NEGATIVE DECLARATION & NOTICE OF DETERMINATION

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

ENVIRONMENTAL DETERMINATION NO. 12-100 **DATE:** February 7, 2013

PROJECT/ENTITLEMENT: Public Works - Klau Mine Road Slip-out Repair Project ; 245R12B611

APPLICANT NAME: Department of Public Works
ADDRESS: County Government Center Room 207, San Luis Obispo, CA 93408
CONTACT PERSON: Eric Wier, Environmental Resource Specialist **Telephone:** 805-788-2766

PROPOSED USES/INTENT: Stabilize an eroded slope that is threatening Klau Mine Road by installing approximately 48 feet of sheet pile retaining wall, restoring the road shoulder with earthen backfill and installing approximately 60 linear feet of metal beam guard rail

LOCATION: On the east side of Klau Mine Road, approximately 0.8 mile south of Adelaida Road, west of the City of Paso Robles

LEAD AGENCY: **County of San Luis Obispo**
Dept of Planning & Building
976 Osos Street, Rm. 200
San Luis Obispo, CA 93408-2040

Website: http://www.sloplanning.org

OTHER POTENTIAL PERMITTING AGENCIES: California Department of Fish and Wildlife

STATE CLEARINGHOUSE REVIEW: YES ☒ **NO** ☐

ADDITIONAL INFORMATION: Additional information pertaining to this environmental Determination may be obtained by contacting the above Lead Agency address of (805)781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT .....4:30 p.m. (2 wks from above DATE)

30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County Board of Supervisors as ☒ *Lead Agency* ☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures and monitoring were made a condition of approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at the 'Lead Agency' address above.

	Eric Wier		County of San Luis Obispo
Signature	**Project Manager Name**	**Date**	**Public Agency**

KLAU MINE ROAD SLIP-OUT REPAIR PROJECT

ED12-100 (245R12B611)

MITIGATED NEGATIVE DECLARATION, NOTICE OF DETERMINATION, & INITIAL STUDY

February 7, 2013

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
ENVIRONMENTAL & RESOURCE MANAGEMENT DIVISION

County File Number: ED12-100 (245R12B611) SCH Number: _____

COUNTY DEPARTMENT OF PUBLIC WORKS
KLAU MINE ROAD SLIP-OUT REPAIR PROJECT
COUNTY OF SAN LUIS OBISPO
MITIGATED NEGATIVE DECLARATION & INITIAL STUDY

Abstract

The County of San Luis Obispo, Department of Public Works proposes to stabilize an eroded slope below Klau Mine Road adjacent to Las Tablas Creek. The project will result in the disturbance of approximately 750 square feet including approximately 250 square feet of the steep slope to the creek, and 500 square feet of the existing road area above the proposed sheet pile retaining wall. The construction activities are anticipated to require approximately two weeks. The project is located on the east side of Klau Mine Road, approximately 0.8 mile south of Adelaida Road, approximately 10 miles west of the City of Paso Robles, in the Adelaida planning area, First Supervisorial district.

Comments on this document should be sent to Eric Wier, County Department of Public Works, County Government Center, San Luis Obispo, CA 93408.

The following persons may be contacted for additional information concerning this document:

Eric Wier, Environmental Programs Division
or
Frank Cunningham, P.E., Project Manager
County Department of Public Works
County Government Center, Room 207
San Luis Obispo, CA 93408
(805) 781-5252

This proposed Mitigated Negative Declaration has been issued by:

1·29·13
Date

Ellen Carroll
Ellen Carroll, Environmental Coordinator
County of San Luis Obispo

The project proponent, who agrees to implement the mitigation measures for the project, is:

1/29/13
Date

Dave Flynn
Dave Flynn, Deputy Director of Public Works
County of San Luis Obispo

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
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(ver 5.0) Using Form

Project Title & No. **Public Works - Klau Mine Road Slip-out Repair Project; (245R12B611)** **ED12-100**

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.

☐ Aesthetics	☒ Geology and Soils	☐ Recreation
☐ Agricultural Resources	☒ Hazards/Hazardous Materials	☐ Transportation/Circulation
☐ Air Quality	☐ Noise	☐ Wastewater
☒ Biological Resources	☐ Population/Housing	☒ Water /Hydrology
☐ Cultural Resources	☐ Public Services/Utilities	☐ 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.

Eric Wier	Eric N. Wier	1/28/2013
Prepared by (Print)	Signature	Date
Murry Wilson	Murry Wilson	Ellen Carroll, Environmental Coordinator (for) 1/29/13
Reviewed by (Print)	Signature	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 County Planning Department 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 Current Planning Division, 976 Osos Street, Rm. 200, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: A request by the San Luis Obispo County Public Works Department to stabilize an eroded slope below Klau Mine Road adjacent to Las Tablas Creek. The project will result in the disturbance of approximately 750 square feet including approximately 250 square feet of the steep slope to the creek, and 500 square feet of the existing road area above the proposed sheet pile retaining wall. The construction activities are anticipated to require approximately two weeks. The project is located on the east side of Klau Mine Road, approximately 0.8 mile south of Adelaida Road, approximately 10 miles west of the City of Paso Robles, in the Adelaida planning area.

DISCUSSION: Stream flow and rainfall runoff have eroded support for the south side of the road, leaving an inadequate road shoulder and a very steep 35 foot-high bank. The project would stabilize the bank by constructing approximately 48-feet of sheet pile retaining wall. The wall would be constructed by installing inter-locking steel sheet piling (13 pairs of 22" wide piles (Pile-PZ22) = 2 x 13 pairs x 22" = 47.67' of total wall length). The piles will range in length (or height) from approximately 20 to 30 feet. Once the piles are installed, the tops of the piles will be approximately even with the adjacent road surface.

Site preparation would include the following components: 1) closing the roadway for one work-week (M-F), followed by a week of one-lane traffic control, 2) minimal cutting of tree branches that might interfere with the crane's boom access, and 3) installing a temporary filter-fabric fence on the slope below the new wall to contain sediment and debris from rolling into the creek. Minor hand excavation on the slope to pre-set piles prior to the pile driving operation would also occur. Each pile would be installed by setting the piles one-at-a-time into the pre-excavated hand-dug-hole and leveled prior to being driven into the earth using a vibratory hammer. The piles and vibratory hammer would be hung from a crane located on the roadway surface above. There will be no excavated material from the pile driving operation. Once the sheet piles are driven, backfilling the wall to re-establish the roadway and shoulder would begin immediately. The quantity of backfill is estimated to be approximately 41 cubic yards of material.

Once the retaining wall is placed and backfilled, a metal beam guard rail (MBGR) would be installed roughly parallel to the wall layout. The MBGR will extend approximately 30-feet from the mid-point of the slip-out in both directions. A total of approximately 60-feet of MBGR will be installed. The existing

roadway surface, shoulder, and roadway delineation would then be reconstructed or repaired to complete the work within the project area.

To protect creek water quality and creek habitat during construction, approximately 50 feet of temporary fencing will be placed below the retaining wall to contain sediment and debris from rolling down the slope to the creek during pile driving and backfilling operations. Upon completion of the sheet pile retaining wall and general cleanup/stabilization of the slope, all components of the temporary fence will be completely removed. As the temporary fence is being removed, sediment and debris will not be allowed to enter the creek. This material will either be removed from the site or used to help stabilize and revegetate the slope.

Construction equipment associated with the project will include the following: one 75-ton crane with vibratory hammer, one backhoe/loader, dump trucks, one flatbed truck, one water truck, and roller compaction equipment.

ASSESSOR PARCEL NUMBER(S): N/A; County road right-of-way

Latitude: 35 degrees 37' 45.6" N Longitude: 12 degrees 52' 49.2" W **SUPERVISORIAL DISTRICT #** 1

B. EXISTING SETTING

PLANNING AREA: Adelaida,

LAND USE CATEGORY: Agriculture

COMBINING DESIGNATION(S): None

EXISTING USES: Rural county road

TOPOGRAPHY: Very steeply sloping

VEGETATION: Oak woodland, riparian, ruderal

PARCEL SIZE: Not applicable

SURROUNDING LAND USE CATEGORIES AND USES:

North: Agriculture; undeveloped	*East:* Agriculture; undeveloped
South: Agriculture; undeveloped	*West:* Agriculture; undeveloped

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

1. AESTHETICS *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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 an area?	☐	☐	☒	☐
d) Create glare or night lighting, which may affect surrounding areas?	☐	☐	☒	☐
e) Impact unique geological or physical features?	☐	☐	☒	☐
f) Other: _____	☐	☐	☐	☐

Setting. Klau Mine Road is a lightly-traveled County road with horizontal curves to negotiate in the project area. Prevailing speeds are fairly low and driver attention is focused on the roadway at this location and in the vicinity of the project site. With the exception of approximately 60 feet of new metal beam guard rail, the project improvements will be below the level of the roadway surface and therefore out of public view.

Impact. The project is considered compatible with a rural road and the surrounding uses. No significant visual impacts are expected to occur.

Mitigation/Conclusion. No mitigation measures are necessary.

2. AGRICULTURAL RESOURCES *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Convert prime agricultural land, per NRCS soil classification, 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?	☐	☐	☒	☐
d) Conflict with existing zoning for agricultural use, or Williamson Act program?	☐	☐	☐	☒
e) Other: _____	☐	☐	☐	☐

Setting. The soil types are as follows: Ayar and Diablo soils, 30 to 50% slopes and Cropley clay, 2-9% slopes. There are no agricultural activities immediately adjacent to the project site.

Impact. The project site is located near vineyards and wineries. The project will result in a road closure lasting approximately five days, and one-way traffic for the second work week. Although trip lengths may be longer, access to the areas north and south of the temporary closure will be available via the existing road network. Therefore, the impact to agricultural resources would be less than significant. **Mitigation/Conclusion.** These inconveniences would not be considered a significant impact to the production, harvest and sales of the area's agricultural resources. Even though impacts have been determined to be less than significant, the Public Works Department will reach out to area businesses and property owners so that agriculturalists can plan for their transportation needs during the construction period. No other measures are necessary and no mitigation is required.

3. AIR QUALITY *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	☐	☒	☐	☐
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) Result in a cumulatively considerable net increase of any criteria pollutant either considered in non-attainment under applicable state or federal ambient air quality standards that are due to increased energy use or traffic generation, or intensified land use change?	☐	☐	☒	☐
GREENHOUSE GASES				
f) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
g) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐
h) Other: _____	☐	☐	☐	☐

Setting. The Air Pollution Control District (APCD) has developed and updated their CEQA Air Quality Handbook (2012) 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).

Greenhouse Gas (GHG) Emissions are said to result in an increase in the earth's average surface temperature. This is commonly referred to as global warming. The rise in global temperature is associated with long-term changes in precipitation, temperature, wind patterns, and other elements of the earth's climate system. This is also known as climate change. These changes are now thought to be broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels.

The passage of AB32, the California Global Warming Solutions Act (2006), recognized the need to reduce GHG emissions and set the greenhouse gas emissions reduction goal for the State of California into law. The law required that by 2020, State emissions must be reduced to 1990 levels. This is to be accomplished by reducing greenhouse gas emissions from significant sources via regulation, market mechanisms, and other actions. Subsequent legislation (e.g., SB97-Greenhouse Gas Emissions bill) directed the California Air Resources Board (CARB) to develop statewide thresholds.

In March 2012, the San Luis Obispo County Air Pollution Control District (APCD) approved thresholds for GHG emission impacts, and these thresholds have been incorporated the APCD's CEQA Air Quality Handbook. APCD determined that a tiered process for residential / commercial land use projects was the most appropriate and effective approach for assessing the GHG emission impacts. The tiered approach includes three methods, any of which can be used for any given project:

1. Qualitative GHG Reduction Strategies (e.g. Climate Action Plans): A qualitative threshold that is consistent with AB 32 Scoping Plan measures and goals; or,
2. Bright-Line Threshold: Numerical value to determine the significance of a project's annual GHG emissions; or,
3. Efficiency-Based Threshold: Assesses the GHG impacts of a project on an emissions per capita basis.

For most projects the Bright-Line Threshold of 1,150 Metric Tons CO2/year (MT CO2e/yr) will be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO2e/yr was adopted for stationary source (industrial) projects.

It should be noted that projects that generate less than the above mentioned thresholds will also participate in emission reductions because air emissions, including GHGs, are under the purview of the California Air Resources Board (or other regulatory agencies) and will be "regulated" either by CARB, the Federal Government, or other entities. For example, new vehicles will be subject to increased fuel economy standards and emission reductions, large and small appliances will be subject to more strict emissions standards, and energy delivered to consumers will increasingly come from renewable sources. Other programs that are intended to reduce the overall GHG emissions include Low Carbon Fuel Standards, Renewable Portfolio standards and the Clean Car standards. As a result, even the emissions that result from projects that produce fewer emissions than the threshold will be subject to emission reductions.

Under CEQA, an individual project's GHG emissions will generally not result in direct significant impacts. This is because the climate change issue is global in nature. However, an individual project

could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation.

Impact. As proposed, the project will result in the disturbance of approximately 750 square feet. This will result in the creation of construction dust, as well as short- term vehicle emissions. The project will be moving less than 1,200 cubic yards/day of material and will disturb less than four acres of area, and therefore will be below the general thresholds triggering construction-related mitigation. The project is also not in close proximity to sensitive receptors that might otherwise result in nuisance complaints and be subject to limited dust and/or emission control measures during construction.

This project is a short-term road repair project. Using the GHG threshold information described in the Setting section, the project is expected to generate less than the Bright-Line Threshold of 1,150 metric tons of GHG emissions. Therefore, the project's potential direct and cumulative GHG emissions are found to be less significant and less than a cumulatively considerable contribution to GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provide guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as global climate change, is not 'cumulatively considerable', no mitigation is required. Because this project's emissions fall under the threshold, no mitigation is required.

Mitigation/Conclusion. As proposed, the project will not exceed any applicable thresholds established by the APCD. Standard specifications for all county road construction contracts require that "The Contractor shall comply with all air pollution control rules, regulations, ordinances and statutes which apply to any work performed pursuant to the contract, including any air pollution control rules, regulations, ordinances and statutes specified in Section 11017 of the Government Code. Unless otherwise provided in the special provisions, material to be disposed of shall not be burned, whether inside or outside the highway right-of-way." To comply with the ARB regulations for NOA, the project must either meet the ATCM requirements for road construction and maintenance, or receive an exemption from the regulations. The APCD issued an exemption, but if NOA is discovered, compliance with the requirements of CCR 93105 would be required. Application of the following standard mitigation measures are beyond any mitigation obligation associated with the proposed project and will minimize any air quality impacts.

[AQ-1] During construction/ground disturbing activities, the contractor shall implement the following particulate (dust) control measures. These measures will be included in the contract special provisions. In addition, the contractor shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

a. Reduce the amount of disturbed area where possible.

b. Prevent airborne dust from leaving the site.

c. Control dust from all dirt stock pile areas.

d. Implement revegetation (i.e., hydro seeding) as soon as possible following completion of any soil disturbing activities.

e. Proposed ground areas that are planned to be reworked at dates greater then one month after initial grading shall be subject to dust control measures (watering, etc.) or shall be sown with a fast germinating native grass seed and watered until a temporary vegetative cover is established.

f. 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.

g. Ensure that trucks and equipment leaving the site do not carry soil material onto adjacent paved roads; clean adjacent paved roads at the end of each day if visible soil material is carried from the site onto those roads.

[AQ-2] During construction/ground disturbing activities, the following measures to reduce ozone precursor emissions shall be implemented.

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 ARB 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 ARB's 1996 or newer certification standard for off-road heavy-duty diesel engines.

[AQ-3] During any road construction or maintenance activity the speed of any vehicles and equipment traveling across unpaved areas must be no more than fifteen (15) miles per hour unless the road surface and surrounding area is sufficiently stabilized to prevent vehicles and equipment traveling more than 15 miles per hour from emitting dust that is visible crossing the project boundaries.

4. BIOLOGICAL RESOURCES *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
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) Interfere with the movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?	☐	☒	☐	☐
e) Conflict with any regional plans or policies to protect sensitive species, or regulations of the California Department of Fish & Wildlife or U.S. Fish & Wildlife Service?	☐	☐	☒	☐
f) Other: _____	☐	☐	☐	☐

*** Species – as defined in Section15380 of the CEQA Guidelines, which includes all plant and wildlife species that fall under the category of rare, threatened or endangered, as described in this section.**

Setting. The following are existing elements on or near the proposed project relating to potential biological concerns:

On-site Vegetation: coast live oak woodland upslope from road; ruderal on road shoulder and eroding slope below road; riparian woodland along Las Tablas Creek

Name and distance from blue line creek(s): adjacent to Las Tablas Creek

Habitat(s): coast live oak woodland, valley and foothill riparian

The site was inspected by Eric Wier, Environmental Resource Specialist/Biologist with the County Department of Public Works. The planned disturbance area is very steeply sloping and unable to support significant vegetation due to ongoing erosion. Therefore, appropriate habitat for most special status plants and animals is lacking. The California Natural Diversity Database identified the following records the following special status plants and animals existing within the project vicinity:

Common Name Scientific Name	**Status**	**General Habitat Description**	**Habitat Present/ Absent**	**Comments**
Plants				
Santa Lucia manzanita *Arctostaphylos luciana*	1B.2	Chaparral; shale outcrops; 350-850 m	Absent	No manzanita species observed; no chaparral at project site
Pecho manzanita *Arctostaphylos pechoensis*	1B.2	Closed-cone coniferous forest, chaparral, coastal scrub; on siliceous shale; 150-850 m	Absent	No manzanita species observed;
dwarf calycadenia *Calycadenia villosa*	1B.1	Chaparral, cismontane woodland, valley and foothill grassland, meadows and seeps; open, dry meadows, hillsides, gravelly outwashes; 215-1275 m	Absent	Not observed; planned disturbance area lacks appropriate habitat
Santa Cruz mountains pussypaws *Calyptridium parryi* var. *hasseae*	1B.1	Chaparral, cismontane woodland; sandy or gravelly openings; 305-1530 m	Absent	Not observed; planned disturbance area lacks appropriate habitat
San Luis Obispo owl's clover *Castilleja densiflora* ssp. *obispoensis*	1B.2	Valley and foothill grassland; 10-215 m	Absent	Not observed; grassland vegetation lacking; site is outside taxon's known elevation range
Lemmon's jewel-flower *Caulanthus lemmonii*	1B.2	Pinyon-juniper woodland, valley and foothill grassland; 80-1220 m	Absent	Not observed; pinyon-juniper woodland and foothill grassland vegetation lacking
Eastwood's larkspur *Delphinium parryi* ssp. *eastwoodiae*	1B.2	Chaparral, valley and foothill grassland; serpentine openings; 75-500 m	Absent	Not observed; chaparral and grassland plant communities lacking; serpentine lacking

umbrella larkspur *Delphinium umbraculorum*	1B.3	Cismontane woodland; mesic sites; 400-1600 m	Absent	Not observed; site is outside taxon's known elevation range
yellow-flowered eriastrum *Eriastrum luteum*	1B.2	Broadleaf upland forest, cismontane woodland, chaparral; bare sandy decomposed granite slopes; 360-1000 m	Absent	Not observed; planned disturbance area lacks appropriate habitat
Hardham's bedstraw *Galium hardhamiae*	1B.3	Closed-cone coniferous forest; serpentine; 390-975 m	Absent	Not observed; coniferous forest and serpentine are lacking; site is outside taxon's known elevation range
Santa Lucia dwarf rush *Juncus luciensis*	1B.2	Vernal pools, ephemeral drainages, wet meadow habitats and streamsides; 300-2040 m	Absent	Not observed; planned disturbance area lacks appropriate habitat
pale-yellow layia *Layia heterotricha*	1B.1	Cismontane woodland, pinyon-juniper woodland, valley and foothill grassland; alkaline or clay soils; open areas; 270-1365 m	Absent	Not observed; planned disturbance area lacks appropriate habitat
Carmel Valley bush-mallow *Malacothamnus palmeri* var. *involucratus*	1B.2	Cismontane woodland, chaparral; talus hilltops and slopes, burn dependent; 30-1100 m	Absent	No bush-mallows observed; planned disturbance area lacks appropriate habitat
Santa Lucia bush-mallow *Malacothamnus palmeri* var. *palmeri*	1B.2	Chaparral; dry rocky slopes, mostly near summits; 60-365 m	Absent	No bush-mallows observed; planned disturbance area lacks appropriate habitat
woodland woolythreads *Monolopia gracilens*	1B.2	Chaparral, valley and foothill grasslands (serpentine), cismontane woodland, broadleafed upland forests, north coast coniferous forest; grassy sites, in openings; sandy to rocky soils;	Absent	Not observed; planned disturbance area lacks appropriate habitat

		120-1200 m		
shining navarretia *Navarretia nigelliformis* ssp. *radians*	1B.2	Cismontane woodland, valley and foothill grassland, vernal pools; 200-1000 m	Absent	Not observed; planned disturbance area lacks appropriate habitat
hooked popcornflower *Plagiobothrys uncinatus*	1B.2	Chaparral, cismontane woodland, valley and foothill grassland, coastal bluff scrub; sandstone outcrops and canyon sides, often in burned or disturbed areas; 300-820 m	Absent	Not observed; planned disturbance area lacks appropriate habitat
most beautiful jewel-flower *Streptanthus albidus* ssp. *peramoenus*	1B.2	Chaparral, valley and foothill grassland, cismontane woodland; serpentine outcrops, on ridges and slopes; 120-730 m	Absent	Not observed; planned disturbance area lacks appropriate habitat
Cook's triteleia *Triteleia ixoides* ssp. *cookii*	1B.3	Cismontane woodland, forest; streamsides, wet ravines; on serpentine and in serpentine seeps; to 500 m	Absent	Not observed; planned disturbance area lacks appropriate habitat
Invertebrates				
vernal pool fairy shrimp *Branchinecta lynchi*	FT	Vernal pools	Absent	No vernal pools occur within project area
Fish				
steelhead - south/central California coast DPS *Oncorhynchus mykiss irideus*	FT, CSC	Coastal streams with adequate flow (including Salinas River and some of its tributaries)	Absent	Site is upstream of Nacimiento Lake; teelhead cannot move upstream of the dam which creates Nacimiento Lake
Amphibians				
California red-legged frog *Rana draytonii*	FT, CSC	Riparian vegetation associated with slow moving water	Absent	Not observed; suitable breeding habitat does not occur within the study area
western spadefoot *Spea hammondii*	FSC, CSC	Grassland habitats or valley-foothill	Absent	Not observed; suitable breeding habitat does not occur within the study area

		woodlands; vernal pools essential for breeding and egg-laying		
Coast Range newt *Taricha torosa torosa*	CSC	Coastal drainages	Present	Not observed; potential to occur within study area
Reptiles				
silvery legless lizard *Anniella pulchra pulchra*	FSC, CSC	Sandy soils, sparse vegetation	Absent	Not observed; sandy soils and sparse vegetation do not occur within the study area
western pond turtle *Emys marmorata*	FSC, CSC	Vegetated ponds and slow moving streams with deep pools present	Present	Not observed; known to occur in Las Tablas Creek
Birds				
Bald eagle *Haliaeetus leucocephalus*	SE	Ocean shore, lake margins, rivers for both nesting and wintering; most nests within 1 mile of water	Absent	Not observed; not expected to forage, roost or nest five miles from Lake Nacimiento
Mammals				
Monterey dusky-footed woodrat *Neotoma macrotis luciana*	CSC	Forest habitats of moderate canopy and moderate to dense understory; also in chaparral habitats	Present	Not detected; although may occur in oak woodland upslope of Klau Mine Road
Salinas pocket mouse *Perognathus inornatus psammophilus*	CSC	Annual grassland & desert shrub communities in the Salinas Valley	Absent	Not detected; grassland and shrub communities lacking
American badger *Taxidea taxus*	CSC	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils	Absent	Not detected; may forage near study area, but expected to burrow well away from human activity
San Joaquin kit fox *Vulpes macrotis mutica*	FE, SE	Low-growing annual grassland or vegetation dominated by scattered brush, shrubs and scrub	Absent	Not detected; project site is approximately 2.7 mi south and 5.2 mi west of CDFG-mapped kit fox mitigation areas

California Native Plant Society Listing Code

1B.1 Rare, threatened or endangered in California and elsewhere
1B.2 Fairly endangered in California
1B.3 Not very endangered in California

California Department of Fish and Wildlife Listing Codes	
CSC	California Species of Special Concern
ST	State Threatened
SE	State Endangered

Federal Listing Codes	
FT	Federally Threatened
FE	Federally Endangered
FSC	Federal Species of Concern

Impact.

Vegetation

Based on the preliminary design plans, the project would result in the following impacts to the following vegetation types located within the project area (figures approximate):

- Ruderal: 0.02 ac temporary.

Impacts to ruderal vegetation are not considered significant and would not require mitigation.

Wildlife

Construction may result in short-term disturbance to and displacement of wildlife and the mortality of small, less mobile animals, such as rodents and reptiles. The operation of equipment adjacent to the creek, and the inadvertent deposition of materials into the creek could also result in the mortality of fish. Due to the regional abundance of common wildlife and fish species (see discussion of expected impacts to special-status species below), temporary disturbance to common wildlife species would be considered a less than significant impact, and no mitigation would be required.

Nesting Birds

Implementation of the project would potentially result in direct and indirect impacts to nesting birds. Direct, medium-term impacts to nesting habitat could result from removal of project site vegetation which may be used by nesting birds. Indirect impacts include construction equipment-generated noise and an increase in human activity near nesting areas.

Aquatic Species

Impacts to southwestern pond turtle, two-striped garter snake and other aquatic species and their habitats are not expected because direct impacts to aquatic habitat will be avoided. Indirect project-related impacts to sensitive aquatic species including discharge of pollutants (i.e. mechanical fuels, oils, sediments, etc.) into their habitat and the waters of Las Tablas Creek may result from construction activities within the project area.

Native Vegetation

The project would require the removal of herbaceous and a limited amount of woody vegetation, and may require the trimming or pruning of coast live oak trees which overhang Klau Mine Road.

Exotic Species

The exotic plant species observed within the project area have the potential to spread and compete with native riparian vegetation as a result of the construction of the proposed project.

Special-Status Plant Species

Because special-status plant species are not expected to be present within the project area, impacts to these species are not expected to result, and no mitigation is required.

Special-Status Animal Species

Proposed construction activities would potentially impact sensitive nesting birds and sensitive species including night roosting bats and southwestern pond turtle.

Wetlands and Waters of the United States

Proposed construction activities will be conducted above the ordinary high water mark, and therefore outside the limits of U.S. Army Corps of Engineers jurisdiction. Incidental discharge of earth material

into Corps jurisdiction will be avoided by constructing and maintaining a barrier between the work and the stream below.

Mitigation/Conclusion. To mitigate for potentially significant impacts to biological resources, the County will incorporate measures into the proposed project including the presence of a qualified biological monitor. The monitor will ensure compliance with all applicable permit and authorization conditions required by resource and permitting agencies. In addition to the presence of the biological monitor, a barrier fence will be installed between the sheet pile and Las Tablas Creek to prevent material from entering the waterway.

To minimize potential impacts to the sensitive habitats within the Las Tablas Creek riparian corridor, proposed equipment staging and servicing areas will be located as far from the top of stream bank as possible.

To avoid inadvertent impacts to southwestern pond turtle and nesting birds during site disturbance activities, a biological monitor will be present or available during construction. The monitor will conduct preconstruction surveys in Las Tablas Creek and adjacent areas within the proposed project site, conduct construction employee training prior to site disturbance and continue monitoring during construction activities. In the instance a listed sensitive species is discovered, the County will contact the California Department of Fish and Wildlife and/or U.S. Fish and Wildlife Service for consultation, unless otherwise authorized under an USFWS-issued *Biological Opinion*. In the instance nesting birds are discovered, work will cease until the birds have fledged and left the area, or CDFW or USFWS shall be consulted.

A few coast live oak trees may need to be pruned to allow for adequate working room. To mitigate potential damage to these trees, pruning will be supervised by a licensed arborist.

The project could impact sensitive biological resources. The following measures will reduce impacts to a level of insignificance:

[BR-1] The amount of construction-related disturbance will be limited to the extent practicable. The project limits will be conspicuously flagged or otherwise marked in the field. Construction activities will be restricted within the marked areas. Storage, parking, and laydown areas will be clearly marked. Equipment and vehicles will be kept out of areas identified as wetlands and waters of the United States.

[BR-2] To the extent practicable, construction activities will be conducted during the dry season (approximately April 15 to October 15). This will reduce potential impacts from sedimentation on aquatic species that might be using the seasonal stream as a movement/dispersal corridor.

[BR-3] A biological monitor will be present during critical construction periods (e.g., pile installation, and removal of barrier fence). The biologist will monitor potential impacts to water in the channel of the seasonal stream and to aquatic and riparian habitats. The biological monitor will have the authority to halt construction should any federally-listed species be encountered within or adjacent to the work area in the creek and riparian zone, and the monitor determines that take of a federally-listed species could occur. If a federally-listed species is encountered, the USFWS shall be notified and work in the affected area shall not resume prior to USFWS approval.

[BR-4] A worker education program will be prepared and presented to all construction personnel at the beginning of the project. The program will discuss sensitive species with potential to occur in the construction zone, with emphases on native trees, wetland and riparian

habitats, and roosting and nesting birds. The program will explain the importance of minimizing disturbance and adhering to other disturbance minimizing measures.

[BR6] Servicing and fueling of vehicles will be accomplished with the use of the following best management practices:

a. Servicing and fueling shall take place as far as practical from the seasonal streams.

b. When fueling, tanks shall not be "topped off."

c. A secondary containment, such as a drain pan or drain cloth, shall be used when fueling to catch spills or leaks.

d. All fluid spills shall be reported immediately.

e. Storage of hazardous materials shall be as far as practical from the seasonal streams.

f. A contingency plan for possible leaks and spills of hazardous materials into the seasonal streams shall be developed and implemented as appropriate.

[BR7] If construction activities are conducted during the typical nesting bird season (February 15 – September 15) pre-construction surveys shall be conducted by the County or its designee prior to any construction activity or vegetation removal to identify potential bird nesting activity, and:

a. If active nest sites of bird species protected under the Migratory Bird Treaty Act are observed within the vicinity of the project site, then the project shall be modified and/or delayed as necessary to avoid direct take of the identified nests, eggs, and/or young;

b. If active nest sites of raptors and/or bird species of special concern are observed within the vicinity of the project site, then CDFG shall be contacted to establish the appropriate buffer around the nest site. Construction activities in the buffer zone shall be prohibited until the young have fledged the nest and achieved independence; and,

c. Active nests shall be documented by a qualified biologist and a letter-report shall be submitted to the County, USFWS and CDFG, documenting project compliance with the MBTA and applicable project mitigation measures.

[BR8] Prior to construction the County shall conduct a pre-construction survey for special status wildlife. If special status wildlife are encountered and in harm's way during construction, the qualified biologist shall relocate animals to suitable habitat outside the project impact area.

[BR9] Persons in the project area who are under County or contractor control shall not have firearms or pets; nor shall they engage in hunting or fishing.

[BR10] Construction activities will be limited to daylight hours to avoid disturbing night roosting bats and birds that could be affected by nighttime illumination or noise in the vicinity of the work area.

[BR11] The construction zone shall be kept free from litter by providing suitable disposal containers for trash and all construction-generated material wastes. These containers shall be emptied at regular intervals and the contents properly disposed.

[BR12] Revegetate exposed soil areas as soon as possible after completion of construction activities.

[BR13] Place temporary erosion/sedimentation control devices when construction extends into the rainy season. Such devices include silt fencing, straw bales, jute matting, etc.

5. CULTURAL RESOURCES

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Disturb archaeological resources?	☐	☐	☒	☐
b) Disturb historical resources?	☐	☐	☐	☒
c) Disturb paleontological resources?	☐	☐	☒	☐
d) Other: _____	☐	☐	☐	☐

Setting. The project is located in an area historically occupied by the Salinan. No historic structures are present and no paleontological resources are known to exist in the area. The project is in a steeply sloping area, and Klau Mine Road was constructed by making a cut in the hillside above Las Tablas Creek. The slope from the eastern road edge (northbound and stream side of road) to the creek is extremely steep.

Impact. The project is not located in an area that would be considered culturally sensitive due to steep terrain, no gently sloping areas except for the road surface (which is on a cut slope), and road disturbance. Proximity to the creek suggests that prehistoric occupation sites may be nearby, but the steep terrain and disturbance from road construction are inconsistent with the presence of an archaeological site. All work would be conducted within the disturbed road cut or slide area. No evidence of cultural materials was noted on the property and no impacts to cultural resources are anticipated. Impacts to historical or paleontological resources are not expected.

Mitigation/Conclusion. In the highly unlikely event cultural resources are discovered on-site during construction, the following standard measures will be included in contract documents so that resources are protected:

[CR-1] During construction, in the event cultural resources are unearthed or discovered, the following standards apply:

1) Construction activities shall cease and the Public Works Environmental Programs Division shall be notified so that the extent and location of discovered materials may be evaluated by a qualified archaeologist and/or paleontologist, and disposition of artifacts may be accomplished in accordance with state and federal law. The County shall implement the mitigation as required by the Environmental Coordinator.

2) In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Public Works Environmental Programs Division so that proper disposition may be accomplished.

6. GEOLOGY AND SOILS

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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 zones*?*	☐	☐	☐	☒
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?*	☐	☐	☒	☐
f) *Preclude the future extraction of valuable mineral resources?*	☐	☐	☐	☒
g) *Other:* _____	☐	☐	☐	☐

* Per Division of Mines and Geology Special Publication #42

Setting. The following relates to the project's geologic aspects or conditions:

Topography: Very steeply sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: High

Liquefaction Potential: Low

Nearby potentially active faults?: No Distance? Not applicable

Area known to contain serpentine or ultramafic rock or soils?: No

Shrink/Swell potential of soil: Negligible

Other notable geologic features? None

A geotechnical engineering report was conducted for the project (Mid Coast Geotechnical, December 12, 2012).

Impact. As proposed, the project will result in the disturbance of approximately 750 square feet. The project's potential impacts relate to the potential for releasing earth material from the slope into the creek during construction.

Mitigation/Conclusion. The following mitigation measures will reduce erosion and sedimentation impacts to a less than significant level:

[ER-1] Restore all previously vegetated areas that are cleared during project activities through revegetation with appropriate indigenous species.

[ER-2] Implement erosion control BMP's during construction adjacent to Las Tablas Creek.

7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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 accident 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 Gov't 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?	☐	☒	☐	☐
f) Other: _____	☐	☐	☐	☐

Setting. The project will involve the use of fuel and fluids. Although an approximate five day road closure would be required to complete the project, this would not conflict with any formal evacuation

plan. Emergency response time is 5-10 minutes. The project is within a moderate severity risk area for fire. The project does not present significant fire safety risk. As demonstrated by a geologic evaluation for the project, and review of this information by APCD staff, the likelihood of encountering serpentine deposits containing naturally occurring asbestos is low. Consequently, APCD determined that an exemption from the Naturally Occurring Asbestos ATCM is appropriate (letter attached). Naturally occurring mercury has the potential to occur within the project area. In addition, mercury mine tailings were historically used to pave some sections of gravel roads in the Adelaida area. In order to determine whether levels of mercury over background levels are present in the project site, a soil sample was collected and analyzed in October 2012. The sample contained 0.43 mg/kg of mercury, which is at the lower end of the range of naturally occurring back ground concentrations (Jim Sickles, USEPA personal communications). The project is not within the Airport Review area.

Impact. Potential impacts could involve mechanical failure of some equipment resulting in fuel or fluid spills. Improper operation of equipment in proximity to dry vegetation could result in an equipment caused fire. The project is not expected to conflict with any regional evacuation plan because Klau Mine Road is not part of an established evacuation route and there will be alternate roads available during the five day closure. The existing road surface will not be excavated, so any mercury mine tailings that may exist within the road material will not be removed from the site. In addition, a soil sample taken at the project site in October 2012 revealed mercury levels at near background (naturally occurring) levels. Therefore mercury mine tailings are not expected to occur within the project area and if they did occur would be within acceptable background levels.

Mitigation/Conclusion. The water quality mitigation measures and fueling requirements contained in the Biological Resources mitigations measures will serve to mitigate any potential impact from equipment fueling or failure by including measures to contain and clean up any spill as well as requirements for specific fueling locations and best management practices. Standard contract specifications address hazardous materials which will address handling of any potentially hazardous materials. Fire hazard impacts will be reduced to a level of insignificance with the following mitigation measure:

[HZ-1] Any staging or equipment/vehicle parking areas shall be free of combustible vegetation and work crews shall have shovels and a fire extinguisher on site during all construction activities.

No further measures beyond those discussed above are required and no significant impacts associated with hazards or hazardous materials are anticipated.

8. NOISE

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels that exceed the County Noise Element thresholds?	☐	☐	☒	☐
b) Generate permanent increases in the ambient noise levels in the project vicinity?	☐	☐	☐	☒
c) Cause a temporary or periodic increase in ambient noise in the project vicinity?	☐	☐	☒	☐
d) Expose people to severe noise or vibration?	☐	☐	☒	☐

8. NOISE

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) If located within the Airport Review designation or adjacent to a private airstrip, expose people residing or working in the project area to severe noise levels?	☐	☐	☐	☒
f) Other: _____	☐	☐	☐	☐

Setting. The project site is not within close proximity of any single family residences or other noise sensitive receptors. The project site is located in a rural portion of the County with large parcels and steep topography.

Impact. Project construction activities that will generate substantial noise will be temporary, lasting approximately one work week. The project is not expected to conflict with the surrounding uses.

Mitigation/Conclusion. No significant noise impacts are anticipated, and no mitigation measures are necessary.

9. POPULATION/HOUSING

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Induce substantial growth in an area either directly (e.g., construct new homes or businesses) or indirectly (e.g., extension of major infrastructure)?	☐	☐	☐	☒
b) Displace existing housing or people, requiring construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Create the need for substantial new housing in the area?	☐	☐	☒	☐
d) Other: _____	☐	☐	☐	☐

Setting The project is limited to the road and associated work that will not induce significant growth, displace housing or people or create the need for substantial new housing.

Impact. 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, and 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 is limited to the existing road right-of-way. the project will result in a safer transportation facility for the public.

Police: County Sheriff Location: Templeton (Approximately 15 miles to the southeast)

Fire: Cal Fire (formerly CDF) Hazard Severity: Very High Response Time: 10-15 minutes

Location: Approximately 4.5 miles to the northwest (Cypress Mountain Dr & Chimney Rock Rd)

School District: Not Applicable

Impact. The project will not result in an increase in the local population and will not construct any facility that requires ongoing public safety services. The project will not increase the capacity of the roadway. Construction will result in an approximate five day closure and another five days with one-lane of traffic that could potentially result in minor delays. These delays are not anticipated to be a significant impact on police or fire protection based on the temporary nature of the project. While no impacts are anticipated, prior to commencing construction, Public Works will contact emergency services providers to alert them of the temporary road closure and traffic control. No significant project-specific impacts to utilities or public services were identified.

Mitigation/Conclusion. No mitigation is required.

11. RECREATION

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase the use or demand for parks or other recreation opportunities?	☐	☐	☒	☐
b) Affect the access to trails, parks or other recreation opportunities?	☐	☐	☒	☐
c) Other _____	☐	☐	☐	☐

Setting. The County's Parks and Recreation Element does not show existing or potential trails along Klau Mine Road. The project is not in a location that will affect any trail, park, recreational resource, coastal access, and/or Natural Area.

Impact. The project will not create a significant need for additional park or recreational resources. Recreational bicyclists traveling on Klau MIne Road during the construction period may be required to use an alternate route or may be inconvenienced by delays.

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?*	☐	☐	☒	☐
b) *Reduce existing "Level of Service" on public roadway(s)?*	☐	☐	☒	☐
c) *Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?*	☐	☐	☒	☐
d) *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?*	☐	☐	☒	☐
h) *Result in a change in air traffic patterns that may result in substantial safety risks?*	☐	☐	☐	☒
i) *Other:* _____	☐	☐	☐	☐

Setting. Klau Mine Road is a lightly traveled road operating at acceptable levels. The project is limited to the existing roadway and the proposed area for slope repair. The project will result in a safer transportation facility for the public. No significant traffic-related concerns were identified.

Impact. The project will not result in an increase in the local population and will not increase the capacity of the roadway. Construction will result in a full closure for approximately five days (detour available), and one-lane traffic for another five days.

Mitigation/Conclusion. No significant traffic impacts were identified, and no mitigation measures are necessary.

13. WASTEWATER

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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)?	☐	☐	☐	☒
c) Adversely affect community wastewater service provider?	☐	☐	☐	☒
d) Other: _____	☐	☐	☐	☐

Setting. The project is limited to road work and will not result in impacts to wastewater systems or introduce new wastewater to the project area. A portable chemical toilet will be available for use by construction crews.

Impact. No impacts associated with wastewater are anticipated.

Mitigation/Conclusion. No mitigation is required.

14. WATER & HYDROLOGY

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
QUALITY				
a) Violate any water quality standards?	☐	☒	☐	☐
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)?	☐	☒	☐	☐
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	☐	☐	☒	☐
d) Create or contribute runoff water which 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?	☐	☐	☒	☐

14. WATER & HYDROLOGY *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
g) Involve activities within the 100-year flood zone?	☐	☐	☒	☐
QUANTITY				
h) Change the quantity or movement of available surface or ground water?	☐	☐	☒	☐
i) Adversely affect community water service provider?	☐	☐	☐	☒
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?	☐	☐	☐	☒
k) Other: _____	☐	☐	☐	☐

Setting. Las Tablas Creek is a perennial stream which flows generally northwestward into Nacimiento Lake.

The topography of the project is very steeply sloping. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

DRAINAGE – The following relates to the project's drainage aspects:

Within the 100-year Flood Hazard designation? No

Closest creek? Las Tablas Creek Distance? Approximately 25 feet

Soil drainage characteristics: Well drained

SEDIMENTATION AND EROSION – Soil type, area 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 the project's soil erodibility is as follows:

Soil erodibility: Low

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.

Impact – Water Quality/Hydrology

With regards to project impacts on water quality the following conditions apply:

- ✓ Approximately 750 square feet of site disturbance is proposed and the movement of approximately 41 cubic yards of material (backfill);
- ✓ The project is not on highly erodible soils, but is on a steep slope;
- ✓ The project is not within a 100-year Flood Hazard designation;
- ✓ All disturbed areas will be permanently stabilized with impermeable surfaces and landscaping;
- ✓ Stockpiles will be properly managed during construction to avoid material loss due to erosion;

- ✓ All hazardous materials and/or wastes will be properly stored on-site, which include secondary containment should spills or leaks occur;

Due to the proximity of the project site to Las Tablas Creek, impacts associated with sedimentation and erosion to the creek could occur if appropriate BMPs are not implemented. Hazardous materials could also come into contact with stormwater or surface waters if appropriate BMPs are not implemented.

Mitigation/Conclusion. Construction will follow standard erosion and sedimentation control measures, minimizing impacts to the creek. In addition to the sedimentation and erosion control mitigation measures discussed in Section 6, the following mitigation measures will reduce the potential impacts to water resources to a less than significant level:

[WR-1] All project-related spills of hazardous materials shall be cleaned up immediately.

[WR-2] On a daily basis, check and maintain all equipment and vehicles that would be operated within the identified work area to ensure proper operation and avoid potential leaks or spills.

As noted in the project description on page 2, temporary fencing will be placed below the retaining wall to contain sediment and debris.

15. LAND USE *Will the project:*	**Inconsistent**	**Potentially Inconsistent**	**Consistent**	**Not Applicable**
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?	☐	☐	☒	☐
d) Be potentially incompatible with surrounding land uses?	☐	☐	☒	☐
e) Other: _____	☐	☐	☐	☐

Setting/Impact. Surrounding uses are identified on Page 3 of the Initial Study. The project is limited to the road and associated work that will be consistent with the surrounding land uses and will facilitate safe movement of people through the project location.

Because the project is a public works project outside the coastal zone it is not subject to local zoning and building codes. However, the project will be constructed to accepted engineering and safety standards.

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study. The work will be consistent with the surrounding land uses and will facilitate safe movement of people through the project location. The project will avoid impacts to the stream, and is therefore consistent with General Plan policies which aim to protect natural values.

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required were determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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?	☐	☐	☒	☐
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)	☐	☐	☒	☐
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Information", or the California Environmental Resources Evaluation System at: 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 Department has 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:

Contacted	Agency	Response
☒	County Public Works Department	**Project proponent**
☐	County Environmental Health Division	**Not Applicable**
☐	County Agricultural Commissioner's Office	**Not Applicable**
☐	County Airport Manager	**Not Applicable**
☐	Airport Land Use Commission	**Not Applicable**
☒	Air Pollution Control District	**Attached**
☐	County Sheriff's Department	**Not Applicable**
☐	Regional Water Quality Control Board	**Not Applicable**
☐	CA Coastal Commission	**Not Applicable**
☐	CA Department of Fish and Game	**Not Applicable**
☐	CA Department of Forestry (Cal Fire)	**Not Applicable**
☐	CA Department of Transportation	**Not Applicable**
☐	Community Service District	**Not Applicable**
☒	Other U.S. Environmental Protection Agency	**In File****
☐	Other _____	**Not Applicable**

*** "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

☐ Solid Waste Management Plan

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 & Open Space Element
  - ☒ Energy Element
  - ☒ Environment Plan (Conservation, Historic and Esthetic Elements)
  - ☒ Housing Element
  - ☒ Noise Element
  - ☒ Parks & Recreation Element
  - ☒ Safety Element
- ☒ Land Use Ordinance
- ☐ Real Property Division Ordinance
- ☒ Trails Plan

- ☒ Adelaida Area Plan
- ☐ Circulation Study

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., habitat, streams, contours, etc.)
- ☐ Other

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

1. Geotechnical Engineering Report, Proposed Road Repair, Klau Mine Road, Paso Robles Vicinity of San Luis Obispo County; Mid-Coast Geotechnical, Inc.; December 12, 2012
2. Soil analytical report prepared for Mid-Coast Geotechnical; Oilfiled Environmental and Compliance, Inc.; October 8, 2012
3. Electronic mail correspondence with James Sickles, U.S. Environmental Protection Agency; December 28, 2012 and January 2, 2013
4. Naturally Occurring Asbestos ATCM – Geologic Exemption; SLO County APCD; December 31, 2012

Exhibit B - Mitigation Summary Table

Air Quality

[AQ-1] During construction/ground disturbing activities, the contractor shall implement the following particulate (dust) control measures. These measures will be included in the contract special provisions. In addition, the contractor shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

a. Reduce the amount of disturbed area where possible.

b. Prevent airborne dust from leaving the site.

c. Control dust from all dirt stock pile areas.

d. Implement revegetation (i.e., hydro seeding) as soon as possible following completion of any soil disturbing activities.

e. Proposed ground areas that are planned to be reworked at dates greater then one month after initial grading shall be subject to dust control measures (watering, etc.) or shall be sown with a fast germinating native grass seed and watered until a temporary vegetative cover is established.

f. 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.

g. Ensure that trucks and equipment leaving the site do not carry soil material onto adjacent paved roads; clean adjacent paved roads at the end of each day if visible soil material is carried from the site onto those roads.

[AQ-2] During construction/ground disturbing activities, the following measures to reduce ozone precursor emissions shall be implemented.

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 ARB 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 ARB's 1996 or newer certification standard for off-road heavy-duty diesel engines.

[AQ-3] During any road construction or maintenance activity the speed of any vehicles and equipment traveling across unpaved areas must be no more than fifteen (15) miles per hour unless the road surface and surrounding area is sufficiently stabilized to prevent vehicles and equipment traveling more than 15 miles per hour from emitting dust that is visible crossing the project boundaries.

Biological Resources

[BR-1] The amount of construction-related disturbance will be limited to the extent practicable. The project limits will be conspicuously flagged or otherwise marked in the field. Construction

activities will be restricted within the marked areas. Storage, parking, and laydown areas will be clearly marked. Except as needed for construction, equipment and vehicles will be kept out of areas identified as wetlands and waters of the United States. Construction access to the seasonal stream shall be the least disturbing to the creek banks.

[BR-2] To the extent practicable, construction activities will be conducted during the dry season (approximately April 15 to October 15). This will reduce potential impacts from sedimentation on aquatic species that might be using the seasonal stream as a movement/dispersal corridor.

[BR-3] A biological monitor will be present during critical construction periods (e.g., pile installation, and removal of barrier fence). The biologist will monitor potential impacts to water in the channel of the seasonal stream and to aquatic and riparian habitats. The biological monitor will have the authority to halt construction should any federally-listed species be encountered within or adjacent to the work area in the creek and riparian zone, and the monitor determines that take of a federally-listed species could occur. If a federally-listed species is encountered, the USFWS shall be notified and work in the affected area shall not resume prior to USFWS approval.

[BR-4] A worker education program will be prepared and presented to all construction personnel at the beginning of the project. The program will discuss sensitive species with potential to occur in the construction zone, with emphases on native trees, wetland and riparian habitats, and roosting and nesting birds. The program will explain the importance of minimizing disturbance and adhering to other disturbance minimizing measures.

[BR6] Servicing and fueling of vehicles will be accomplished with the use of the following best management practices:

g. Servicing and fueling shall take place as far as practical from the seasonal streams.

h. When fueling, tanks shall not be "topped off."

i. A secondary containment, such as a drain pan or drain cloth, shall be used when fueling to catch spills or leaks.

j. All fluid spills shall be reported immediately.

k. Storage of hazardous materials shall be as far as practical from the seasonal streams.

l. A contingency plan for possible leaks and spills of hazardous materials into the seasonal streams shall be developed and implemented as appropriate.

[BR7] If construction activities are conducted during the typical nesting bird season (February 15 – September 15) pre-construction surveys shall be conducted by the County or its designee prior to any construction activity or vegetation removal to identify potential bird nesting activity, and:

d. If active nest sites of bird species protected under the Migratory Bird Treaty Act are observed within the vicinity of the project site, then the project shall be modified and/or delayed as necessary to avoid direct take of the identified nests, eggs, and/or young;

e. If active nest sites of raptors and/or bird species of special concern are observed

within the vicinity of the project site, then CDFG shall be contacted to establish the appropriate buffer around the nest site. Construction activities in the buffer zone shall be prohibited until the young have fledged the nest and achieved independence; and,

f. Active nests shall be documented by a qualified biologist and a letter-report shall be submitted to the County, USFWS and CDFG, documenting project compliance with the MBTA and applicable project mitigation measures.

[BR8] Prior to construction the County shall conduct a pre-construction survey for special status wildlife. If special status wildlife are encountered and in harm's way during construction, the qualified biologist shall relocate animals to suitable habitat outside the project impact area.

[BR9] Persons in the project area who are under County or contractor control shall not have firearms or pets; nor shall they engage in hunting or fishing.

[BR10] Construction activities will be limited to daylight hours to avoid disturbing night roosting bats and birds that could be affected by nighttime illumination or noise in the vicinity of the work area.

[BR11] The construction zone shall be kept free from litter by providing suitable disposal containers for trash and all construction-generated material wastes. These containers shall be emptied at regular intervals and the contents properly disposed.

[BR12] Revegetate exposed soil areas as soon as possible after completion of construction activities.

[BR13] Place temporary erosion/sedimentation control devices when construction extends into the rainy season. Such devices include silt fencing, straw bales, jute matting, etc.

Cultural Resources

[CR-1] During construction, in the event cultural resources are unearthed or discovered, the following standards apply:

1) Construction activities shall cease and the Public Works Environmental Programs Division shall be notified so that the extent and location of discovered materials may be evaluated by a qualified archaeologist and/or paleontologist, and disposition of artifacts may be accomplished in accordance with state and federal law. The County shall implement the mitigation as required by the Environmental Coordinator.

2) In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Public Works Environmental Programs Division so that proper disposition may be accomplished.

Geology & Soils

[ER-1] Restore all previously vegetated areas that are cleared during project activities through revegetation with appropriate indigenous species.

[ER-2] Implement erosion control BMP's during construction adjacent to Las Tablas Creek.

Hazards & Hazardous Materials

[HZ-1] Any staging or equipment/vehicle parking areas shall be free of combustible vegetation and work crews shall have shovels and a fire extinguisher on site during all construction activities.

Water & Hydrology

[WR-1] All project-related spills of hazardous materials shall be cleaned up immediately.

[WR-2] On a daily basis, check and maintain all equipment and vehicles that would be operated within the identified work area to ensure proper operation and avoid potential leaks or spills.

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San Luis Obispo County

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JAN - 3 2013
COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PUBLIC WORKS

December 31, 2012

Eric Weir, Environmental Resource Specialist
SLO County Public Works
County Government Center, Room 207
San Luis Obispo CA 93408

SUBJECT: Naturally Occurring Asbestos ATCM – Geologic Exemption Request Granted for the Klau Mine Road Slip-Out Repair ED-12-100 (245R12B611)

Dear Mr. Weir:

Thank you for your submittal for exemption from California Code of Regulations Section 93105 (Naturally Occurring Asbestos ATCM) dated December 27, 2012. After review of the documentation, the District agrees with the geological evaluation and grants SLO County Public Works request for exemption for the scope of evaluations for the Klau Mine Road Slip-Out Repair ED-12-100 (245R12B611) - Project located at Klau Mine Road approximately 0.8 mi S Adelaida Road in Paso Robles.

Based upon the Geologic Evaluation performed by Mid-Coast Geotechnical dated October 2, 2012, it appears that the likelihood of encountering serpentine deposits is low.

Expiration of the Geologic Exemption: If SLO County Public Works or its contractors subsequently discover any naturally occurring asbestos, serpentine, or ultramafic rock in the area to be disturbed, then:

1. SLO County Public Works or operator must comply with the requirements of CCR 93105;
2. SLO County Public Works or operator must report the discovery of the naturally-occurring asbestos, serpentine, or ultramafic rock to the APCO no later than the next business day; and
3. The exemption under CCR 93105 subsection (c) (1) shall expire and cease to be effective.

Based on the information provided, we are unsure of the types of equipment that may be present at the site during construction. Certain operational sources may require APCD permits, such as back-up diesel generators > 50 HP. Portable equipment used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or a District permit. Please contact the District's Engineering Division at (805) 781-5912 for specific information regarding registration or permitting requirements.

Journal Entry Number 1001200117 has been completed for the evaluation fee for Naturally Occurring Asbestos ATCM. If you have any questions, please contact me at (805) 781-5912.

Very truly yours,

Mark Elliott

Mark Elliott
Air Quality Specialist

MFE/lmg

cc: Tim Fuhs, APCD

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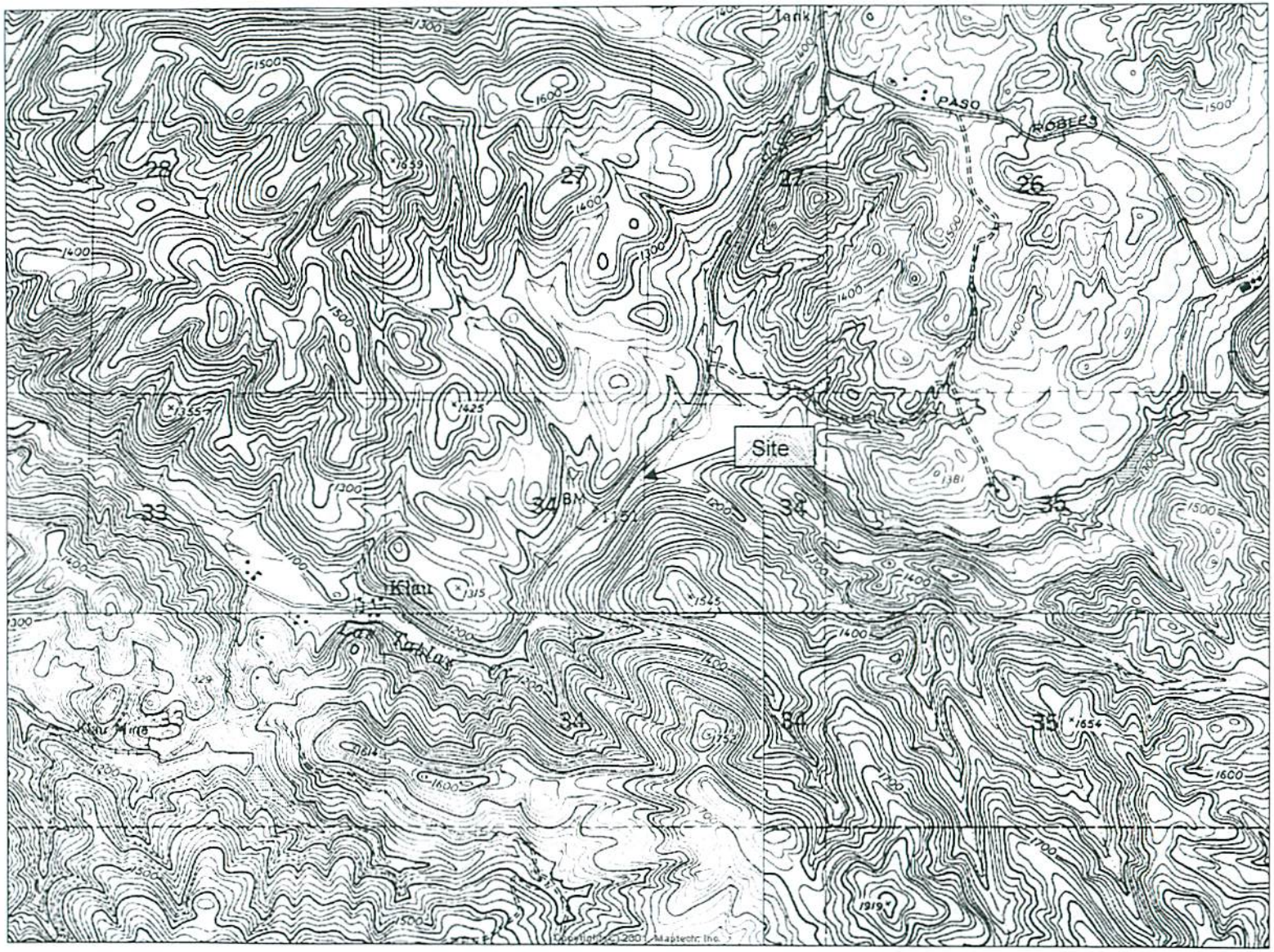
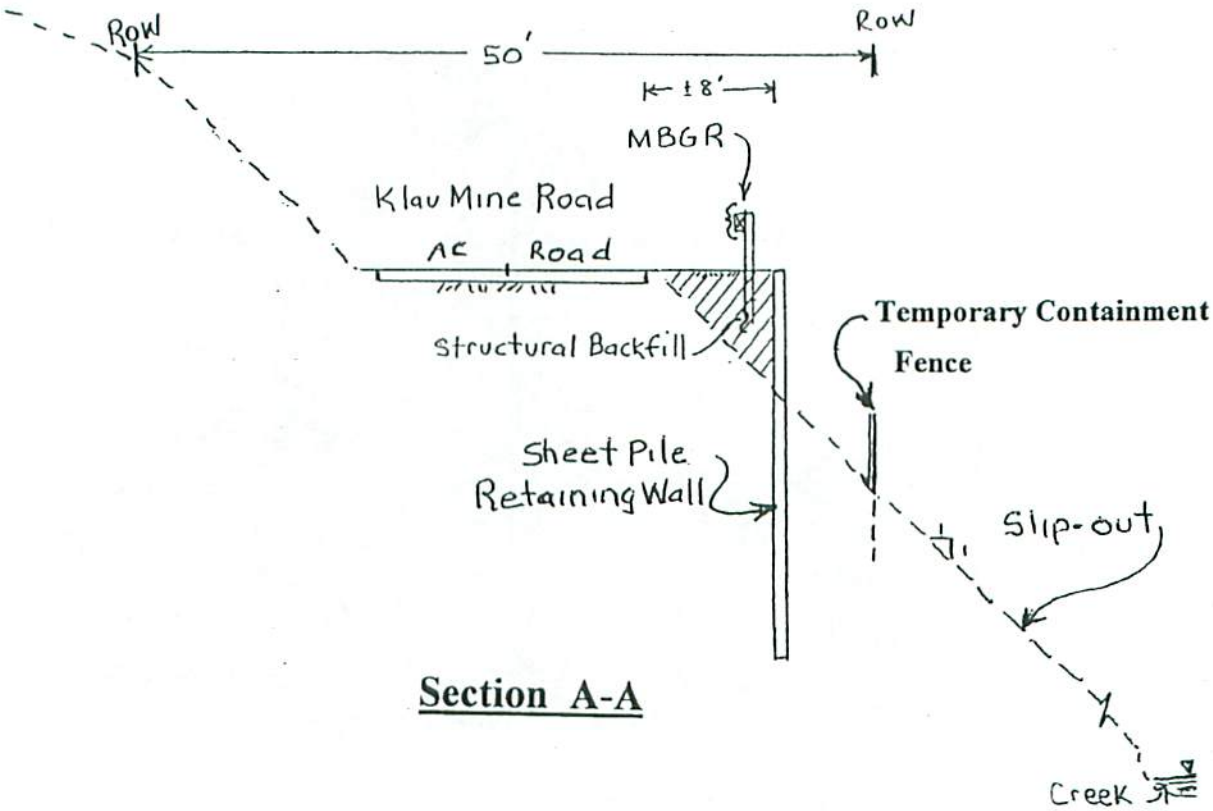
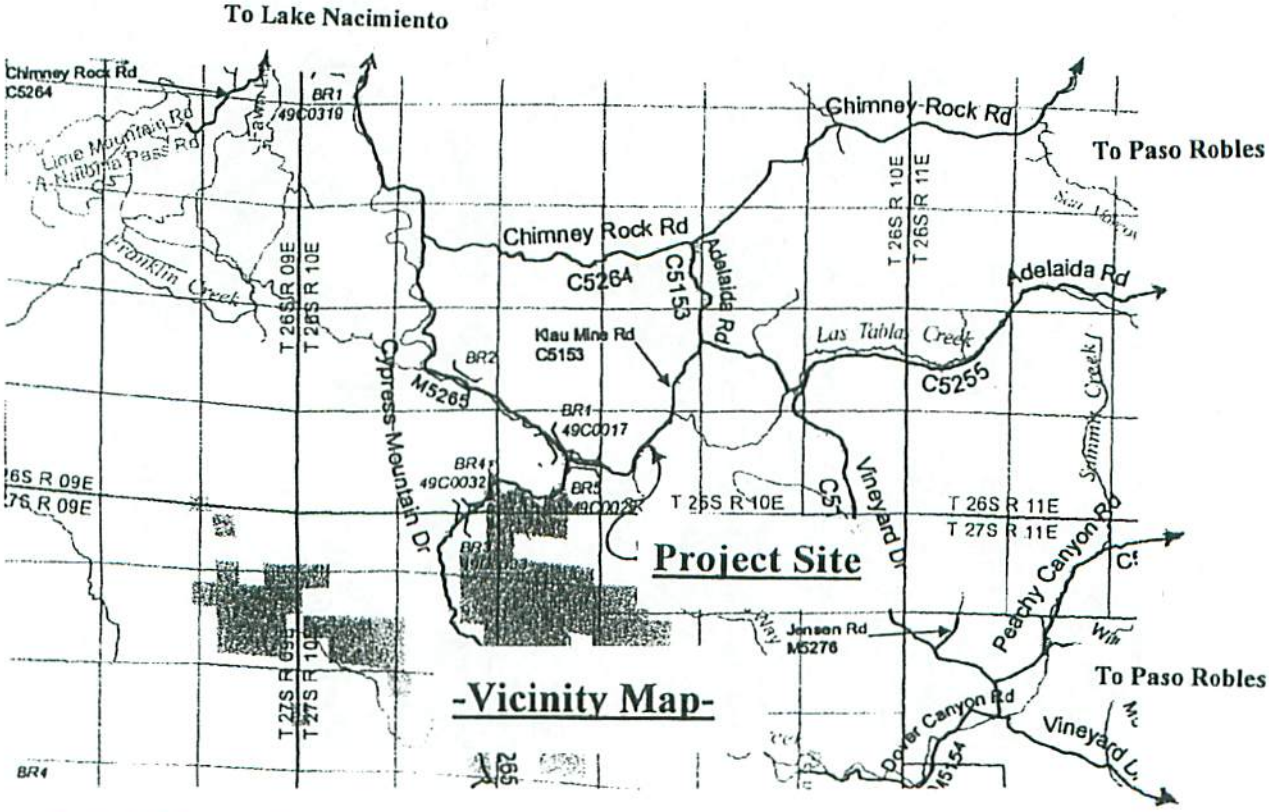


Klau Mine Road Slip-Out Repair Project; ED12-100 (245R12B611)

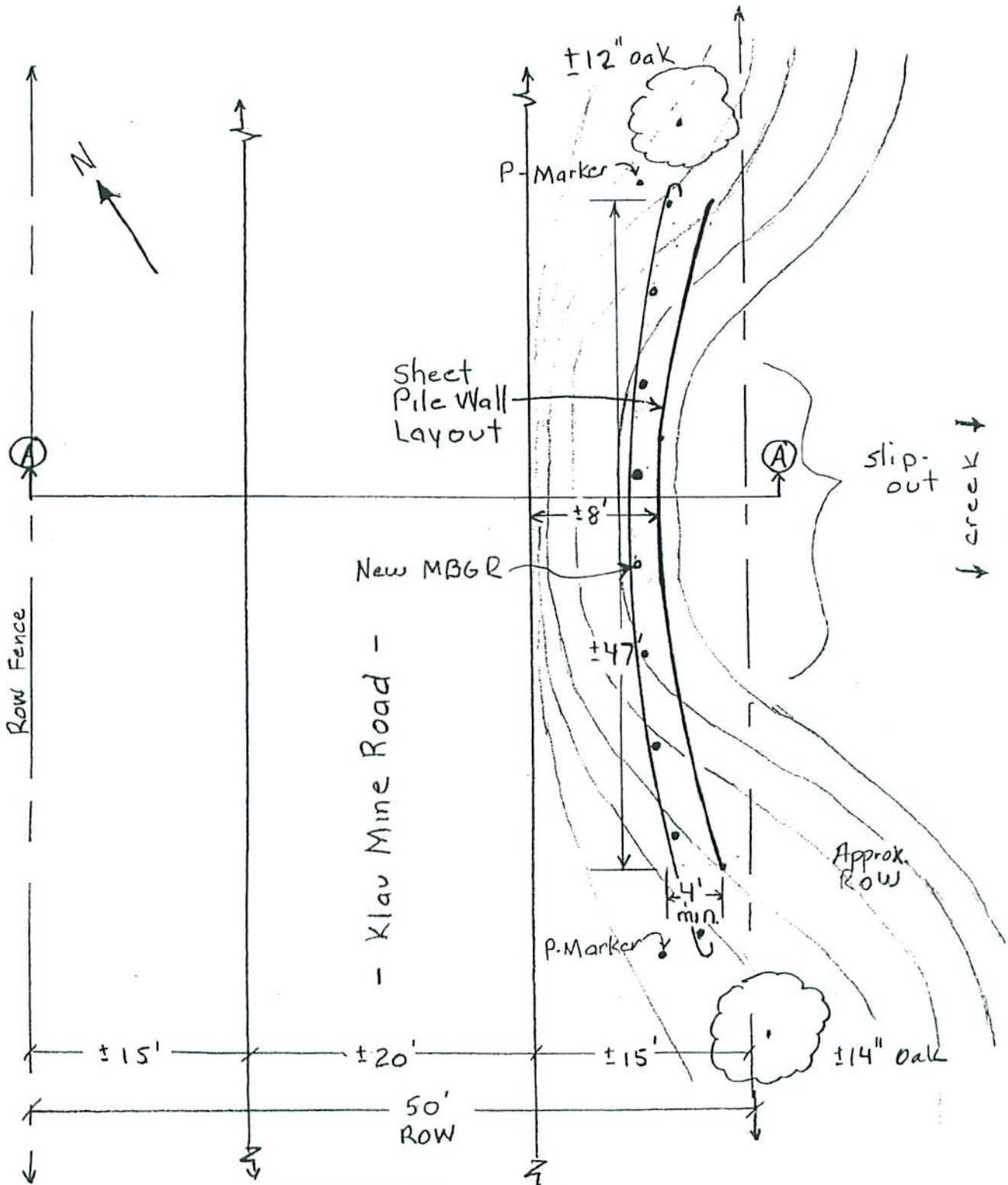
USGS Lime Mountain Quadrangle



Section A-A



San Luis Obispo County – Public Works Department
Project Manager - Frank Cunningham, P.E. and PLS
December 14, 2012



PLAN VIEW

KLAU MINE ROAD SLIP-OUT REPAIR PROJECT (MP 9.3)