are those projects that have not been heard or approval by the County’s Planning Commission or Board of Supervisors. County staff provided a list of current pending cumulative projects. Information on the County’s website was also researched. The general locations of the cumulative projects are illustrated on Figure 7.

### Trip Generation Estimates

The trip generation estimates associated with the cumulative projects were derived using the ITE trip generation rates contained in Table 4. The cumulative projects trip generation estimates are displayed in Table 13.

Table 13 - Cumulative Projects Trip Generation Estimates

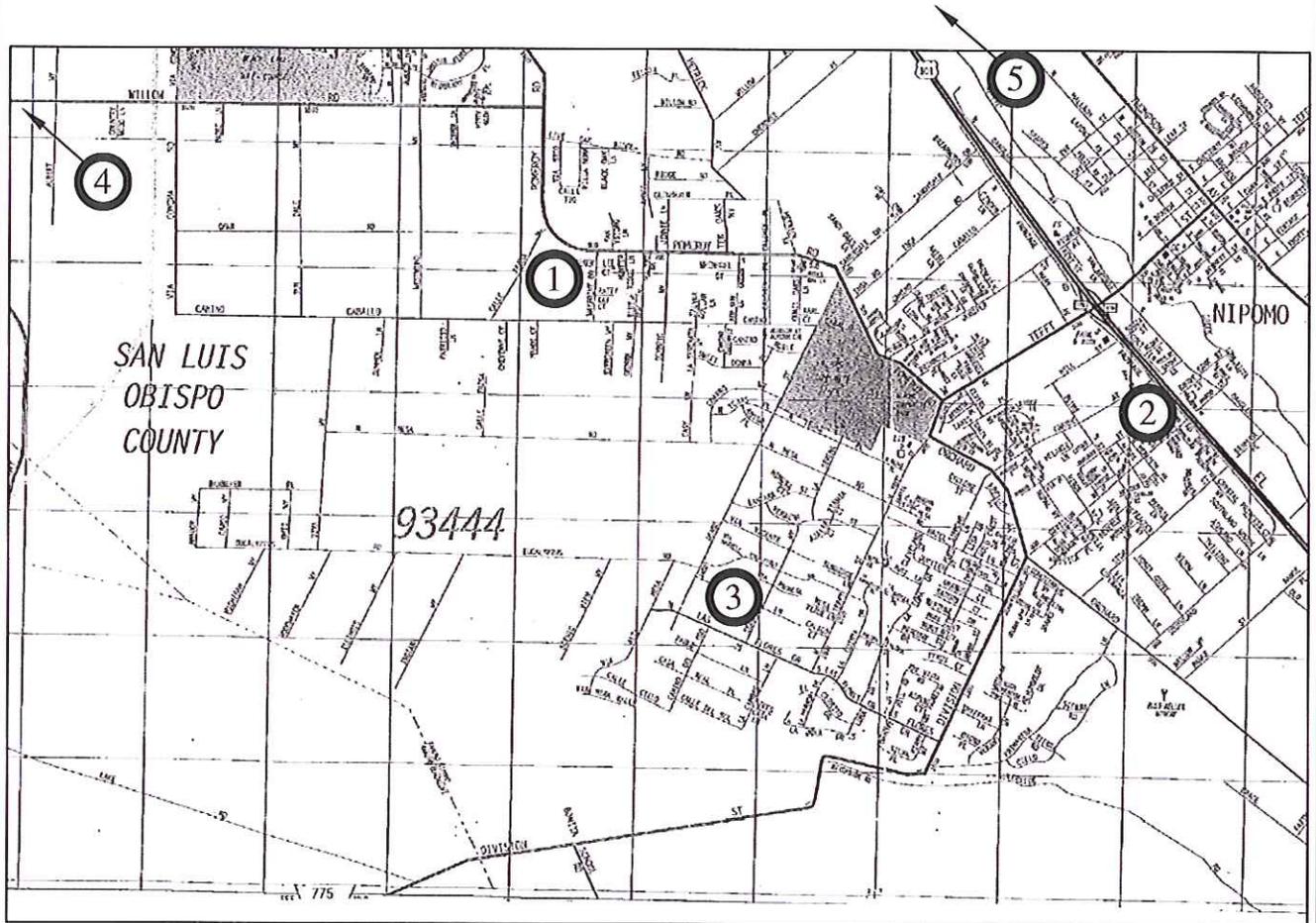
Project No.	ITE Code - Land Use	Number of Vehicle Trips				Daily
		AM Peak Hour		PM Peak Hour		
		In	Out	In	Out	
1	Kaminaka - 30 SFDU	6	17	19	11	288
2	Vista Grande - 18 SFDU	3	10	12	7	172
3	Promesa- 10 SFDU	2	6	6	4	96
4	Cypress Ridge - 21 SFDU (a)	4	12	13	8	200
5	Laetitia Subdivision - 102 SFDU	19	57	65	38	976
Totals:		34	102	115	68	1,732

(a) Generate new peak hour traffic at US 101/W. Tefft Street intersection.

The data in Table 13 indicates that the pending cumulative projects could generate an additional 1,732 daily trips (two-way trip ends); with 136 trips during the AM peak hour (34 inbound and 102 outbound) and 183 trips during the PM peak hour (115 inbound and 68 outbound).

### Trip Assignment and Cumulative Traffic Volumes

The trips associated with each cumulative project were assigned to the local street system based on a review of local traffic patterns and knowledge of local demographics. The trips associated with the pending cumulative projects were combined with the total background traffic volumes illustrated on Figure 4B (with US 101/Willow Road interchange). It should be mentioned that the analysis of cumulative conditions was conducted assuming the completion of the Willow Road interchange since it is currently under construction. The total cumulative traffic volumes are illustrated on Figure 8.



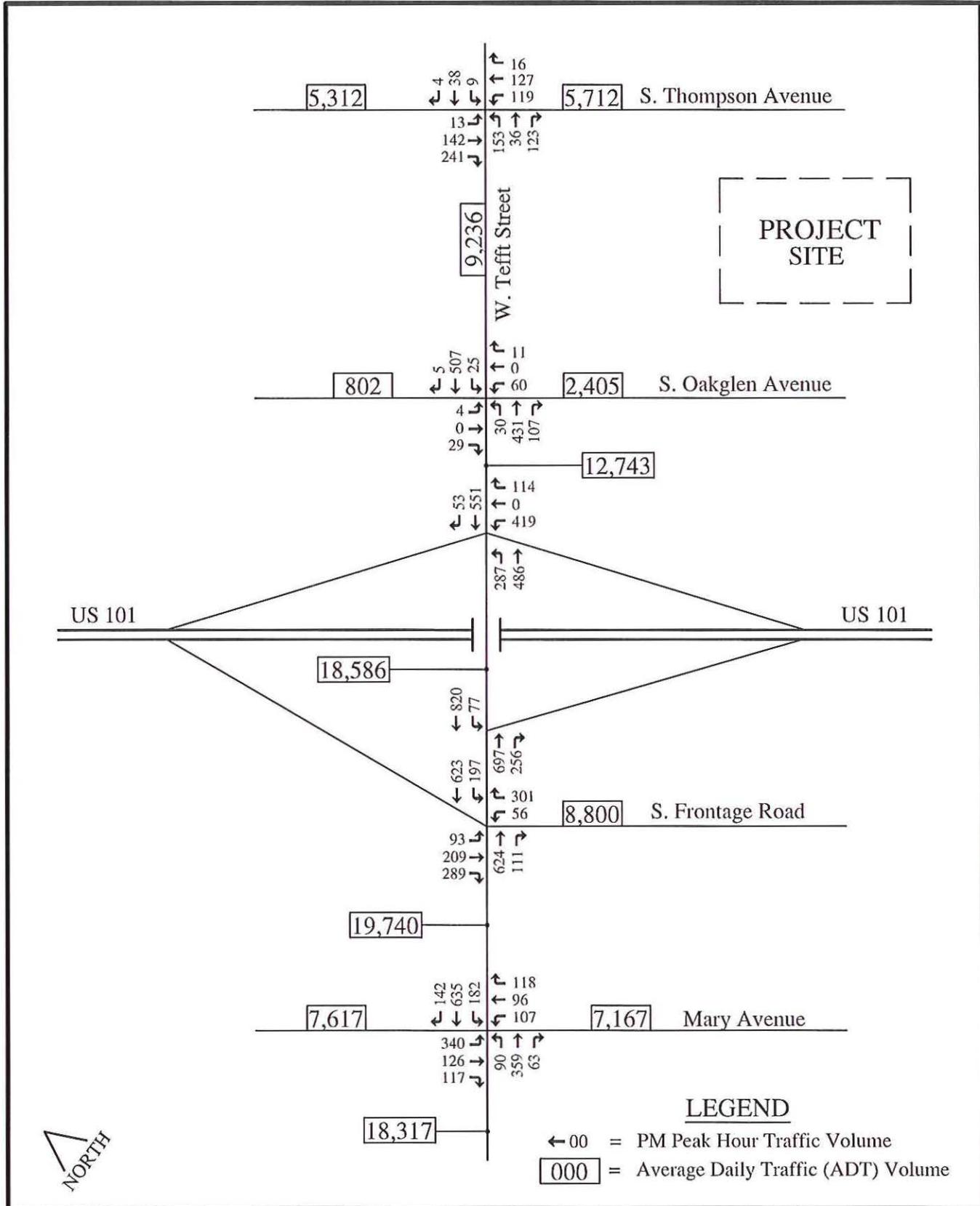
**LEGEND**

① = Cumulative Project No.  
(See Table 13)



Dana Adobe Master Plan  
- Traffic Impact Report -

**FIGURE 7**  
**CUMULATIVE**  
**PROJECTS**  
**LOCATION MAP**



**FIGURE 8**  
**CUMULATIVE**  
**TRAFFIC VOLUMES**  
(W/ WILLOW RD. I/C)

### Cumulative and Cumulative Plus Project Levels of Service Analysis

Similar to the analysis conducted for the existing and background conditions, the roadway segment and intersection LOS values were calculated for the cumulative and cumulative plus project traffic conditions. The results of the cumulative roadway segment analysis are presented in Table 14.

Table 14 - Cumulative and Cumulative Plus Project Roadway Segment LOS Analysis

Roadway Segment	No. of Lanes	LOS E Capacity	ADT - LOS	
			Cumulative	Plus Project
W. Tefft St., w/o Mary Ave.	4 (a)	36,000	18,400 - A	18,420 - A
W. Tefft St., Mary Ave. - US 101 SB Ramp	4 (a)	36,000	19,800 - A	19,822 - A
W. Tefft St., US 101 SB Ramp to NB Ramp	4 (a)	36,000	18,600 - A	18,656 - A
W. Tefft St., US 101 NB Ramp - S. Oakglen Ave.	4 (a)	36,000	12,700 - A	12,794 - A
W. Tefft St., S. Oakglen Ave. to Thompson Ave.	2 (b)	18,000	9,300 - A	9,310 - A
Mary Ave., n/o W. Tefft St.	2 (c)	8,500	7,700 - E	7,700 - E
Mary Ave., s/o W. Tefft St.	2 (d)	12,000	7,200 - B	7,202 - B
N. Oakglen Ave., n/o W. Tefft St.	2 (f)	8,500	800 - A	800 - A
S. Oakglen Ave., s/o W. Tefft St.	2 (f)	8,500	2,400 - A	2,504 - A
N. Thompson Ave., n/o W. Tefft St.	2 (e)	15,000	5,400 - A	5,408 - A
S. Thompson Ave., s/o W. Tefft St.	2 (b)	18,000	5,800 - A	5,802 - A

- (a) 4 lane arterial with left turn lanes
- (b) 2 lane arterial with left turn lanes
- (c) 2 lane collector with no left turn lanes
- (d) 2 lane collector with left turn lanes
- (e) 2 lane arterial with no left turn lanes
- (f) 2 lane local with no left turn lanes

The roadway segment analysis indicates that cumulative daily volumes on the majority of study street segments will be within acceptable limits (LOS C or better), without or with the project. However, the segment of Mary Avenue north of W. Tefft Street is projected to experience daily traffic demands in the LOS E range. As previously discussed, the majority of new traffic on this segment of Mary Avenue will be attributable to the development of the Landev LLC parcel. County staff has indicated that the Landev LLC project has been conditioned to widen the deficient segment of Mary Avenue, north of W. Tefft Street. Widening the deficient segment of Mary Avenue to a 2 lane collector section with left turn lanes will provide acceptable LOS. Therefore, it is concluded that the proposed project will not have a potentially significant impact on cumulative daily traffic operations.

The Synchro traffic signal simulation software was again used to analyze the PM peak hour operations at the study intersections. The intersection peak hour LOS values were calculated assuming the addition of trips associated with the proposed project. Again, the analysis of cumulative conditions was conducted assuming the completion of the Willow Road interchange

since it is currently under construction. The results of the PM peak hour LOS analysis are presented in Table 15. Copies of the LOS worksheets are included with the Appendix Material.

Table 15 - Cumulative and Cum. Plus Project  
PM Peak Hour LOS Analysis

Study Intersection	Vehicle Delay - LOS Value	
	Without Project	With Project
W. Tefft St. / Mary Ave.	34.0 - C	34.1 - C
W. Tefft St. / US 101 SB Ramps	37.0 - D	37.1 - D
W. Tefft St. / US 101 NB Ramps	27.2 - C	27.2 - C
W. Tefft St. / Oakglen Ave.	12.0 - B	12.6 - B
W. Tefft St. / Thompson Ave.	16.7 - B	16.7 - B

The data in Table 15 demonstrates that average delays will be within acceptable limits at 4 of the 5 study intersections (LOS C or better), without or with the proposed project. However, delays at the US 101 southbound ramps intersection will be within the LOS D range. The analysis in the Willow Road Extension EIR indicates that the benefits associated with the US 101/Willow Road interchange improvements will not eliminate the adverse LOS at this intersection during the PM peak hour. Therefore, the project will have a potentially significant impact on traffic operations at the US 101/West Tefft Street southbound ramps intersection during the PM peak hour.

It should be noted that the County Public Works Department is evaluating various operational improvement alternatives for the southbound on ramp. The following is a brief description of the three (3) alternatives under consideration:

Alternative 1 - This alternative would include closing the existing southbound on ramp and constructing a new southbound “hook” on ramp on the frontage road opposite Hill Street. The northbound left turn on the frontage road would be prohibited at West Tefft Street. Southbound traffic exiting US 101 with a destination to West Tefft Street (west of US 101) would utilize Hill Road and Mary Avenue. This alternative would eliminate the existing 2 stage left turn signal phase for westbound traffic on West Tefft Street at the southbound ramp intersection. It is estimated that this alternative would result in LOS C-D operations during the PM peak hour.

Alternative 2 - This alternative would include moving the existing US 101 southbound off ramp to the previous location opposite the southbound on ramp. This alternative would also eliminate the existing 2 stage left turn signal phase for westbound traffic on West Tefft Street at the southbound ramp intersection.

Alternative 3 - This alternative would include restriping the eastbound approach on West Tefft Street at the US 101 northbound ramps intersection. The eastbound approach would be striped for dual left turn lanes and one through lane. This alternative would not include any traffic signal modifications at the US 101/West Tefft Street interchange.

However, these improvement alternatives are not designed or funded at this time, and therefore, can't be assumed to be completed under the background or cumulative scenario.

## **VI. MITIGATION MEASURES**

The following mitigation measures are presented for potentially significant impacts identified under development of the NCP Master Plan and NCP Master Plan Alternative.

### **Background Plus Project (Dana Adobe Master Plan)**

The analysis of background plus project traffic conditions identified a potentially significant impact at the W. Tefft Street/US 101 southbound ramps intersection during the PM peak hour. The analysis in the Willow Road Extension EIR indicates that the benefits associated with the new interchange will not eliminate the adverse LOS at the southbound ramps intersection. A review of the future operational improvements (Alternative 1) under consideration by the County would result in LOS C-D operations and possibly reduce the potentially significant project impact to a level of “less than significant.” However, since these improvements are not designed or funded at this time they should not be considered mitigation for the project specific impact. A review of the project trip generation estimates indicates that the majority of trips during the PM peak hour are associated with the visitor’s center guests and employees/volunteers (see Tables 9 and 10). To reduce the potentially significant impact to a level of “less than significant” would require eliminating the majority of trips during the PM peak hour. The implementation of a “Transportation Demand Management” (TDM) Program could potentially reduce and/or eliminate the PM peak hour trips. TDM measures should include, but not be limited to, opening the visitor’s center at 9:30 AM in lieu of opening at 9:00 AM closing the center at 3:30-4:00 PM in lieu of closing at 5:00 PM. In addition, the TDM Program measures could require the employees/volunteers to leave before 4:00-4:30 PM or after 6:00-6:30 PM, and the scheduling of annual or special events to not occur at the same time and on the same day.

### **Cumulative Plus Project (Dana Adobe Master Plan)**

The analysis of cumulative plus project traffic conditions identified a potentially significant impact at the US 101 southbound ramps intersection during the PM peak hour. The analysis in the Willow Road Extension EIR indicates that the benefits associated with the new interchange will not eliminate the adverse LOS at the southbound ramps intersection. A review of the future operational improvements (Alternative 1) under consideration by the County would result in LOS C-D operations and possibly reduce the potentially significant project impact to a level of “less than significant.” However, since these improvements are not designed or funded at this time they should not be considered mitigation for the project specific impact. A review of the project trip generation estimates indicates that the majority of trips during the PM peak hour are associated with the visitor’s center guests and employees/volunteers (see Tables 9 and 10). To reduce the potentially significant impact to a level of “less than significant” would require eliminating the majority of PM peak hour trips. The implementation of a TDM Program could reduce and/or potentially eliminate the PM peak hour trips. TDM measures should include, but not be limited to, opening the visitor’s center at 9:30 AM in lieu of opening at 9:00 AM closing the center at 3:30-4:00 PM in lieu of closing at 5:00 PM. In addition, the TDM measures could require the employees/volunteers to leave before 4:00-4:30 PM or after 6:00-6:30 PM.

It should also be noted that to reduce the potentially significant impacts to a level of “less than significant” development of the project could be limited until the County has completed a design, secured funding and established a formal schedule for future operational improvements at the W.

Tefft Street/US 101 southbound ramps intersection. Once this project becomes part of the long range infrastructure improvement plans in the South County Traffic Model they can be assumed to mitigate the potentially significant project impact at this intersection. It should also be mentioned that the County's "roadway improvement fee" (RIF) defined in the South County Traffic Model Final Report provides a funding mechanism for long range improvements in this portion of the County. Therefore, payment of the County's RIF or elimination of additional PM peak hour trips could serve as the project mitigation.

Information received from County staff indicated that the following "conditions of approval" would be required to help mitigate the identified potentially significant impacts.

1. Pay the appropriate County Roadway Improvement Fee (RIF).
2. Improve the project frontage along S. Oakglen Avenue to Rural County Standards, with a shoulder.
3. Improve the existing driveway and construct new driveways to County Standards.
4. Restrict on-street parking on west side of S. Oakglen Avenue due to existing eucalyptus trees near shoulder.
5. Prepare a "Transportation Demand Management" (TDM) Program which restricts hours of operations and having multiple events at the same time.

## END ##