



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. ED10-016

DATE: February 21, 2013

PROJECT/ENTITLEMENT: Cave Landing

APPLICANT NAME: County of SLO General Services Agency - Parks
ADDRESS: 1087 Santa Rosa St., San Luis Obispo, CA 93408
CONTACT PERSON: Elizabeth Kavanaugh

Telephone: 805-781-4089

PROPOSED USES/INTENT: A request by the County of San Luis Obispo General Services Agency-Parks for the: 1) construction of a bike/pedestrian trail of approximately 1,800 linear feet long and approximately 12 feet wide. Approximately 800 feet of this proposed trail is located within the abandoned road segment of Cave Landing Road. This trail will be made of decomposed granite or similar permeable surface and will require removal of approximately 800 linear feet of existing abandoned road pavement. A 30 foot span bridge will cross a natural drainage way; 2) formalization of the Pirates' Cove parking lot by leveling, resurfacing with asphalt, landscaping, and providing 35 parking spaces; 3) installation of drainage improvements of vegetated bio-swales and two level spreaders in the parking lot area; 4) Improvement of the existing pedestrian trail from the parking lot to Pirates Cove beach including: a four foot wide trail; additional water bars for drainage; stairs to the beach; and rails or fencing as necessary; 5.) construction of accessory facilities including a waterless vault restroom, picnic tables, benches, garbage cans, and interpretive signs, and 6) regular maintenance of these facilities. This project will also require a variance of the Bluff Top Setback and Development on Slopes of 30 percent standards and a waiver of the fencing and screening standard for side and rear setbacks. This project will result in approximately 700 cubic yards of ground disturbance, on two parcels totaling approximately 53 acres.

LOCATION: The project is located at the south end of Cave Landing Road, approximately 3,000 feet south of the intersection of Cave Landing Road and Avila Beach Drive, within the community of Avila Beach, in the San Luis Bay (Coastal) planning area.

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 Game

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



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Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ 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.

Elizabeth Kavanaugh

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency

Steven McMasters
Co. Department of Planning & Building
County Government Center, Room 310
San Luis Obispo, CA 93408
(805) 781-5096

Elizabeth Kavanaugh
Co. General Services Agency- Parks
County Government Center
San Luis Obispo, CA 93408
(805) 781-4809

This proposed Mitigated Negative Declaration has been issued by:

2.8.2013
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:

2-8-13
Date

Janette O Pell
Janette Pell, General Services Agency Director
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 3.3) usna.f.02m

Project Title & No. County Parks -Cave Landing Trail Project ED10-016

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 type="checkbox"/> Water |
| <input checked="" type="checkbox"/> Cultural Resources | <input 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.

Elizabeth Kavanaugh Elizabeth Kavanaugh 2-8-13
 Prepared by (Print) Signature Date

Ellen Carroll Ellen Carroll,
Environmental Coordinator 2/8/13

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, Rm. 200, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: A request by the County of San Luis Obispo General Services Agency- Parks for the: 1) construction of a bike/pedestrian trail of approximately 1,800 linear feet long and approximately 12 feet wide. Approximately 800 feet of this proposed trail is located within the abandoned road segment of Cave Landing Road. This trail will be made of decomposed granite or similar permeable surface and will require removal of approximately 800 linear feet of existing abandoned road pavement. A 30 foot span bridge will cross a natural drainage way; 2) formalization of the Pirates' Cove parking lot by leveling, resurfacing with asphalt, landscaping, and providing 35 parking spaces; 3) installation of drainage improvements of vegetated bio-swales and two level spreaders in the parking lot area; 4) Improvement of the existing pedestrian trail from the parking lot to Pirates Cove beach including: a four foot wide trail; additional water bars for drainage; stairs to the beach; and rails or fencing as necessary; 5.) construction of accessory facilities including a waterless vault restroom, picnic tables, benches, garbage cans, and interpretive signs, and 6) regular maintenance of these facilities. This project will also require a variance of the Bluff Top Setback and Development on Slopes of 30 percent standards and a waiver of the fencing and screening standard for side and rear setbacks. This project will result in approximately 700 cubic yards or 1.84 acres of ground disturbance on in mostly disturbed areas on two parcels totaling approximately 53 acres. The project is located at the south end of Cave Landing Road, approximately 3,000 feet south of the intersection of Cave Landing Road and Avila Beach Drive, within the community of Avila Beach, in the San Luis Bay (Coastal) planning area.

The site has a history of informal recreational use including a parking lot, trails and coastal access. The proposed project will formalize this use and provide improvements that will provide necessary amenities (e.g. bathroom) and enhance current uses (e.g. trails). For decades there have been and still are several existing volunteer trails on this site, some that provide coastal access. The existing parking lot was created as a result of an oil spill clean-up effort in the 1970's. In addition to the recreational use of this site, Cave Landing Road was a through road that connected Avila Beach to Pismo Beach. This road was closed in the 1970's because a land slide made the road unsafe for vehicle traffic. This closed road has been used as an informal trail ever since. In acknowledgement of this use the County's Park and Recreation Element designated this as a proposed connector trail and part of the California Coastal Trail.

Development on this site presents many challenges to development and maintenance: an active land

slide, subsurface resources, steep slopes that collect a substantial amount of the areas storm water runoff. Several designs were considered before the proposed project was selected because it was the most sensitive to these site specific features.

ASSESSOR PARCEL NUMBER(S): 076-231-062 and 064

Latitude: 35 degrees 10 ' 31 " N Longitude: 120 degrees 43 ' 2 " W SUPERVISORIAL DISTRICT # 3

B. EXISTING SETTING

PLANNING AREA: San Luis Bay(Coastal), Avila Beach

LAND USE CATEGORY: Residential Rural

COMBINING DESIGNATION(S): Coastal Appealable Zone , Geologic Study
 , Archaeologically Sensitive

EXISTING USES: Undeveloped

TOPOGRAPHY: Steeply sloping

VEGETATION: Grasses

PARCEL SIZE: Two parcels totaling 53.4acres

SURROUNDING LAND USE CATEGORIES AND USES:

| | |
|--|--|
| <i>North: Residential Rural, Open Space; undeveloped</i> | <i>East: Rural Lands, City of Pismo Beach; undeveloped, residential</i> |
| <i>South: ; Pacific Ocean</i> | <i>West: Open Space, Industrial; industrial uses (old Avila Tank Farm)</i> |

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) <i>Create an aesthetically incompatible site open to public view?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) <i>Introduce a use within a scenic view open to public view?</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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. This site is characterized as vacant land with steep slopes, a parking lot, and pedestrian trails along the bluffs. Large homes in the City of Pismo Beach are located directly to the south of the site. To the north is Ontario Ridge and open space. The Pacific Ocean is to the south, to the east the large homes of Pismo Beach and to the west the abandoned Avila Tank Farm (formerly Unocal Tank Farm) with Avila Golf course and the community of Avila Beach beyond. The visual character of the immediate area is varied with the existing Pirate’s Cove parking lot, hillside homes of Pismo Beach and the abandon oil tank farm near or on the site. However views of the Pacific Ocean remain a prominent feature of the site.

Impact. Cave Landing Road, a public road, connects to the existing parking lot. The proposed recreation area (parking and trail) connects to this road. The newly constructed section of the bike/pedestrian trail, the associated three to four foot high wood split rail fencing, vault bathrooms, benches, trash cans and bollards will be visible from Cave Landing Road. The pedestrian trail to the beach will remain within the footprint of existing trails with the exception of the proposed stairs to the beach. No lighting is proposed. The project elements are considered consistent with the expectation of a recreational area and will likely reduce the volunteer trails and associated erosion and vegetation loss that currently occurs.

Much of this project will be visible from Cave Landing Road as it is today. The parking lot, the bike/pedestrian trail and the pedestrian trail to the beach, currently existing and will not change the visual character of the area. The bathroom and other amenities are expected at a recreational area. The bathroom may be seen from trails and Cave Landing Road and the stairs to the beach will be seen from Pirate’s Cove beach area. Grading cuts associated with the bike trail will be visible. This project will not silhouette against any ridgelines as viewed from public roadways, parks, or the ocean.

Mitigation/Conclusion. To mitigate the visual impact of the proposed trail's grading cuts County General Service Agency shall revegetate these cuts with erosion control plantings as soon as construction is complete. The vault restroom building and stairs to the beach shall be painted or made of materials that match the surrounding natural environment. Incorporation of these mitigations will bring the visual impact of this project to less than significant.

2. AGRICULTURAL RESOURCES

- Will the project:

| | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|--|--------------------------|--------------------------------|-------------------------------------|-------------------------------------|
| a) <i>Convert prime agricultural land to non-agricultural use?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) <i>Impair agricultural use of other property or result in conversion to other uses?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) <i>Conflict with existing zoning or Williamson Act program?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) <i>Other: _____</i> | <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:

Land Use Category: Rural Residential

Historic/Existing Commercial Crops: None

State Classification: Not prime farmland

In Agricultural Preserve? No

Under Williamson Act contract? No

The soil type(s) and characteristics on the subject property include: *[list soil types]*

Diablo and Cibo clays (15 - 30 % slope).

Diablo. This moderately sloping clayey soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, slow percolation. The soil is considered Class IV without irrigation and Class is not rated when irrigated.

Cibo. This moderately sloping clayey soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class is not rated when irrigated.

Lopez very shaly clay loam (30 - 75% slope). This steeply to very steeply sloping, shallow gravelly fine loamy soil is considered very poorly drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: shallow depth to bedrock. The soil is considered Class VII without irrigation and Class is not rated when irrigated.

Nacimiento- silty clay loam (30 - 50 % slope). This steeply sloping fine loamy soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Still gravelly sandy clay loam (15 - 25% slope). This moderately sloping, gravelly fine loamy soil is

considered moderately drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, slow percolation. The soil is considered Class IV without irrigation and Class is not rated when irrigated.

Impact/Conclusion. The project is located in a non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. Before the town of Avila was developed this site was used for growing orchards and grazing cattle. A recent lease between the property owner and a neighbor was been granted in July 2012 for grazing over the parking lot parcel. No cattle are located on the parcel and grazing is not anticipated on this intensive informal recreational area that includes a parking lot, street, trails and coastal access. According to the County Agricultural Commissioner's office this site and area has no recent history of agricultural use. In addition, San Luis Obispo County is not a free range county, which means that this site would need to be fenced and water brought to the site before it would be suitable for grazing. Finally based on the historic trail, coastal access and recreation use of the site, the Agriculture Commissioners office stated that it is not advisable to combine cattle with the intensive level of cars and people who use this site (personal communication with Lynda Auchinachie; County Agricultural Dept. on September 13, 2012). Finally, there is a recorded irrevocable offer of dedication this site to County Parks. Prior to construction of this project, County Parks will accept this offer and the grazing lease will become invalid. No significant impacts to agricultural resources are anticipated.

| 3. AIR QUALITY - Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) <i>Other:</i> _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Setting. The county's CZLUO (section 23.060.080) includes air quality provisions to include review by the Air Pollution Control district (APCS), as well as reduce odors. APCD had 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). The project is not within close proximity of the following facilities: heavy traveled freeways (greater than 100,000 vehicles), dry cleaners or gas stations.

Wind Erodibility – The Natural Resources Conservation Service has rated most soils for potential loss due to wind erosion. Major factors affecting this erodibility potential included vegetation cover, climate, soil erodibility and certain soil characteristics (e.g. particle roughness). The rating system used by NRCS ranges between 1 and 8 where 1 is most erosive and 8 is least erosive. In some cases the soil is giving an “unclassified rating”. This project proposed to disturb soils that have been given a wind erodibility of 4 to 8, which is considered moderate to high.

Naturally Occurring Asbestos (NOA). Asbestos can occur naturally in certain rock formations, such as those that include serpentine or ultramafic rock. The State Air Resources Board considers asbestos a toxic contaminant. If asbestos is present within the soil underlying the project site, future grading and site disturbance activities would release the asbestos into the air, resulting in a potentially significant air quality impact.

This project site contains shallow bedrock, areas of fill, crushed siltstone and shallow siltstone with claystone bedrock. Based on the site specific geologic investigation of NOA, the potential for naturally occurring asbestos to be encountered at the project site is very low to nil. (Furgro 2009).

Impact.

As proposed the project will result in the disturbance of approximately 700 cubic yards of ground disturbance on an approximately 50 acre site. This will result in the creation of construction dust. Based on the Table 1-1 of the CEQA handbook, the project will result in less than 10 lbs./day of pollutants, which is below the thresholds warranting mitigation.

Greenhouse Gas Emissions

The California Air Resources Board (CARB), the Californian Environmental Protection Agency, and other governmental agencies with jurisdiction are in the process of developing guidelines and thresholds to address a project's cumulative contribution to greenhouse gas (GHG). Over the last few years, a series of related legislative acts have been made relating to this issue.

There are seven greenhouse gases, as follows, and are in order of their global warming potential: Carbon Dioxide, methane, Nitrous oxide, Chlorofluorocarbons, Hydrofluorocarbons, Perfluorocarbons, and sulfur hexafluoride.

Project GHG Impacts/Conclusion – As an interim effort until such time CARB formalizes a process for development to follow, the following is a qualitative discussion of the project's impacts, as well as measures to reduce the GHG production. The proposed project is generally limited to open space and recreational uses. The project ability to connect the city of Pismo Beach to the community of Avila Beach with a bicycle and pedestrian route could potentially reduce the number of vehicle trips between the two destinations that are currently made. Potential long term operation impacts related to the proposed project will be less than significant. Construction emissions would be relatively insignificant.

Mitigation/Conclusion. This project is consistent with the general level of development anticipated and projected by the clean air plan. Short term air quality impacts are expected to occur during project construction and grading. Mitigation measures are proposed to reduce those temporary impacts to a less than significant level. Those measures include but are not limited to testing and receiving an exemption from the Air Pollution Control District for naturally occurring asbestos, prohibition of developmental burning of material and dust mitigation during construction. For a full list of these measures see the mitigation summary tables at the end of this report.

| 4. BIOLOGICAL RESOURCES - <i>Will the project:</i> | 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 type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 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 following are existing elements on or near the proposed project relating to potential biological concerns:

On-site Vegetation: non native grasses

Name and distance from blue line creek(s): Unnamed tributary to San Luis Obispo Creek runs at the edge of the property.

Habitat(s): Coast Live Oak forest

Site's tree canopy coverage: Approximately 0%.

The Natural Diversity Database (or other biological references) identified the following species potentially existing within approximately one mile of the proposed project:

Black-flowered figwort (*Scrophularia atrata*) List 1B

Black-flowered figwort (*Scrophularia atrata*) has been found on the property, 0.66 and 0.82 miles to the east and north east. This perennial herb is generally found growing on calcareous or diatomaceous soils in a closed-cone coniferous forest, chaparral, coastal dunes, coastal scrub, or riparian scrub areas at elevations between 10 and 500 meters (30 to 1,640 feet). It is a California endemic which has a blooming period of April-June. Black-flowered figwort is considered rare by the CNPS (List 1B, RED 2-2-3).

Hoover's bentgrass (*Agrostis hooveri*) List 1B

Hoover's bentgrass (*Agrostis hooveri*) has been found about 0.86 mile to the east. This perennial herb prefers sandy soils in open chaparral, cismontane woodland, and valley and foothill grassland area below the 600-meter (1,970-foot) elevation. The species blooming period is April-July. Hoover's bentgrass is considered rare by the California Native Plant Society (List 1B, RED 2-2-3).

Pismo clarkia (*Clarkia speciosa* ssp. *immaculate*) FE, SR, List 1B

Pismo clarkia (*Clarkia speciosa* ssp. *immaculate*) has been found about 1, 1.3 and 1.5 mile to the east. This annual herb occurs on low, sandy hills (up to the 185 meter (600-foot) elevation) from Pismo to Edna Valley. Pismo clarkia populations are found in valley and foothill grasslands, and in the margins between chaparral and oak woodland communities near the coast. This species is listed as Federally endangered, State rare, and extremely rare by CNPS (List 1B, RED 3-3-3).

San Luis Obispo owl's-clover (*Castilleja densiflora* ssp. *obispoensis*) see Obispo Indian paintbrush.

Obispo indian paintbrush (*Castilleja densiflora* ssp. *obispoensis*) List 1B

Obispo Indian paintbrush (*Castilleja densiflora* ssp. *obispoensis*) has been found about 215 feet to the north. This annual herb is found in valley and foothill grasslands at elevations between 10 to 400 meters (30 to 1,315 feet). The blooming period is April. Obispo Indian paintbrush is considered rare by CNPS (List 1B, RED 2-2-3).

Wells's manzanita (*Arctostaphylos wellsii*) List 1B

Wells's manzanita (*Arctostaphylos wellsii*) has been found about 215 feet to the north. This evergreen shrub is found primarily on sandstone soils in closed cone coniferous forests and chaparral areas; in addition, individual shrubs have been observed growing in the shade of coast live oak trees on steep north-facing slopes. The typical flowering period is December through April. The species grows at elevations between 30 to 400 meters (100 to 1,315 feet). Wells's manzanita is considered rare by CNPS (List 1B, RED 2-3-3).

California red-legged frog (*Rana aurora draytonii*) FT

California red-legged frog (*Rana aurora draytonii*) has been found about 0.3 mile to the west. California red-legged frog is considered federally threatened. This species typically inhabits shorelines with extensive vegetation. The frog requires 11 to 20 weeks of permanent water for larval development.

Harbor Seal (*Phoca vitulina*) Sensitive data. Offshore rock or reef.

Found 300 feet to the south from project site.

Tidewater goby (*Eucyclogobius newberryi*) FE, CSC

Tidewater goby (*Eucyclogobius newberryi*) has been found about 0.42 mile to the north. They are considered federally endangered and a California Species of Special Concern. This species is found in brackish water habitats along the California coast. Microhabitats include shallow lagoons and lower stream reaches. The goby needs fairly still but not stagnant water with high oxygen levels. Suitable habitat within these streams range from the mouths to approximately 1.5 to 2.0 miles upstream. Tidewater goby is threatened by various factors including water quality degradation and low instream flows caused by water diversions and periodic drought.

Western snowy plover (*Charadrius alexandrinus nivosus*) FT, CSC

Western snowy plover (*Charadrius alexandrinus nivosus*) has been found about 0.34 mile to the west. Western snowy plover is considered federally threatened and a California Species of Special Concern. The species inhabits sand beaches, salt pond levees, and shores of large alkali lakes. The plover needs sandy, gravelly, or friable soils for nesting.

Impact. A biological assessment (June 2010) and a spring botanical survey (May, 2012) was completed for this project by a qualified biologist at Padre Associates. The report concluded none of the plant species of concern were on the site except a small patch of Black-flowered figwort was found approximately 65 feet south of the pedestrian trail leading down to the beach. No evidence of special status fauna was found on the site, but the site and the immediate vicinity may provide habitat to six special-status wildlife species 1) San Diego dessert woodrat, 2) American badger, 3) Western snowy plover, 4) Southern sea otter, 5) Pacific harbor seal and the 6) California sea lion. In addition, birds of prey and other protected birds could occur on site.

San Diego dessert woodrat, American badger, Western snowy plover may forage or nest on the site. The Southern sea otter, Pacific harbor seal and the California sea lion are all found in the ocean near the project site. Birds and birds of prey may use the site for the purpose of foraging and nest building. The mobile nature of these animals makes their presence on a site are temporary and fleeting. However construction activities can destroy a nest if on-site. State and federal regulatory agencies protect bird nests within 250 to 500 feet around the nest and a nest could appear during any special status bird's nesting season.

It is likely that the improvements to the site will formalize and control public use and access and will help reduce the disturbance resulting of volunteer trails and unrestricted use.

Coast live oak woodland is present on the far northern section of one of the subject properties. This habitat is located approximately 1,000 feet from the trail alignment and at the top of, and on the north side of the ridge. The trail is located on the lower slope of the south facing ridge.

Mitigation/Conclusion. A pre-construction survey will be preformed to ensure no special-status species or sensitive habitat is present at the time of construction. If a special status plant is found on site then avoidance of this plant is the preferred mitigation. The Black-flowered figwort shall be flagged prior to construction of the beach trail. If avoidance of special-status species or sensitive habitat is not possible restoration and/or relocation plan shall be implemented by a qualified biologist. These measures along with construction measures, monitoring and environmental sensitivity training for workers will reduce impacts to special-status species and sensitive habitat to a less than significant level.

| 5. CULTURAL RESOURCES - <i>Will the project:</i> | 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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) <i>Disturb paleontological resources?</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 is located in an area historically occupied by the Obispeno Chumash. No historic structures are present and no paleontological resources are known to exist in the area.

Three cultural resource investigations have been conducted on this site (Gibson 1981, 2003 and SWCA 2010). These surveys identified cultural resources on the site including marine shell and lithic debris. In addition, it is known that the area has cultural importance to the Chumash people.

Impact. Construction activities including heavy construction will impact cultural resources of the site. In addition, a formalized trail may bring more people to this site. While the current unrestricted access to the area is extensive, new visitors could have an impact to cultural resources if they go off the formal trail.

Mitigation/Conclusion. CEQA requires that if cultural sites cannot be preserved in place, they shall be mitigated through excavation and analysis of the “scientifically consequential information from or about the resources” (Sec. 150026.4 C). Although cultural sites should first be avoided, or put into a conservation easement, they could also be capped to preserve the resource or go through a data recovery process as a final resort (if avoidance or capping is infeasible). This project has been redesigned to avoid much of the archeological site. The scale of the archeological site makes it so this project cannot avoid the entire site. Capping this site with fill will add additional weight to the sites landslide area, making this option infeasible. A Phase III data recovery with monitoring plan will be required. The Phase III study will include but not be limited to extracting the cultural remains (or a representative sampling depending on the significances and the number of different materials found), cataloging and dating the sample.

Fencing along the bike/pedestrian trail is required to discourage people from walking off the trail, while Interruptive panel(s) posted along the trail that describes the Chumash experience and/or history with the area will help educate the public. In addition, revegetation of areas exposed or disturbed during construction will limit visibility and public access to cultural resources. See the attached Mitigation Summary Table at the end of this report for specific mitigation measures that reduce impacts to cultural resources to a less than significant level.

| 6. GEOLOGY AND SOILS - <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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| 6. GEOLOGY AND SOILS - <i>Will the project:</i> | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g) <i>Involve activities within the 100-year flood zone?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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"/> |
| i) <i>Preclude the future extraction of valuable mineral resources?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j) <i>Other:</i> _____ | <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: to steeply sloping

Within County's Geologic Study Area?: Yes

Landslide Risk Potential: High

Liquefaction Potential: Low

Nearby potentially active faults?: Yes Distance? runs through property

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

Shrink/Swell potential of soil: Low to moderate

Other notable geologic features? land slide on site

The project is within the Geologic Study area designation or within a high liquefaction area, and is subject to the preparation of a geological report per the County's Land Use Ordinance CZLUO section 23.07.084(c)] to evaluate the area's geological stability. Geologic investigations have occurred on this property for the proposed project. Geological reports were conducted for the project (Fugro, 2009 and 2011 and 2012). These reports include review of geologic information by the contract County Geologist (Landset Engineers, Inc. Paparello)

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

Within the 100-year Flood Hazard designation? No,

Closest creek? unnamed tributary to San Luis Creek

Distance? approximately 2000 feet north-west

Soil drainage characteristics: Moderately drained to not well drained to poorly drained

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.080 or CZLUO Sec. 23.05.042) 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, CZLUO Sec. 23.05.036) 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.

LANDSLIDE HAZARDS – The project site contains known mapped landslides, however the design of the project has included avoidance and setbacks from these known landslides area. Slope instability may result from natural processes, such as erosion of the toe of slope or by ground shaking caused by earthquake. Slopes can also be modified artificially by grading or by addition of water or structures. Development on a slope can substantially increase the frequency and extent to potential slope failures. Steep unstable slopes in weak soil/bedrock typically characterize areas susceptible to landslides and record of slope failure. There are numerous factors that affect the stability of a slope: slope height and steepness, material composition, material strength, structural geologic relationships, ground water level and level of seismic shaking.

Landslides occur when a portion of a hillside becomes too weak to support its own weight. Some landslides move slowly and cause damage gradually, whereas other move so rapidly that they can destroy property and take lives suddenly and unrepentantly. Gravity is the force driving landslide movement, factors include: saturation by water, steepening, of slopes caused by erosion or construction, freeze/thaw cycles, earthquake shaking and volcanic eruptions,

Landslides are generally classified into slides, falls and flows. Slides move as large bodies by slipping along one or more failures surfaces. Falls of rock or soil originate on cliff faces or steep slopes. Flows are landslides that behave like fluids. Mudflows involve wet mud and debris and earthflows involve wet, claylike materials.

Area that are generally prone to landslide hazards include: previous landslide locations, the bases of steep slopes, the bases of drainage channels, and developed hillsides where leach-field septic systems are used. Areas that are typically considered safe from landslide include area that have not moved in the past; relatively flat-lying areas away from sudden changes in slope; and areas at the top of along ridges, setback from the tops of slopes.

Site characteristics as outlined in the Fugro's Geological and Geotechnical Engineering reports are suitable for the proposed project design. Items specifically discussed include land slide, faulting, bluff retreat, drainage, excavation and temporary slopes. This site contains areas of fill, clay and sandy silt and shallow bedrock made of soft siltstone. Faults do exist in the area (San Miguelito and Hogri), but they are not anticipated to negatively impact the project. . The soils do not create liquefaction issues, and the site is not within tsunami inundation zone. No subsurface water was present during examination of test pits on site. The only structure proposed near the land slide area is a span bridge over a drainage gully approximately 500 feet from the parking lot.

Impact. As proposed, the project will result in the disturbance of approximately 700 cubic yards.

Landslide: Geologic investigations have been conducted to evaluate known on-site hazards such as: landslides, steep slopes. This project is outside of the active landslide, Pirates Cove Land Slide

Complex, but the bike trail is within the 120 foot setback from this landslide. The presence of a landslide in the area along with the needed grading on slopes of 30% indicates a potential for slope instability if appropriate measures are not undertaken. In addition, a possible sinkhole may be located near the bike trailhead at Cave Landing Road.

Drainage: The project area collects runoff water from the surrounding steep slopes.

Mitigation.

Based on the conclusions and recommendations of the geologic investigations, the project is proposed to be mitigated for geologic impacts. Mitigation measures; include requirements for site preparation, grading, trenching, drainage and maintenance.

Landslide: To reduce impact of this project to the landslide potential of the site special attention shall be paid to the grading and minimize fill on the site. Specific measures are listed at the end of this report and include grading techniques and expanding the span of bridge.

Drainage: The use of bio-swales and level spreaders shall be sized as such that water flowing out of the spreaders discharges over an area that is similar to the natural flow of water on site and does not pond in localized areas. An erosion and sedimentation control plan that is in compliance with Title 23.05, on-going compliance with the requirement of the of the National Pollutant Discharge Elimination System and the County Storm Water Pollution Control and Drainage Ordinance , Title 8 Section 8.68 et sec is required.

This project does not include habitable structures the trail and bridge could be relocated in the event of a landslide or bluff erosion. To ensure public safety if landslide potential is perceived (heavy rains, wet winters and/or earthquakes) the recreation area will be closed. A list of specific measures are listed in Table A at the end of this report.

With implementation of these measures the project impacts to geology and soils is insignificant.

| 7. HAZARDS & HAZARDOUS MATERIALS - <i>Will the project:</i> | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) <i>Interfere with an emergency response or evacuation plan?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) <i>Expose people to safety risk associated with airport flight pattern?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) <i>Create any other health hazard or potential hazard?</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| 7. HAZARDS & HAZARDOUS MATERIALS - <i>Will the project:</i> | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|---|--------------------------|--------------------------------|--------------------------|--------------------------|
| f) <i>Other:</i> _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Setting. The project is not located in an area of known hazardous material contamination. The project is within a high severity risk area for fire. The project is not within the Airport Review area. The southern edge of the subject project is within the 100-year Flood Hazard Combining Designation (FH).

With regards to potential fire hazards, this project is within the high Fire Hazard Severity Zone. Based on the County's fire response time map, it will take approximately 5 to 10 minutes to respond to a call regarding fire or life safety. Refer to the Public Services section for further discussion on Fire Safety impacts.

The project is located within the setback of an active landslide as discussed in the Geology and Soils section of this report.

Impact. The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk because it does not include buildings or homes. The trails and parking lot can be closed if a wildfire were to occur here. The creation of the pedestrian/bicycle trail will provide a second exit from the area if a wildfire were to occur. The Flood Hazard from a stream that is 3,400 feet from the nearest project component will not affect this project. The project does present a significant land slide safety risk.

Mitigation/Conclusion. This project does not include habitable structures but to ensure public safety if landslide potential is perceived (heavy rains, wet winters and/or earthquakes) the recreation area will be closed as identified in the Geology and Soils section of this report. No other significant impacts to hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

| 8. NOISE - <i>Will the project:</i> | 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 type="checkbox"/> | <input checked="" 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 is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g., residences). Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an

acceptable threshold area.

Impact. The project is not expected to generate loud noises as pedestrian and bicycle riding are generally quiet activities. The parking lot and vehicles that park there already exist and resurfacing the parking lot and the trail to beach will not increase noise levels. The project will include construction equipments that could result in the temporary noise increases that may impact adjacent residences or animals on site and in the ocean.

Mitigation/Conclusion. To mitigate construction noise impacts, construction activities such that the noise or vibration creates a disturbance will be limited to the hours of 7:00 a.m. to 7:00 p.m. in accordance with the requirements of the CZLUO. In addition, Heavy equipment that creates noise levels above 85 dB shall not be used for project activities along the shoreline during installation

| 9. POPULATION/HOUSING - <i>Will the project:</i> | 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) <i>Create the need for substantial new housing in the area?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) <i>Use substantial amount of fuel or energy?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) <i>Other:</i> _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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. The project will not result in a need for a significant amount of new housing, and will not displace existing housing. The trails and parking lot refurbishing does not have the potential to increase population.

Mitigation/Conclusion. No significant population and housing impacts are anticipated. No mitigation measures are necessary.

| 10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i> | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|--|----------------------------|--------------------------------------|-------------------------|-------------------|
|--|----------------------------|--------------------------------------|-------------------------|-------------------|

| 10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i> | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|---|--------------------------|--------------------------------|-------------------------------------|--------------------------|
| a) <i>Fire protection?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) <i>Police protection (e.g., Sheriff, CHP)?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) <i>Schools?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) <i>Roads?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) <i>Solid Wastes?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) <i>Other public facilities?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) <i>Other:</i> _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Setting. The project area is served by the following public services/facilities:

Police: City of Pismo Beach Location: City of Pismo Beach (Approximately 4.5 miles to the south east)

Fire: Cal Fire (formerly CDF) Hazard Severity: High to very high Response Time: 5-10 minutes
Location: Approximately 1 mile to the north

School District: San Luis Coastal Unified School District.

Impact. No significant project-specific impacts to utilities or public services were identified. The proposed project formalizes a bike and pedestrian trail that is currently being used and is located next to the Pirates' Cove beach where recreation activities already exist. The proposed project would provide safe bike and pedestrian trails. The proposed project does not create an increase need of public services or facilities. The County Sherriff Department determined these projects will likely decrease service calls from the site because it will bring additional people to the site which would provide more eyes in the area (personal conversation with Sergeant McDonald of the Sherriff Department on January 9, 2013). No significant project-specific impacts to utilities or public service were identified.

Conclusion. This project will not create and increase demand for public services or facilities. No mitigation measures are necessary.

| 11. RECREATION - <i>Will the project:</i> | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|---|--------------------------|--------------------------------|-------------------------------------|-------------------------------------|
| a) <i>Increase the use or demand for parks or other recreation opportunities?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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) <i>Other</i> _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Setting. The County's Parks and Recreation Element shows the Cave Landing bike trail traversing through the proposed project. An easement for the trail to Pirate's Cove Beach and the Cave Landing parking lot have been offered to the county and will be accepted as a natural area that is operated and maintained by County Parks Department.

The area of the project has a history on intensive informal recreational use including trails and beach access. The proposed project will formalize this use and provide improvements that will provide necessary amenities (e.g. bathroom) and enhance current uses (e.g. trails).

Impact. The proposed project will not create a significant need for additional parks, natural areas, and/or recreational resources. It will provide a pedestrian/bike trails and improve the access and parking of a natural area.

Conclusion. This project will not create an increase demand for recreational facilities. No mitigation measures are necessary.

| 12. TRANSPORTATION/ CIRCULATION - <i>Will the project:</i> | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|--|--------------------------|--------------------------------|-------------------------------------|-------------------------------------|
| a) <i>Increase vehicle trips to local or areawide circulation system?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) <i>Provide for adequate emergency access?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) <i>Result in inadequate parking capacity?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) <i>Result in inadequate internal traffic circulation?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) <i>Other: _____</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Setting. The area is accessed by Cave Landing Road via Avila Beach Drive, which both are county maintained roads. The identified roadways are operating at acceptable levels. Based on existing road speeds and configuration (vertical and horizontal road curves) sight distance is considered acceptable. Cave Landing Road was once a through road that connected Avila Beach to the north to

Shell Beach to the south. The Cave Landing Landslide Complex forced this road to be closed.

Impact. The proposed project is estimated to generate zero additional trips per day, based on a review by County Public Works. This trail project will provide a direct link between the communities of Avila Beach and Pismo Beach for bicycle users and pedestrians. This link will encourage non-vehicle transportation between these communities that may reduce area traffic trips. This project is considered "passive recreation" and is not subject to the Avila Road Impact Fee.

The southern half of the bicycle trail shares the alignment with previously closed Cave Landing Road and the bathroom, picnic bench area is located within the existing Cave Landing Road right-of-way. The northern terminus of this trail section connects to an existing trail in the city of Pismo Beach. A referral was sent to the city of Pismo Beach and the City is supportive of this project and did not raise any concerns with this project.

Mitigation/Conclusion. No significant traffic impacts were identified so no traffic mitigation measures are required. To address development within the Cave Landing Road right-of-way County Parks will need to apply to County Public Works for an encroachment permit and vacation of Cave Landing Road.

| 13. WASTEWATER - Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|---|--------------------------|--------------------------------|-------------------------------------|-------------------------------------|
| 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) <i>Other:</i> _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Setting/Conclusion. The proposed project will not require the use of sewer service or a leachfield. The applicant is proposing to provide a pre-fabricated restroom facility. This restroom will have a sealed vault construction for temporary storage of domestic waste. The waste would be emptied and transported to a county-approved waste disposal facility. Based on the project's proposed design, no impacts resulting from wastewater would occur.

| 14. WATER - Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|--|--------------------------|--------------------------------|-------------------------------------|--------------------------|
| a) <i>Violate any water quality standards?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| 14. WATER - Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|--|--------------------------|--------------------------------|-------------------------------------|-------------------------------------|
| 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) <i>Other:</i> _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Setting.

Water Quality.

Water Quality. The topography of the project is nearly level to very steeply sloping. The closest creek from the proposed development is an unnamed blue line tributary of San Luis Creek over 3,000 feet away. As described in the NRCS Soil Survey, the soil surface is considered to have high to moderate erodibility.

Projects involving more than one acre of disturbance are subject to preparing a Storm Water Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. When work is done in the rainy season, the County Ordinance requires that temporary sedimentation and erosion control measures be installed during the rainy season.

Water Supply.

The applicant is not proposing to utilize an on-site well or community water service to supply water. There is no landscaping proposed and erosion control planting will be drought-tolerant native vegetation that will be either installed in the late fall and/or the applicant will utilize a water truck for irrigation if needed. No on-site irrigation system is proposed. Due to the applicant's proposal to minimize water usage, no water supply impacts would occur as a result of the proposed project.

Impact.

Regarding surface water quality, as proposed, the project will result in the disturbance of 700 cubic yards. The project is within close proximity to the Pacific Ocean and over 3,000 feet from San Luis creek, the nearest creek. Topography of the site is moderately sloping to steeply sloping. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality. No additional measures are considered necessary and potential water quality impacts are either insignificant or will be reduced to less than significant levels through existing ordinance requirements.

Mitigation/Conclusion. Since no potentially significant water quality or quantity impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

| 15. LAND USE - Will the project: | Inconsistent | Potentially Inconsistent | Consistent | Not Applicable |
|---|--------------|--------------------------|------------|----------------|
|---|--------------|--------------------------|------------|----------------|

| 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 checked="" type="checkbox"/> | <input 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 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/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project will need a Coastal Development Permit which is appealable to the California Coastal Commission before construction can be started. The Coastal Development permit process will review for consistency policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). A preliminary consistency review of this project against policy and/or regulatory documents is provided below and referred to in Exhibit A on reference documents. Used. Ultimately the County Planning Commission and California Coastal Commission will determine if this project is consistent with these documents. 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.

In a preliminary review it appears the Local Coastal Plan (LCP) has many policies that align with this project. This project appears to meet all the Access and Visitor Servicing and Recreation policies because the project is a coastal access and recreation project that includes a segment of the California Coastal Trail. The site has none of the Environmental Sensitive Habitats discussed in the LCP (streams, riparian or wetlands) and most of the site is already in an open space easement, preserving the areas open space and is part of a green belt around Avila Beach as called out in the LCP. The proposed drainage features and erosion control measures at time of construction seem to meet the LCP's policies on Watershed Management. Finally the LCP requires studies and implementation of mitigation measures from these studies during construction to address geological and cultural resources. These studies have been completed and adoption of this Mitigated Negative Declaration with the mitigations proposed and if approved the subsequent coastal permit will ensure compliance with the geological and cultural policies of the LCP. This project appears to have one LCP inconsistency; the 75 foot bluff set back policy. However an adjustment to this policy and the similar Area Plan policy may be approved as part of the requested coastal permit process. The bike/pedestrian trail is located along the bluffs, squeezed between an active land slide and slopes over 30 percent (that are too steep for a bike trail). Therefore the bike/pedestrian trail cannot be set back to a location that would assure 75 years or potential erosion. The project does not involve

structures that would require protection with a shoreline structure (e.g. seawall), and in the event of substantial erosion, the trail may need to be relocated..

This project appears to be mostly consistent with the San Luis Bay (Coastal) Area and the Coastal Zone Land Use Ordinance and Parks and Recreation Element. A variance is required to modify the Bluff Setback standard and development on 30 percent slope. These potential inconsistencies are based on the project site itself and are discussed in the previous paragraph.

Per the Coastal Zone Land Use Ordinance, a solid wall or fencing is to be located on side and rear property lines of any non-residential or non-agricultural use abutting a residential use or land use category, except for parks, golf course greens and fairways. It is presumed that a solid wall or fencing along the side and rear property lines of this site is not necessary to protect adjacent residential uses from the passive recreational use of this site. The site is 53 acres and has only one residence adjacent to the site. In addition, compliance with this standard will place fencing along the Ontario Ridge an important scenic backdrop for the coastal area of Avila Beach and Pismo Beach and block views of the ocean from a public recreation area. However this will be determined by the County Planning Commission and the California Coastal Commission at the time a Coastal Permit is processed.

Mitigation/Conclusion. The fencing waiver will not create a health and safety concern or environmental impacts therefore no additional measures will be required. To offset the policy inconsistency with the Bluff Erosion standard and development on slopes of over 30 percent, the recreational area shall be closed down in times of bad weather or ground movement to ensure public safety.

| 16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) <i>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?</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) <i>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)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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 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:

| <u>Contacted</u> | <u>Agency</u> | <u>Response</u> |
|-------------------------------------|--|-----------------|
| <input checked="" type="checkbox"/> | County Public Works Department | attached |
| <input type="checkbox"/> | County Environmental Health Division | |
| <input type="checkbox"/> | County Agricultural Commissioner's Office | |
| <input type="checkbox"/> | County Airport Manager | |
| <input type="checkbox"/> | Airport Land Use Commission | |
| <input type="checkbox"/> | Air Pollution Control District | |
| <input type="checkbox"/> | County Sheriff's Department | |
| <input type="checkbox"/> | Regional Water Quality Control Board | |
| <input type="checkbox"/> | CA Coastal Commission | |
| <input type="checkbox"/> | CA Department of Fish and Game | |
| <input checked="" type="checkbox"/> | CA Department of Forestry (Cal Fire) | attached |
| <input type="checkbox"/> | CA Department of Transportation | |
| <input type="checkbox"/> | Community Service District | |
| <input checked="" type="checkbox"/> | Other <u>City of Pismo Beach</u> | attached |
| <input type="checkbox"/> | Other <u>AVAC & North Chumash Tribal Co.</u> | attached |

*** "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 & 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
- Solid Waste Management Plan

Area Plan and Update EIR

Circulation Study

Other documents

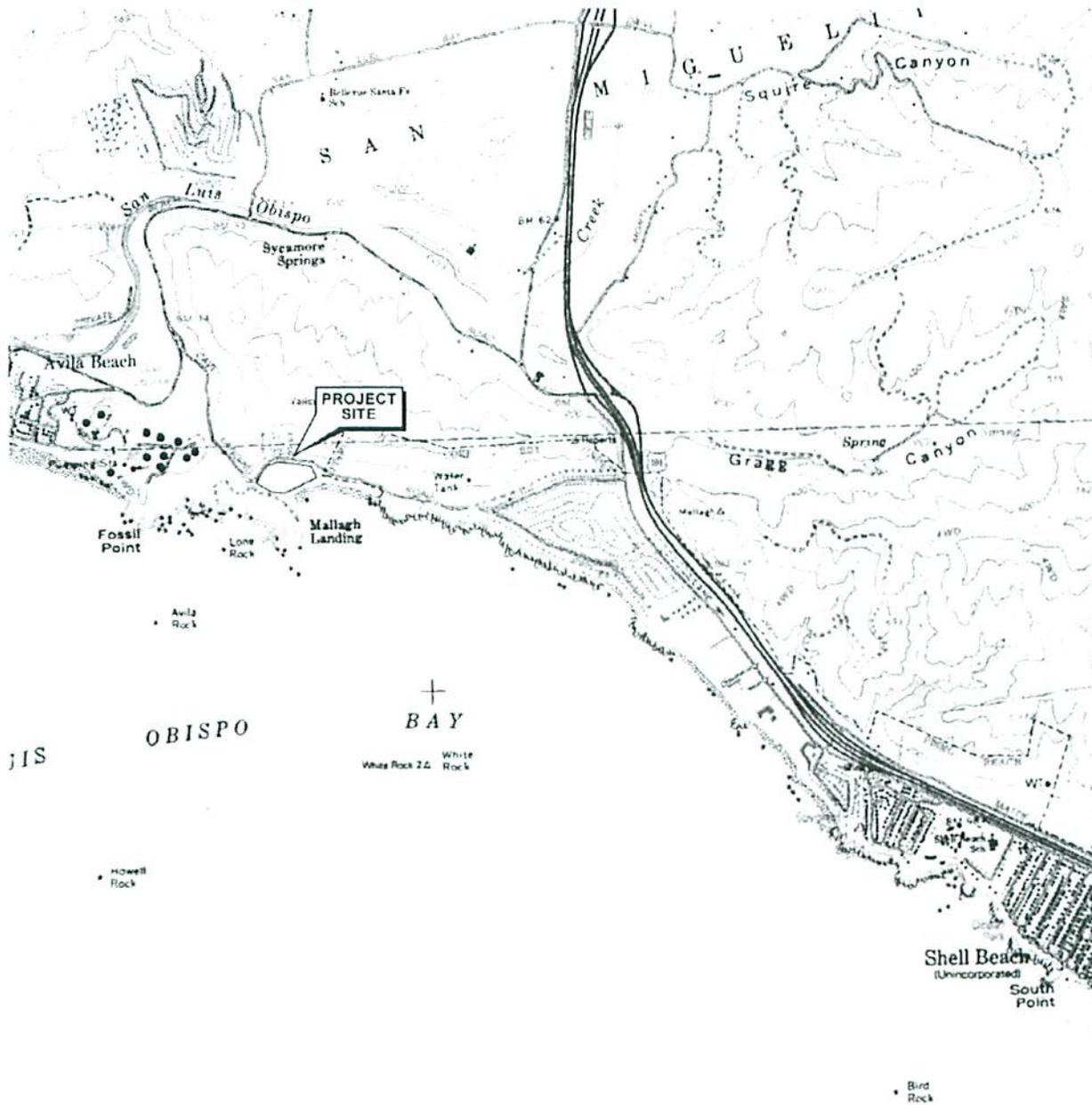
- Archaeological Resources Map
- Area of Critical Concerns Map
- Areas of Special Biological Importance Map
- California Natural Species Diversity Database
- Clean Air Plan
- Fire Hazard Severity Map
- Flood Hazard Maps
- Natural Resources Conservation Service Soil Survey for SLO County
- Regional Transportation 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:

Biological Assessment (Rincon 2010, 2012)

Cultural Resource Survey (SWCA 2010), (Gibson 2003, 1981)

Geological and geotechnical Reports Cave Landing Bike Path (Fugro West, 2009, 2011, 2012)



BASE MAP SOURCE: USGS San Luis Obispo County Pismo Beach 7.5' Quadrangle

VICINITY MAP
 Cave Landing Bike Path
 San Luis Obispo County, California

Referrals



Northern Chumash Tribal Council

*A Native American Corporation - NorthernChumash.org
67 South Street, San Luis Obispo, CA 93401 805-801-0347*

Elizabeth Kavanaugh
Parks Planner,
San Luis Obispo County Parks
Ph. (805)781-4089

October 21, 2011

Re: Cave Landing Trail

Dear Elizabeth,

The Northern Chumash Tribal Council (NCTC) would like to take this opportunity to thank you personally for the efforts that you have given to Native American Meaningful Consultation, also we want to thank County Parks of San Luis Obispo for allowing you to work with NCTC through many meetings and emails to come to an agreement for the improvement of the trail from Sunset Palisades to Cave Landing, an Ancient Chumash Sacred Place located south of Avila Beach, California.

NCTC is in agreement with the Phase III data recovery for the portion of the Sacred Site that the new trail will impact, we are also in agreement with the placement of the trail, minimizing impact to the Sacred Site.

NCTC looks forward to continuing working with you and County Parks to see this project completed in a good way, for all to enjoy.

Be Well,

Fred Collins
Tribal Administrator
NCTC

*ENVIRONMENTAL & LAND-USE CONSULTING
EDUCATIONAL SERVICES TEACHING NATURE, NATIVE CULTURES &
FARMING*



August 15, 2012

File No.: 0916-01
SLO Co. File No. DRC2011-00069

County of San Luis Obispo
Parks Division
1087 Santa Rosa Street
San Luis Obispo, California 93408

Attention: Ms. Elizabeth Kavanaugh

Subject: Review of Engineering Geology Report

Project: Cave Landing Bike Path Improvements
End of Cave Landing Road (APN's 076-231-062 & 064)
San Luis Obispo County, California

- References:
1. Engineering Geology Report, Cave Landing Bike Path, Cave Landing Road – Bluff Drive, San Luis Obispo County, California, Project No. 04.6111.0038, prepared by Fugro Consultants, Inc., dated July 19, 2012.
 2. Geotechnical Report, Cave Landing Bike Path, Cave Landing Road – Bluff Drive, San Luis Obispo County, California, Project No. 3014.016, prepared by Fugro West, Inc., dated December 21, 2009.
 3. Project Improvement Plans Cave Landing Bike Path and Parking Lot Improvements (Preliminary Design Plans), Cave Landing Road, San Luis Obispo County, California, Sheets 0.0, 1.0, 2.0, 2.0.1, 2.1, 2.1.1, 2.2, 3.0 & 4.0 of Nine Sheets, Job No. 21107, prepared by Fall Creek Engineering, Inc., dated May 2011.

Dear Ms. Kavanaugh:

The purpose of this letter is to summarize our findings of a site reconnaissance performed on August 10, 2012; and review of the above referenced Engineering Geology Report (Reference 1).

The report was reviewed for conformance with section 23.07.084 of the San Luis Obispo County Coastal Land Use Ordinance (CZLUO) and the San Luis Obispo County Guidelines for Engineering Geology Reports. It is our opinion that the referenced report presents a comprehensive outline, modeling the site engineering geology and geologic constraints.

August 15, 2012

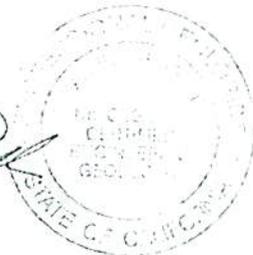
File No.: 0916-01
SLO Co. File No. DRC 2010-00069

It is our opinion that the site geologic conditions are accurately modeled as represented. Our findings are congruent with the conclusions and recommendations of the engineering geology report prepared by Fugro Consultants, Inc., dated July 19, 2012.

It is our opinion that the project engineering geologic constraints have been adequately characterized and appropriate mitigative measures have been included for CEQA & CZLUO compliance. The recommended engineering geologic mitigations summarized in the Executive Summary (Section 1.0, pp. 1-3) of the project engineering geology report (Reference 1) should be included as conditions of approval prior to the issuance of building permits.

Please contact me at (831) 443-6970 or bpapurello@landseteng.com if you have questions regarding this matter.

Respectfully,
LandSet Engineers, Inc.



Brian Papurello, CEG 2226

Doc. No. 1208-112.REV

Copies: Addressee (2)
Ms. Ryan Hostetter, San Luis Obispo Co., Dept. of Planning & Building (1)
Ms. Lori E. Prentice, Fugro Consultants, Inc. (1)
SLO County Geology files



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

MEMORANDUM

Date: March 23, 2012
To: Ryan Hostetter, Project Manager
From: Tim Tomlinson, Development Services
Subject: **Public Works Comments on the Cave Landing Trail and Parking Lot Plan
Conditional Use Permit DRC2011-00069**

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 Comments:

1. The existing trail is within the County Maintained portion of the Cave Landing Road right of way which should be vacated.
2. The proposed restroom and tables will require an encroachment permit for them to be placed and remain within the County maintained road right-of-way.

Recommended Project Conditions of Approval:

Drainage

1. **At the time of application for construction permits, the applicant shall submit a complete erosion and sedimentation control plan for review and approval in accordance with Title 23.05.**
 - a. **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.**

Access

2. **At the time of application for construction permits, the applicant shall secure an Encroachment Permit to allow the installation of the proposed restroom and tables and the removal and restoration to native of a portion of the existing trail that lies within the County maintained road right-of-way.**
3. **After completion of the trail improvements and re-alignment, the Applicant shall request vacation of the County maintained road right of way being superseded by the trail.**



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

Date: April 11, 2012

Subject: DRC2011-00069 – San Miguelito Partners

To Whom It May Concern: Ryan Hostetter, Coastal Team

CAL FIRE/San Luis Obispo County Fire Department has reviewed the referral information in regards to the proposed Conditional Use Permit for the Cave Landing Trailand parking lot improvements. The site is located at the end of Cave Landing Road in Avila Beach, CA. The project is located in State Responsibility Area within a "High" to "Very High" Fire Hazard Severity Zone for wildland fires. This project site has an approximate 5 to 10 minute response time from the nearest County Fire Station. The following requirements must be satisfied prior to project final.

- The roadway providing access from Road to the proposed project site must provide a minimum 20-foot edge to edge all-weather driving surface.
- Vertical clearance of 13'6" is required the entire length of the roadway.
- Roadways shall also provide for a 10 foot fuel modification zone on both sides.
- A fire engine turnaround is required at or near the gate
- A fuel reduction zone may be required around the project site. CAL FIRE/County Fire will work with the applicant and the San Luis Obispo County Department of Planning and Building to ensure adequate "defensible space" from wildland fire threat
- The existing and proposed gates must provide adequate means of emergency access. This department may require a "Knox" lock or keypad to ensure access during emergencies.

If I may provide additional assistance or information please do not hesitate to contact me at (805)543-4244.

Sincerely,

Anthony Ramirez
Battalion Chief/Fire Marshal

RE: Cave Landing Road Trail - City of Pismo Beach comments

Johnson, Carolyn
to:
'ekavanaugh@co.slo.ca.us'
10/05/2012 02:54 PM

Hello Elizabeth,

Thank you for the excellent presentation on the Cave Landing Road and Pirates Cove trail improvement project to the Pismo Beach Parks, Recreation and Beautification Commission last evening, Thursday, October 4. The Commission shared their support of the project with compliments on the County's efforts to connect trails between jurisdictions, in this case linking to the bluff top trail in Pismo Beach adjacent to Bluff drive.

The technical review of this proposal has also been completed with by Pismo Beach staff. All comments were favorable and supportive of the project.

Thank you,
Carolyn Johnson
Planning Manager
City of Pismo Beach
(805) 773-7043

AVILA VALLEY ADVISORY COUNCIL

San Luis Obispo County, California

P.O. Box 65 Avila Beach, California 93424

www.AvilaValley.org

Monday, September 12, 2011

The meeting was called to order by Chair Anne Brown at 7:05 p.m. Present were: Anne M. Brown, Boyd Horne, Jayne Morton, Lisa Newton, Lynn Helenius, Julia Hartzell, Sherri Danoff, Ken Thompson, Bob Pusanik, Bill Tickell. The resignation of John Schug was announced. A quorum was established.

The minutes for the July 11th and Special meeting August 8th were approved as e.mailed. Chair Anne reviewed received mail.

There was no public comment.

Treasurer's Report: Jayne Morton reported \$842.80 in the treasury.

County Reports:

a. Sheriff's Office: Cmdr. Jason Nefores reports a light 2 months in Avila with 8 calls!! Undersheriff Basti reported on meetings with the Golf Course personnel regarding events there. Contracts are being developed and will be in place for future events to augment a law-enforcement presence at said events, the first being this weekend. The department hopes to report to AVAC on a quarterly basis on the successes/failures of this approach to cut down on impacts to residents in Avila and the area. Chair will write a letter thanking the Sheriff for proactive work.

b. Planning: no representative

c. Public Works: Ryan Chapman reported on the "2011 Update, Avila Circulation Plan (exhibit to members). He is working on solutions to: Avila Barn left-turn problems and Parking/vendors using the area at Shell Beach Road and Avila Beach Drive. He will report at subsequent AVAC meetings and will work with the Land Use Committee for input.

d. CALFIRE: Chief Rob Lewin reported for Station 62, because 200 of the firefighters are off fighting other peoples' fires!! One major EMS issue on the B.J. Trail: through efforts of off-duty fire personnel and trained by-standers, the person was revived and transported to the hospital. At last report, he is alive. It accents the need for Paramedic services at the local fire station. He reports a "hostile action" exercise ("table top") on next Wednesday, with a "boots on the ground" exercise on November 16th. The rural fire fee has been decreased to manageable #s. The state budget impacts are still unknown.

e. Supervisor: Adam Hill reports that the BOS will ask for a seismologist representing county interests be hired with PUC money to be appointed to the Committee reviewing PG&E's seismic studies.

f. Parks: Elizabeth Kavanaugh, planner presented the draft plan for the Cave Landing Trail (schematic for each member) and answered questions.

Community Liaisons:

- a. Avila Business Association: no report.
- b. Avila Beach Civic Association: Anne Brown introduced Mary Foppiano the new Executive Director of the Association. She reported that tickets are available for the Albacore Feed on Saturday, October 8th and encouraged members and the public to purchase soon, as the event sells out!!
- c. Avila Beach Foundation: Rick Cohen mentioned the October 1st deadline for grant requests. The ABCF is sponsoring a 2nd Annual Town Hall Forum on February 24, 2012. They are developing a "History/Heritage" event for a future date.
- d. Port San Luis: Steve McGrath reports the retirement of 2 19-year employees. Canopy stabilization continues on the Pier. (It is "noticed" on the "avilaalerts" website.) He FINALLY has a meeting with the Coastal Commission staff in Santa Cruz on Sept. 20th regarding the umbrella coastal development permit. There are concerns among the fishermen about the seismic studies proposed by PG&E and what impact that will have on fishing in our area. There is great concern. The Port had its busiest summer!, with few problems. Jet skis have been seen, but no problems have been reported.
- e. Diablo/PG&E: no report.

New Business:

Pruett Residence in Avila: The Avila sub-committee recommends to AVAC and AVAC **"recommends to Planning that the Project be approved with the condition of conformance of the rear setback of the deck.** The applicants attended and concurred with this action. They are working with their architect on all compliance issues.

AVAC committees:

- a. Land Use: Sherri reports that the Events Ordinance will be heard by the BOS on Tuesday, October 4th. Motion proposed by Sherri, 2nd by Boyd that **AVAC write an e.mail letter to the BOS re: concerns in the ordinance which will reflect past letters.** Unanimously passed. A draft will be sent to council members by Sherri. (Necessary due to BOS meeting being before our next AVAC meeting.)
- b. Diablo: Ken Thompson reports that the NRC Task Force will be meeting again in SLO. The ocean-bottom seismometers are an issue in the area. The Independent Safety Committee will be meeting at the Embassy Suites on October 5th and 6th.
- c. Port: see above
- d. Avila: see above.
- e. SLBE: no report
- f. Avila Valley: Julia mentions entrance/road work on Ontario Road at the church.
- g. See Canyon: Bill cautions drivers on the road due to deer coming for water.
- h. Squire Canyon: no report. John Schug has retired. Chair will send a letter of thanks for his website service.

Next Meeting: Members voted to cancel the October 10th meeting since it is a County Holiday. (A meeting will be called on that date if circumstances require it.)

The meeting was adjourned at 8:30 p.m.

Anne M. Brown, reluctant pro-tem secretary

Exhibit B - Mitigation Summary Table

Aesthetics

- AES-1 The balance of any cuts into the hillside shall be replanted as soon as possible with erosion control planting.
- AES-2 Stairs to the beach shall be painted or made of material that is a muted and natural color that match the surrounding natural environment.
- AES-3 The vault restroom shall be painted or made of material that is a muted and natural color that match the surrounding natural environment.

Air Quality

- AQ-1 Fugitive PM 10 Mitigation measures (All required PM190 measures shall be shown on applicable grading or construction plans. In addition, the County of San Luis General Service Agency/Parks shall designate personnel to insure compliance and monitor the effectiveness of the required dust control measures (as conditions dictate, monitor duties may be necessary in weekend and holidays to insure compliance); the name and telephone number of the designated monitors shall be provided to the APCD prior to construction/grading permit issuance:
 - Reduce the amount of disturbed area where possible;
 - Use water trucks or sprinklers 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. Reclaimed (nonpotable) water should be used whenever possible; Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil and wind exposure;
 - All dirt stock-pile areas should be sprayed daily as needed;
 - Permanent dust control measures identified in the approved project revegetation plan should be implemented as soon as possible following completion of disturbing activities::
 - Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with fast germinating native grass seed and watered until vegetation is established;
 - 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 APCD;
 - All roadways driveways, sidewalks etc. to be paved should be completed as soon as possible. In additional, building pads should be aid as soon ass possible after grading unless seeding or soil binders are used.
 - Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
 - All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet freeboard (minimum vertical distance between top of load and top of trailer) in accordance with the CVC Section.
 - Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site: and

- 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.

AQ-2 Prior to construction the General Service Agency/Parks shall provide evidence they have contracted APCD on any proposed portable equipment requiring APCD or CARB registration such as: 50-hp portable generators, IC engines, unconfined abrasive blasting operations, concrete batch plants, rock and pavement crushing, tub grinder, trammel screens, etc. should any of these types of equipment be used during construction activities, Californian Statewide portable equipment registration (issued by the Californian Air Resources Board) or a APCD permit may be required.

AQ-3 As of February, 2000, the APCD prohibits developmental burning of vegetative material with San Luis Obispo county. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed, any such exemption must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by APCD and the local fire department authority. As part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes cost and other constraints) at the time of application. For any questions regarding these requirements, Karen Brooks of APCD's Enforcement Division may be contacted.

Biological Resources

Prior to construction:

BIO-1 The Black-flowered figwort shall be flagged along the beach trail so construction activities avoid this area. If avoidance is not feasible; a mitigation plan would be developed and implemented by a qualified biologist/restoration specialist, and may include salvaging/transplanting plants and/or cuttings from impact areas and relocating to suitable habitat and/or collecting seeds for distribution in a designated mitigation/restoration area.

BIO-2 A qualified biologist shall conduct a pre-construction survey prior to the mobilization, operation, and demobilization of project equipment within work areas to determine presence/absence sensitive wildlife species. In the event that any special-status species are identified within the immediate project work area, work will not be initiated until the appropriate agencies have been contacted and appropriate measures for protection have been instituted. Project activities may commence only after pre-construction surveys have confirmed the absence of all special-status species

BIO-3 All applicable agency permits with jurisdiction over the project area (e.g. CCC, CDFG, Corps, Regional Water Quality Control Board [RWQCB]) should be obtained (as necessary) for proposed project improvements. All additional mitigation measures required by these agencies would be implemented as necessary throughout the project.

BIO-4 If feasible, construction activities shall take place between mid-August and mid-March to be outside of the nesting bird season. If construction activities occur within the nesting bird season, a qualified biologist shall perform pre-activity nesting bird surveys to determine if breeding/nesting birds are present within the project site. If an active bird nest, greater than 50% completed, is

identified, then CDFG and/or USWFS shall be consulted to determine appropriate buffer during construction activities. Nests less than 50% completed or a non-active nest (i.e., last year's nest or an abandoned nest) shall be removed by a qualified biologist in accordance to the MBTA.

During Construction Activities:

BIO-5 An Environmental Sensitivity Training presentation shall be prepared and presented to all construction personnel at the beginning of the project. The program shall discuss sensitive species with potential to occur in the construction zone, with emphasis on special-status wildlife, plants, and sensitive marine resources. The program shall explain the importance of minimizing disturbance and adhering to all permit conditions and provide an overview of petroleum spill prevention and response actions.

BIO-6 The following measures shall be implemented to further mitigate impacts to sensitive wildlife that may occur within project area:

- All vegetation removal and initial ground disturbing excavation activities shall be monitored by a qualified biologist, authorized to relocate native wildlife to adjacent suitable habitat;
- A qualified biologist shall inspect the immediate work areas for any signs of nesting woodrats. In the event a woodrat nest is found within the immediate work area and project activities cannot avoid the nest, all activities within the vicinity of the nest shall stop and the CDFG shall be consulted. At no time shall a woodrat nest be removed until CDFG consultation;
- All construction activities will be completed during daylight hours only;
- All trash receptacles will be located away from the bluff face and will be covered; and all food-related trash shall be removed from the Project Site at the end of each working day;
- Project-related equipment should be prohibited outside of designated work areas and delineated access routes;
- No firearms should be allowed in the project area;
- In the event a special status animal is observed within the Project Site, appropriate agencies will be notified immediately to determine further mitigation;
- No project activities shall be conducted during rain events; and,
- No rodenticides or herbicides should be applied within the project area.

BIO-7 The use of heavy equipment and vehicles shall be limited to the proposed project limits, existing roadways, and defined staging areas/access points. Impervious material will be placed under all containers with petroleum products, including machinery engines and fuel tanks, in the storage or refueling area. The boundaries of each work area shall be clearly defined and marked with visible flagging and/or fencing.

BIO-8 During construction, washing of concrete, paint, or equipment and refueling and maintenance of equipment shall occur only in designated areas. Straw bales, sandbags, and sorbent pads shall be available to prevent water and/or spilled fuel from entering adjacent waters. In addition, secondary containment should be installed around all locations where petroleum products are stored.

Construction equipment shall be inspected by the operator on a daily basis to ensure that equipment is in good working order and no fuel or lubricant leaks are present.

BIO-9 Heavy equipment that creates noise levels above 85 dB shall not be used for project activities along the shoreline during installation of the storm drain culverts and/or during future improvements of the lower portion of Pirate's Cove trail down to the beach. Specifically, noise level measurements shall be taken during the first day that a piece of equipment that has no published noise level data is to be used at the site. Measurements shall be taken to determine the distance to the 85 dB noise level and adjustments to machinery operation (i.e., ramp up) shall be made if wildlife (i.e., harbor seal, sea otter, and sea lion) are observed to be negatively affected by the equipment noise.

BIO-10 Erosion control measures shall be implemented to prevent runoff into adjacent waters. Silt fencing, in conjunction with other methods, shall be used to prevent erosion and avoid and/or minimize excavated soil and sediments from entering adjacent waterways. Further, appropriate dust control measures, such as, daily watering of work areas, shall be implemented to minimize dust impacts to surrounding habitat areas.

Cultural Resource

Prior to issuance of construction permit:

CR-1 The applicant shall submit to the Environmental Coordinator for review and approval, a detailed researched 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. The Phase III program shall include at least the following:

- a. standard archaeological data recovery practices;
- b. recommendation of sample size adequate to mitigate for impacts to the archaeological site, including bases and justification of the recommended sample size;
- c. identification of location of sample sites/test units;
- d. 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 materials will be collected);
- e. disposition of collected materials;
- f. proposed analysis of results of data recovery and collected materials, including timeline of final analysis results; and
- g. consultation with appropriate Chumash tribal representatives.

Once approved these measures shall be shown on all applicable plans and implemented during construction.

CR-2 A monitoring plan, prepared by a subsurface-qualified archaeologist, approved by the Environmental Coordinator, to be reviewed and approved by the Environmental Coordinator. The monitoring plan shall include at a minimum:

- a. List of personnel involved on the monitoring activities;
- b. Description of how 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 archaeological resources?);
- f. Description of procedures for halting work on the site and notification procedures;
- g. Description of monitoring reporting procedures; and
- h. Consultation with appropriate Chumash tribal representatives.

CR-3 A letter from the consulting archaeologist shall be submitted to the Environmental Coordinator indicating that all necessary field work, as identified in the Phase III, program, has been completed.

During Construction

CR-4 All ground disturbing construction activities, the applicant shall retain a qualified archaeologist (approved by the environmental coordinator) and Native America to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring all 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.

Prior to final inspection

CR-5 Upon completion of all monitoring/data recovery activities, and prior to final inspection (whichever occurs first) the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/data recovery activities and confirming that all mitigation measures have been met. If the analysis included in the Phase III program is not complete by the time of final inspection the applicant shall provide to the environmental coordinator, proof of obligation to complete the required analysis.

CR-6 Split rail fencing, or similar type fencing, a minimum of three feet high shall be installed along the bike/pedestrian trail. This fencing is to discourage people from meandering off the official trail.

CR-7 Interpretive panel(s) shall be installed to educate the public about the Chumash experience and cultural history of the area. The(se) interpretive panel(s) shall be approved by County Parks, and the content shall be developed in cooperation with appropriate Chumash tribal representatives.

Geology and Soils

Prior to construction:

- GS-1 General Service Agency/Parks shall prepare construction plans that show the Cave Landing Road trail head relocated away from the potential sinkhole area and tension crackling/scarps as shown on page 27 of this report.
- GS-2 General Service Agency/Parks shall prepare construction/drainage plan(s) that show the level of water drained into the Pirates Cove Landslide Complex does not increase, drainage does not cause erosion or flow into the landslide areas and the grading does not affect the overall stability of the site.
- GS-3 General Service Agency/Parks shall prepare construction plans that increase the span of the bridge to a length that will reduce foundation depths of the bridge footing to no more than two or three feet and reduce the potential to remove lateral support from an active landslide that is present in the area of the west abutment.
- GS-4 General Service Agency/Parks shall prepare construction plans that include:
- proper compaction and grading for fills placed on sloping ground;
 - fill slopes no steeper than 2h:1v; and
 - cut slopes no steeper than 1.5h:1v.
- GS-5 General Service Agency/Parks shall prepare construction plans for the bridge that include:
- fill placed on slopes steeper than 20 percent (at the bridge approaches) should be initiated from a toe key excavated into firm material, and be keyed and benched into the hillside in accordance with good construction practices;
 - The embankment should be founded on firm subgrade soil below any loose or fissured topsoil;
 - The toe embankment should be initiated from a toe key excavated to at least two feet below existing site grades and sloped at least two percent into the fill side. The toe key should be at least eight feet wide. The fill above the toe key should then be keyed and benched into the hillside such that at least the upper two feet of soil is removed by the grading.
- GS-6 General Service Agency/Parks shall prepare construction/drainage plans that:
- improve cross drainage on trails and reduce concentrated flows of runoff;
 - does not increase erosion or flow of surface drainage water into landslide area; and
 - spreader trenches sized such that storm water runoff existing trenches is no more than the natural surface runoff.
- GS-7 General Service Agency/Parks shall prepare a complete erosion and sedimentation control plan in accordance with Title 23.05.
- GS-8 The applicant shall provide verification that the plans and specification for the design of the trail, grading, bridge structures, utility trenches and appurtenant improvements have been prepared in accordance with the recommendations of the geotechnical report(s) prior to beginning construction. Structures shall be designed to at least the minimum requirements of the 2010 California Building Code and the recommendations of the geotechnical report(s).

Prior to final inspection:

- GS-9 The applicant shall provide verification that the earthwork, drainage, structures, and trail improvements were inspected, testing, and observed under the auspices of a California registered professional engineer and the geotechnical engineer for conformance

with the plans, specifications, and any special inspection requirements of the 2010 California Building Code so as to have reasonable certainty that the work was constructed according to the approved plans and specifications.

GS-10 If landslide potential is perceived (heavy rains, earthquakes) the bike/pedestrian trail will be closed to ensure public safety.

GS-11 A sign will be posted at either end of the trail with notice to contact County Parks if dangerous or unusual conditions are observed.

For The Life of the Project

GS-12 The trail should be inspected by the County following periods when landslide potential may increase (such as following periods of heavy rains, earthquakes, or high surf) or when there are reports of cracking, settlement, or erosion of within or adjacent to the bike/pedestrian and the trail will be closed to ensure public safety if conditions are deemed to make travel on the path unsafe.

GS-13 This 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.

Traffic

Prior to Construction

TR-1 Prior to construction, General Service Agency/Parks shall secure an encroachment permit to allow the installation of the restroom, tables, benches, bike racks and the removal and restoration to native of a portion of the existing trails that lies within the County maintained road right-a-way.

Upon Completion of the Bike Trail

TR-2 After completion of the bike trail improvements and realignment, General Service Agency/Parks shall request vacation of the County maintained road right-of-way being superseded by the trail.

Noise

N-1 Construction activities will be limited to the hours of 7:00 a.m. to 7:00 p.m.

N-2 Heavy equipment that creates noise levels above 85 dB shall not be used for project activities along the shoreline during installation of the storm drain culverts and/or during future improvements of the lower portion of Pirate's Cove trail down to the beach. Specifically, noise level measurements shall be taken during the first day that a piece of equipment that has no published noise level data is to be used at the site. Measurements shall be taken to determine the distance to the 85 dB noise level and adjustments to machinery operation (i.e., ramp up) shall be made if wildlife (i.e., harbor seal, sea otter, and sea lion) are observed to be negatively affected by the equipment noise.

Water

W-1 Prepare and implement an erosion, sedimentation and pollution prevention plan and SWPPP.

W-2 Submit a drainage plan showing the use of a filter device to prevent oils and fuel washing from the proposed parking area into the ocean at the parking lot inflow location.

Land Use

LU-1 The recreational area shall be closed down during significant rain storms or ground movement to ensure public safety.