manatt

Victor De la Cruz
Manatt, Phelps & Phillips, LLP
Direct Dial: (310) 312-4305
VDelaCruz@Manatt.com

February 22, 2021

Client-Matter: 65928-031

SENT VIA E-MAIL [estrellaproject@horizonh2o.com]

Mr. Rob Peterson
CPUC Energy Division
Infrastructure Permitting and CEQA
300 Capital Mall, Suite 418
Sacramento, CA 95814

Mr. Tom Engels
Horizon Water and Environment, LLC
266 Grand Avenue, Suite 210
Oakland, CA 94610

Re: Comments on the Draft Environmental Impact Report for the Estrella Substation and Paso Robles Area Reinforcement Project (State Clearinghouse No. 2018072071) (Application No. A.17-01-023)

Dear Mr. Peterson and Mr. Engels:

This firm represents Sun Communities, Inc. and the Cava Robles RV Resort ("Cava Robles") in the City of Paso Robles, California. On behalf of Cava Robles, we thank the California Public Utilities Commission ("CPUC") for the opportunity to comment on the Draft Environmental Impact Report ("Draft EIR") prepared for the Estrella Substation and Paso Robles Area Reinforcement Project ("Project"), which as currently proposed would be constructed directly adjacent to, and along the entire western boundary of, Cava Robles. Unfortunately, the Project's Draft EIR is fatally defective, and does not adequately analyze, disclose, or mitigate the Project's impacts as required by the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21000 et seq.). The document is rife with significant legal and substantive flaws, rendering it inadequate and unfit to be relied upon in any CPUC decision on the Project. As such, CEQA prohibits the CPUC from moving forward with any decision on this Project until the Draft EIR is substantially revised to be consistent with CEQA, the State CEQA Guidelines (Cal. Code Regs., titl. 14, § 15000 et seq.), and governing case law.

Cava Robles is a secluded, luxury resort in a nature-based setting, located immediately east of Golden Hill Road. The resort, which includes more than 300 motor coach sites and 30 freestanding cottage-inspired vacation rentals, provides an active guest experience with multiple outdoor pools, nature trails, a fitness and wellness center, upscale event space, bistro, fire pit, and

children's programs. Described as "a dream-like RV experience" that provides "a balance between nature and luxury," Cava Robles was designed to ensure its guests truly feel like they are camping under the stars.

Cava Robles has been featured and reviewed in countless travel magazines, guides, and blogs, including Forbes.com, Travel+Leisure, the SLO Visitors Guide, the Insider, and the San Luis Obispo Tribune, just to name a few.[1] Cava Robles and its nearby Sun Communities sister resorts provide world-class vacation amenities and play an important role in both the City of Paso Robles and the San Luis Obispo region at large. For years, Sun Communities resorts have served both local residents and the community's tourism industry. Cava Robles' main attraction is its bucolic setting, miles of pastoral and natural views, and a vast, uninterrupted sky. These attractions make Cava Robles the ideal base camp for visitors to enjoy all that the City of Paso Robles, and the central California coast, have to offer. Cava Robles welcomes nearly 17,000 unique reservations each year, and each reservation spends hundreds of dollars in the local community at restaurants, shops, wineries, and other attractions. Together with its Sun Communities sister resorts, Cava Robles guests spend nearly $10 million each year in the local area.

Today, all of this is under siege by PG&E and Horizon West's (together, "Applicants"), proposed Project. The Project's proposed alignment will place transmission lines and towering steel poles up to 133 feet tall across the entrance to, and along the entirety of, the Cava Robles resort. This proposal will scar the Paso Robles skyline and effectively destroy the natural setting that Cava Robles, and the City of Paso Robles, have worked so hard to preserve together.

When Cava Robles sought its entitlements from the City of Paso Robles in 2012, the City was, rightly, concerned about preserving the community character, natural beauty, and sensitive ecosystem of the area along and surrounding Golden Hill Road. Accordingly, the City levied multiple conditions of approval on the resort aimed at preserving and beautifying this area One such condition required Cava Robles to underground all existing overhead utilities adjacent to or within the Cava Robles site, including all electrical lines up to 77 kV.[2] To fulfill this obligation, Cava Robles paid PG&E more than $200,000 to underground existing overhead electrical facilities along Golden Hill Road just two years ago—money that PG&E happily spent, even though it knew at the time that it would soon be proposing above ground transmission lines of less than 77 kV along this exact same stretch of roadway!

---

[1] See, e.g., Attachment 1, Cava Robles Awards and Recognition.

[2] See Attachment 2, City of Paso Robles Resolution No. 12-008, Approving an Amendment To Planned Development 08-001 & Conditional Use Permit 08-001 (Paso Robles RV Resort), p. 7, Condition of Approval No. 10.

Further, Cava Robles spent more than $100,000 planting native landscaping and buffers along Golden Hill Road, and mitigating and enhancing vernal pool habitat nearby. This work, which fittingly won Cava Robles the 2018 Paso Robles Chamber of Commerce Beautification of the Year Award, will all be undone by the proposed Project.

If the CPUC ultimately approves the Project as proposed, it would have devastating direct impacts on the Cava Robles resort, including, but not limited to the following:

- The transmission lines running down Golden Hill Road would impact the width of the resort's entrance and the roadway, causing issues with large RV units traveling down the road to the Cava Robles resort.

- The more than $100,000 investment in native landscaping, buffering, and fencing that the City of Paso Robles required Cava Robles to provide along Golden Hill Road just a few years ago would be removed and replaced with a transmission line.

- The natural features, including oak trees, vernal and seasonal pools, and native vegetation that Cava Robles dutifully protected and enhanced during its recent development would be disturbed and degraded.

- The Project would subject Cava Robles guests and employees to constantly ongoing noise disturbances from the humming of the 70 kV power lines.

- The aesthetic impacts of steel towers of up to 133 feet tall would have a direct and catastrophic impact to Cava Robles' ability to market the outdoor RV lifestyle in a highly desirable location and would be disastrous for Cava Robles business.

- Environmentally-minded RV enthusiasts could be detracted from coming to Cava Robles, with many items of literature now published and available concerning the potential health risks associated with living near high-voltage power lines. This would pose calamitous risks to the performance of Cava Robles.

- The power lines would be immediately adjacent to and loom over several premium RV and vacation rental sites within the Cava Robles resort, immediately reducing Cava Robles' ability to charge current fees, or rent out these locations at current occupancy rates. By our estimate, this could result in an annual financial impact to Cava Robles of more than $230,000.

- The direct revenue loss to Cava Robles will in turn directly affect its ability to continue generating transit occupancy tax for the City of Paso Robles at the current rate, which is more than $437,000 per year.

Of course, the Project's devastating impacts are not limited to Cava Robles—the Project will similarly and detrimentally impact area wineries and tasting rooms, long-established residential neighborhoods, and the gateway entrance to the City of Paso Robles. Opposition to the Project as proposed is considerable. For example, on January 19, 2021, the City of Paso Robles held a nearly 90-minute long public hearing on the Project, where multiple residents, business owners, and elected officials expressed their deep concerns and strong opposition to the Project as proposed.[3] Ultimately, the City of Paso Robles City Council voted 5-0 to oppose the Project.[4]

Despite its myriad flaws, the Draft EIR makes a strong and clear case against approving the Project as proposed, as it identifies an alternative alignment with considerably fewer environmental impacts than the Project as proposed, and that still meets each and every Project objective identified in the Draft EIR. As discussed at length below, CEQA directs an agency to adopt a project alternative, rather than the proposed project, where the agency finds that the alternative will be feasible, meets most of the project's basic objectives, and is less environmentally damaging than the project as proposed. (Pub. Resources Code, §§ 21002-21002.1, 21004; see also State CEQA Guidelines [Cal. Code Regs., tit. 14, § 15000 et seq.], § 15002(a).) Here, Alternative Combination #2, and in particular, route PLR-1A, avoid most of the Project's significant and unavoidable impacts, while still meeting each and every Project objective. An agency may not approve a project as proposed if it is feasible to adopt an alternative that would substantially reduce the project' significant environmental impacts. (*Ibid*.) There is no possible Statement of Overriding Considerations that would favor the Project as proposed over Alternative Combination #2, and the Draft EIR provides absolutely no evidence that legal, economic, social or any other conditions make it infeasible to adopt Alternative Combination #2.

DETAILED COMMENTS ON THE MYRIAD FAILINGS OF THE DRAFT ENVIRONMENTAL IMPACT REPORT

Pursuant to Public Resources Code, section 15204(a), Cava Robles provides the following detailed comments on the deficiencies and inadequacies of the Draft EIR. As provided below, these deficiencies require significant revisions to the Draft EIR before it can legally be relied upon by the CPUC in making any decision on the merits of the Project, and before issuing any Permit to Construct to the Applicants. Similarly, no other agency may rely upon the Draft EIR in issuing any other Project-related approval or permit until the following errors and omissions have been addressed. (See State CEQA Guidelines, §§ 15090(a)(1), 15092(b) [agency

[3] An audio recording of the January 19, 2021, City of Paso Robles City Council hearing is available at: https://www.youtube.com/embed/_z_4YFFc4Bo?rel=0

[4] See Attachment 3, "Paso Robles City Council opposes new power lines over Highway 46" (Paso Robles Daily news, January 20, 2021).

may not approve or carry out a project unless the EIR shows that the agency has eliminated or substantially lessened all significant effects on the environment to the extent feasible]; see also Pub. Resources Code, §§ 21168, 21168.5 [where an agency has failed to support its CEQA conclusions with substantial evidence, or failed to proceed in the manner required by CEQA, the agency has violated CEQA].)

I. THE CPUC IS REQUIRED TO ADOPT ALTERNATIVE COMBINATION #2 (PLR-1A) OVER THE PROPOSED PROJECT.

The Draft EIR's Alternatives Analysis identifies Alternative Combination #2 as an environmentally superior alternative that not only meets each and every Project Objective, but is legally, technically, and economically feasible. In this situation, CEQA *mandates* that the CPUC adopt Alternative Combination #2 rather than the proposed Project. (Pub. Resources Code, §§ 21002 ["The Legislature finds and declares that it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects"]; 21002.1 ["Each public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so"]; State CEQA Guidelines, § 15002(a) ["The basic purposes of CEQA are to… Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible"].)

Alternative Combination #2, and in particular, route PLR-1A, avoids most of the Project's significant and unavoidable impacts. First, routing the proposed 70 kV transmission line to the north fully avoids the significant, permanent aesthetic impacts along Golden Hill Road. Instead of constructing the transmission line through the middle of the City of Paso Robles, impacting the existing Circle B residential neighborhood, Cava Robles, the San Antonio Winery, and other communities and attractions within the City of Paso Robles, Alternative Combination #2 would place the highly disruptive transmission line route in "areas with lower viewer exposure and visual sensitivity [and] where distribution lines currently exist." (Draft EIR, p. 4.1-47.) In addition, Alternative PLR-1A largely passes through more rural, agricultural areas as compared to the proposed Project, and therefore reduces impacts of construction-related noise on sensitive receptors. (Draft EIR, p. 4.13-27.) Impacts on biological resources would also be reduced through avoidance of blue oak woodland areas and areas wherein a known golden eagle nest is located. (Draft EIR, p. 5-13.) For these reasons, the Draft EIR identifies Alternative Combination #2 as the Environmentally Superior alternative. (Draft EIR, p. 5-14.)[5]

[5] The Draft EIR claims that some impacts would be increased by implementation of Alternative Combination #2. However, this is based on the unsupported assumption made in the Draft EIR that Alternative Combination #2 will dramatically double the construction timeline, despite the fact that construction methods, equipment and staging

Alternative Combination #2 would also meet each of the Project Objectives identified in the Draft EIR. The Draft EIR identifies only two CPUC Project Objectives: (1) Mitigate thermal overload and low voltage concerns in the Los Padres 70 kV system during Category B contingency scenarios; and (2) Accommodate expected future increased electrical distribution demand in the Paso Robles Distribution Planning Area, particularly in the anticipated growth areas in northeast Paso Robles. (Draft EIR, pp. 2-14 and -15.) Alternative Combination #2 would meet these Project Objectives to the exact same extent as the Project.[6] (Draft EIR, p. 5-4.)

Finally, Alternative Combination #2 is legally, technologically, and economically feasible. The Draft EIR provides estimated costs "for illustrative purposes" in connection with its statement of "cost considerations," but admits that "[s]pecific costs for the Proposed Project and alternatives are marked as confidential by the Applicants." (Draft EIR, p. 5-16.) Such a statement is ludicrous, as CEQA requires any finding of economic infeasibility to be supported with an abundance of evidence. (See *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 737 [alternative cannot be excluded just because project applicant claims it is not economically viable].) Keeping actual cost information confidential does nothing but render the public unable to review and fact-check any evidence that could purportedly, in the future, be used to support rejection of Alternative Combination #2. If the CPUC is to reject Alternative Combination #2, it would require evidence (and sharing of such evidence with the public in a recirculated Draft EIR so that there is an opportunity for meaningful public comment) demonstrating that the cost of the alternative is *so great* when compared against the proposed project that a reasonably prudent person would not proceed. (See, e.g., *Center for Biological Diversity v. County of San Bernardino* (2010) 185 Cal.App.4th 866, 884.) Under *Citizens of Goleta Valley v. Board of Supervisors* (1988) 197 Cal.App.3d 1167, 1181, the question of economic infeasibility does not turn on whether a project alternative is more expensive or less profitable than the proposed Project. The question is whether the additional costs or lost profitability is *so severe* as to "render it impractical to proceed with the project."

---

areas for Alternative Combination #2 would be identical to those of the proposed Project. (Draft EIR, p. 3-41.) While the Draft EIR assumes that the Project as proposed can be completed in 18 months, it posits that the addition of a mere 6 miles of additional power lines will extend construction to a total of 34 months. (*Ibid.*) No explanation as to why increasing the transmission line distance from approximately 10 miles to approximately 16 miles would require an additional 16 months is provided. Thus, any statements in the Draft EIR that Alternative Combination #2 will increase construction-related air pollutant emissions, construction-related energy consumption, or construction-related noise impacts is likely overestimated at best, and outright false at worst.

[6] The Draft EIR also identifies three Applicant Project Objectives: (1) Reinforce electrical reliability by implementing the CAISO-approved Electrical Plan of Service; (2) Meet expected future electric distribution demand; and (3) Balance safety, cost, and environmental impacts. (Draft EIR, p. 2.-14.) Alternative Combination #2 also meets each of these Project Objectives. Even if it did not, CEQA requires only that alternatives meet "most" of a Project's basic objectives, not all. (State CEQA Guidelines, § 15126.6(a); *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 991.)

The estimated costs provided in the Draft EIR are not sufficient for any finding of economic infeasibility. First, the Draft EIR explains that the cost assumptions are overly conservative, and based on a generic "per unit cost" as opposed to specific costs associated with this Project. (Draft EIR, p. 5-17, note 1.) It is clear that the Applicant and the CPUC have access to Applicant-provided information that would give a more accurate and detailed estimate of costs specific to this Project, but simply have chosen not to provide this information to the public for review. (Draft EIR, p. 5-16.) Second, Draft EIR Table 5-3 shows an increase of approximately $15 million between the cost of the proposed transmission line and the cost of the transmission line routed to the north, and then misleadingly labels this a 60 percent cost increase. (Draft EIR, p. 5-17.) But Table 5-3 does not provide the total costs associated with all components of the Project, including the Estrella Substation and the distribution lines. No analysis is provided from which a reader can understand what the actual percentage increase of *total Project cost* would be if Alternative Combination #2 were adopted and implemented over the proposed Project. Without this information, there is no context or basis upon which to determine what an increase of $1.5 million actually means. And, as discussed above, the amount of the increase is not determinative—a showing, based upon substantial evidence, of whether that increase renders the Project fundamentally impractical or infeasible is what is required.

Finally, an analysis of economic feasibility must also take into account the comparative economic benefit not just to the Applicant, but to nearby communities and the public at large. (*Citizens of Goleta Valley v. Board of Supervisors of Santa Barbara County* (1988) 197 Cal.App.3d 1167, 1180.) As discussed above, guests of Cava Robles and its sister resorts in the Paso Robles area spend nearly $10 million each year in the local area, and Cava Robles individually anticipates an annual loss of more than $230,000 as a result of the Project. Also to be considered is the loss of money spent in recent years on undergrounding lines along Golden Hill Road—a futile effort that cost Cava Robles $200,000—and the money spent on beautification, installation of buffers and native landscaping, and habitat mitigation. This is in addition to the potential property value losses to Cava Robles, the San Antonio Winery, and the residents of the Circle B neighborhood that would result.

II. THE STATEMENT OF PROJECT NEED INCLUDED IN THE DRAFT EIR IS BASED ON INACCURATE GROWTH PROJECTIONS AND FORECASTING.

An EIR's description of the underlying purpose and need for a project is the touchstone for its identification of project objectives. (See *Center for Biological Diversity v. County of San Bernardino* (2016) 247 Cal.App.4th 326, 347.) Here, the Draft EIR claims that a core purpose of the Project is to accommodate projected growth within the Paso Robles Distribution Planning

Area ("DPA"). (Draft EIR, p. 2-12.) The Draft EIR states, without citation[7], that "City planners are estimating a 50 percent increase in the population of Paso Robles by 2045." (*Ibid*.) There is absolutely no evidence available showing that this is a reasonable assumption, or one that the City has ever made.

Pursuant to the United States Census Bureau, the 2019 population of Paso Robles was 31,822, meaning that a 50 percent increase would result in a population of 47,733 by the year 2045. Yet, the City of Paso Robles' own General Plan Land Use Element, adopted in 2014, estimates a population of 42,800 by the year 2045.[8] The City's own estimate is based upon the maximum number of potential dwelling units authorized by the Land Use Element. Thus, the City's estimate of only 42,800 is an incredibly conservative and highly unlikely estimate of future growth—to achieve it, every single buildable parcel within the City would have to be constructed with housing to its maximum allowable density. Given that, even if this unlikely (and generally impossible) scenario came to pass, the City would still not be close to a 50 percent increase in population by 2045. By basing Project need on such an unreasonable growth projection scenario, the Draft EIR erroneously skews justification for the Project, and accommodates for growth far outside of what the City, and region, has planned for. If the Draft EIR instead was based upon an accurate and reasonable growth projection, would the Project still be justified? Would the proposed transmission line require distribution infrastructure and poles of the same height and causing the same level of impact? Would the CPUC still be able to justify the significant and unavoidable impacts of the Project with a Statement of Overriding Considerations?

Relatedly, the Draft EIR claims that PG&E has applied its "LoadSEER forecasting tool" to determine that anticipated growth in the area will exceed the available capacity of the Paso Robles system, yet it is completely unclear whether PG&E's forecasting is based on reasonable growth assumptions, or the outlandish "50 percent increase in the population of Paso Robles by 2045." (Draft EIR, p. 2-12.) Further, the Draft EIR makes wholly inconsistent statements about the potential to exceed available capacity in the Paso Robles system. On one hand, the Draft EIR states that PG&E's forecasting predicts that growth "will exceed the available capacity of the Paso Robles system within 5 to 15 years." (Ibid.) Yet, in the very next paragraph, the Draft EIR clarifies that, "The current (2020) forecast does not show that load will exceed available capacity in the next ten years, but additional capacity may be needed in the future." (Draft EIR, p. 2-13.) Finally, the Draft EIR admits that the LoadSEER forecasting is so highly conservative that "actual recorded peak loads in the Paso Robles DPA have been lower than forecasted." (*Ibid*.) Which is it? When will the Paso Robles DPA *actually* exceed the existing capacity of the system

[7] We note, however, that later, on page 4.14-4 of the Draft EIR, a similar statement is attributed to PG&E, one of the Project Applicants. However, PG&E's declaration of future City of Paso Robles growth is not based on reality, or any City planning document. This cannot be considered "fact" for purposes of the Draft EIR.

[8] See Attachment 4, City of Paso Robles General Plan Land Use Element Excerpts.

and when (if ever) is the proposed Project, with all its attendant significant and unavoidable impacts, *actually* required?[9]

These questions must be answered in a revised and recirculated Draft EIR. Failure to do so skews the Draft EIR's evaluation of mitigation measures and project alternatives by falsely justifying impacts with a need that may not actually exist.

III. THE PROJECT DESCRIPTION INCLUDED IN THE DRAFT EIR FAILS TO ACCURATELY DESCRIBE ALL RELEVANT COMPONENTS OF THE PROJECT.

A. The Project Description fails to include key details about power line pole height, location and aesthetic treatments, making it impossible to accurately and adequately determine the poles' impacts on the environment.

An accurate, stable, and sufficiently detailed project description is an indispensable prerequisite to an informative and legally sufficient EIR. A project description that omits integral components of the project results in an EIR that fails to disclose all of the impacts of the project. (*Santiago County Water District v. County of Orange* (1981) 118 Cal.App.3d 818, 829; *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 730.) Here, one of the most concerning aspects of the proposed Project is the visual and aesthetic impacts of the more than 150 new power line poles that are proposed to slice through the City of Paso Robles. Yet the Draft EIR's Project Description fails to provide enough detail on the height, location, and aesthetic treatment of these poles to allow a reader to meaningfully assess the true impacts of these poles on aesthetics, views, community character, and public safety.

First, the Draft EIR gives conflicting and vague descriptions of the proposed pole heights along the new 70 kV power line. Draft EIR Table 2-5 identifies the average height of the Light-Duty Steel Poles ("LDSPs") as 92 feet and the average height of the Tubular Steel Poles ("TSPs") as 99 feet. (Draft EIR, p. 2-20.) Yet, the text description of the same states that power line structures would "typically" range from 80 to 90 feet. (Draft EIR, 2-54.) The pole heights will actually range more dramatically than the text description implies, from 68 feet to more than 133 feet (Draft EIR, p. 2-20), but a reader has no way of knowing the height of any individual

[9] As discussed further below, the Project's accommodation of growth beyond that planned for by the City of Paso Robles raises a host of environmental impact concerns relating to growth inducement. Neither the City's General Plan EIR, nor the Estrella Project's Draft EIR analyze, disclose, and mitigate impacts associated with this unplanned growth. If this Project accommodates an additional 5,000 residents, this Draft EIR must analyze and disclose the impacts of those residents' home construction, traffic, and public service needs. An additional 5,000 residents will cause additional air quality, greenhouse gas, vehicle miles traveled, wildlife, public services and utilities, and recreation impacts, just to name a few.

poles or grouping of poles, making it impossible to meaningfully determine the impacts of these poles on the surrounding environment. While Figure 2-7 purports to show the specific location of each of the more than 150 power line poles, no heights are shown. For example, more than 13 new 70 kV poles are proposed immediately adjacent to Cava Robles. (Draft EIR, Figure 2-7.) Are these LDSPs or TSPs? How tall are these poles? There is a significant difference in a 68 foot tall pole and a 133 foot pole, but neither the CPUC, nor Cava Robles, nor the City of Paso Robles, nor any other interested party or member of the public can tell what is actually proposed along this (or any other) segment of the proposed alignment.

Similarly, the Draft EIR fails to provide meaningful detail on planned surface treatments of the more than 150 poles, or even the locations where "alternative" pole materials will be utilized. The Draft EIR states, vaguely, that at least one of the three proposed types of poles, the LDSPs "would have a surface treatment designed to render the appearance of a natural weathering of a wood pole" but no further details, and certainly no image depicting what such treatment looks like, are provided. (Draft EIR, p. 2-54.) The Draft EIR also admits that in several (unspecified) locations along the proposed route, "alternative poles" not made of steel will be used, but no further information about where these locations are or how the aesthetics of these "alternative poles" will differ from the LDSPs and TSPs is provided. (*Ibid*.) The Draft EIR also admits that "reflective" and "shiny" "overhead aluminum electrical conductors" will be utilized, but it is unclear how often, or where, these conductors will be placed, or how long they will remain "shiny", reflective, and distracting.

Without these details, neither the CPUC, nor any interested party, can truly assess the potential impacts of the more than 150 power line poles that will slice through City of Paso Robles streets and communities. Therefore, we request that these details be added to the Project Description, that all impact analyses affected by the details be updated, and that a revised Draft EIR be circulated for public review.

B. The Project Description fails to provide any meaningful detail on how the Project alignment will be restored after completion of construction.

Despite impacting and removing vegetation and conducting grading on more than 122 acres, the Project Description provides scant detail about how these disturbed areas will be restored. The Draft EIR states only that these areas "would be restored to the extent practicable, following construction." (Draft EIR, p. 2-86.) The Draft EIR references "returning areas to their original contours and drainage patterns… as prearranged through landowner agreements, where applicable." (*Ibid*.) But the proposed Project's alignment cuts through highly sensitive areas—sensitive biologically, hydrologically, and aesthetically. Vegetation removal and grading will degrade these sensitive areas significantly, and the Draft EIR must provide more robust explanation of how the CPUC will ensure that these areas will be returned to their pre-construction state, or, in the alternative, consider the failure or inability to do so a significant and

unavoidable impact of the Project that is adequately disclosed and mitigated to the extent feasible. Generic statements that areas "would be restored" do nothing to reassure the public that this will be done. Will restored areas be planted with native landscaping? Will the areas be enhanced to mitigate the temporary impacts of the disturbances? Will biological monitoring occur to ensure that vegetation is adequately reestablished? Where landowner agreements cannot be "prearranged" will the inability to restore these areas result in a significant impact? And what of the required vegetation clearance areas that are referenced (elsewhere) in the Draft EIR as being necessary around each and every power line pole? As discussed above, a complete project description is necessary to ensure that all of a project's environmental effects are considered. (*City of Santee v. County of San Diego* (1980) 214 Cal.App.3d 1438, 1454; *Santiago County Water District v. County of Orange* (1981) 118 Cal.App.3d 818 [failure to include a component of the project in the EIR's project description can result in a failure to analyze the significant impacts that will be caused by that component].) Here, the lack of details is inexcusable, and they must be provided in a revised and recirculated Draft EIR.

IV. THROUGHOUT THE DRAFT EIR, ENVIRONMENTAL ANALYSES FAIL TO DESCRIBE AND APPLY AN ADEQUATE ENVIRONMENTAL BASELINE, FAIL TO ADEQUATELY ANALYZE IMPACTS, AND FAIL TO IMPLEMENT ALL REASONABLE AND FEASIBLE MITIGATION MEASURES.

A. The Draft EIR's aesthetics analysis is so fundamentally flawed that it must be revised and recirculated for additional public review.

The aesthetics analysis included in the Draft EIR fails to account for all relevant Project details (see comments, above, regarding missing details on height, location, type, and aesthetic treatment of poles), depends on the Applicants'—and not the CPUC's—definition of "key observation points", mischaracterizes sensitive viewers in order to downplay viewer sensitivity and impacts, ignores the evidence presented in the Draft EIR's own visual simulations, inadequately analyzes impacts on scenic vistas and visual character, and in the case of new sources of light and glare, ignores the impacts altogether. As described below, these flaws must be addressed in a revised and recirculated Draft EIR.

1. The Draft EIR manipulates its placement, description, and categorization of KOPs to downplay impacts on viewers, in particular, viewers associated with Cava Robles.

The aesthetics analysis is founded on the identification of several "key observation points" or "KOPs" identified by the Applicant along the proposed Project alignment. (Draft EIR, p. 4.1-2.) Misleading text descriptions of the KOPs downplay impacts that are clearly shown in the visual simulations included in the Draft EIR. For example, in describing the area around KOP 5, the Draft EIR states that the area is "characterized by existing industrial uses and

structures" but as is shown in Draft EIR Figure 4.1-6, there is not a single industrial use or structure visible from this KOP. Instead, the vicinity is dominated solely by open road, open fields, and open sky that will be marred by towering power line poles across the entirety of the view. (Draft EIR, p. 4.1-3, compared against Figure 4.1-6.) Worse yet, in describing the area around KOP 6, the Draft EIR makes absolutely no mention of the fact that this view is dominated by the entrance to the Cava Robles resort, which, as shown in Figure 4.1-7 will be completely dwarfed by countless towering poles running along Golden Hill Road. The Draft EIR admits that the towering poles will be "visible in the foreground along Golden Hill Road and Buena Vista Drive, as well as from private lanes and nearby residences" but completely ignores the recreational visitors coming to and staying at Cava Robles. Further, as discussed above in relation to the Draft EIR's inadequate Project Description, it is unclear how tall the poles will be in this area, or how tall the poles depicted in the visual simulations were assumed to be. It also appears that none of the visual simulations take into account the loss of existing mature vegetation, or the maintenance areas surrounding each pole that will require constant removal of native vegetation. Given that the native vegetation and buffer landscaping that Cava Robles placed along Golden Hill Road—and which resulted in Cava Robles earning the 2018 Paso Robles Chamber of Commerce Beautification Award—will have to be removed, how can Figure 4.1-7 show the same mature vegetation along this stretch of the Project alignment? Indeed, as described above in relation to the Project Description, there is no guarantee that vegetation will actually be restored to pre-Project conditions, so the visual simulation for KOP 6 is incredibly misleading.

In addition, the Draft EIR mischaracterizes Cava Robles patrons by excluding them from the sensitive receptor category of "recreationists" despite the fact that Cava Robles is a luxury recreational resort, where patrons spend significant amounts of time enjoying the outdoors via natural trails, outdoor pools, and other camping activities. (Draft EIR, p. 4.1-6.) The Draft EIR admits that "recreationist" viewers have higher sensitivity to aesthetic impacts, and longer view durations than other viewer categories. (*Ibid*.) But instead of concluding that Cava Robles patrons are there to enjoy the outdoors in a nature-based setting, the Draft EIR categorizes them as "patrons of businesses in the area" no different, the Draft EIR explains, than patrons of other businesses in the area like "El Paso Self Storage" and "Hank's Welding Services." (Draft EIR, p. 4.1-7.) These "business patron" viewers have only "temporary views" of the new power line and only "moderate" sensitivity. (*Ibid*.) Such a categorization is absurd—there is no consideration given to the Cava Robles recreational visitor experience, which includes tourists and visitors traveling down Highway 46 into Paso Robles, essentially following the proposed transmission line route along Golden Hill Road, seeing numerous looming poles along Golden Hill Road and transmission lines crossing the entrance to the luxury resort, and then poles and lines looming over their rented accommodations within the resort for the entire duration of their stay.

Erroneously categorizing Cava Robles as "business patrons" instead of "recreationists" results in a skewed summary of the KOPs in Draft EIR Table 4.1-1. KOP 6, which clearly shows looming towers over the Cava Robles resort, is categorized as only impacting the "perspective of motorists… and the closest residence." (Draft EIR, p. 4.1-28.) Viewer exposure is described only as "moderate" despite that fact that "viewer exposure" is the degree to which viewers are exposed and the duration of the view; Cava Robles visitors will clearly have extended views of the transmission line, throughout the duration of their stay. (*Ibid*; see also Draft EIR, p. 4.1-2.) Draft EIR Table 4.1-1 also mischaracterizes "viewer sensitivity" at KOP 6 as merely "moderate" despite the fact that the Draft EIR admits elsewhere that "areas with scenic vistas, parks, trails, and scenic roadways typically have a high visual quality and visual sensitivity because these locales are publicly protected, appear natural, view durations are typically long, and close-up views are more commonly available." (Draft EIR, p. 4.1-2.) As disclosed in the Draft EIR, Cava Robles is designated parks and open space by the City of Paso Robles; therefore its visitors are "recreationists" who come to the area expecting their experience to include scenic views, drives, and trails. The Draft EIR must be revised to properly account for and disclose impacts to Cava Robles viewers and KOP 6, and recirculated for additional public review.

2. The Draft EIR's analysis of impacts to scenic vistas is inadequate and flawed.

The Draft EIR's analysis of impacts to scenic vistas is truncated and incomplete. The analysis states, without evidentiary support, that while "several open space viewsheds" include resources such as oak-covered hillsides and expansive views of the open sky, "construction and operation of the Proposed Project would not affect these scenic vistas." (Draft EIR, p. 4.1-38.) Yet the Draft EIR's own visual simulations show this statement to be blatantly false. "Scenic vistas" are defined in the Draft EIR as "a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public." (Draft EIR, p. 4.1-7.) The vast majority, if not all, of the KOPs identified in the Draft EIR, and for which visual simulations were prepared, meet this definition. Figure 4.1-2 shows new substation infrastructure dominating the existing expansive view, reducing the scenic vista's open sky and vineyard view by nearly half. Figure 4.1-6 shows an existing scenic vista of open fields marred by transmission lines that cut across the entirety of the view. The view of open sky in Figure 4.1-7 is shown to be marred by numerous looming power poles that slice the view in half.

For unexplained reasons, the text of the Draft EIR on page 4.1-38 only considers Figure 4.1-5 in determining whether scenic vistas will be impacted, and provides only the following blanket statement to address the rest of the KOPs: "In general, while the Proposed Project's 70 kV power line may be visible from several viewpoints throughout the City of Paso Robles and surrounding area, the degree of change relative to baseline conditions would be minor and would not substantially affect the scenic views." But as described above, the Draft EIR's own figures

indicate the exact opposite. By declaring impacts to scenic vistas less than significant, the Draft EIR has failed to disclose (and mitigate) a potentially significant impact. This analysis must be revised to address these errors, and recirculated for additional public review.

3. The Draft EIR fails to disclose the true magnitude of impacts to existing visual character, and fails to adequately mitigate for the same.

While the Draft EIR admits that impacts to visual character will be significant and unavoidable, this analysis is fatally flawed in a number of ways. (Draft EIR, pp. 4.1-39 through -42.) First, the Draft EIR acknowledges that aesthetic impacts will occur during construction, but then provides no rationale for concluding that these impacts will be less than significant other than the fact that they will be temporary. (Draft EIR, p. 4.1-40.) But temporary impacts, alone, may still be significant impacts. Here, construction will require the grading and vegetation removal at staging areas and helicopter landing pads, and siting of large pieces of construction equipment and cranes in otherwise scenic areas. These impacts will last nearly two years. For those two years, residents, visitors, motorists, recreationists, and tourists living in and visiting the area will be subject to prominent and close-up views of these construction activities and staging areas. These impacts are potentially significant, and the Draft EIR fails to consider any mitigation measures to reduce these (temporary, yet potentially significant) impacts to less than significant levels.

In regards to permanent, operational impacts of the Project on visual character, the analysis fails to consider and disclose the true magnitude of visual resources along Golden Hill Road. As mentioned earlier, Cava Robles spent more than $300,000 undergrounding existing power lines along this same segment, planting native landscaping, providing buffer areas, and enhancing existing vernal pool habitat along Golden Hill Road. Yet the Draft EIR makes absolutely no mention of these recent beautifications and enhancements, let alone explain how they will be permanently, adversely affected by the proposed Project.

Declaring operational impacts along Golden Hill Road significant and unavoidable requires the Draft EIR to identify all feasible mitigation measures available to reduce these impacts to a level of less than significant. Yet the Draft EIR identifies only a single mitigation measure, which addresses the impacts of the transmission line in only two ways. First, it requires the Applicants to "use materials and paint colors that are compatible with the surrounding area" and "[u]se a dulled finish on power line and transmission structures." Second, it requires the Applicants to "balance the need to minimize visual contrast with ensuring that structures are visible to air craft pilots and birds." (Draft EIR, p. 4.1-42.) Yet no meaningful detail is provided regarding either. No visual simulations or figures are provided to show the CPUC, or the public, how the painting and "dulled finish" will actually change the appearance of the structures. Further, it is completely unclear how the Applicants will "balance" minimizing visual contrast with visibility—is this meant to release the Applicants from the prior requirement

to use camouflaging paints and treatments in some areas? In how many areas? Under what circumstances? To what extent is visibility required and how will it be achieved? This mitigation measure is purportedly provided to address aesthetic impacts on sensitive viewers—how does directing the Applicants to "balance" these needs against other, competing needs, constitute an appropriate mitigation measure? And what about all the native landscaping and other Cava Robles improvements that the Project would displace? No mitigation is offered to address this impact. To address these questions and deficiencies, the visual character analysis must be revised to adequately and fully disclose the true magnitude of the significant and unavoidable impact, and mitigation measures with sufficient detail, performance standards, and enforceability must be provided to reduce this impact to the extent feasible (even if reducing it to a level of less than significant is impossible).

4. The Draft EIR fails to fully address impacts from new sources of light and glare, especially in regards to nighttime construction activities.

The Draft EIR concludes that light and glare impacts, including impacts from nighttime construction along Golden Hill Road, will be less than significant. (Draft EIR, p. 4.1-3.) However, the analysis lacks enough meaningful detail for a reader to understand the actual extent of nighttime lighting that will be introduced along the transmission line route. The Draft EIR states that "occasional" nighttime construction work would occur, but provides no details as to how often, or in what locations, nighttime construction would take place. The Draft EIR also states that nighttime lighting would "be temporary and would last for a short duration," but provides no details as to how "temporary" or "short duration" are defined. (Draft EIR, p. 4.1-43.) Will Cava Robles' visitors be subject to lighting impacts for days? Weeks? Months? Again, temporary impacts may still be significant, and additional information is required to make that determination.

The light and glare analysis makes a similar error in its analysis of permanent, operational light and glare impacts. The Draft EIR acknowledges that "specular wires associated with the power line would be shiny initially, thereby potentially resulting in a new source of glare for daytime views." (Draft EIR, p. 4.1-43.) Yet, instead of explaining what the potential impacts of the glare would be on viewers, wildlife, motorists, or public safety, etc., the Draft EIR simply brushes these impacts aside with the statement that "wires are expected to dull over time such that these impacts would be considered temporary and less than significant." (*Ibid*.) Given that the wires are only "expected" to dull over time, is it possible that they will not? Will the Applicants monitor the lines to ensure that this expected "dulling effect" actually occurs? In the interim, what are the glare impacts of the shiny and reflective power line wires? How long will it actually take for dulling to occur? Without these details, the Draft EIR cannot be said to provide adequate evidence supporting the conclusion that impacts would be less than significant, and that no identification and analysis of mitigation measures that may be required to reduce this impact are required.

Finally, the Draft EIR acknowledges that in emergencies, nighttime maintenance could occur along the transmission line route, but again, no information about how often this is anticipated to occur is provided. (*Ibid*.) The Draft EIR relies upon Mitigation Measure AES-1 to reduce this potential impact. (*Ibid*.) But Mitigation Measure AES-1 is so vague that it provides no such assurance. The measure requires only that the Project "use materials and paint colors that are compatible with the surrounding area" but absolutely no direction or performance measures are identified to explain what this means or how it will occur. The measure references the use of "materials" that are compatible with the surroundings, but the material of the power line poles seems to already be established—the LDSPs and TSPs would be constructed of steel (Draft EIR, p. 2-20), and overhead electrical conductors would be constructed of aluminum (Draft EIR, p. 2-54). Thus, it is wholly unclear what other "materials" Mitigation Measure AES-1 anticipates the Applicants will utilize along this route to minimize potentially significant impacts associated with light and glare, or even if such a directive is feasible. No analysis or illustrations of the effectiveness of the "materials and paint colors" or "dull finish" contemplated by AES-1 is provided anywhere in the analysis. Thus, neither the CPUC nor any other reader can adequately assess the accuracy of the Draft EIR's impact determination. Like the other components of the Draft EIR's aesthetics analysis, the analysis of light and glare impacts must be significantly revised and recirculated for public review.

B. THE DRAFT EIR FAILS TO ADEQUATELY MITIGATE ITS SIGNIFICANT AGRICULTURAL RESOURCES IMPACTS.

The Draft EIR identifies a direct loss and permanent conversion of approximately 15.8 acres of mapped farmland, including Prime Farmland, Farmland of Statewide Importance, and Unique Farmland. (Draft EIR, p. 4.2-12.) This impact would occur as a result of removing existing vineyards and row crops to construct both the Estrella Substation and the more than 150 transmission poles and towers proposed along the Project's transmission line route. (*Ibid*.) The Draft EIR acknowledges that this is a potentially significant impact, but then fails to adequately mitigate for the same.

The Draft EIR identifies only a single mitigation measure addressing permanent conversion of agricultural land, Mitigation Measure AG-1. This measure is grossly inadequate and fails to meet CEQA's requirement for concrete, enforceable mitigation. (See *Federation of Hillside & Canyon Associations v. City of Los Angeles* (2000) 83 Cal.App.4th 1252, 1260 [mitigation measures cannot be remote or speculative]; *North Coast Rivers Alliance v. Marin Municipal Water District* (2013) 216 Cal.App.4th 614, 647 [mitigation plans must identify the methods that will be used to mitigate the impact and set out standards that the agency commits to meet].) Mitigation Measure AG-1 directs the Applicant to "contribute sufficient funds" to "ensure the conservation of one acre of agricultural land in San Luis Obispo County for each acre of agricultural land converted by the Proposed Project." The measure provides no timing requirement and therefore it is impossible to know if the payment made by the Applicants will

actually be used to conserve other agricultural land in the County before the Project's impacts occur. Further, while the measure seems to imply that the land to be "conserved" should be placed under a recorded conservation easement, the measure does not directly require this, rendering the measure unenforceable. Finally, the Draft EIR fails to provide any analysis of whether there are even 15.17 acres available within the County for placement under conservation easement.[10] If there is not, then this measure is infeasible.

These deficiencies must be corrected in a revised and recirculated mitigation measure. The Draft EIR's conclusion that, despite the imposition of Mitigation Measure AG-1, impacts will remain significant and unavoidable, does not excuse a meek, unenforceable, and infeasible mitigation measure. Similarly, declaring conflicts with Williamson Act contract lands significant and unavoidable does not release the CPUC from identifying all feasible mitigation measures for that impact. Yet the Draft EIR identifies not a single measure addressing the loss of Williamson Act contract lands directly. (Draft EIR, p. 4.2-15.)

Finally, the Draft EIR concludes that impacts associated with "other changes in the existing environment that… result in a conversion of Farmland to a nonagricultural use" is less than significant. (Draft EIR, p. 4.2-15.) This conclusion is based on the Draft EIR's argument that, while the Project would accommodate future growth in the Paso Robles area, it would not directly cause this growth, and therefore, would not be the cause of any related conversion of agricultural land. (Draft EIR, p. 4.2-15.) But, as discussed above, the Draft EIR wrongly justifies the Project's need by assuming an inaccurate and unreasonable growth rate in the City of Paso Robles. While the Draft EIR assumes that the City will see a population increase of 50 percent by 2045, the City's own General Plan indicates this is not only unlikely, but impossible, as it would exceed the City's maximum buildout under the General Plan land use map. Yet, the Project plans for, and accommodates, this *unplanned* future growth. As such, the Draft EIR cannot completely side-step responsibility for conversion of agricultural land as a result of growth. The Project is expressly designed to permit growth beyond that planned for by the City's General Plan—thus, the Project must shoulder the responsibility for agricultural land conversion occurring as a result of that growth. The Draft EIR must be revised and recirculated to identify this impact as potentially significant. If no mitigation is available, then the impact must be identified as significant and unavoidable.

[10] In addition, the Draft EIR admits in a later analysis that the County of San Luis Obispo's Rules of Procedure to Implement the California Land Conservation Act of 1965 identify 20 to 40 acres as the minimum acreage for parcels or contiguous parcels of prime land to qualify for an agricultural preserve. (Draft EIR, p. 4.2-15.) This raises the question of whether an easement mitigating just the impacts of the Project is feasible, or whether a conservation easement tied to the impacts of other projects in the County would have to be conjoined with the impacts of this Project. If it is the latter, this further calls into question whether the mitigation can and will be implemented prior to the actual loss and conversion of farmland.

C. THE DRAFT EIR'S ANALYSIS OF CONSTRUCTION ROG, NOx, AND PM10 IS FLAWED.

The Draft EIR discloses construction emissions that exceed the San Luis Obispo County Air Pollution Control District ("SLOCAPCD") thresholds of significance for daily and quarterly ROG and NOx emissions, as well as for quarterly fugitive dust (PM10) emissions. (Draft EIR, p. 4.3-16.) Pursuant to the SLOCAPCD CEQA Air Quality Handbook, to mitigate for these threshold exceedances, Standard Mitigation Measures, Best Available Control Technology, and off-site mitigation are required. (Draft EIR, p. 4.3-13.) Yet, the Draft EIR fails to even discuss these measures in any level of detail, let alone incorporate them into the Project.

Instead, the Draft EIR claims to address its significant impact by generically citing to Applicant Proposed Measures[11] ("AMP") AIR-1, AIR-2, and AIR-3, and, notably, provides no explanation or analysis of what these measures require or how they would address and reduce emissions of ROG, NOx, and PM10. When a reader cross-references back to the Draft EIR's Project Description, however, it is clear that these APMs are so vague and unenforceable that they cannot possibly have any meaningful role in reducing the Project's significant construction emissions. For example, APM AIR-1 appears to require that construction equipment meet certain engine standards, but then also permits construction or trucking equipment meeting wholly unspecified "alternative compliance." (Draft EIR, p. 2-92.) APM AIR-1 also requires electrified equipment, diesel-powered equipment, and "alternatively fueled construction equipment" but only "when feasible."[12] (*Ibid*.) APM AIR-2 is even more vague, stating only that "Best Available Control Technology measures for the Project include: Reducing emissions

[11] The "Applicant Proposed Measures" are introduced as part of the Project Description, which reads: "The Applicants propose to implement measures to avoid and/or reduce potential impacts of the Proposed Project." (Draft EIR, p. 2-88.) Unlike mitigation measures, the APMs are cross-referenced by number, but rarely described, and never meaningfully analyzed, in several of the environmental analyses sections of the Draft EIR. This approach to "mitigation" was expressly rejected in *Lotus v. Department of Transportation* (2014) 223 Cal.App.4th 645. There, the Court held that measures "to avoid and/or reduce potential impacts" of a project are not "part of the project." Instead, "[t]hey are mitigation measures designed to reduce or eliminate the damage [caused by the Project]. By compressing the analysis of impacts and mitigation measures into a single issue, the EIR disregards the requirements of CEQA." (*Id.*, at p. 655.) Inclusion of the APMs in the Mitigation Monitoring and Reporting Program does not remedy the issue. The only way to comply with the holding of *Lotus* is for the APMs to be fully carried forward into each and every environmental analysis, denoted as mitigation measures, disregarded in the initial determination of whether impacts will be significant or less than significant, and then identified and analyzed as to their ability to meaningfully reduce impacts to a less than significant level. As described herein, many of the APMs do not meet CEQA standards for legally adequate mitigation measures in that they fail to provide assurances that mitigating actions will actually take place (e.g., through the incorporation of caveats like "when feasible" or "should"). This failing must be remedied as well.

[12] The measure also provides absolutely no direction on which "alternative" to gasoline or diesel is preferred. Is electrified equipment better than gasoline powered? But gasoline powered better than diesel? Which energy source is to be prioritized – electricity, gasoline, or alternative fuels? APM AIR-1 provides absolutely no clarity.

by expanding use of Tier 3 off-road and 2010 on-road-compliance engines; and Installing California Verified Diesel Emission Control Strategies." (Draft EIR, p. 2-93.) But there is no explanation provided as to what "expanding use" means, or which emission control strategies, if any, are actually required of the Applicant. (*Ibid*.) Finally, APM AIR-3 merely makes general and unspecified suggestions, such as "reduce the amount of the disturbed area *where possible*," "stock pile area should be sprayed daily *as needed*," and trucks "*should* maintain at least two feet of freeboard." (*Ibid*, emphasis added.) These generic statements are meaningless, as they don't actually require anything of the Applicant, and therefore cannot be said to reduce any actual significant emissions of ROG, NOx, or PM10.

The Draft EIR also identifies Mitigation Measure AQ-1, which is just as vague and ineffectual in reducing significant emissions as the APMs. (Draft EIR, p. 4.3-17.) The measure requires the Applicants to prepare a Construction Activity Management Plan ("CAMP"), but no concrete performance measures are provided and no specifications about the contents of the CAMP are identified. For example, the CAMP must contain "SLOCAPCD standard mitigation measures, BACT measures and diesel idling restrictions that are not already in the APMs." But, as discussed above, the APMs do not actually contain restrictions, but instead propose a list of vague suggestions that the Applicants need only implement "where feasible" or "where possible" or "as needed." Further, Mitigation Measure AQ-1 requires "A Dust Control Management Plan that encompasses all, but is not limited to, dust control measures that were listed above in the 'dust control measures' section." (Draft EIR, p. 4.3-18.) There is no section above entitled "dust control measures." (*Ibid*.) The measure goes on in a nonsensical fashion, requiring "[t]abulation of on and off-road construction equipment" but seemingly not placing any limits or requirements on the actual use of CARB's Tier 3 and Tier 4 standards. (*Ibid*.)

Given the nebulousness of the APMs and Mitigation Measure AQ-1, it is perhaps not surprising that the Draft EIR fails to provide any analysis of how, and to what level, these measures will reduce significant emissions of ROG, NOx, and PM10. The fact that the Draft EIR ultimately declares emissions of ROG, NOx, and PM10 to be significant and unavoidable does not absolve the CPUC from identifying and implementing all reasonable and feasible mitigation to at least reduce these significant emissions. Revising APMs AIR-1 through AIR-3, and Mitigation Measure AQ-1 to actually *require* the Applicants to implement concrete reduction measures is mandatory, regardless of whether doing so reduces emissions to below the SLOCAPCD thresholds. (Pub. Resources Code, § 21081(a)(1); State CEQA Guidelines, §§ 15091(a)(1), 15470; see also *Save Panoche Valley v. San Benito County* (2013) 217 Cal.App.4th 503, 528.) As such, the air quality impact analysis must be revised and recirculated to provide a full and adequate impact disclosure together with concrete and enforceable mitigation.

D. THE DRAFT EIR'S ANALYSIS OF BIOLOGICAL IMPACTS ILLEGALLY DEFERS BOTH IMPACT ANALYSIS AND MITIGATION FORMULATION, IN CLEAR VIOLATION OF CEQA.

1. The Draft EIR fails to include any reasonable or adequate description of the existing environmental baseline, and appears to rely on outdated biological surveys that have not been released to the public.

The Draft EIR's description of the biological resources environmental setting references several field surveys, but none are included in the appendices to the Draft EIR or otherwise made available to the public. (Draft EIR, p. 4.4-9.) No discussion is provided in the Draft EIR as to the date and season that the surveys were completed, the location of the surveys, the protocols applied during the surveys, or the species that were identified. While later on the Draft EIR implies that field surveys for special status plants were conducted in 2016—again, such surveys were not included in the appendices to the Draft EIR—the NOP for the proposed Project was not released until two years later, and the Draft EIR was not released to the public until two years after that. (Draft EIR, p. 4.4-40.) There is no indication that outdated field survey results from 2016 are in any way relevant to a determination as to whether impacts to special status plant species will occur during construction of the Project.

Despite the lack of relevant field surveys, the Draft EIR states that 20 sensitive plant species and 27 sensitive animal species have potential to occur on the Project site. (Draft EIR, pp. 4.4-10 through -28.) Of these, six are listed as endangered or threatened at the federal or state level, or identified as candidates for the same. These species include Lemmon's jewelflower (federally and state listed endangered), Crotch's bumble bee (state candidate for listing), vernal pool fairy shrimp (federally listed threatened), California red-legged frog (federally listed threatened), California condor (federally and state listed endangered), and the San Joaquin kit fox (federally listed endangered, state listed threatened). In addition, 14 bird species with potential to occur onsite are subject to the protections of the Federal Migratory Bird Treaty Act. Yet, as stated above, absolutely no field surveys for these listed species, or any of the non-listed but nonetheless sensitive species, have been done—let alone surveys completed within the past three years. New field surveys for the special-status species with potential to occur onsite must be completed and the results of those surveys included in a revised and recirculated Draft EIR.

2. The Draft EIR egregiously and impermissibly defers meaningful analysis of impacts to sensitive plant species, and any meaningful mitigation for the same.

While simultaneously acknowledging that the areas along Golden Hill Road provide habitat for sensitive plant species, the Draft EIR states, "Given that field surveys of the Proposed

Project area in 2016 did not identify any special-status species, it would be unlikely that such species have established in the interim." (Draft EIR, p. 4.4-41.) First, surveys conducted more than 4 years ago have no bearing on whether sensitive plant species are currently present along the proposed transmission line route, or along Golden Hill Road in particular. This is especially true given that in the intervening years, Cava Robles spent more than $100,000 establishing native vegetation along this portion of the proposed Project alignment, and mitigating and enhancing existing vernal pool habitat. By failing to consider and survey for sensitive plant species along Golden Hill Road (or any other portion of the Project alignment), the Draft EIR fails to provide any evidence for its conclusion that impacts to sensitive plant species will be less than significant. Further, it renders the Draft EIR unclear as to what would even constitute a significant impact in the first place—removal of habitat with the potential to be occupied by a sensitive species? Temporary impacts to the same? Or does the Draft EIR only consider take of sensitive species to be an impact? Without recent surveys, how can a reader know the likelihood of any of these circumstances occurring with implementation of the Project? This is a clear violation of CEQA, which requires that EIRs provide a reasonable, good faith disclosure and analysis of a project's environmental impacts. (*Laurel Heights Improvement Association v. Regents of University of California* (1988) 47 Cal.3d 376, 392; see also State CEQA Guidelines, § 15126.2, *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645 [to assess the impact of a proposed project on the environment, the lead agency examines the changes to existing environmental conditions that would occur if the project were implemented].)

The Draft EIR instead punts *any* analysis of special status plant species impacts to pre-construction, post-approval, surveys. Relying on APM BIO-1 and Mitigation Measure BIO-1, the Draft EIR concludes that because these measures "would require that biologists conduct pre-construction surveys for special status plants" no significant impacts would occur. (Draft EIR, p. 4.4-41.) However, this is a classic deferral of analysis, and strictly prohibited under CEQA. A mitigation measure cannot be relied upon to determine or verify project impacts. (*Madera Oversight Coalition, Inc. v. County of Madera* (2011) 199 Cal.App.4th 48.)

Further, an EIR must include an analysis of the significance of a project's impacts *before* mitigation. (*Lotus v. Department of Transportation* (2014) 223 Cal.App.4th 645, 658.) An EIR must specify whether impacts would be significant in the absence of mitigation, so that the project's potential environmental consequences will be adequately disclosed, and the sufficiency of the mitigation measures considered. (*Id.* at p. 656.) In *Lotus v. Department of Transportation*, Caltrans proposed a highway realignment, through a park that included old growth redwoods. The realignment required construction and grading within the root zone of more than 40 redwood trees. (*Id.* at p. 649.) The EIR's project description included non-design actions, such as specific construction techniques, that were intended to reduce potential impacts to the redwoods, and in reliance on these project features determined that impacts would be less than significant. (*Id.* at pp. 650-51.) The Court found this approach was a clear violation of

CEQA. Here, the Draft EIR commits the same violation. (*Id.* at p. 657.) APM BIO-1 is no different from the construction techniques incorporated into Caltrans' project description—a non-design feature identified to reduce potential impacts to sensitive biological species that may or may not (we do not know, because the Draft EIR does not say) be directly impacted by the Project. Reliance on this APM, and the 28 others identified in the Draft EIR's Project Description, is impermissible.

The Draft EIR also defers any formulation of mitigation for these (unanalyzed, undisclosed) impacts to sensitive plant species, in violation of CEQA. (See State CEQA Guidelines, § 15126.4(a)(1)(B).) Mitigation Measure BIO-1 states that in the event that "any federally or state-listed species are discovered, the Applicants would contact the appropriate resource agency (USFWS and/or CDFW)." (Draft EIR, p. 4.4-41.) Contacting a resource agency in the future, post-project approval, *unequivocally does not constitute adequate mitigation under CEQA.* The Draft EIR also cites to Mitigation Measure BIO-2 to assure a reader that impacts would be adequately mitigated. This measure would require compensatory mitigation for any special-status plant species directly impacted during construction. (Draft EIR, p. 4.4-41.) But it is wholly unclear from this measure whether and where mitigation banking would be feasible, or how transplanting individual plants will effectively address and mitigate for impacts. This patchwork of mitigation is classic illegal deferral.

The Draft EIR's analysis of impacts to sensitive plant species fails to: (1) actually describe the environmental baseline and identify which species and habitat are actually located within the Project's construction footprint; (2) actually quantify the potential impacts to sensitive species, pre-mitigation, that are likely to occur; and (3) ensure that these impacts will be reduced to a level of less than significant through the imposition of concrete, enforceable, and effective mitigation measures. These deficiencies must be remedied in a revised and recirculated Draft EIR.

3. The Draft EIR's analysis and mitigation of impacts to sensitive wildlife species is similarly deferred and inadequate.

The Draft EIR's analysis of impacts to special status wildlife species, including numerous federally and state-listed species, provides absolutely no accounting of acres of critical habitat to be impacted, the actual presence of species occurring within the Project's direct impact areas, or the number of species likely to be impacted, directly or indirectly, by the Project. There is no accounting for the fact that take permits may be required from either or both the U.S. Fish & Wildlife Service ("USFWS") or the California Department of Fish & Wildlife ("CDFW"). Instead, like with sensitive plant species, any and all analysis of potential impacts, and their mitigation, is impermissibly punted to the future, post-Project approval.

By way of example, the Draft EIR claims, without any citation or support, that "no vernal pools or seasonal wetlands were identified in the Proposed Project's disturbance area." (Draft EIR, p. 4.4-42.) Was this determined through site surveys? If so, when did those surveys occur? Without these details, the conclusion that no pools or wetlands occur or will be impacted by the Project is unfounded. Worse yet, the Draft EIR claims that APM HYDRO-1 "would avoid impacts to sensitive aquatic features" but APM HYDRO-1 merely requires that the Applicants "avoid sensitive aquatic features (i.e., jurisdictional wetlands, waters, and riparian areas) *to the extent feasible*."[13] (Draft EIR, p. 2-107.) There is no analysis provided of what is or is not "feasible" in relation to avoiding sensitive aquatic features. APM HYDRO-1 also states that should jurisdictional or regulated waters be impacted, "regulatory approval/permitting from the appropriate agency" would be required—but absolutely no accounting of how much jurisdictional areas are anticipated to be impacted, or how the CPUC plans to mitigate those impacts through federal and state permitting requirements, is provided. As discussed above in relation to sensitive plant species, future regulatory permitting does not supplant or replace the impacts analysis, disclosure, and mitigation, that CEQA requires.

The Draft EIR appears to also contemplate that impacts to Crotch's bumble bee, California red-legged frog, and western spadefoot toad could occur. Yet, at least in relation to the latter two species, the Draft EIR attempts to reassure a reader that no impacts would occur because "[a]s discussed above, the Proposed Project has been designed to avoid sensitive aquatic features." (Draft EIR, p. 4.4-43.) Again, this is simply not so. No wetlands or aquatic surveys seem to have been completed for the Project, and APM HYDRO-1 merely requires that, in the future, Project design should avoid sensitive aquatic features "to the extent feasible." (Draft EIR, p. 2-107.) Neither APM BIO-1 nor Mitigation Measure BIO-1 eliminate the potential for impacts to aquatic features, California red-legged frog, western spadefoot toad, or Crotch's bumble bee. The measures merely require pre-construction surveys and coordination with regulatory agencies. There is absolutely no analysis or disclosure on whether take authorization will ultimately be required for these species, or how impacts to these species will actually be mitigated. (Draft EIR, p. 4.4-43.) The same concerns apply to the Draft EIR's analysis and treatment of special status birds (Draft EIR, p. 4.4-44) and mammals (Draft EIR, p. 4.4-45). In neither instance does the Draft EIR provide any meaningful explanation as to whether impacts to these species will occur, to what extent, or how (if impacts occur) such impacts will be mitigated. These are fundamental flaws that require substantial revision of the Draft EIR's biological resources analysis and recirculation to the public for review and comment.

[13] Reliance on APM HYDRO-1 also raises the same *Lotus v. Department of Transportation* issues described in detail above, in connection with impacts on sensitive plant species.

4. No meaningful analysis of riparian habitats, sensitive natural communities, or jurisdictional waters and wetlands is provided.

As described above, the Draft EIR continues to rely on APM HYDRO-1 for evidence that the Project "has been designed to avoid all riparian habitats." (Draft EIR, p. 4.4-51.) Again, APM HYDRO-1 merely requires avoidance of riparian areas "to the extent feasible" and no real analysis is provided in the Draft EIR as to whether full avoidance is "feasible." Therefore, the Draft EIR's conclusion that "riparian areas would be avoided and no direct impacts to riparian areas would occur" lacks any evidentiary support. (*Ibid*.) The analysis must be revised to support its conclusion with substantial evidence, and then recirculated for public review.

The Draft EIR also acknowledges that the Project will require the removal of at least three oak trees within a blue oak woodland habitat, which is a sensitive natural community. (Draft EIR, p. 4.4-51.) To mitigate this impact, Mitigation Measure BIO-4 requires development of a future "Habitat Restoration Plan" in another classic example of mitigation deferral. There is no explanation given in the Draft EIR as to why such a plan cannot be developed now, prior to Project approval, to allow the public (and the CPUC) to determine whether mitigation will be adequate and feasible. This analysis must also be revised and recirculated to allow the public and CPUC to evaluate the impact and the effectiveness of mitigating the impact.

E. THE DRAFT EIR MUST ANALYZE CONSISTENCY WITH GENERAL PLAN POLICIES, REGARDLESS OF WHETHER THE CPUC IS SUBJECT TO LOCAL POLICE POWER.

Regardless of whether the Project is "exempt from local land use and zoning regulations," CEQA still requires an analysis of whether the Project will cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. (See State CEQA Guidelines, Appendix G, § XI.b.) Not being subject to zoning regulations within a local jurisdiction has no bearing on whether a significant environmental impact will occur as a result of conflict with a plan, policy or regulation adopted to reduce or avoid an impact. Impacts to aesthetics and community character are considered "environmental impacts" for purposes of CEQA.

Here, the Draft EIR fails to provide any analysis of the Project's conflict with County of San Luis Obispo and City of Paso Robles General Plan policies relating to aesthetics and community character. These policies include, but are not limited to, County General Plan Goal VR 1, relating to preserving views of the natural and agricultural landscape; County Goal VR 2, relating to preserving the natural character and identifying of rural areas; City of Paso Robles General Plan Goal C-5, relating to enhancing and upgrading the City's appearance; City of Paso Robles Policy C-5B, relating to protection of hillsides as a visual amenity; City of Paso Robles General Plan Goal LU-2, relating to maintaining and enhancing the City's image and identity;

City of Paso Robles General Plan Policy LU-2K, relating to preserving the natural beauty and rural identity of the community; and City of Paso Robles General Plan Goal PR-1, relating to optimization of the use and development of parks and recreation facilities. The Project will conflict with some or all of these policies, and as a result, an environmental impact requiring mitigation will occur. The Draft EIR fails to do so, and thus must be revised and recirculated to include this mandatory analysis.

F. THE NOISE ANALYSIS INCLUDED IN THE DRAFT EIR FAILS TO ESTABLISH AN ACCURATE BASELINE, FAILS TO ACKNOWLEDGE THE POTENTIAL FOR CORONA NOISE ALONG THE 70 kV TRANSMISSION LINE, AND FAILS TO ADEQUATELY MITIGATE PROJECT NOISE IMPACTS.

The Draft EIR's description of baseline noise conditions is inadequate, and is founded on false and unreasonable assumptions. No baseline noise surveys were conducted along the transmission line alignment. Accordingly, the Draft EIR provides no adequate environmental baseline against which to measure the Project's impacts on the residential neighborhood, Cava Robles resort, or the San Antonio Winery located along Golden Hill Road. The Draft EIR gives several reasons for this failure, none of which are tenable. First, the Draft EIR states that "the power lines and distribution components are not expected to add any noise beyond corona noise, which would not be perceptible above the noise of the existing 500 kV and 230 kV transmission lines. (Draft EIR, p. 4.13-9.) But there are no 500 kV and 230 kV transmission lines along the vast majority of the proposed transmission line route, and certainly no such lines exist along Golden Hill Road. Second, the Draft EIR claims that "no sensitive receptors would be permanently sited at the transmission line." (*Ibid*.) This is similarly false—the lines will be directly adjacent to several vacation rental sites within the Cava Robles resort, patrons of the winery, and the several homes located along Golden Hill Road. These users will be permanently sited adjacent to the lines, and constitute noise-sensitive receptors.[14]

The Draft EIR claims that, pursuant to APM NOI-1[15], "Applicants would limit grading, scraping, augering, and pole installation to 7 a.m. to 7 p.m. daily." (Draft EIR, p. 4.13-16.) Yet, APM NOI-1 does not require this. Instead, this measure clearly allows for an "exception for work outside of these hours" so long as the Applicants provide "advance notice." (Draft EIR, pp. 2-108 and -91.) APN NOI-1 does nothing to guarantee a reduction in construction noise impacts if "grading, scraping, augering, and pole installation" is permitted to occur at night,

[14] The Draft EIR itself describes "noise-sensitive receptors" as including residences, nature and wildlife preserves, recreational areas, and parks. (Draft EIR, p. 4.13-10.)

[15] Confusingly, it is not clear whether APM NOI-1 is intended to be applied at all. On page 4.13-18, the Draft EIR states that APM NOI-1 is superseded by Mitigation Measure NOI-1. Yet, if this is so, it is unclear why the discussion of construction noise impacts on page 4.13-16 of the Draft EIR continues to rely upon APN NOI-1.

adjacent to noise-sensitive receptors along the proposed Project alignment. Thus, the Draft EIR fails to identify reasonable mitigation for this potentially significant impact.

Further construction-related noise impacts would occur as a result of helicopter use and ground-level construction equipment. The Draft EIR discloses that all sensitive receptors near pole installation sites (which, again, includes visitors to Cava Robles, the San Antonio Winery, and the entirety of the Circle B residential neighborhood), would be subjected to noise levels exceeding the FTA's recommended significance threshold. (Draft EIR, p. 4.13-17.) The Draft EIR claims that APN NOI-1 and -2, and Mitigation Measures NOI-1 and -2, would reduce these impacts to the extent feasible. But these measures do nothing of the sort. APM NOI-2, like several of the APMs already discussed, is neutered by the caveat that noise reduction devices and practices must only be applied "when feasible." (Draft EIR, p. 4.13-18.)

The Draft EIR also misrepresents the possibility of noise disturbances from the transmission line on adjacent noise-sensitive receptors. (Draft EIR, p. 4.13-22.) While the Draft EIR states that "corona noise" is "more noticeable" on higher-voltage lines than the 70 kV line proposed here, scientific research indicates that lines of even 70 kV result in audible corona noise.[16] The fact that corona noise would be "more noticeable" along higher voltage routes, does not constitute evidence that noise generated by the proposed Project along the 70 kV alignment will be insignificant—especially when no higher voltage lines exist on Golden Hill Road.

To address the inadequacies of the Draft EIR's noise analysis, the Draft EIR must be revised to include a true description of the existing noise baseline, mitigation measures that are adequate, concrete, and enforceable, and a disclosure of actual corona noise impacts.

G. THE DRAFT EIR FAILS TO ACKNOWLEDGE THAT IT ACCOMMODATES MORE THAN "PLANNED" GROWTH IN THE REGION, AND THEREFORE FAILS TO DISCLOSE SIGNIFICANT POPULATION AND GROWTH INDUCEMENT IMPACTS.

The Draft EIR concludes that the proposed Project would not induce substantial unplanned population growth, either directly or indirectly. (Draft EIR, p. 4.14-3.) As discussed above, the Draft EIR argues that although the Project will expand electrical distribution service capacity, this is done only to accommodate future anticipated growth. (Draft EIR, p. 4.14-4.) But, as explained in relation to the Project need, the growth assumed in the Draft EIR does not comport with the growth planned by the City of Paso Robles, or that is even allowed under the City's General Plan. That PG&E, as the Project Applicant, claims "city planners estimate a 50 percent increase in the population of Paso Robles by 2045" has no bearing on reality, especially when such a statement is belied by the City's own governing documents. Because the Project is

[16] See Attachment 5, *Corona Audible Noise of 110 kV High Voltage Transmission Lines*.

designed to accommodate growth far beyond what would reasonably be expected to occur without the Project, the Project's contribution to *unplanned* growth must be analyzed, disclosed, and considered a potentially significant impact in the Draft EIR. As such, the Draft EIR must be revised and recirculated to include this analysis.

Further, the Project's accommodation of growth beyond that planned for by the City of Paso Robles raises a host of environmental impact concerns relating to growth inducement. Neither the City's General Plan EIR, nor the Estrella Project's Draft EIR analyze, disclose, and mitigate impacts associated with this unplanned growth. As discussed above, the City's General Plan plans for a maximum population of 42,800 by the year 2045, but PG&E claims that the Estrella Project will accommodate 47,733 residents in the same time horizon. Thus, there are nearly 5,000 new residents that this Project will accommodate and that the City has not planned for. If this Project accommodates an additional 5,000 residents, this Draft EIR must analyze and disclose the impacts of those residents' home construction, traffic, and public service needs. An additional 5,000 residents will cause additional and significant air quality, greenhouse gas, vehicle miles traveled, wildfire, public services and utilities, and recreation impacts, just to name a few, that have not been considered or mitigated under any plan or environmental document.

H. THE DRAFT EIR IGNORES IMPACTS ASSOCIATED WITH TRAFFIC AND CIRCULATION DESIGN HAZARDS AND INCOMPATIBILITIES.

The Draft EIR concludes that the Project would not substantially increase hazards due to a geometric design feature or incompatible uses. (Draft EIR, p. 4.17-20.) However, the analysis upon which this conclusion is based is flawed and ignores the myriad of design hazard impacts that will occur along Golden Hill Road, which provides access to Cava Robles.

Cava Robles visitors drive their large RV vehicles north on Golden Hill Road to the entrance of the resort. The Project proposes numerous transmission poles along Golden Hill Road, but provides no analysis of how the placement and erection of these poles will affect the ability of large RV vehicles to access Cava Robles, either temporarily or permanently. The Draft EIR claims that "encroachment permits from applicable jurisdictions/agencies would ensure that operation of heavy trucks and equipment in public roadways" would not pose a significant hazard. (Draft EIR, p. 4.17-21.) However, no explanation is provided as to how this is so. Mitigation Measure TR-1 also provides no such assurances, despite the Draft EIR citing to this measure in its argument that these impacts would be reduced to less than significant. This measure merely requires development of a Traffic Control Plan, and identifies six criteria that must be included in the plan—notably none of the criteria address special issues relating to RV traffic on Golden Hill Road. (Draft EIR, p. 4.17-18.) Such an analysis must be included to ensure no design hazards or traffic incompatibilities occur during either construction or operation of the Project.

I. THE DRAFT EIR FAILS TO ADEQUATELY ADDRESS EMF HEALTH IMPACTS, DESPITE THE FACT THAT CEQA CONSIDERS IMPACTS ON HUMAN HEALTH TO BE ENVIRONMENTAL IMPACTS.

The Draft EIR states that because CEQA does not define or adopt standards for defining any potential risk from electric and magnetic fields ("EMF"), the Draft EIR is not required to analyze potential impacts from EMF. (Draft EIR, p. 2-110.) However, the Draft EIR also admits that the World Health Organization ("WHO") has classified magnetic fields as "possibly carcinogenic to humans." (Draft EIR, p. 2-114.) Further, the Draft EIR admits that a California Department of Health Services ("DHS") review, done on behalf of the CPUC, concluded that "EMFs can cause some degree of increased risk of childhood leukemia, adult brain cancer, Lou Gehrig's Disease, and miscarriage" and could possibly be linked to "increased risk of suicide." (*Ibid*.)

A proposed project's impacts on human health are unequivocally considered to be an environmental impact subject to analysis, disclosure, and mitigation under CEQA, regardless of whether CEQA "define[s] or adopt[s] standards for defining any potential risk from EMF." (See, e.g., *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502 [requiring a reasonable effort to substantively analyze a project's health consequences]; see also *Joshua Tree Downtown Business Alliance v. County of San Bernardino* (2016) 1 Cal.App.5th 677, 689 [the questions in the State CEQA Guidelines, Appendix G Checklist, do not necessarily cover all potential impacts that may result from a particular project]; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099 [it may be necessary to modify or augment the questions in the checklist to ensure that all of a project's potentially significant impacts will be addressed].) Further, it is not the purpose of CEQA to identify or "adopt" standards—this is the role of the lead agency undertaking environmental review. (State CEQA Guidelines, § 15064(b); *San Francisco Baykeeper, Inc. v. State Lands Commission* (2015) 242 Cal.App.4th 202, 227.)

Here, the lead agency is the CPUC, an agency that has commissioned its own review of EMF impacts from the DHS, the results of which point to human health impacts resulting from EMF exposure. The proposed Project will run directly adjacent to residences, wineries, and the Cava Robles resort, exposing the residents, visitors, and employees of these areas to EMF levels. The failure of the CPUC to establish standards, apply them in the Draft EIR, and disclose their significance to the community likely to experience these impacts, results in a legally and substantively flawed environmental review. That the CPUC has adopted a "low cost/no cost" policy for mitigation of EMF exposure for new utility transmission and substation projects is immaterial to the CPUC's duty to disclose and mitigate under CEQA, which does not permit consideration of economic factors in identifying environmental impacts and feasible mitigation measures. (See State CEQA Guidelines, § 15131(a).) Thus, the Draft EIR must be revised and recirculated to address potential human health impacts, whether associated with EMFs, or any

other aspect of the Project, such as criteria air pollutants, noise levels, or transportation design hazards.

****

When a draft environmental review document requires significant and substantial changes to bring it into compliance with CEQA, the State CEQA Guidelines, and applicable case law, the lead agency must recirculate the document to provide all interested parties and members of the public the opportunity to review and comment on the revisions. (Pub. Resources Code, § 21092.1; State CEQA Guidelines, § 15088.5.)

As documented above, this Draft EIR's fatal deficiencies mandate significant and substantial revisions to bring the document into legal compliance. This significant new information will likely show new, significant environmental impacts and result in the formulation of new mitigation measures necessary to reduce the impacts of the Project. When new information is added to an EIR revealing a new potentially significant impact, recirculation is required. (*Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 449.) Further, when wholesale omissions must be corrected in a revised draft EIR, recirculation is similarly required. (See *Mountain Lion Coalition v. Fish & Game Commission* (1989) 214 Cal.App.3d 1043.) Given this, we look forward to reviewing a revised and recirculated Draft EIR for the proposed Project in the coming months.

Again, Cava Robles appreciates the opportunity to review and comment upon the proposed Project and its Draft EIR, and plan to continue our involvement in this Project throughout not only the CEQA process, but the CPUC's formal proceeding on the matter. We are hopeful that Cava Robles' concerns can be addressed through the administrative process alone, and appreciate the CPUC's careful consideration of the above issues. Should you have any questions concerning the contents of the comment letter, or the potential impacts of the proposed Project on Cava Robles, the Golden Hill Road corridor, the City of Paso Robles, or the region at large, please reach out to discuss as soon as possible.

Very truly yours,

Victor De la Cruz
Manatt, Phelps & Phillips, LLP

VSD

cc: City Council of the City of Paso Robles
Supervisor John Peschong, 1st District, San Luis Obispo County
Assemblyman Jordan Cunningham, 35th Assembly District
Mr. Jim Dawson, Sun Communities
Ms. Kaitlin Walton, Sun Communities
Jennifer Lynch, Esq., Manatt, Phelps & Phillips, LLP

ATTACHMENT 1

This Luxury RV Resort in California Has On-site Wine Tastings, Stone-fire Pizza, and a Wellness Center

You don't even need an RV to take a workcation to this resort that has it all.

BY **STACEY LEASCA**

OCTOBER 08, 2020

CREDIT: DAVID LALUSH

Now that you can work from anywhere why not work from heaven on earth? And by heaven on earth, we mean Paso Robles, California.

Tucked away along the Central Coast of California, travelers will find the low-key wine region, Paso Robles. The idyllic region sits between the mountains and the sea. It’s the perfect spot to come for an extended stay to find both a little slice of relaxation and a

prime destination to do a bit of socially distant work. And there's no better place to do that than by RV camping at Cava Robles.

Cava Robles sits in the midst of the area's many vineyards. Guests staying at the resort can take full advantage of the wine tasting tours, head out for a bit of golfing, hiking, shopping, and even go for a dip in one of Central California's hot springs at the nearby River Oaks Hot Springs Spa and Franklin Hot Springs.

At the resort, both short and long-term guests can choose to stay in their own RV and park in one of its sites that include a patio, picnic table, full hookups, and Tuscan-inspired landscaping. However, if you don't have an RV that's ok, as you can also rent out one of Cava Robles's cabins, including its Studio Chalet for two or the Chateau, which is big enough for four. Those looking for an epic view can also try to score the Tuscany Villa, which sleeps two and comes with its own rooftop deck overlooking the vineyards.

But, there's one big reason why this is *the* place to be for a workcation: On-site wine tastings.

The resort hosts its own local wine tastings so you don't even need to leave to try some of the area's best varietals. Beyond wine, the resort is also home to its own market, a swimming pool, putting green, spa, meditation and yoga rooms, and even a farmhouse bistro that serves stone-fire pizzas. So really, why would you ever leave? Check out everything the resort has to offer and book a lengthy stay here.

Adventure awaits at Cava Robles RV Resort

Offering amenities galore in the centrally located Paso Robles Wine Region

Tour the spacious, beautiful Cava Robles RV Resort and one thing becomes perfectly clear – this is the perfect spot to set up camp in Paso Robles while exploring the Central Coast of California. With easy access off major highways and plenty of pull-through and large sites, it's one of the most inviting spots for RV travelers to relax and enjoy the many amenities of the surrounding area.

And that's just what the design team had in mind when setting out to create an active guest experience that captured the unique qualities of Paso Robles and the Central Coast. Owned and operated by Sun Communities, Inc., Cava Robles RV Resort is one of the newest – and most popular – of the corporation's resorts tailored to fit the recreational lifestyle.

"The development team put a lot of thought into how our amenities, such as our nature walking trails, our fitness center, the lap pool and more would complement the hillsides, vineyards and the atmosphere of Paso," said Brandon Darley, Sun Communities Regional Vice President.

The team placed particular importance on preserving part of the history and culture of Paso Robles, the beautiful oak trees. Visitors will notice many oaks spread throughout the resort, essential to the site design that organically winds through the property and maximizes the aesthetics of the landscaping.

"We wanted to create a dream-like RV experience by finding a balance between nature and luxury, ensuring our guests truly feel like they are camping under the stars," said Darley.

Amenities galore

Friendly staff members are available to provide assistance for guests' every need, and the amenities at Cava Robles RV Resort are extensive. There are a variety of full-hookup RV site options and, in an effort to extend the camping experience to all who visit the area, a few vacation cottages with two story balconies have been

added. Whether at an RV site or in a cottage, guests enjoy a secluded environment connected to natural surroundings.

From laundry facilities to complimentary Wi-Fi and cable, this resort is all about convenience. In addition to the Welcome Center, there's the Cava Market and the Farmhouse Bistro & Bar offering dine in or take out options to enjoy during a jaunt to a local beach or the many wine and beer tasting tours offered nearby.

"Paso Robles is home to some of the best wine, craft beer, and food in California," said Resort Manager Kaitlin Butler. "The quaint atmosphere and friendly locals create a welcoming environment for travelers from all over. There are unique experiences to fit every lifestyle, whether you want to explore a nearby beach, catch your favorite musician in concert, or take an adventurous jeep tour through the vineyards – Paso Robles has it all."

Bring the entire family

Want to stay put and relax at the resort? No worries – Cava Robles has plenty to offer. Enjoy the impressive lap pool and hot tub at the Wellness Center, gather around the fire pit, or experience arts and crafts in the community center. Onsite wine tasting is available, and there is a game room, outdoor games, a bocce ball court, two family swimming pools, a splash pad, and plenty of biking, hiking, and walking trails nearby.

There are plenty of activities for the kids to explore while parents participate in fitness class, water aerobics, and more. Additionally, the Cava Critters program features animals including the San Joaquin Kit Fox, a Pacific Chorus Frog, and a Red-tailed Hawk to keep young campers engaged. In the evening, fire up the outdoor grills, gather around the campfire, or join new friends at Movies in the Park.

Everyone from the youngest to the young-at-heart is welcome at Cava Robles, including furry family members! That's right, this is a pet-friendly RV resort with conveniently located dog runs.

Rustic yet upscale

With all of the modern amenities offered, one might wonder how Cava Robles RV Resort still manages to maintain the welcoming yet rustic ambiance those visiting Paso Robles have come to expect.

"The focus through the design process was to develop a feeling that was rustic yet contemporary," said Darley. "A mix of rustic touches and upscale amenities create a relaxed environment where guests get the perception that time is to be savored."

Butler agreed, saying, "When guests walk up to our Welcome Center they are surrounded by well-maintained landscaping, with flower pots hanging from our porch and cozy Adirondack chairs that create the feeling of entering a lodge. An instrumental part of providing a welcoming retreat is our Cava Robles team and how they strive to always go above and beyond, to ensure everyone has a great guest experience."

Cava Robles RV Resort is located at 3800 Golden Hill Road in Paso Robles. For more information, call (844) 641-5093 or see sunrvresorts.com/resorts/west/california/cava-robles.

– Meagan Friberg

Paso Robles Daily News

Matt Masia, Cava Robles RV Resort honored by Paso Robles Chamber of Commerce

Posted: 7:35 am, January 23, 2019 by News Staff

Cava Robles Resort has received the Beautification Award by the Paso Robles Chamber of Commerce.

–The Paso Robles Chamber of Commerce (PRCC) has announced Matt Masia as 2018 Roblan of the Year and Cava Robles RV Resort as the 2018 Beautification of the Year recipients. Both will be honored at the Chamber's Annual Gala being held Saturday, Jan. 26, at the Paso Robles Inn Ballroom. In addition, they will recognize the 2018 Ambassador of the Year, Virginia Lockyer, install their 2019 Board of Directors, thank the outgoing board for the years of dedicated service, and hold a silent and live auction at the event.

Matt Masia is a graduate of Paso Robles High School and played on the CIF Champion Football team. He received a Bachelor of Science in Finance from Fresno State University. After college, he returned to Paso Robles and in 1986, he established the Adelaide Inn. In 2017, he was inducted into the California Mid State Fair Hall of Fame. He also won the Mid Sate Fair Blue Ribbon Award and the Pioneer Committee "Supporter Award."

He has been a proud supporter of numerous youth organizations, including the California Mid State Fair Livestock Auction, several youth sports teams, Bearcat Boosters, Boys and Girls Club, Children's Museum, and Youth Arts at Studios on the Park. He volunteers with Little League Baseball and has helped establish a working garden along with the students of Daniel Speck Elementary School. He has also been instrumental in a variety of community organizations such as Estrella Warbird Museum, Pioneer Museum, Pioneer Day, Main Street Association and the Paso Robles Chamber of Commerce.

His committee and board involvement includes, but is certainly not limited to, 4-H President, Paso Robles FFA President, Paso Robles Chamber of Commerce President for 2 years and longtime Board Member, City of Paso Robles "All Aboard" Train Station Committee Chair and Board, San Luis Obispo County Visitor and Convention Bureau Founding Member and Board and a founding member of the Paso Robles Business Improvement District.

Cava Robles RV Resort will be awarded the 2018 Beautification of the Year for its transformation of a 74-acre property in northeast Paso Robles, off CA 46 East. This gorgeous resort includes more than 200 motor coach sites and 20 freestanding cottage-inspired vacation rentals, spacious banquet facilities, two large swimming pools, a state-of-the art fitness center, and a large covered picnic and gathering spot for guests' enjoyment.

Join the chamber in honoring these awardees during their Annual Gala on Saturday, Jan. 26, 2019. Visit [redacted] for ticket information and additional details.

Business Directories District High School Ambassador Associations Awarded Awardees Bachelor Baseballs Chair Business Directories District

Related

Paso Robles Chamber of Commerce Annual Gala returns Jan. 26
January 8, 2018
In "Business"

Annual Chamber of Commerce gala to honor Roblan of the year
January 11, 2018
In "Business"

Cava Robles Luxury RV Resort names local management team
February 16, 2018
In "Business"

ATTACHMENT 2

RESOLUTION NO. 12-008

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING AN AMENDMENT TO
PLANNED DEVELOPMENT 08-001 & CONDITIONAL USE PERMIT 08-001
(Paso Robles RV Resort)
APN: 025-435-022, & 023

WHEREAS, PD 08-001 & CUP 08-001 (The PR Motorcoach Resort project) was approved by the City Council on February 10, 2004, via Resolutions 09-025, 09-026 & 09-027; and

WHEREAS, the project is located on the 73-acre site at the northern end of Golden Hill Road, on the east side of the road; and

WHEREAS, the project allows for the development of a 332 space RV resort; and

WHEREAS, North Coast Engineering on behalf of Paso 33 LP, has applied to amend PD 08-001 & CUP 08-001; and

WHEREAS, the proposed amendment would consist of the following changes:

- Consider a new design that would reduce the disturbed area (grading) from 73 acres to 50;
- Reduce the amount of grading, retaining walls and paving for roads;
- Reduce the RV space size and reduce the use of impermeable materials;
- Relocate reception building to the northeast, further away from Golden Hill Road;
- Eliminate the club house;
- Replace the masonry wall proposed along Golden Hill Rd. with an combination of masonry wall, open fence and screening landscaping;
- Eliminate the RV sites at the south east corner of the site, reducing views of RVs from Golden Hill Rd.;
- Request to review various conditions of approval related to road improvements and fees;
- Addendum to the Mitigated Negative Declaration related to Kit Fox mitigation as a result of less site impact.

WHEREAS, at its January 10, 2012 meeting, the Planning Commission continued the open public hearing to the February 14, 2012 Planning Commission meeting, to allow for additional time for staff to work with the applicants to answer questions raised by the Planning Commission and the public related to the proposed project; and

WHEREAS, at its February 14, 2012 meeting, the Planning Commission opened the continued public hearing on the Project, to accept public testimony on the proposed amendments to Planned Development 08-001 & CUP 08-001; and

WHEREAS**,** a resolution was adopted by the Planning Commission approving an addendum to the previously approved Mitigated Negative Declaration (Res. 09-025) for this project, in accordance with the California Environmental Quality Act; and

WHEREAS, the previously approved Mitigated Negative Declaration (Res. 09-025) for the project and the mitigation measures outlined in the Resolution remain in effect, except for the addendum approved concurrent with this Amendment, as adopted in Resolution 12-009; and

WHEREAS, with the Planning Commission's approval of this Resolution, Resolutions 09-026 & 09-027 shall be superseded by the findings and conditions of approval within this Resolution; and

WHEREAS, based upon the facts and analysis presented in the staff report and the attachments thereto, the public testimony received, and subject to the Conditions of Approval listed below, the Planning Commission makes the following findings:

Section 1. Findings

In accordance with Sections 21.23.250 and 21.23B.050 of the Zoning Code, based on facts and analysis set forth in the staff report for this item, and taking into consideration comments received from the public and/or other governmental agencies having purview in the subject development plan and conditional use permit applications, the Planning Commission (City Council) hereby makes the following findings:

a. The design and intensity (density of the proposed development is consistent with the following:

1. The goals and policies established by the General Plan;

a. The project site is located in the Parks and Open Space Land Use Category. The purpose of this land use category includes provision of sites for recreation uses.

b. The project site is also located in the Airport Overlay Land Use Category. This overlay land use category allows business and non-residential land uses. RV Parks are considered to be a type of transient lodging and not a residential use. Conditions #6 will limit the length of stay for any RV space or tents or tent/cabins to a maximum of 30 consecutive days.

c. Consistent with Policy OS-1A of the Conservation Element, a 58 acre portion of the site has been dedicated to the City for open space purposes.

d. The project is designed to maximize protection of oaks and biological resources as called for in Policies C-3A and C-3B of the Conservation Element. Additionally, Condition #10 requires submittal and implementation of an oak tree replacement plan and Condition #1 of Resolution 12-009 requires mitigation of impacts to Kit Fox habitat.

e. Conditions # 20 will require construction of pedestrian paths (sidewalks) and incorporation of air quality mitigation measures, which will implement Policies C-2-B and C-2C of the Conservation Element.

2. The policies and development standards established by any applicable specific plan;

The project site is not located within any specific plan area.

3. The Zoning Code, particularly the purpose and intent of the zoning district in which a development project is located;

(a) The project site is located in the Parks and Open Space (POS) Zone. RV Parks are subject to approval of a Conditional Use Permit (CUP) in the POS Zone. The purpose of a CUP is to enable the City to impose conditions to ensure that land uses will be compatible with neighboring properties and implement City codes and policies.

(b) The project site is located in Airport Land Use Plan Zone 5. RV parks are permitted uses in this zone.

4. All other adopted codes, policies, standards, and plans of the City;

a. This resolution contains several conditions designed to implement the Municipal Code, City State, and Regional governmental policies, regulations and adopted standards related to public infrastructure (e.g., streets, water, sewer, storm drainage), building and fire safety, general public safety.

b. The project expands the City's inventory of transient lodgings, which advances the following policies in the 2006 Economic Strategy

*(1) The overall policy pertaining to "Place", which calls for the establishment of "distinctive, quality, stable, safe and sustainable physical improvements and attractions that welcome … commerce, **tourism**,… and wealth necessary to maintain and enhance quality of life."*

(2) The "Positioning" policy, which calls for the promotion of local industry, products, services and destinations via expansion and diversification of hotel products, including end destination full-service resorts;

b. The Paso Robles RV Resort is consistent with the adopted codes, policies, standards and plans of the City; since the project has gone through the development review process including, environmental review and the processing of a Conditional Use Permit as required by Table 21.16.200 for recreational parks in the Parks and Open Space zoning districts; and

c. The Paso Robles RV Resort will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the residents and or businesses in the surrounding area, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City; since the project will be required to comply with the recommended conditions of approval, including any environmental mitigation measures, and comply with any building and fire codes; and

d. The Paso Robles RV Resort accommodates the aesthetic quality of the City as a whole, especially where development will be visible from the gateways to the City, scenic corridors and the public right-of-way; in this particular case, the project site is not located in a City gateway area or a scenic corridor and has minimal frontage to the public street, however, based on the project being designed to fit the subject site and based on the site plan, architecture and landscaping, the proposed development will accommodate the aesthetic quality of the City as a whole; and

e. The Paso Robles RV Resort is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance, and contributes to the mitigation of any environmental and social impacts, because the project has been designed to provide significant buffers, including setbacks, screen walls and landscaping from the residential neighborhood to the west, and additionally as a result of the site planning, building architecture and environmental mitigation, and included with this project.

f. The Paso Robles RV Resort is compatible with existing scenic and environmental resources such as hillsides, oak trees, vistas, etc. as a result of the project being designed to limit the amount of grading and oak tree impacts by developing in the flatter areas of the site, which allows for the preservation of the existing hillsides and oak trees; and

g. The establishment, maintenance or operation of the Paso Robles RV Resort, will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, since the project has gone through the development review process including, environmental review and the processing of a Conditional Use Permit as required by Table 21.16.200 for recreational vehicle parks in the POS zoning districts; and

h. The Paso Robles RV Resort contributes to the orderly development of the City as a whole, since the project will utilize the existing infrastructure in Golden Hill Road, consisting of sewer water and other utilities; and

i. The Paso Robles RV Resort as conditioned would meet the intent of the General Plan and Zoning Ordinance by providing a transient occupancy/resort type use in close proximity to golf courses and commercial recreation.

j. The Paso Robles RV Resort would be consistent with the Economic Strategy, since it would allow for the expansion and diversification of transient occupancy projects, by providing an end-destination full-service resort.

Section 2. Conditions of Approval

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles approves the amendment to PD 08-001 & CUP 08-001 subject to the following conditions:

PLANNING:

1. The Amendment to Planned Development 08-001 and Conditional Use Permit 08-001, allows for the development of the 332 space Paso Robles Recreational Vehicle (RV) Resort on the 73 acre site (APN 025-435-022 and 025-435-023).

2. The project is proposed to be developed in 2 phases. In the event that the applicant wishes to change the phasing order, after verification from the City Engineer that there are no concerns, the DRC may approve the phasing changer request.

3. The project shall be constructed in substantial conformance with the Conditions of Approval established by this Resolution and it shall be constructed in substantial conformance with the following Exhibits:

EXHIBIT	DESCRIPTION
A	Standard Conditions
B	Cover Sheet
C1-C8	Site Plan
D	RV Stacking Exhibit
E	Circle-B Access Road
F	Privacy Wall Sections
G	Drainage Basin
H1-H3	Registration Building Details
I1-I3	Pool House Details
J1-J2	Misc. Items
K	Outdoor Lighting
L1-L11	Landscape Plans
M1-M4	Storm Water Run Off Control Plan
N1-N13	Grading and Drainage Plans

4. Recreational vehicle parks are regulated by the State Department of Housing and Community Development. The City will not be issuing grading or building permits. In order to insure that the project mitigation measures and conditions of approval are satisfied in a timely manner (i.e. prior to the issuance of a grading permit, encroachment permit, or occupancy) an agreement shall be entered into between the applicants and the City outlining timing of project mitigation and condition completion. The agreement shall be subject to approval by the City Attorney and be executed prior to the State's issuance of a grading or any building permit. City Attorney time and materials shall be paid by the applicants prior to execution of the Agreement.

5. With the adoption of this Resolution, Resolutions 09-026(PD Resolution) & 09-027 (CUP Resolution) shall be superseded.

6. The maximum length of stay for any RV, tent or tent/cabin space is 30 consecutive days.

7. The maximum number of tent sites would be eleven (11); the maximum number of tent/cabins shall be twenty (20). The total number or RV, tent, and tent/cabin spaces shall be no more than 332. In the event that there is a reduction or elimination of tent or tent/cabin spaces, those spaces may be converted to RV spaces.

8. Prior to the issuance of a building permit, the Development Review Committee (DRC) shall review the following items to insure substantial compliance with the above listed Exhibits:

    - Final site details such as landscaping, decorative paving, benches, exterior lighting and any other site planning details;
    - Architectural elevations, including final materials, colors and details;
    - Final placement of the boundary wall/fence;
    - Equipment such as back flow devices, transformers, a/c condensers and appropriate screening methods for both views and noise. Back flow and double check-valves shall not be visible from Golden Hill Road;
    - Final grading and drainage plans.
    - Signage

9. Landscape screening shall be reviewed by Planning Staff after two years from the time of installation to insure that landscaping is in good healthy condition and being maintained in an acceptable manner.

10. Prior to the issuance of a grading permit, the applicants will need to provide an Oak Tree Replacement plan that indicates the location and timing of the planting of the required oak tree replacement trees.

11. In the event if in the future there is request to add additional impervious concrete or asphalt to the project, the request will need to be approved by both the Engineering and Planning Divisions to insure the addition of the impervious surface is consistent with the Low Impact Development plan for this project.

12. To the extent allowable by law, Owner agrees to hold City harmless from costs and expenses, including attorney's fees, incurred by City or held to be the liability of City in connection with City's defense of its actions in any proceeding brought in any State or Federal court challenging the City's actions with respect to the project. Owner understands and acknowledges that City is under no obligation to defend any legal actions challenging the City's actions with respect to the project.

13. Special events beyond typical resort activities shall be reviewed by the Planning Department to insure compliance with the Zoning Code and ALUP. The Police Department shall also review the activities. The number of people per acre shall be in compliance with the maximum density identified by the ALUP.

14. Prior to the issuance of a permit by the State for construction and/or grading, as required by Section 21.22B.050 (Landscape and Irrigation Ordinance) since the landscape area for this project will be over 1 acre, a Landscape Document Package (LPD) as outlined in the Ordinance shall be provided prior to the issuance of a water meter.

15. Any condition imposed by the Planning Commission in granting this Conditional Use Permit may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the granting of the original permit. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use under the Conditional Use Permit.
16. Quite hours shall be observed after 10p.m. every night to minimize noise disturbance. Any use of generators shall be only for RV sites that do not have electrical service, which would only be the dry camping area. All generators shall be turned off by the 10p.m. quite hour.

17. All on-site operations shall be in conformance with the City's performance standards contained in Section 21.21.040 and as listed below:

    a. Fire and Explosion Hazards. All activities involving, and all storage of, inflammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and adequate firefighting and fire-suppression equipment and devices standard in industry and as approved by the fire department. All incineration is prohibited.

    b. Radioactivity or Electrical Disturbance. Devices that radiate radio-frequency energy shall be so operated as not to cause interference with any activity carried on beyond the boundary line of the property upon which the device is located. Further, no radiation of any kind shall be emitted which is dangerous to humans. All radio transmissions shall occur in full compliance with Federal Communications Commission (FCC) and other applicable regulations.

    c. Noise. No land use shall increase the ambient noise level as measured at the nearest residentially zoned property line to a level that constitutes a public nuisance.

    d. Vibration. No vibrations shall be permitted so as to cause a noticeable tremor measurable without instruments at the lot line.

    e. Smoke. Except for fireplaces and barbecues, no emission shall be permitted at any point from any chimney which would constitute a violation of standards established by the San Luis Obispo County Air Pollution Control District (APCD).

    f. Odors. Except for fireplaces and barbecues, no emission shall be permitted of odorous gases or other odorous matter in such quantities as to constitute a public nuisance.

    g. Fly Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution. No emission shall be permitted which can cause damage to health, animals, vegetations or other forms of property, or which can cause any excessive soiling at any point. No emissions shall be permitted in excess of the standards established by the San Luis Obispo County Air Pollution Control District (APCD).

    h. Glare. No direct glare, whether produced by floodlight, high-temperature processes such as combustion or welding or other processes, so as to be visible from any boundary line of the property on which the same is

produced shall be permitted. Sky-reflected glare from buildings or portions thereof shall be so controlled by reasonable means as are practical to the end that said sky-reflected glare will not inconvenience or annoy persons or interfere with the use and enjoyment of property in and about the area where it occurs.

i. Liquid or Solid Wastes. No discharge shall be permitted at any point into any public sewer, private sewage disposal system or stream, or into the ground, of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, except in accord with standards approved by the California Department of Health or such other governmental agency as shall have jurisdiction over such activities. Manufacturing, processing, treatment and other activities involving use of toxic or hazardous materials shall be designed to incorporate the best available control technologies and wherever technically feasible shall employ a "closed loop" system of containment.

j. Transportation Systems Impacts. Vehicular, bikeway and/or pedestrian traffic, directly attributable to the proposed land use, shall not increase to a significant extent without implementation of adequate mitigation measures in a form to be approved by the city engineer. In determining significance of impacts, consideration shall be given to cumulative (projected build-out) capacity of streets and highways serving the land use. Mitigation measures required may include but not be limited to curb, gutter, sidewalk, street and/or alley, bikeway, transit related improvements and traffic signalization. Mitigation may be required as pursuant to the California Environmental Quality Act (CEQA), or as a condition of a discretionary review. (Ord. 665 N.S. § 28, 1993: (Ord. 405 N.S. § 2 (part), 1977)

ENGINEERING:

18. Low impact development best management practices as outlined in the project submittals shall be incorporated into the project grading plans and shall meet design criteria adopted by the City in effect at the time of development of the project.

19. The project will be subject to traffic impact and other development impact fees in effect at the time of occupancy of the project.

20. Prior to occupancy of Phase I, Golden Hill Road shall be fully constructed from the north boundary of Tract 2269 to the project entrance in accordance with plans approved by the City Engineer. The plans shall include provisions for a public traffic turn-around.

21. At the time of development of Phase II, the applicant shall enter into an agreement to construct Golden Hill Road from the termination of Phase 1 improvements to the north boundary of the property. The agreement will provide that the City may accept a cash deposit in lieu of construction, based upon a construction cost estimate approved by the City Engineer.

22. A 12-inch water main shall be extended in the Golden Hill Road right-of-way to the north project boundary in accordance with plans approved by the City Engineer and in accordance with the phasing plan proposed. The plans shall include fire hydrants and an aggregate based access road.

23. Prior to grading of Phase 2, the applicant shall provide a floodplain study prepared by a civil engineer demonstrating compliance with the City's floodplain ordinance.

EMERGENCY SERVICES

24. Prior to the start of construction, documentation shall be submitted to Emergency Services showing that required fire flows can be provided to meet all project demands.

25. Provide fire hydrants at not greater than five hundred (500) foot intervals.

26. Provide central station monitored fire sprinkler system for all buildings greater than five thousand (5,000) square feet.

27. Provide fire department connection to the fire sprinkler system on the address side of the building for all buildings with fire sprinklers.

28. Provide exterior fire alarm enunciator panel in weather proof enclosure on the address side of the building for all buildings with fire sprinklers.

29. Provide Knox Box fire department rapid entry device on address side of the building for all buildings that will be accessed by the public and/or that have fire sprinkler systems.

Section 3. Environmental Mitigation Measures

Air Quality Mitigation Measures:

APCD-1 Prior to any grading on the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, as exemption form must be filed with the District. If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos (Air Toxics Control Measure) ACTM.

APCD-2 The project shall be conditioned to comply with all applicable District regulations pertaining to the control of fugitive dust (PM-10) as contained in section 6.5 of the Air Quality Handbook. All site grading and demolition plans noted shall list the following regulations:

a. Reduce the amount of the disturbed area where possible.
b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
c. All dirt stockpile areas should be sprayed daily as needed.
d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
e. Exposed ground areas that are to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
k. 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

APCD-3 Construction Permit Requirements:

If portable equipment, 50 horsepower or greater, are used during construction, a California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the Districts CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50hp or greater;
- IC Engines;
- Concrete batch plants;
- Rock and pavement crushing;
- Tub grinders; and
- Trommel screens.

APCD-4 Develop a comprehensive Construction Activity Management Plan designed to minimize the amount of large construction equipment operating during any given time period. The plan should be submitted to the District for review and approval prior to the start of construction. The plans should include but not be limited to the following elements:

Schedule construction truck trips during non-peak hours to reduce peak hour emissions;
Limit the length of the construction work-day period, if necessary; and,
Phase construction activities, if appropriate.

APCD-5 Standard NOx Control Measures for Construction Equipment

The standard construction equipment mitigation measures for reducing nitrogen oxide (NOx) emissions are listed below and in section 6.3.1 of the Air Quality Handbook. **These measures are applicable to all projects where construction equipment will be used:**

Maintain all construction equipment in proper tune according to manufacturer's specifications;
Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
Maximize to the extent feasible, the use of on-road heavy-duty equipment and trucks that meet the ARB's 1998 or newer certification standard for on-road heavy-duty diesel engines; and,
All on and off-road diesel equipment shall not be allowed to idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind

drivers and operators of the 5 minute idling limit.

APCD 6 OPERATIONAL PHASE MITIGATION

Greenhouse Gas Impacts and Mitigation

While California successfully passed Assembly Bill 32, California's Global Solutions Act of 2006, little guidance was provided to lead agencies regarding how to address greenhouse gas (GHG) impacts in the CEQA process. In the 2007 California legislative session, Senate Bill 97 was passed and required that the California Office of Planning and Research, by July 1, 2009, prepare and develop guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions as required by CEQA, including, but not limited to, effects associated with transportation or energy consumption. As guidelines are not currently available, the APCD suggests that projects subject to CEQA should quantify project related GHG emissions and identify feasible mitigation.

The APCD staff considered the operational impact of this proposed development by running the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. This indicated that operational phase impacts of the greenhouse gas known as carbon dioxide (CO2) will be approximately 7,277 pounds per day in the summer and 6,906 pounds per day in the winter. **While statewide/global thresholds have not yet been defined for GHG impacts, SLO County APCD recommends the implementation of feasible mitigation measures that minimize project related GHG impacts.** Examples of potential measures for this development include:

- Developments within Urban Reserve Lines with walking or bicycling access to nearby commercial and transit services thus reducing automobile dependence;
- Install on-site solar power infrastructure to offset grid-based power consumption;
- Provide low-speed neighborhood electric vehicles (NEVs) and charging stations for internal use by resort patrons;

  Include pedestrian amenities that provide improved connectivity to existing amenities; Securing shuttle services;
- Green building techniques such as:
  - Installing outdoor electrical outlets to encourage the use of electric appliances and tools;
  - Planting of native, drought resistant landscaping;
  - Use of locally or nearby produced building materials; and,
  - Use of renewable or reclaimed building materials.

Other measures suitable for GHG as well as ozone precursor mitigation are listed below in this comment letter.

Operational Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Operational sources may require APCD permits. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Portable generators and equipment with engines that 50 hp or greater;
- Electric generation plants or the use of standby generator; and
- Cogeneration facilities.

Traffic Impact Mitigation Measures:

T-1. The project will be subject to traffic impact and other development impact fees in effect at the time of occupancy of the project.

T-2. Golden Hill Road shall be constructed in general conformance to the preliminary road improvement plans approved by the City Engineer, and in accordance with the phasing plan proposed.

Biological Resources Mitigation Measures

BR-1 **Avoidance and protection of vernal pools on the property.** Vernal pools shall be avoided and protected where possible. If listed fairy shrimp species are found in vernal pools on the property, the vernal pools shall be avoided and a 50-foot setback distance shall be observed for all activities. If rare species are not found and vernal pools cannot be avoided, a vernal pool mitigation plan shall be prepared by a qualified biologist that specifies creation of vernal pool habitat in kind at a one to one ratio within open space areas on the property.

BR-2 **Interpretive signs shall be developed in cooperation with the project biologist** to inform guests at the Resort of the sensitive biological resources located on and near the property. Signs shall be placed on at least two sides of all vernal pools or vernal pool complexes that remain within the project open space areas. The signs shall provide general information about vernal pools in the Paso Robles region, including potential rare species that could be present.

BR-3 Tree canopies and trunks within 50 feet of proposed disturbance zones should be mapped and numbered by a certified arborist or qualified biologist and a licensed land surveyor. Data for each tree should include date, species, number of stems, diameter at breast height (dbh) of each stem, critical root zone (CRZ) diameter, canopy diameter, tree height, health, habitat notes, and nests observed.

BR-4 An oak tree protection plan shall be prepared and approved by the City of Paso Robles.

BR-5 Impacts to the oak canopy or critical root zone (CRZ) should be avoided where practicable. Impacts include pruning, any ground disturbance within the dripline or CRZ of the tree (whichever distance is greater), and trunk damage.

BR-6 Impacts to oak trees shall be assessed by a licensed arborist. Mitigations for impacted trees shall comply with the City of Paso Robles tree ordinance.

BR-7 Replacement oaks for removed trees must be equivalent to 25% of the diameter of the removed tree(s). For example, the replacement requirement for removal of two trees of 15 inches dbh (30 total diameter inches), would be 7.5 inches (30" removed x 0.25 replacement factor). This requirement could be satisfied by planting five 1.5 inch trees, or three 2.5 inch trees, or any other combination totaling 7.5 inches. A minimum of two 24 inch box, 1.5 inch trees shall be required for each oak tree removed.

BR-8 Replacement trees should be seasonally maintained (browse protection, weed reduction and irrigation, as needed) and monitored annually for at least 7 years. Replacement trees shall be of local origin, and of the same species as was impacted or removed.

BR-9 **Within one week of ground disturbance or tree removal/trimming activities**, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during the breeding season from March 15 to August 15. If construction activities must be conducted during this period, nesting bird surveys shall take place within one week of habitat disturbance. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. Construction activities shall observe a 300-foot buffer for occupied raptor nests. A 500-foot buffer shall be observed from occupied nests of all special status species (refer to BR-12 and BR-13). A pre-construction survey report shall be submitted to

the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements.

BR-10 To prevent disturbance to nesting eagles, if construction is planned between January 30th and August 15th, a pre-construction survey should be conducted to determine if eagles are present. If eagles are not present after March 15th, work could commence. If eagles are present on the nest, work within 500 feet of the occupied nest should be delayed until after either adult eagles have left the nest, or eagle chicks have fledged and are no longer dependent on the nest as determined by a qualified biologist. At the commencement of work, a qualified biologist should monitor the eagles. If commencement of construction disturbs the eagles, the qualified monitor would be authorized to stop construction activity within range of the nest that causes disturbance to the eagles. Work within that area could commence once the eagle chicks have fledged and are no longer dependent on the nest.

BR-11 **If the project design cannot avoid shining navarretia on the property**, a mitigation and monitoring plan shall be developed by the project biologist to replace lost navarretia habitat at a 1:1 ratio on-site. The mitigation plan will provide details on appropriate mitigation sites, seed collection and distribution methods, and maintenance and monitoring requirements.

BR-12 **Interpretive signs shall be developed in cooperation with the project biologist** to inform guests at the Resort of the sensitive biological resources including the Golden Eagle nest located on and near the property. Signage shall be placed on all sides of the rare plant occurrence, and shall have specific information about the plant and its ecology, including photographs.

BR-13 **All occupied Golden Eagle nests shall be mapped using GPS or survey equipment.** The mapped locations shall be placed on a copy of the grading plans with a 500-foot buffer indicated. Work shall not be allowed within the 500 foot buffer while the nest is in use by eagles. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas.

BR-14 **Occupied nests of special status bird species that are within 500 feet of project** work areas shall be monitored bi-monthly through the nesting season to document nest success and check for project compliance with buffer zones. Once nests are deemed inactive and/or chicks have fledged and are no longer dependent on the nest, work can commence.

BR-15 Interpretive signs shall be developed in cooperation with the project biologist to inform guests at the Resort of the sensitive biological resources located on and near the property. If the golden eagle nest continues to be occupied seasonally at the time the Resort opens to the public, signs shall be placed on the hilltop to exclude entry within approximately 500 feet of the eagle nest.

BR-16 **Prior to removal of any trees over 20 inches dbh,** a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming harbor sensitive bat species or maternal bat colonies. Maternal bat colonies may not be disturbed.

BR-17 **The following supplemental measures for kit fox protection** are from the December 17, 2008 letter from Dan Meade of Althouse and Meade, Inc. The following measures when employed on the site, would reduce potential impacts to the San Joaquin Kit Fox. The consideration of these additional measures and the substantial widening of the proposed open space corridor, adjustment to the offsite mitigation requirements may be appropriate. The reduction of the mitigation ratio for kit fox payments from four to one to three to one can be made with review and approval by the Department of Fish and Game.

1. Kit fox friendly fencing shall be used for into all fences on the property, including the masonry screen wall, if project Biologist see as necessary. For chain link, wildlife, no-climb, or other wire fences with openings, at ground level less than eight inches square, kit fox passages shall be made in the fences every 100 yards. Passages shall be created by cutting wire and placing spreader bars to form a smooth 8-inch wide by 12-inch high, or as specified by the Endangered Species

Recovery Program. In solid walls, an 8-inch diameter concrete pipe shall be placed at ground level in the wall every 100 yards.

2. Four SJKF escape dens and a chambered den shall be constructed as per guidelines provided in the Endangered Species Recovery Program. The precise location of each den shall be designated in the field by a qualified kit fox biologist.

3. BR-31. All pets on the property shall be kept on a leash at all times. Owners shall be required to clean up after their pets. Resort maintenance personnel shall conduct daily clean up on the property to remove pet waste.

4. Lighting shall be shielded to prevent direct lighting of the riparian corridor. All lighting shall be directed down and shall be low intensity.

5. Use of poisons including rodenticides on the property should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe labels and other restrictions, mandated by the U.S. Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the Service. If rodent poison must be utilized, zinc phosphate should be used because of proven lower risk to kit fox. (U.S. Fish and Wildlife Service, 1999).

6. Quiet hours shall be observed after 10 pm every night to reduce disturbance.

7. Speed limits. To avoid accidental injury to animals on the property a speed limit of 10 miles per hour shall be enforced on the property for all vehicles. Speed limits shall be posted at the entrance gate and throughout roadways on the property.

8. To enhance habitat for use by kit fox vegetation management shall be conducted on neighborhood properties, including the City sewer facility on the north bank of the Heur Heuro Creek adjacent to the Paso Robles Motorcoach Resort property. Work shall consist of removal of overgrown vegetation and removal of barrier fence when appropriate.

9. Neighborhood fencing improvements shall be conducted where fencing is a barrier to kit fox movement on properties adjacent to the Paso Robles Motorcoach property. Improvements will consist of either replacement of fences with kit fox friendly fencing, or creation of kit fox passages in existing fences every 100 yards where feasible.

BR-18 Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) (see contact information below) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of **100 (50 disturbed area x2)** acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

   This mitigation alternative (a.) requires that all aspects of this program must be in place before City or State permit issuance or initiation of any ground disturbing activities.

b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in

perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy", would total $**250,000**. This fee is calculated based on the current cost-per-unit of $2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

c. Purchase **100** credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with

the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total $**250,000**. This fee is calculated based on the current cost-per-credit of $2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to City or State permit issuance and initiation of any ground disturbing activities.

BR-19 **Prior to issuance of grading and/or construction permits**, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following monitoring activities:

i. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction,** the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the City reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.

ii. **The qualified biologist shall conduct weekly site visits during site-disturbance activities** (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-19 through BR-26. Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-19iii). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.

iii. **Prior to or during project activities,** if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFG for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work

shall stop until such time the USFWS determines it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, **before project activities commence,** the applicant must consult with the USFWS. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

iv. **In addition,** the qualified biologist shall implement the following measures:

1. **Within 30 days prior to initiation of site disturbance and/or construction**, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:

   Potential kit fox den: 50 feet

   Known or active kit fox den: 100 feet

   Kit fox pupping den: 150 feet

2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.

3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring by a qualified biologist shall be required during ground disturbing activities.

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the City Planning Division.

BR-20 **Prior to issuance of grading and/or construction permits,** the applicant shall clearly delineate the following as a note on the project plans: "*Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox".* Speed limit signs shall be installed on the project site **within 30 days prior to initiation of site disturbance and/or construction.**

BR-21 **During the site disturbance and/or construction phase**, grading and construction activities after dusk shall be prohibited unless coordinated through the City, during which additional kit fox mitigation measures may be required.

BR-22 **Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction,** all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the City, as well as any related biological report(s) prepared for the project. The applicant shall notify the City shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

BR-23 **During the site-disturbance and/or construction phase,** to prevent entrapment of the San Joaquin kit fox, all excavations, steep-walled holes and trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.

BR-24 **During the site-disturbance and/or construction phase,** any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved. If necessary, the pipe may be moved only once to remove it from the path of activity, until the kit fox has escaped.

BR-25 **During the site-disturbance and/or construction phase,** all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of only in closed containers. These containers shall be regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.

BR-26 **Prior to, during and after the site-disturbance and/or construction phase,** use of pesticides or herbicides shall be in compliance with all local, State and Federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.

BR-27 **During the site-disturbance and/or construction phase,** any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFG by telephone. In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to CDFG for care, analysis, or disposition.

BR-28 **Prior to final inspection, or occupancy, whichever comes first,** should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

i. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches.
ii. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards
iii. Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines

Monitoring (San Joaquin Kit Fox Measures BR-18 to BR-26): Compliance will be verified by the City of Paso Robles, Planning Division in consultation with the California Department of Fish and Game. As applicable, each of these measures shall be included on construction plans.

BR-29 **A pre-construction survey shall be conducted within thirty days of beginning work on the project** to identify if badgers are using the site. The results of the survey shall be sent to the project manager, CDFG, and the City of Paso Robles.

If the pre-construction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire property, and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens on the property between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Between July 1 and February 1 all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate, but are inactive and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found on the property during the pre-construction survey, the CDFG wildlife biologist for the area shall be contacted to review current allowable management practices.

Hazard Mitigation Measures

H-1 – Airport and Aircraft Safety*: Development of any new land use on the project site shall not create an undue public safety risk from overflight of aircraft. The eastern portion of project site is in Airport Safety Zone 3 for turning and sideline zones and the western portion is Safety Zone 4 for outer approach and departure zones. All development plan, proposed use, or subdivision on the project site is subject to the nonresidential land use densities and open space requirements as provided in Chapter 4 of the Paso Robles ALUP which are excerpted below (Table 5, ALUP, 2007).*

Handley Property Airport Safety Areas	*Maximum Land Use Density (persons/acre)*	*Maximum Single Acre Land Use Density (persons/acre)*	*Maximum Percent Open Space (% gross area)*
Safety Zone 3	*60*	*120*	*25[2]*
Safety Zone 4	*40*	*120*	*20[2]*

1 No structures, congregations of equipment or vehicles, or public venues shall be located within 250 feet of any extended runway centerline and within 6000 feet of the corresponding runway end.

[2] When feasible, development should be planned in a manner that maintains maximum open space within 50 feet of any extended runway centerline.

H-2 - Airspace Protection*: No object or structure may be erected, and no plant allowed to grow, to penetrate any "imaginary surface" as defined in Federal Aviation Regulations Part 77. Any proposed feature approaching these surfaces will be referred to the airport manager for review and recommendation. Building within the height limits of this specific plan will not approach the FAA imaginary surfaces.*

H-3 - Operations Interference*: No use shall be established which produces visually significant quantities of smoke.*

H-4 - Bird Attractants: *No use shall be established and no activity conducted which attracts birds to the extent of creating a significant hazard of bird strikes. Examples are outdoor storage or disposal of food or grain, or large, artificial water features. This provision is not intended to prevent enhancement or protection of existing wetlands, the mitigation of impacts to wetlands or construction of required detention basins.*

H-5 Avigation Easements: *At the time of subdivision development, avigation easements shall be recorded for each affected parcel in a form approved by the County of San Luis Obispo Airport Land Use Commission.*

H-6 Real Estate Disclosure*: All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the airport area. The format of the disclosure shall be approved by the County of San Luis Obispo Airport Land Use Commission.*

Cultural Resources Mitigation Measures

CR-1: Prior to issuance of development permits, the applicant shall retain a qualified historic archaeologist to monitor initial grubbing and grading on the site and to develop a recovery program if necessary. The monitor shall have the authority to stop work in the event potentially significant cultural resources are discovered.

CR-2: In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:

- Construction activities shall cease, and the Community Development Director shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

- In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Community Development Director so that proper disposition may be accomplished.

PASSED AND ADOPTED THIS 14th day of February, 2012 by the following Roll Call Vote:

AYES: Vanderlip, Gregory, Garcia, Barth

NOES: Treatch, Holstine, Peterson

ABSENT: None

ABSTAIN: None

CHAIRMAN AL GARCIA

ATTEST:

ED GALLAGHER, PLANNING COMMISSION SECRETARY

EXHIBIT A OF RESOLUTION

CITY OF EL PASO DE ROBLES STANDARD DEVELOPMENT CONDITIONS
FOR PLANNED DEVELOPMENTS / CONDITIONAL USE PERMITS

PROJECT #: PD 08-001 & CUP 08-001 Amendment

APPROVING BODY: Planning Commission

DATE OF APPROVAL: February 14, 2012

APPLICANT: PR RV Resort

LOCATION: NORTH END OF GOLDEN HILL ROAD

The following conditions that have been checked are standard conditions of approval for the above referenced project. The checked conditions shall be complied with in their entirety before the project can be finalized, unless otherwise specifically indicated. In addition, there may be site specific conditions of approval that apply to this project in the resolution.

COMMUNITY DEVELOPMENT DEPARTMENT - The applicant shall contact the Community Development Department, (805) 237-3970, for compliance with the following conditions:

A. GENERAL CONDITIONS:

☒ 1. This project approval shall expire on February 14, 2014 (See Planned Development Approval Resolution) unless a time extension request is filed with the Community Development Department prior to expiration.

☒ 2. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Planned Development process shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.

☒ 3. Prior to occupancy, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.

☒ 4. Any site specific condition imposed by the Planning Commission in approving this project may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use for this approval.

☐ 5. This project is subject to the California Environmental Quality Act (CEQA) which requires the applicant submit a $_____.00 filing fee for the Notice of Determination payable to "County of San Luis Obispo". The fee should be submitted to the Community Development Department within 24 hours of project approval which is then forwarded to the San Luis Obispo County Clerk. Please note that the project may be subject to court challenge unless the required fee is paid.

(Adopted by Planning Commission Resolution 94-038)

☒ 6. The site shall be kept in a neat manner at all times and the landscaping shall be continuously maintained in a healthy and thriving condition.

☒ 7. All signs shall be subject to review and approval as required by Municipal Code Section 21.19 and shall require a separate application and approval prior to installation of any sign.

☐ 8. All outdoor storage shall be screened from public view by landscaping and walls or fences per Section 21.21.110 of the Municipal Code.

☒ 9. All trash enclosures shall be constructed of decorative masonry block compatible with the main buildings. Gates shall be view obscuring and constructed of durable materials such as painted metal or chain link with plastic slatting.

☒ 10. All existing and/or new ground-mounted appurtenances such as air-conditioning condensers, electrical transformers, backflow devices etc., shall be screened from public view through the use of decorative walls and/or landscaping subject to approval by the Community Development Director or his designee. Details shall be included in the building plans.

☒ 11. All existing and/or new roof appurtenances such as air-conditioning units, grease hoods, etc. shall be screened from public view. The screening shall be architecturally integrated with the building design and constructed of compatible materials to the satisfaction of the Community Development Director or his designee. Details shall be included in the building plans.

☒ 12. All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and shall be subject to approval by the Community Development Director or his designee.

☒ 13. All existing and/or new landscaping shall be installed with automatic irrigation systems.

☒ 14. All walls/fences and exposed retaining walls shall be constructed of decorative materials which include but are not limited to splitface block, slumpstone, stuccoed block, brick, wood, crib walls or other similar materials as determined by the Development Review Committee, but specifically excluding precision block.

☐ 15. The following areas shall be placed in the Landscape and Lighting District:

_____

_____.

The developer shall install all improvements and landscape areas. City acceptance on behalf of the Landscape and Lighting District shall be subject to the approval of the Public Works Street Department (237-3864).

☐ 16. All parking lot landscape planters shall have a minimum outside dimension of six feet and shall be separated from parking and driving areas by a six inch high solid concrete curb.

☐ 17. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:

_____

_____.

☒ 18. It is the property owner's responsibility to insure that all construction of private property improvements occur on private property. It is the owner's responsibility to identify the property lines and insure compliance by the owner's agents.

B. THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF BUILDING PERMITS:

☒ 1. Two sets of the revised Planning Commission approved plans incorporating all Conditions of Approval, standard and site specific, shall be submitted to the Community Development Department prior to the issuance of building permits.

☒ 2. Prior to the issuance of building permits, the
- ☐ Development Review Committee shall approve the following:
- ☐ Planning Division Staff shall approve the following:

  - ☐ a. A detailed site plan indicating the location of all structures, parking layout, outdoor storage areas, walls, fences and trash enclosures;
  - ☐ b. A detailed landscape plan;
  - ☐ c. Detailed building elevations of all structures indicating materials, colors, and architectural treatments;
  - ☒ d. Other: See site specific conditions in PD 08-001 Resolution

☐ 3. The applicant shall meet with the City's Crime Prevention Officer prior to the issuance of building permits for recommendations on security measures to be incorporated into the design of the structures to be constructed. The applicant is encouraged to contact the Police Department at (805) 237-6464 prior to plan check submittal.

C. THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO OCCUPANCY:

☒ 1. Occupancy of the facility shall not commence until such time as all Uniform Building Code and Uniform Fire Code regulations have been complied with. Prior to occupancy, plans shall be submitted to the Paso Robles Fire Department and the Building Division to show compliance. The building shall be inspected by the appropriate department prior to occupancy.

☐ 2. All public or private manufactured slopes located adjacent to public right-of-ways on property in excess of six (6) feet in vertical height and of 2.5:1 or greater slope shall be irrigated and landscaped for erosion control and to soften their appearance as follows: one 15-gallon tree per each 250 square feet of slope area, one 1-gallon or larger size shrub per each 100 square feet of slope area, and appropriate ground cover. Trees and shrubs shall be staggered in clusters to soften and vary the slope plane. Slope planting shall include a permanent irrigation system be installed by the developer prior to occupancy. In lieu of the above planting ratio, the applicant may submit a slope planting plan by a licensed landscape architect or contractor providing adequate landscaping, erosion control and slope retention measures; the slope planting plan is subject to approval by the Development Review Committee. Hydroseeding may be considered on lots of 20,000 square feet or greater.

****

PUBLIC WORKS DEPARTMENT - The applicant shall contact the Engineering Division, (805) 237-3860, for compliance with the following conditions:

APPLICANT: PR RV PREPARED BY: JF

REPRESENTATIVE: NCE CHECKED BY: _____

PROJECT: PD 08-001 TO PLANNING: ___

All conditions marked are applicable to the above referenced project for the phase indicated.

D. PRIOR TO ANY PLAN CHECK:

☒ 1. The applicant shall enter into an Engineering Plan Check and Inspection Services Agreement with the City.

E. PRIOR TO ISSUANCE OF A GRADING PERMIT:

☒ 1. Prior to approval of a grading plan, the developer shall apply through the City, to FEMA and receive a Letter of Map Amendment (LOMA) issued from FEMA. The developer's engineer shall provide the required supporting data to justify the application.

☒ 2. The proposed structures and grading shall not encroach into the 100-year floodway as specified in Municipal Code Chapter 21.14 "Flood Damage Prevention Regulations".

☒ 3. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No. 553, Municipal Code No. 10.01 "Oak Tree Preservation", unless specifically approved to be removed. An Oak tree inventory shall be prepared listing the Oak trees, their disposition, and the proposed location of any replacement trees required. In the event an Oak tree is designated for removal, an approved Oak Tree Removal Permit must be obtained from the City, prior to removal.

☒ 4. A complete grading and drainage plan prepared by a registered civil engineer shall be included with the improvement plans. Drainage calculations shall be submitted, with provisions made for on-site detention/ retention if adequate disposal facilities are not available, as determined by the City Engineer.

☒ 5. A Preliminary Soils and/or Geology Report shall be prepared by a registered engineer for the property to determine the presence of expansive soils or other soils problems and shall make recommendations regarding grading of the proposed site.

F. PRIOR TO ANY SITE WORK:

☒ 1. All off-site public improvement plans shall be prepared by a registered civil engineer and shall be submitted to the City Engineer for review and approval. The improvements shall be designed and placed to the Public Works Department Standards and Specifications.

☒ 2. The applicant shall submit a composite utility plan signed as approved by a representative of each public utility, together with the improvement plans. The composite utility plan shall also be signed by the Water, Fire, Wastewater, and Street Division heads.

☒ 3. Any grading anticipated during the rainy season (October 15 to April 15) will require the approval of a Construction Zone Drainage and Erosion Control Plan to prevent damage to adjacent property. Appropriateness of areas shall be subject to City Engineer approval.

☐ 4. Any construction within an existing street shall require a Traffic Control Plan. The plan shall include any necessary detours, flagging, signing, or road closures requested. Said plan shall be prepared and signed by a registered civil or traffic engineer.

☐ 5. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require a signature of approval by the Department of Public Works, Street Superintendent and the Community Development Department.

☒ 6. The owner shall offer to dedicate and improve the following street(s) to the standard indicated:

Golden Hill Road	Arterial	A-1
Street Name	City Standard	Standard Drawing No.

☐ 7. The owner shall offer to dedicate to the City the following easement(s). The location and alignment of the easement(s) shall be to the description and satisfaction of the City Engineer:

- ☐ a. Public Utilities Easement;
- ☐ b. Water Line Easement;
- ☐ c. Sewer Facilities Easement;
- ☐ d. Landscape Easement;
- ☐ e. Storm Drain Easement.

G. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

☒ 1. A final soils report shall be submitted to the City prior to the final inspection and shall certify that all grading was inspected and approved, and that all work has been done in accordance with the plans, preliminary report, and Chapter 70 of the Uniform Building Code.

☒ 2. The applicants civil and soils engineer shall submit a certification that the rough grading work has been completed in substantial conformance to the approved plans and permit.

☐ 3. When retaining walls are shown on the grading plan, said walls shall be completed before approval of the rough grade, and prior to issuance of any building permits, unless waived by the Building Official and the City Engineer.

☒ 4. All property corners shall be staked for construction control, and shall be promptly replaced if destroyed.

☐ 5. Building permits shall not be issued until the water system has been completed and approved, and a based access road installed sufficient to support the City's fire trucks per Fire Department recommendation.

☐ 6. The developer shall annex to the City's Landscape and Lighting District for payment of the operating and maintenance costs of the following:

- ☐ a. Street lights;
- ☐ b. Parkway and open space landscaping;
- ☐ c. Wall maintenance in conjunction with landscaping;
- ☐ d. Graffiti abatement;
- ☐ e. Maintenance of open space areas.

☐ 7. Prior to the issuance of a Building Permit for a building within Flood Insurance Rate Map (FIRM) - in zones A1-A30, AE, AO, AH, A, V1-V30, VE and V - the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance Program. This form must be completed by a land surveyor, engineer or architect licensed in the State of California.

☐ 8. Prior to the issuance of a Building Permit for a building within Flood Insurance Rate Map (FIRM) in zones A1-A30, AE, AO, AH, A, V1-V30, VE and V, the developer shall provide a Flood Proofing Certificate in accordance with the National Insurance Program. This form must be completed by a land surveyor, engineer or architect licensed in the State California.

H. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:

☒ 1. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services and any outstanding annexation fees.

☒ 2. No buildings shall be occupied until all public improvements are completed and approved by the City Engineer, and accepted by the City Council.

☒ 3. All final property corners and street monuments shall be installed before acceptance of the public improvements.

☐ 4. All top soil removed shall be stockpiled and evenly distributed over the slopes and lots upon completion of rough grading to support hydroseeding and landscaping. All slope areas shall be protected against erosion by hydroseeding or landscaping.

☐ 5. The applicant shall install all street names, traffic signs and traffic striping as directed by the City Engineer.

☐ 6. If the adjoining existing City street is inadequate for the traffic generated by the project, or will be severely damaged by the construction, the applicant shall remove the entire roadway and replace it with a minimum full half-width street plus a 12' wide travel lane and 8' wide graded shoulder adequate to provide for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition).

☐ 7. If the development includes a phased street construction along the project boundary for future completion by the adjacent property owner, the applicant shall provide a minimum half-width street plus a 12' wide travel lane and 4' wide graded shoulder adequate for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition).

☐ 8. When the project fronts on an existing street, the applicant shall pave-out from the proposed curb to the edge of pavement if the existing pavement section is adequate, and shall feather the new paving out to the centerline for a smooth transition. If the existing pavement is inadequate, the roadway shall be replaced to centerline and the remaining pavement shall be overlaid. (A finding

of "rough proportionality" has been made in the resolution for this condition).

☐ 9. Any utility trenching in existing streets shall be overlaid to restore a smooth riding surface as required by the City Engineer. Boring and jacking rather than trenching may be required on newly constructed or heavily traveled City streets.

☒ 10. The applicant shall install all utilities (sewer, water, gas, electricity, cable TV and telephone) underground (as shown on the composite utility plan). Street lights shall be installed at locations as required by the City Engineer. All existing overhead utilities adjacent to or within the project shall be relocated underground except for electrical lines 77 kilovolts or greater. All utilities shall be extended to the boundaries of the project. All underground construction shall be completed and approved by the public utility companies, and the subgrade shall be scarified and compacted, before paving the streets.

☐ 11. Prior to paving any street the water and sewer systems shall successfully pass a pressure test. The sewer system shall also be tested by a means of a mandrel and video inspection with a copy of the video tape provided to the City. No paving shall occur until the City has reviewed and viewed the sewer video tape and has determined that the sewerline is acceptable. Any repair costs to the pipeline including trench paving restoration shall be at the developer's expense.

☒ 12. A blackline clear Mylar (0.4 MIL) copy and a blueline print of as-built improvement plans, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. A reduced copy (i.e. 1" = 100') of the composite utility plan shall be provided to update the City's Atlas Map.

☒ 13. All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood gypsum board, etc.) and removed from the project in accordance with the City's Source Reduction and Recycling Element.

****

PASO ROBLES FIRE DEPARTMENT - The applicant shall contact the Fire Department, (805) 237-3973, for compliance with the following conditions:

I. GENERAL CONDITIONS

☐ 1. Fire hydrants shall be installed at intervals as required by the Fire Chief and City Engineer. The maximum spacing for single family residential shall be 500 feet. The maximum spacing for multi-family and commercial/ residential shall be 300 feet. On-site hydrants shall be placed as required by the Fire Chief.

☐ 2. Building permits shall not be issued until the water system, including hydrants, has been tested and accepted and a based access road installed sufficient to support the City's fire apparatus (HS-20 truck loading). The access road shall be kept clear to a minimum of 24 feet at all times and shall be extended to each lot and shall be maintained to provide all weather driving conditions.

☐ 3. No buildings shall be occupied until all improvements are completed and accepted by the City for maintenance.

☐ 4. If the development includes phased street construction, temporary turn-arounds shall be

provided for streets that exceed 150 feet in length. The temporary turn around shall meet City requirements as set forth in the Public Works Department Standards and Specifications.

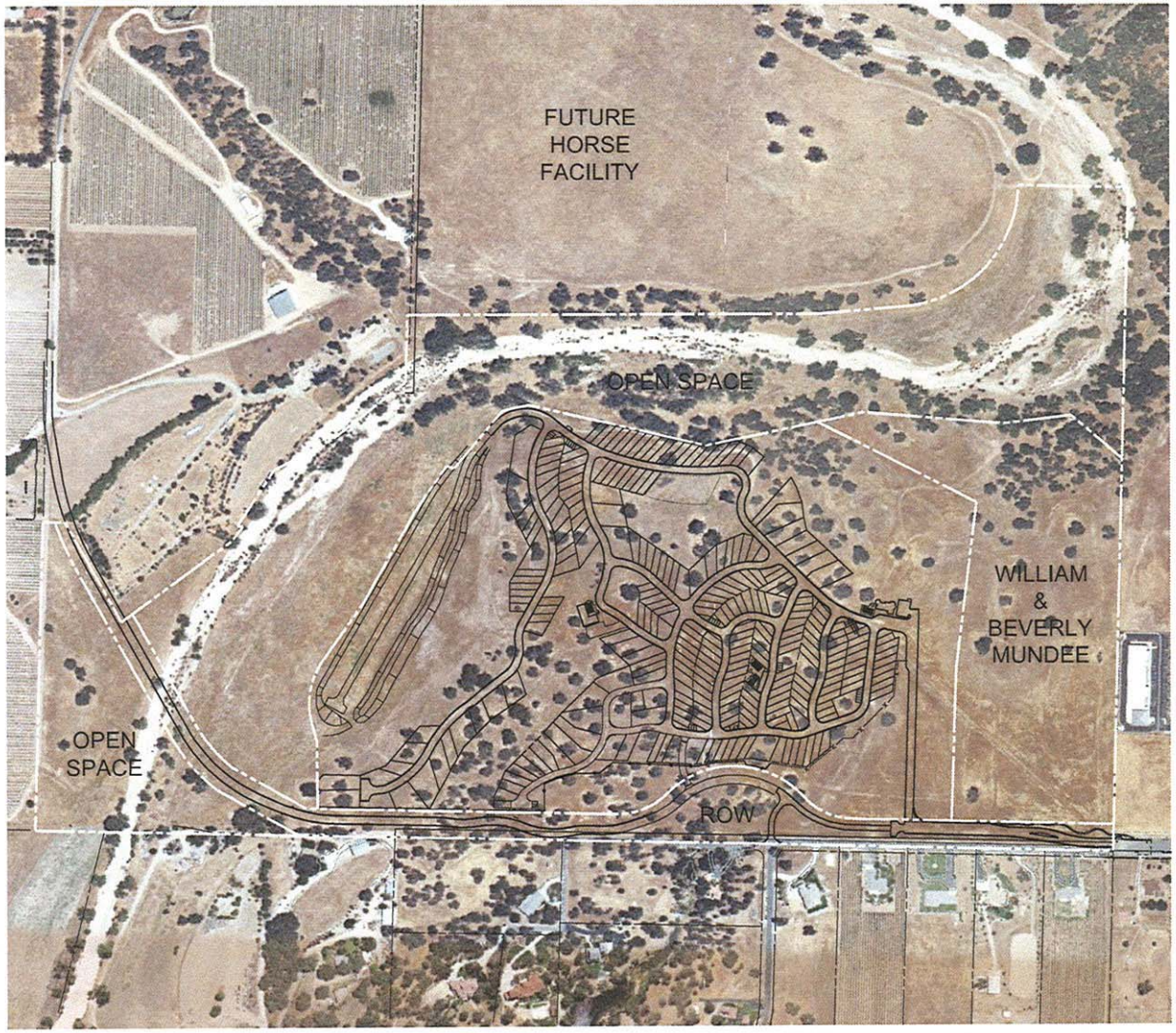
☐ 5. All open space areas to be dedicated to the City shall be inspected by the Fire Department prior to acceptance. A report shall be submitted recommending action needed for debris, brush and weed removal and tree trimming. The developer shall clean out all debris, dead limbs and trash from areas to be recorded as open space prior to acceptance into a Benefit Maintenance District.

☐ 6. Any open space included in a private development shall be subject to the approval of a vegetation management plan approved by the Fire Chief.

☐ 7. Each tract or phase shall provide two sources of water and two points of access unless otherwise determined by the Fire Chief and Public Works Director.

☐ 8. Provisions shall be made to update the Fire Department Run Book.

(Adopted by Planning Commission Resolution 94-038)



NCE
0 100' 200' 400'
SCALE: 1"=200'

PASO ROBLES RV RESORT

NCE NORTH COAST ENGINEERING INC.
725 Creston Rd Suite B, Paso Robles, 239-3127

Exhibit B
Cover Sheet
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

"PASO ROBLES RV RESORT"
REVISED SITE PLAN EXHIBIT

NCE NORTH COAST ENGINEERING INC.
SHEET 1 OF 12

Exhibit C1
Site Plan
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

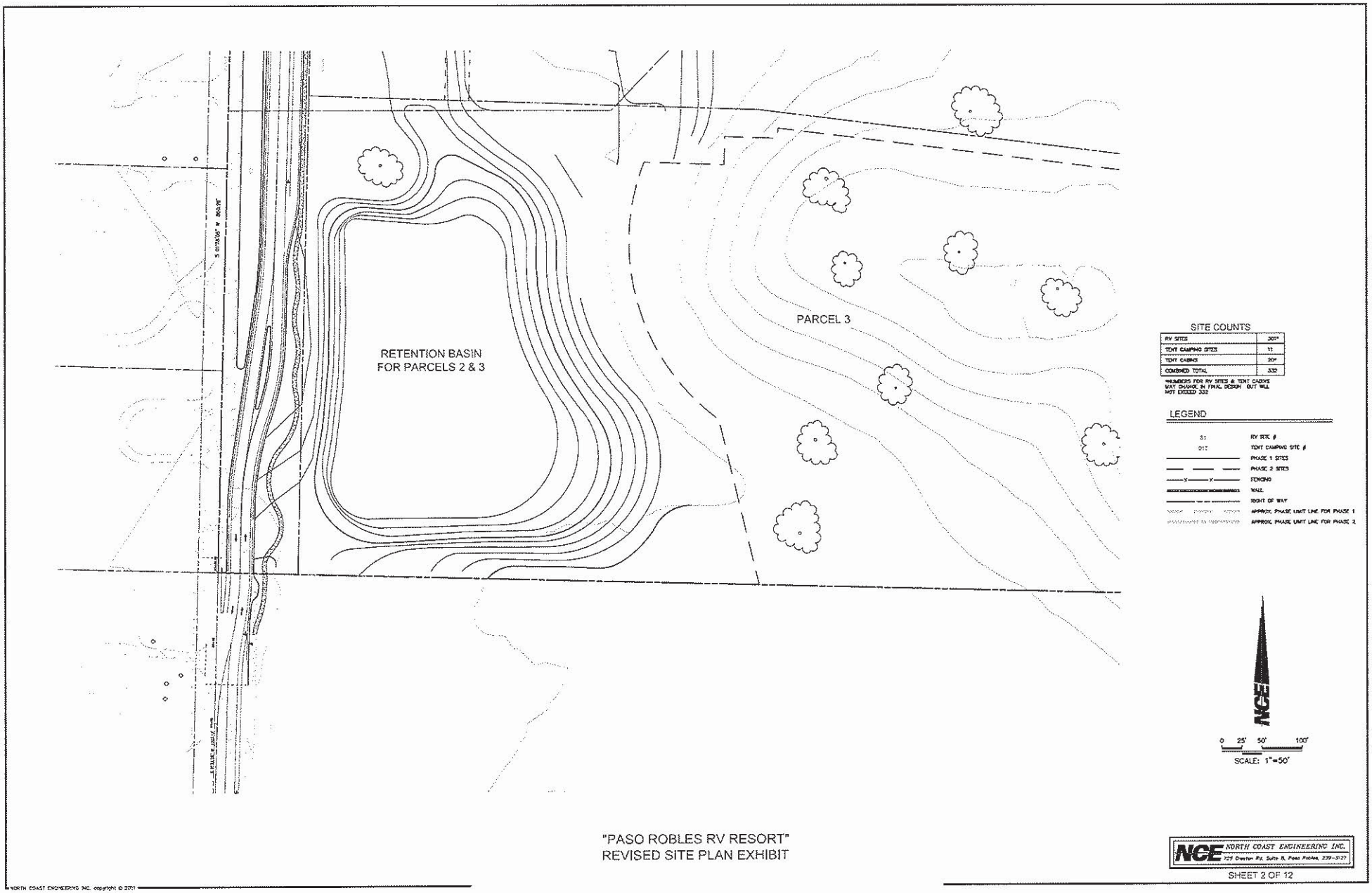


Exhibit C2
Site Plan
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

SITE COUNTS

RV SITES	301*
TENT CAMPING SITES	11
TENT CABINS	20*
COMBINED TOTAL	332

*NUMBERS FOR RV SITES & TENT CABINS MAY CHANGE IN FINAL DESIGN BUT WILL NOT EXCEED 332

LEGEND

- RV SITE #
- TENT CAMPING SITE #
- PHASE 1 SITES
- PHASE 2 SITES
- FENCING
- WALL
- RIGHT OF WAY
- APPROX. PHASE LIMIT LINE FOR PHASE 1
- APPROX. PHASE LIMIT LINE FOR PHASE 2

NORTH

0 25' 50' 100'

SCALE: 1"=50'

"PASO ROBLES RV RESORT"
REVISED SITE PLAN EXHIBIT

NCE NORTH COAST ENGINEERING INC.
175 Cheshire Rd. Suite B, Paso Robles, 239-3127

SHEET 3 OF 12

Exhibit C3
Site Plan
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

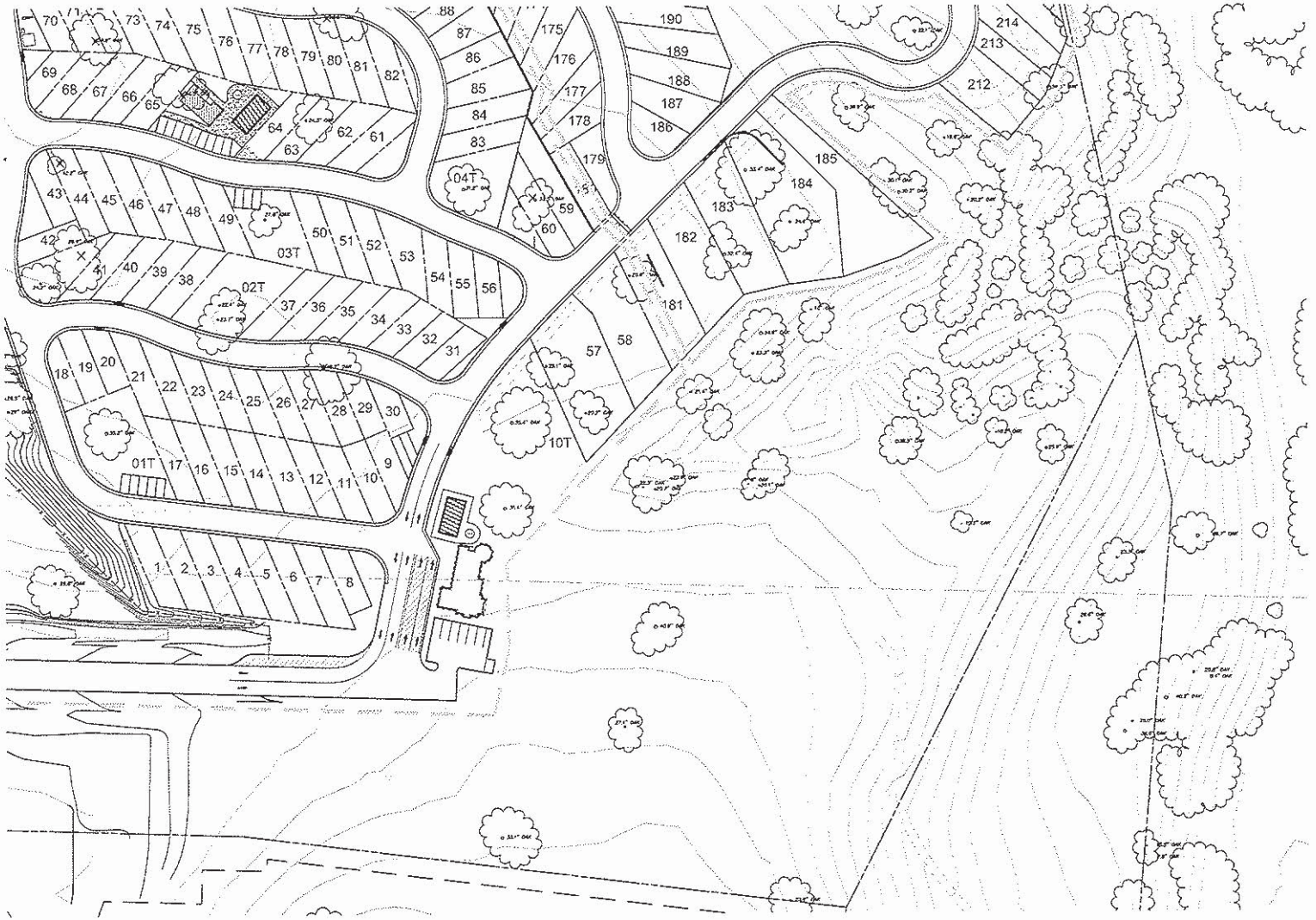


Exhibit C4
Site Plan
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

"PASO ROBLES RV RESORT"
REVISED SITE PLAN EXHIBIT

NORTH COAST ENGINEERING INC. copyright © 2011

NCE NORTH COAST ENGINEERING INC.
123 Creston Rd. Suite B, Paso Robles, 239-3117

SHEET 5 OF 12

Exhibit C5
Site Plan
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

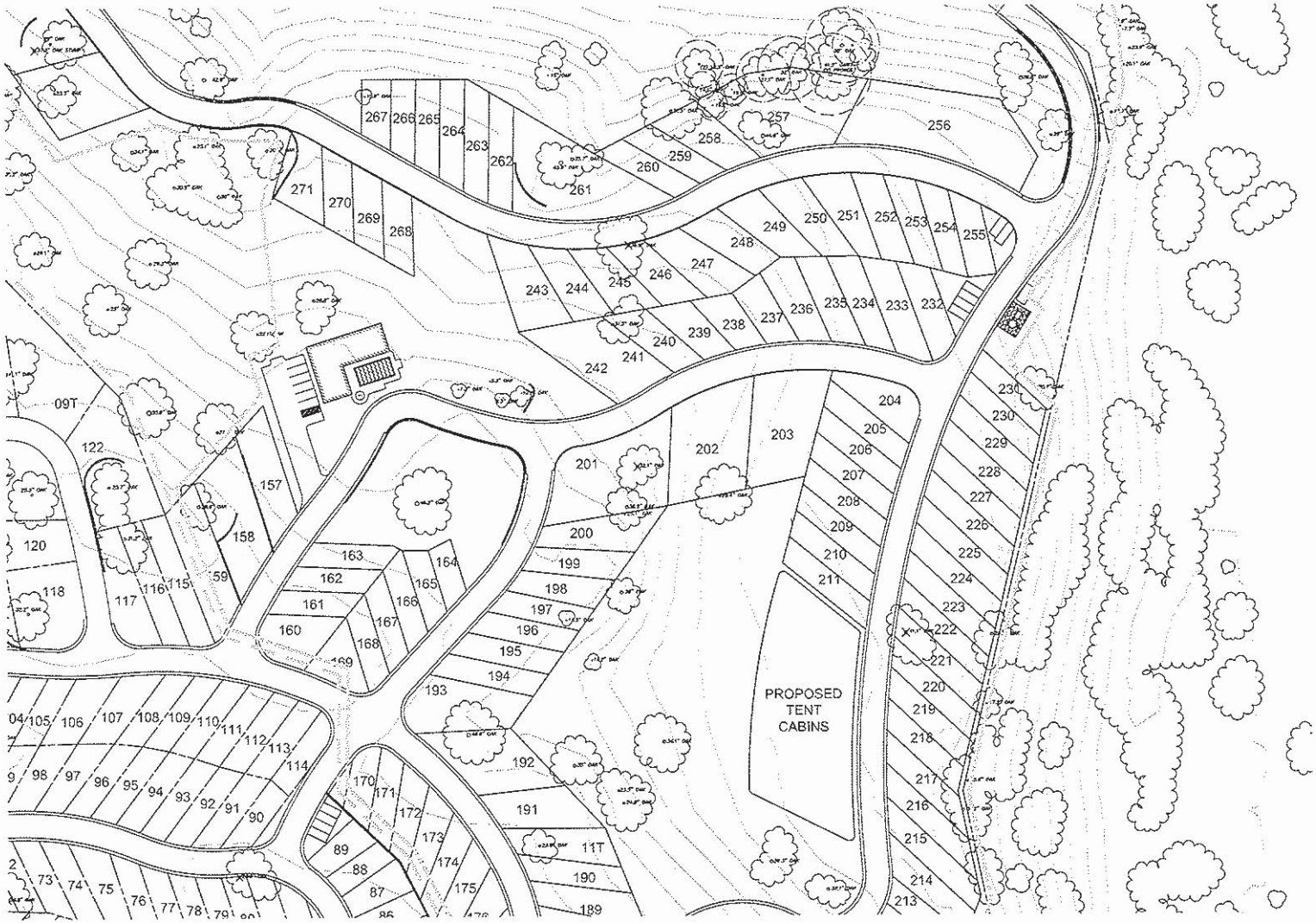
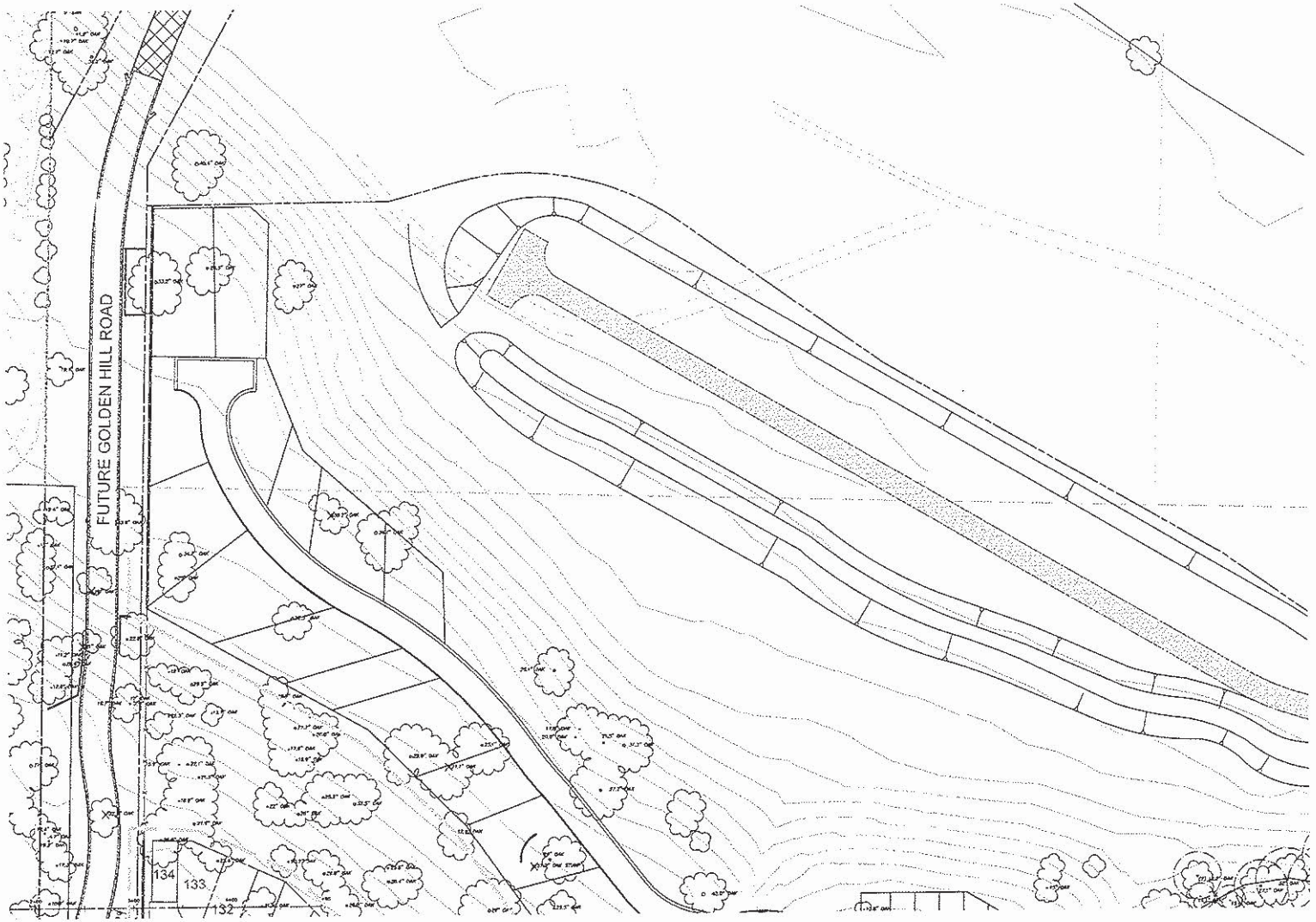


Exhibit C6
Site Plan
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)



SITE COUNTS

RV SITES	301*
TENT CAMPING SITES	11
TENT CABINS	20*
COMBINED TOTAL	332

*NUMBERS FOR RV SITES & TENT CABINS MAY CHANGE IN FINAL DESIGN BUT WILL NOT EXCEED 332

LEGEND

- 51 — RV SITE #
- 017 — TENT CAMPING SITE #
- PHASE 1 SITES
- PHASE 2 SITES
- FENCING
- WALL
- RIGHT OF WAY
- APPROX. PHASE LOST LINE FOR PHASE 1
- APPROX. PHASE UNIT LINE FOR PHASE 2

0 25' 50' 100'

SCALE: 1"=50'

"PASO ROBLES RV RESORT"
REVISED SITE PLAN EXHIBIT

NCE NORTH COAST ENGINEERING INC.
1725 Oranton Rd, Suite B, Paso Robles, 239-3127

SHEET 7 OF 12

NORTH COAST ENGINEERING INC. copyright © 2011

Exhibit C7
Site Plan
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

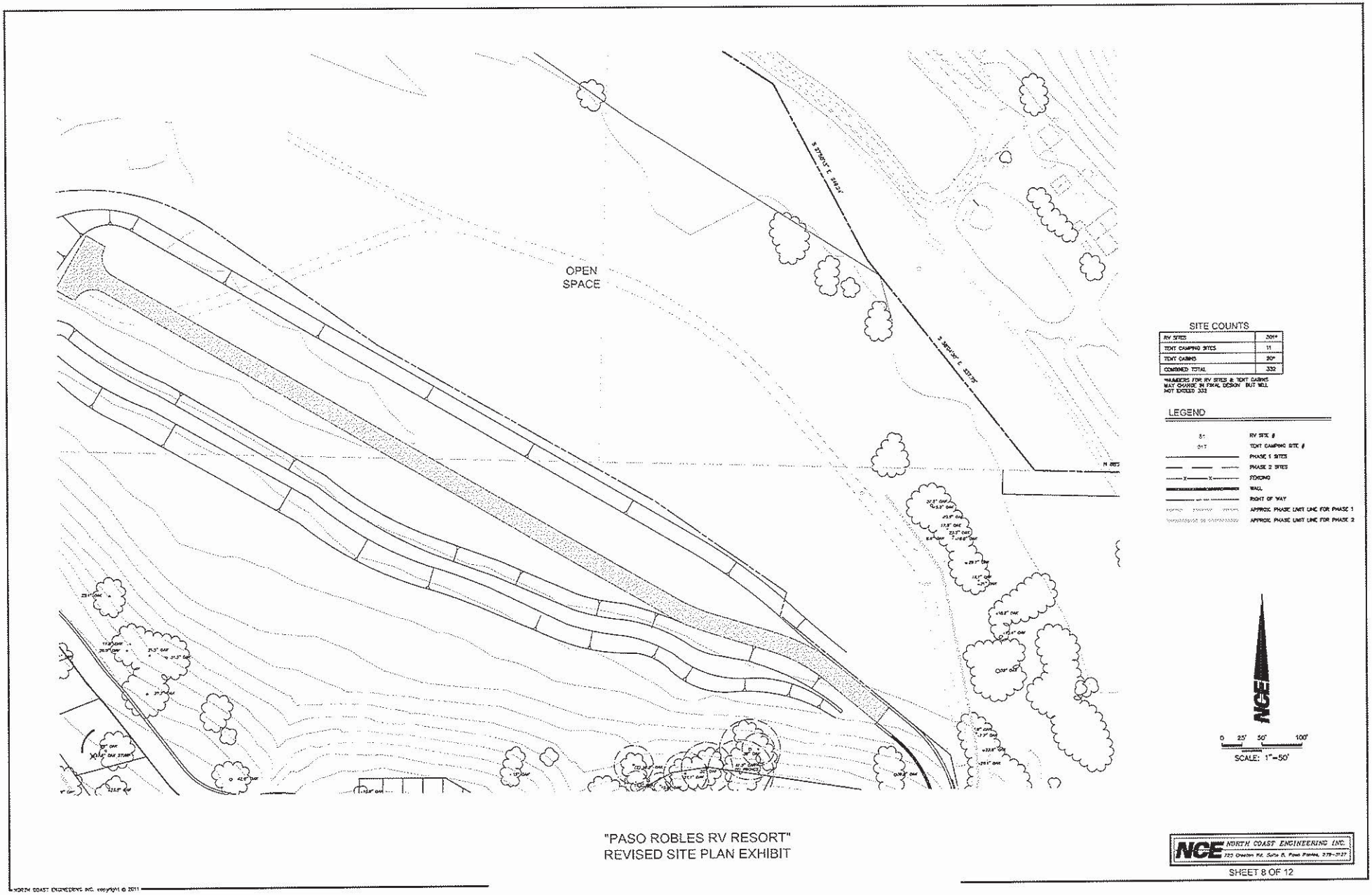


Exhibit C8
Site Plan
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

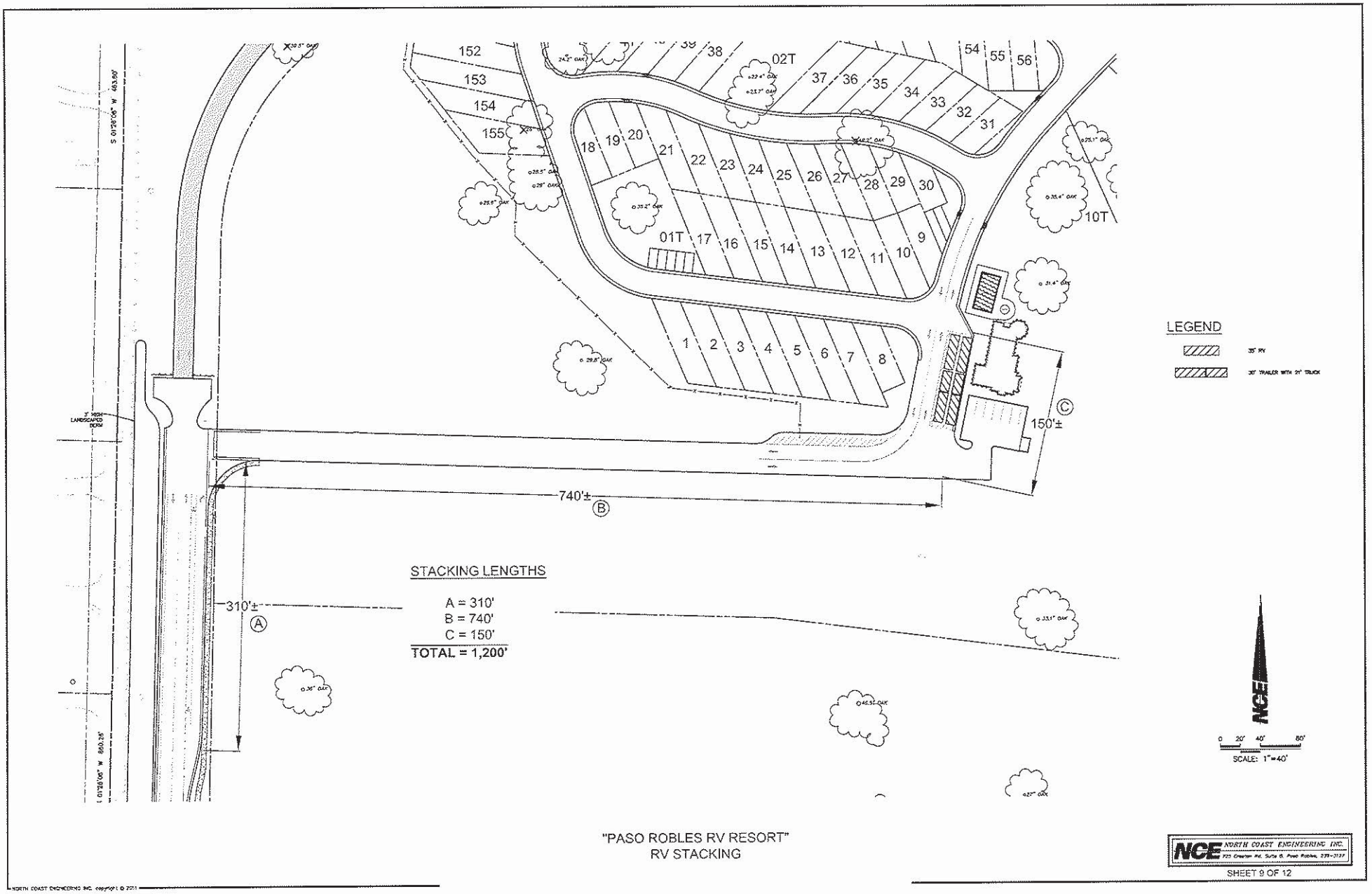
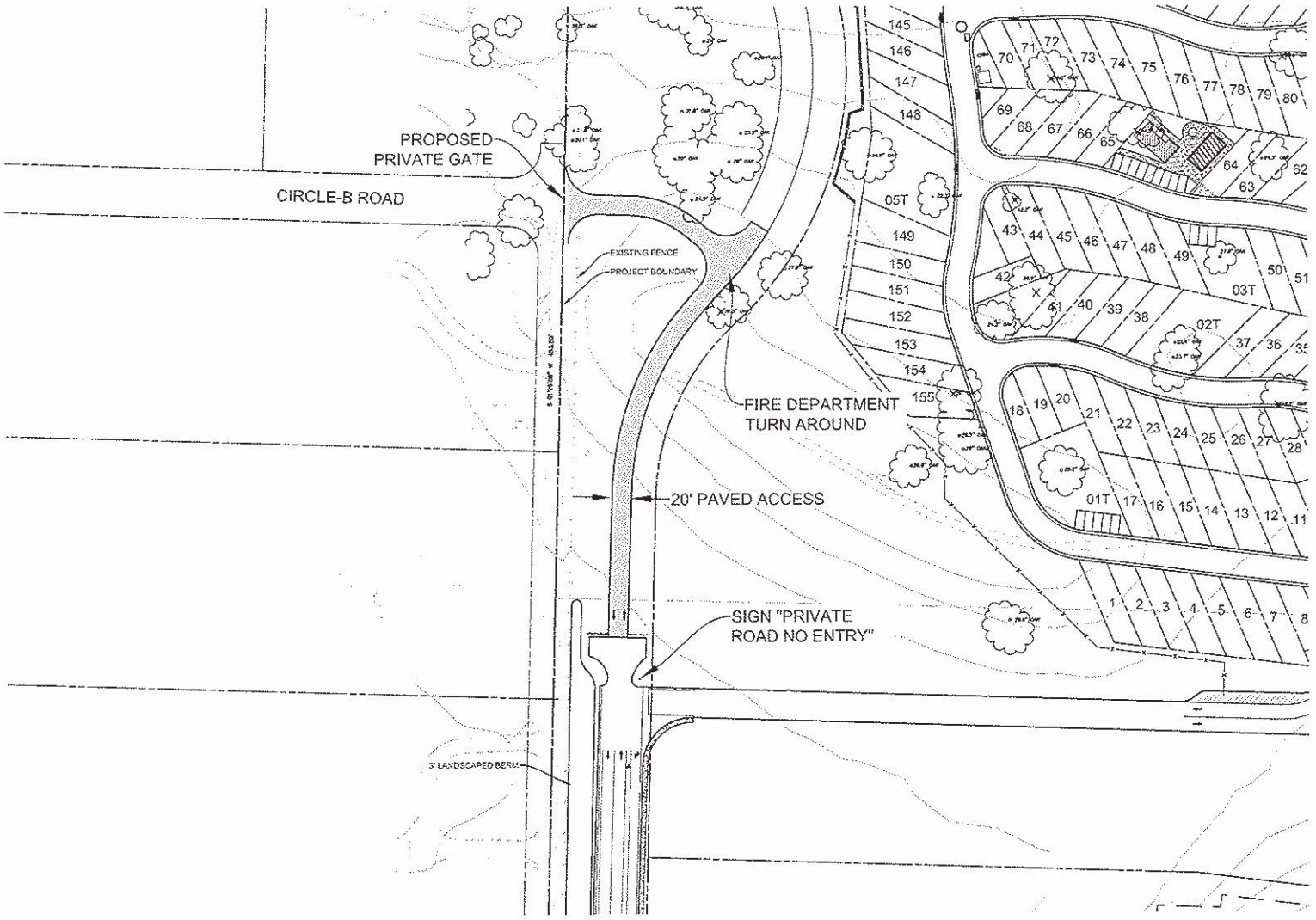


Exhibit D

RV Stacking Exhibit

PD 08-001 & CUP 08-001 Amend.

(PR RV Park)

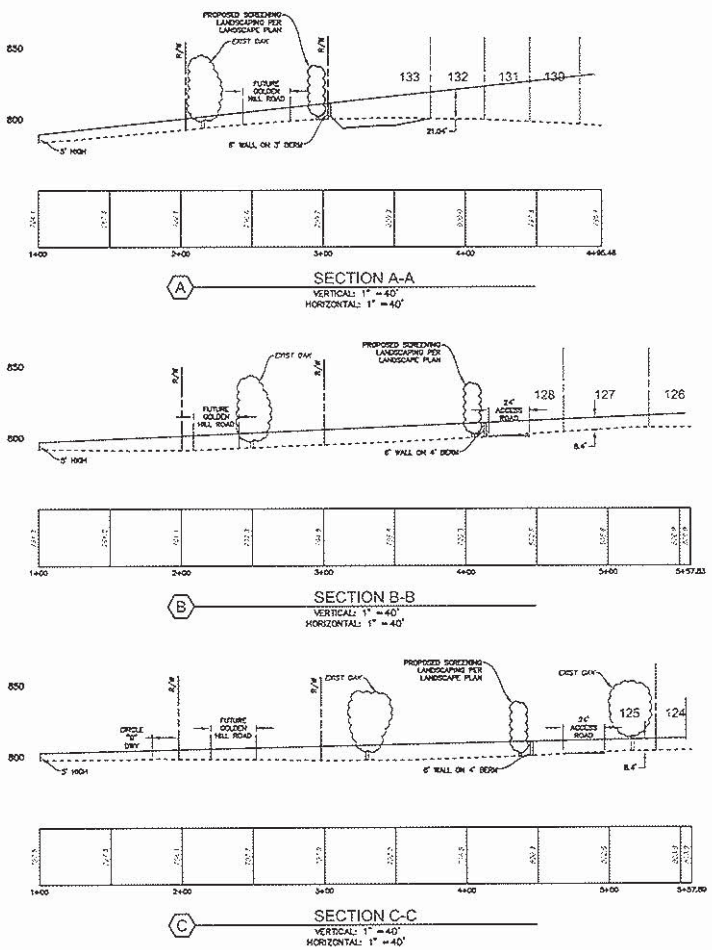


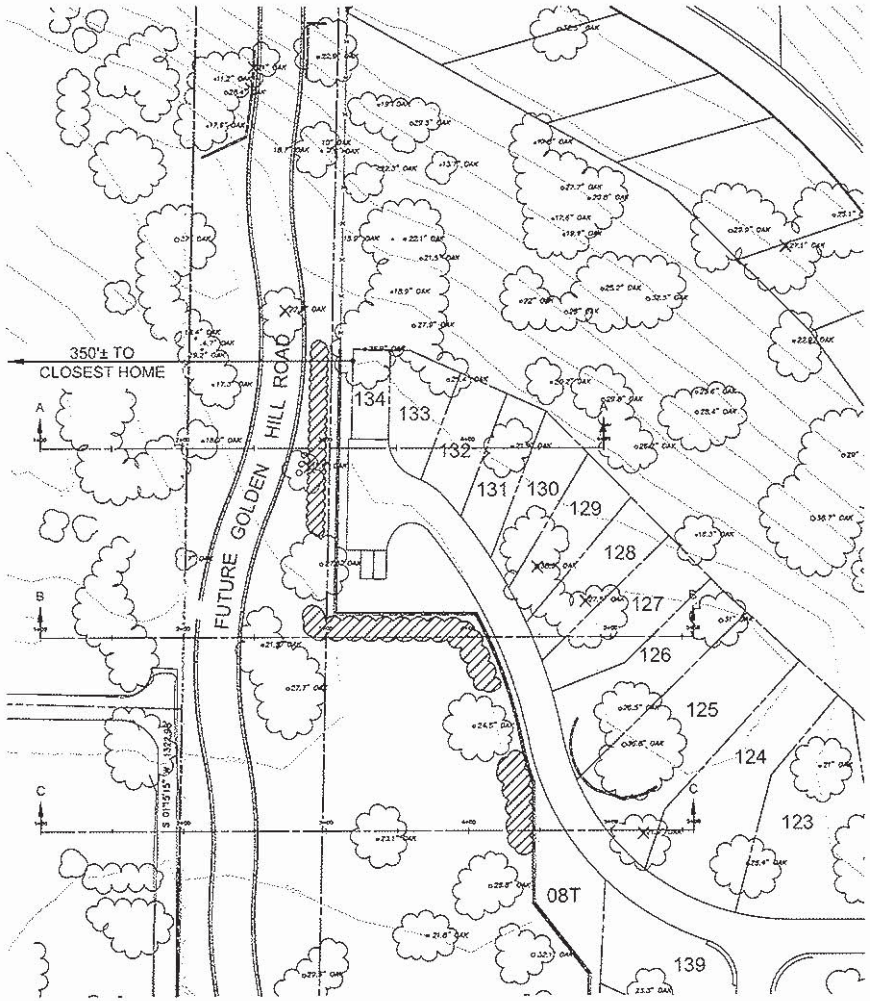
"PASO ROBLES RV RESORT"
CIRCLE-B ACCESS ROAD

NORTH COAST ENGINEERING INC.
SHEET 10 OF 12

NORTH COAST ENGINEERING INC. copyright © 2013

Exhibit E
Circle B Access Road
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)





LEGEND

WALL

LANDSCAPE SCREENING

SCALE: 1"=40'

"PASO ROBLES RV RESORT"
PRIVACY WALL SECTIONS

NCE NORTH COAST ENGINEERING INC.
SHEET 11 OF 12

Exhibit F
Privacy Wall Sections
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

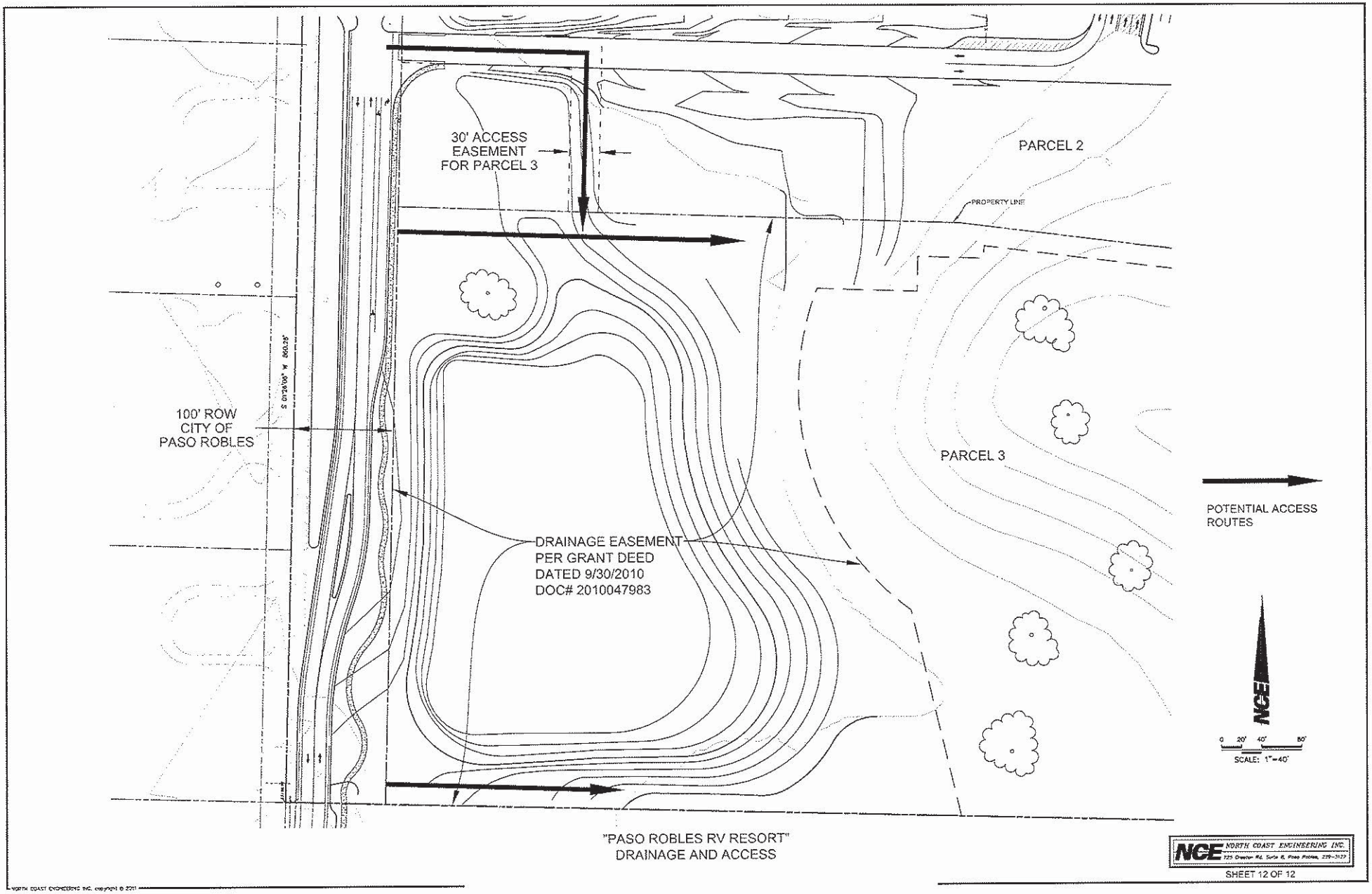


Exhibit G
Drainage Basin
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

REGISTRATION

PASO ROBLES
MOTORCOACH
RESORT

GOLDEN HILL RD
PASO ROBLES, CA 93446

(805) 239-4560

FAX (805) 239-9912

CONSULTANTS

DRAFTING BY:

STEVE KALAR

REVISIONS

No	Date	Item

SHEET TITLE

REGISTRATION COLOR & MATERIALS SCHEDULE

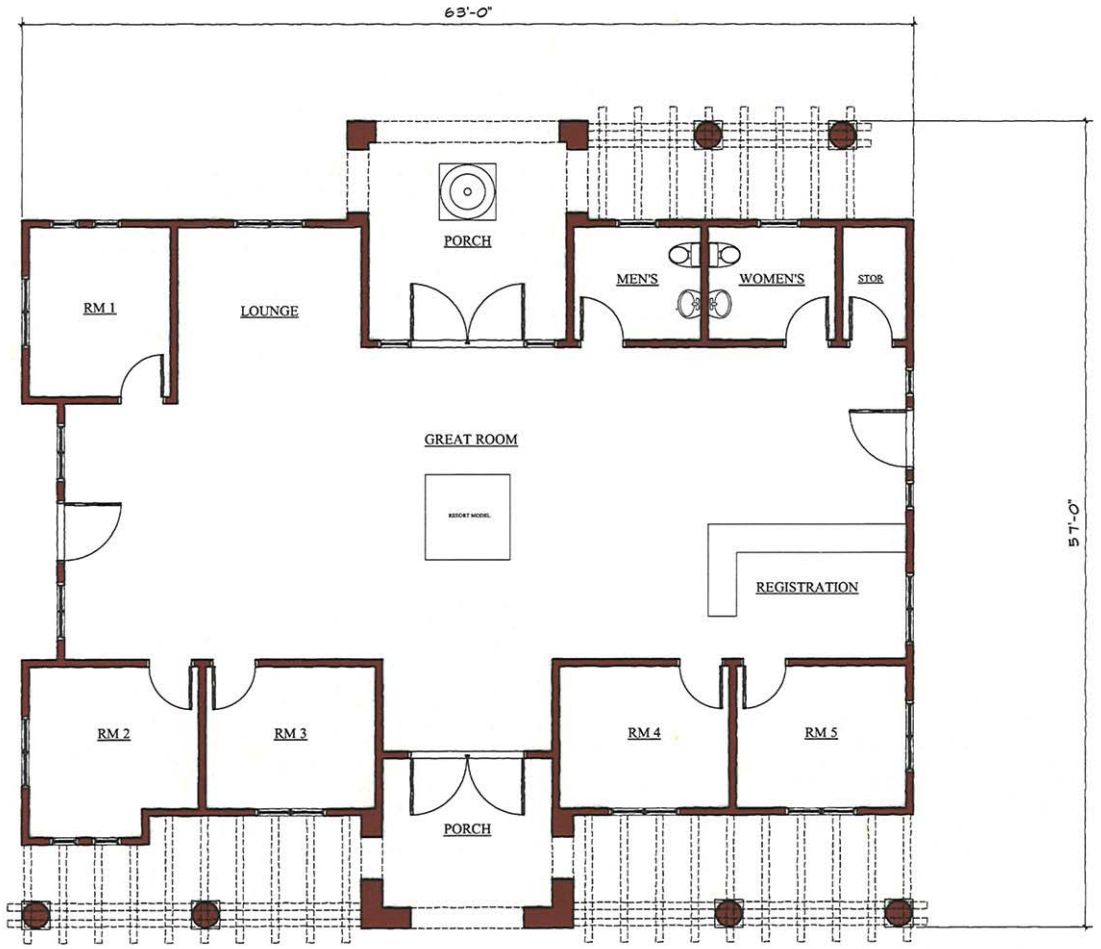
01-107 — Project No.

FEB 7, 2007 — Date

SHEET NO.

A1

Exhibit H1
Registration Bldg
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)



FLOOR PLAN

AREA CALC.	
FIRST LEVEL AREA	2452 SQ.FT.
TOTAL AREA =	2452 SQ.FT.
COVERED PORCH	406 SQ.FT.
TOTAL STRUCTURE =	2858 SQ.FT.

SCALE : 1/4" = 1'-0"

PASO ROBLES MOTORCOACH RESORT

CONSULTANTS

DRAFTING BY:

STEVE KALAR

REVISIONS

No	Date	Item

SHEET TITLE

REGISTRATION FLOOR PLAN

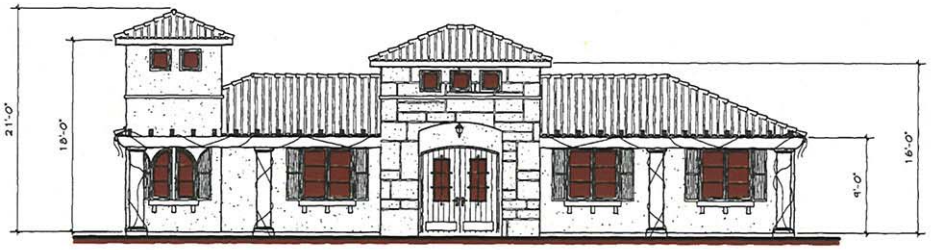
01-107 Project No.

FEB 7, 2007 Date

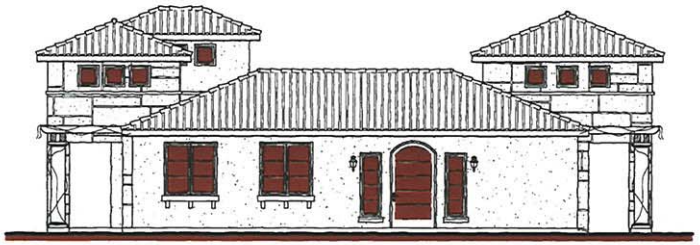
SHEET NO.

A2

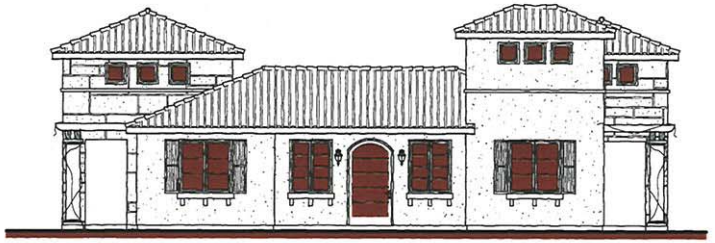
Exhibit H2
Registration Bldg
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)



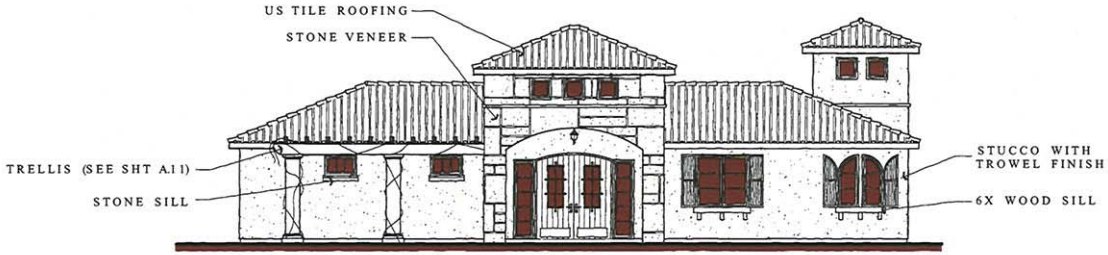
EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION

SCALE : 3/16" = 1'-0"

PASO ROBLES MOTORCOACH RESORT

CONSULTANTS

DRAFTING BY:

STEVE KALAR

REVISIONS

No.	Date	Item

SHEET TITLE

REGISTRATION ELEVATIONS

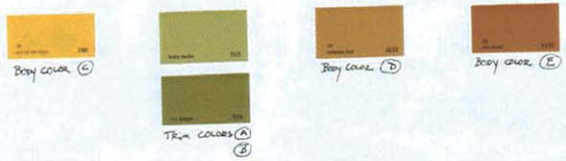
01-107 Project No.

FEB 7, 2007 Date

SHEET NO.

A3

Exhibit H3
Registration Bldg
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)



POOLHOUSE

PASO ROBLES MOTORCOACH RESORT

CONSULTANTS

DRAFTING BY:

STEVE KALAR

REVISIONS

No	Date	Item

SHEET TITLE

POOLHOUSE COLOR & MATERIALS SCHEDULE

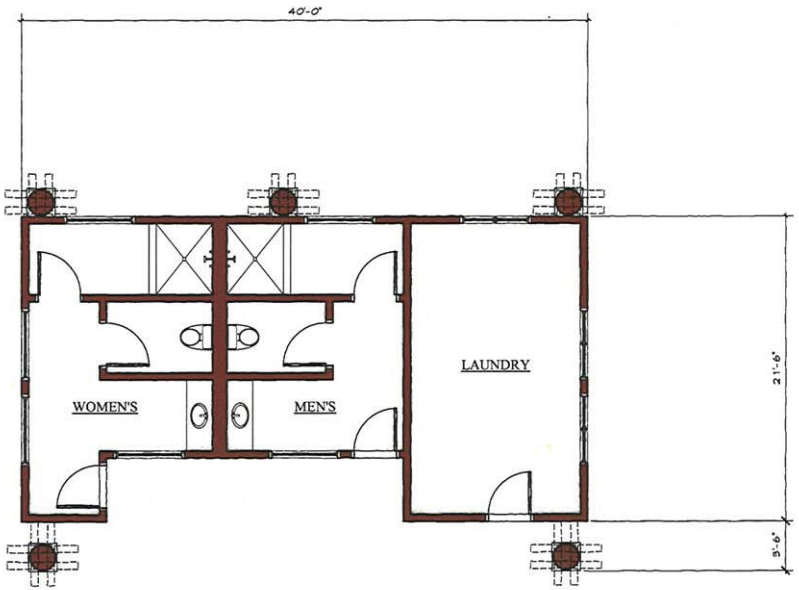
01-107 — Project No.

FEB 7, 2007 — Date

SHEET NO.

A4

Exhibit I1
Pool House Bldg.
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)



FLOOR PLAN

AREA CALC.	
FIRST LEVEL AREA	768 SQ.FT.
TOTAL AREA =	768 SQ.FT.
TOTAL STRUCTURE =	768 SQ.FT.

SCALE : 1/4" = 1'-0"

Exhibit I2
Pool House Bldg.
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

PASO ROBLES
MOTORCOACH
RESORT

CONSULTANTS

DRAFTING BY:

STEVE KALAR

REVISIONS

No.	Date	Item

SHEET TITLE

POOLHOUSE FLOOR PLAN

01-107 — Project No.
FEB 7, 2007 — Date

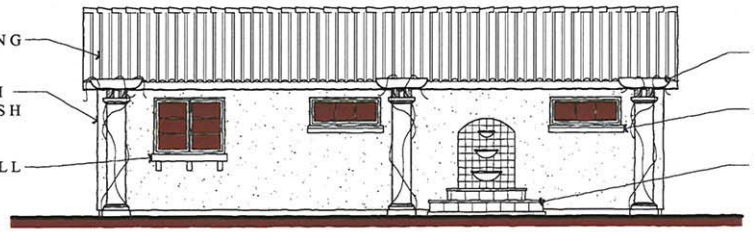
SHEET NO.

A5

SOUTH ELEVATION

EAST ELEVATION

WEST ELEVATION



NORTH ELEVATION

SCALE : 1/4" = 1'-0"

Exhibit I3
Pool House Bldg.
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

PASO ROBLES MOTORCOACH RESORT

CONSULTANTS

DRAFTING BY:

STEVE KALAR

REVISIONS

No.	Date	Item

SHEET TITLE

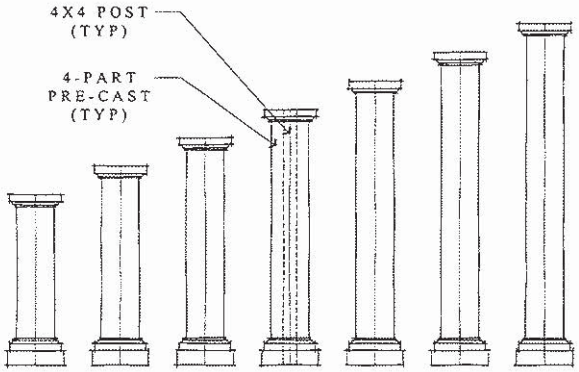
POOLHOUSE ELEVATIONS

01-107 Project No.

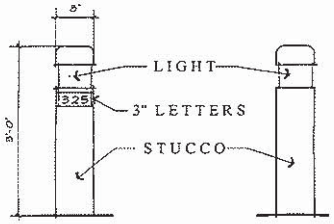
FEB 7, 2007 Date

SHEET NO.

A6



COLUMNS



SITE BOLLARD

NOTE:
FOR ALL STRUCTURES ALL HVAC EQIPMENT TO BE AT GRADE AND SCREENED FROM VIEW WITH LANDSCAPING

PASO ROBLES
MOTORCOACH
RESORT

CONSULTANTS

DRAFTING BY:

STEVE KAEAR

REVISIONS

No.	Date	Item

SHEET TITLE

MISC ITEMS

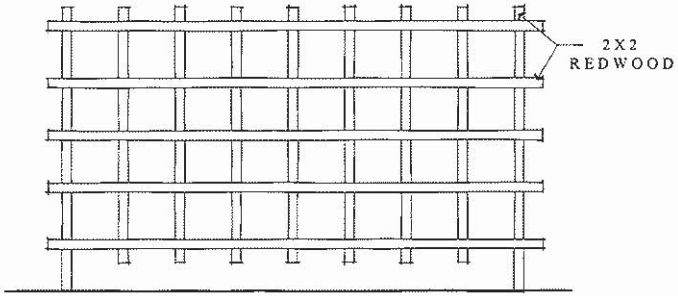
01-107 FEB 7, 2007
Project No. Date

SHEET NO.

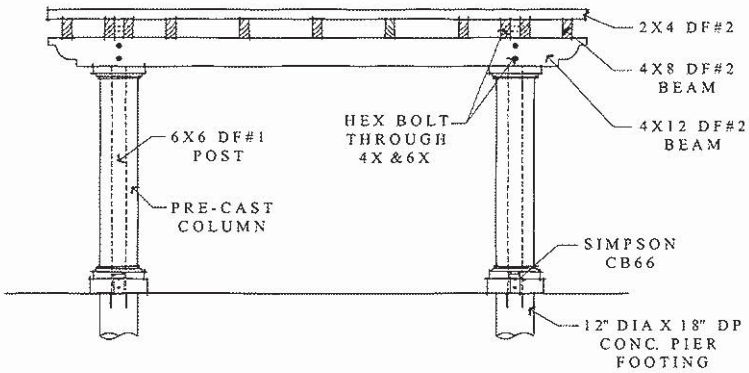
A12

Exhibit J-1
Misc. Details
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

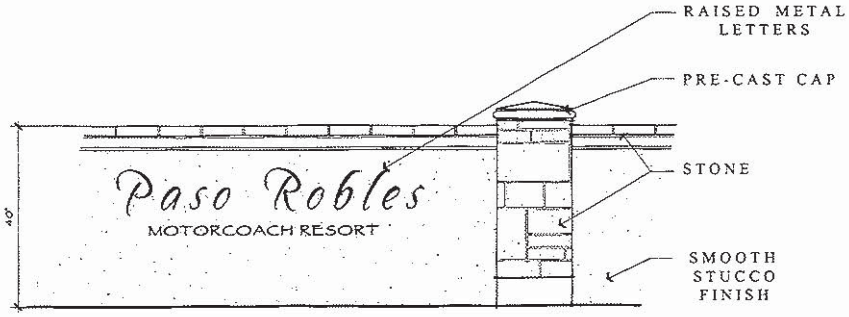
WALL TRELLIS PLAN



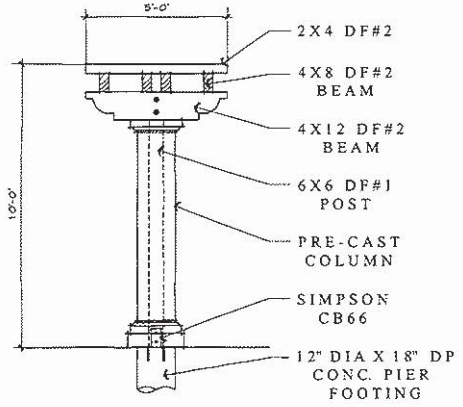
WALL TRELLIS ELEVATION



TRELLIS FRONT ELEVATION



ENTRY SIGNAGE@TYPICAL WALL



TRELLIS SIDE ELEVATION

PASO ROBLES
MOTORCOACH
RESORT

CONSULTANTS

DRAFTING BY:

REVISIONS

No.	Date	Item

SHEET TITLE

MISC ITEMS

01-107 FEB 7, 2007
Project No. Date

SHEET NO.

A13

Exhibit J-2
Misc. Details
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

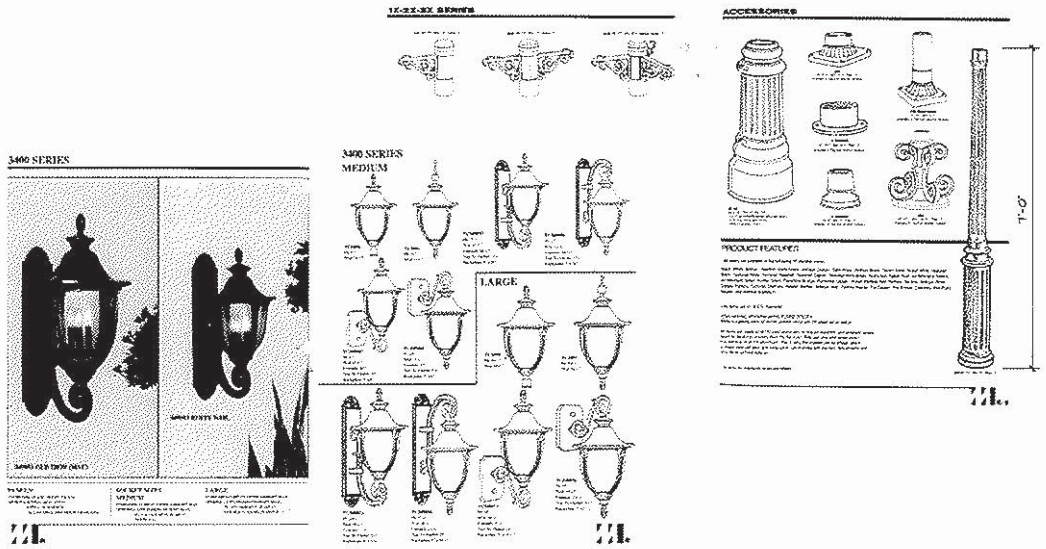


Exhibit K
Outdoor Lighting
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

PASO ROBLES
MOTORCOACH
RESORT

STEVE KAZAR

OUTDOOR
LIGHTING

01-107 FEB 7, 2007

A14

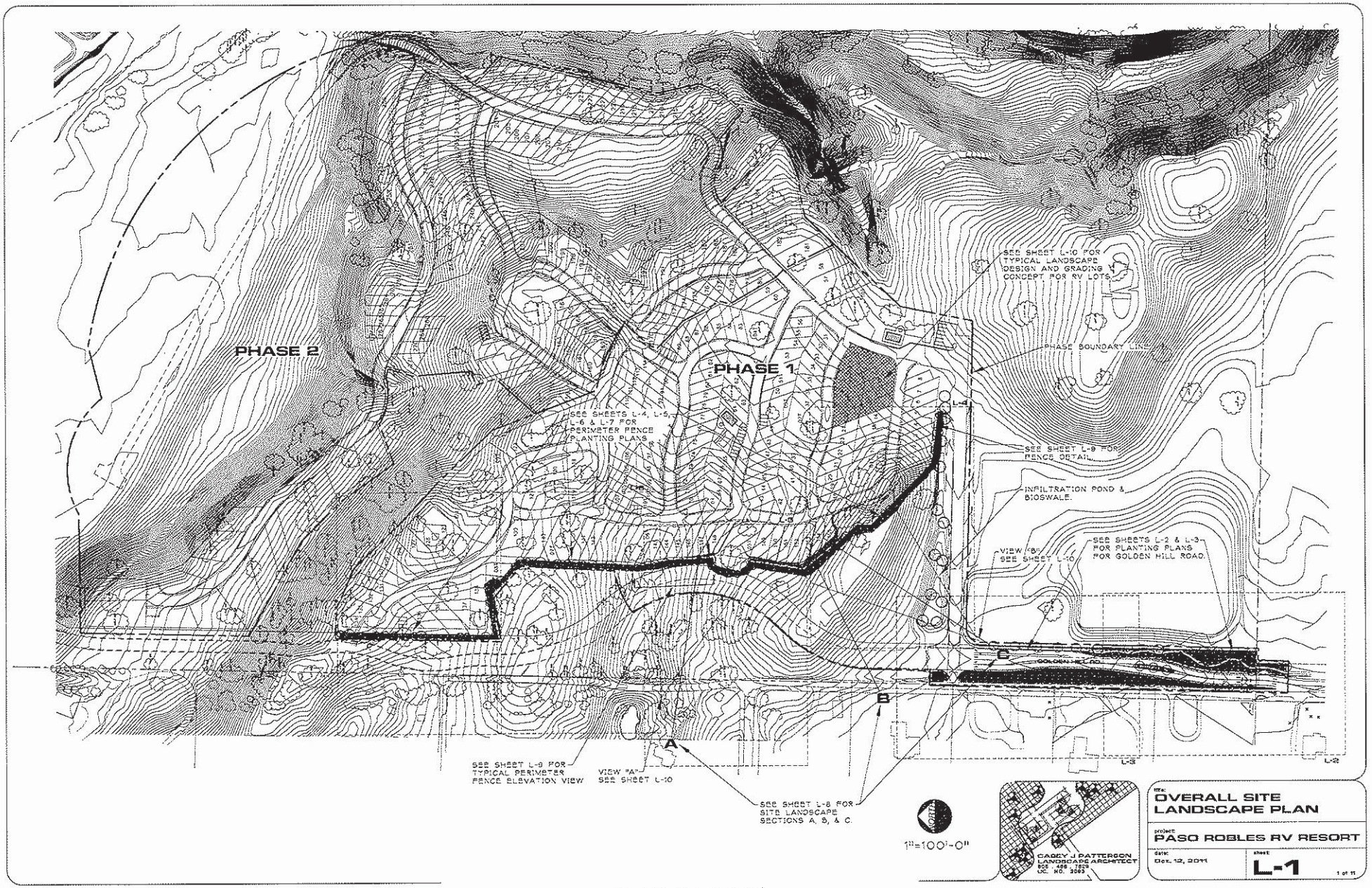
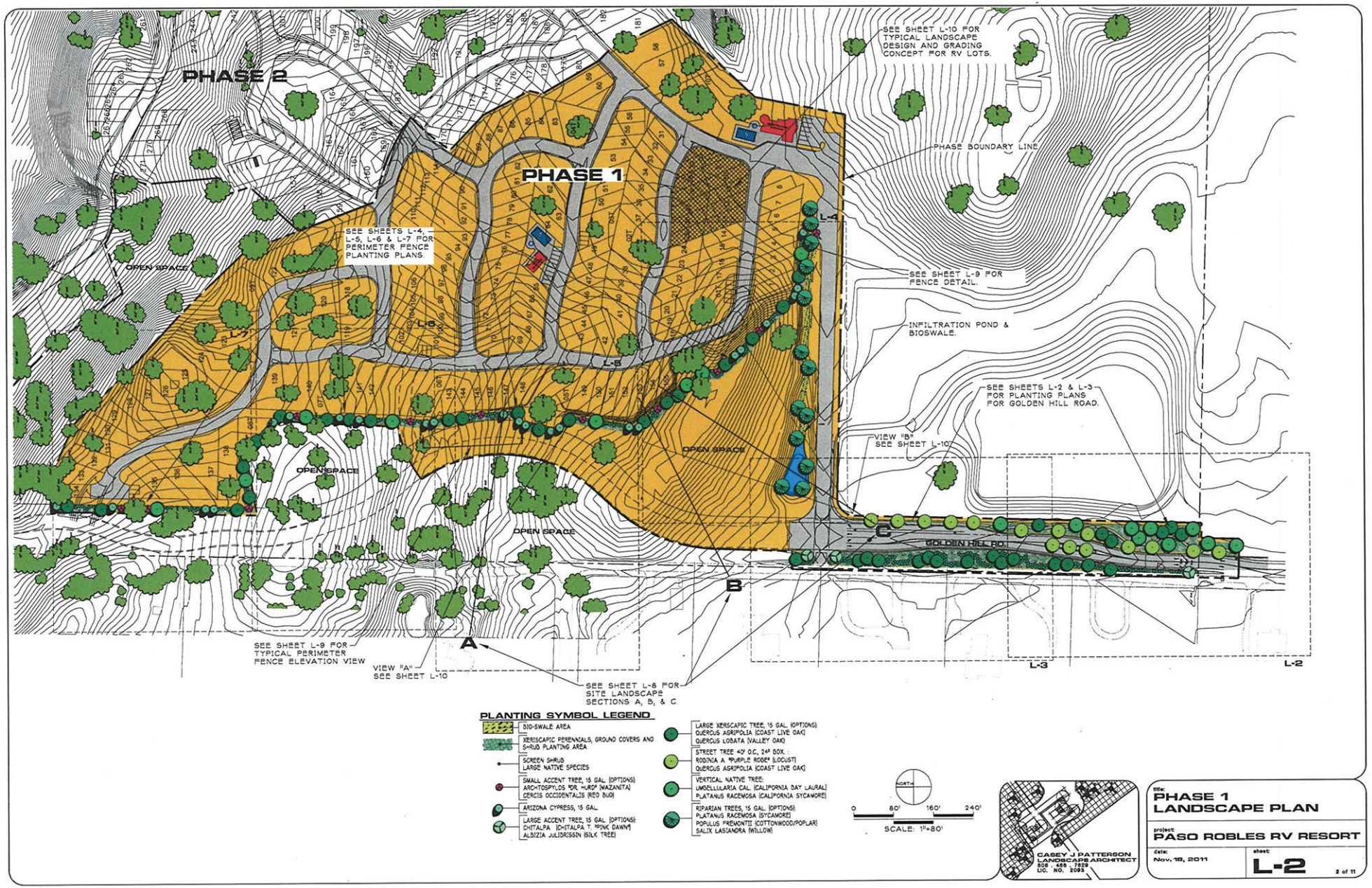


Exhibit L1-L11
Landscape Plans
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)



PLANTING SYMBOL LEGEND

- BIO-SWALE AREA
- XERISCAPIC PERENNIALS, GROUND COVERS AND SHRUB PLANTING AREA
- SCREEN SHRUB LARGE NATIVE SPECIES
- SMALL ACCENT TREE, 15 GAL. (OPTIONS) ARCHTOSPYLOS "DR. HURD" (MANZANITA) CERCIS OCCIDENTALIS (RED BUD)
- ARIZONA CYPRESS, 15 GAL.
- LARGE ACCENT TREE, 15 GAL. (OPTIONS): CHITALPA (CHITALPA T. "PINK DAWN") ALBIZIA JULIBRISSIN (SILK TREE)
- LARGE XERSCAPIC TREE, 15 GAL. (OPTIONS) QUERCUS AGRIFOLIA (COAST LIVE OAK) QUERCUS LOBATA (VALLEY OAK)
- STREET TREE 40' O.C., 24" BOX : RODINIA A "PURPLE ROBE" (LOCUST) QUERCUS AGRIFOLIA (COAST LIVE OAK)
- VERTICAL NATIVE TREE: UMBELLULARIA CAL. (CALIFORNIA BAY LAURAL) PLATANUS RACEMOSA (CALIFORNIA SYCAMORE)
- RIPARIAN TREES, 15 GAL. (OPTIONS): PLATANUS RACEMOSA (SYCAMORE) POPULUS FREMONTII (COTTONWOOD/POPLAR) SALIX LASIANDRA (WILLOW)

NORTH

0 80' 160' 240'

SCALE: 1"=80'

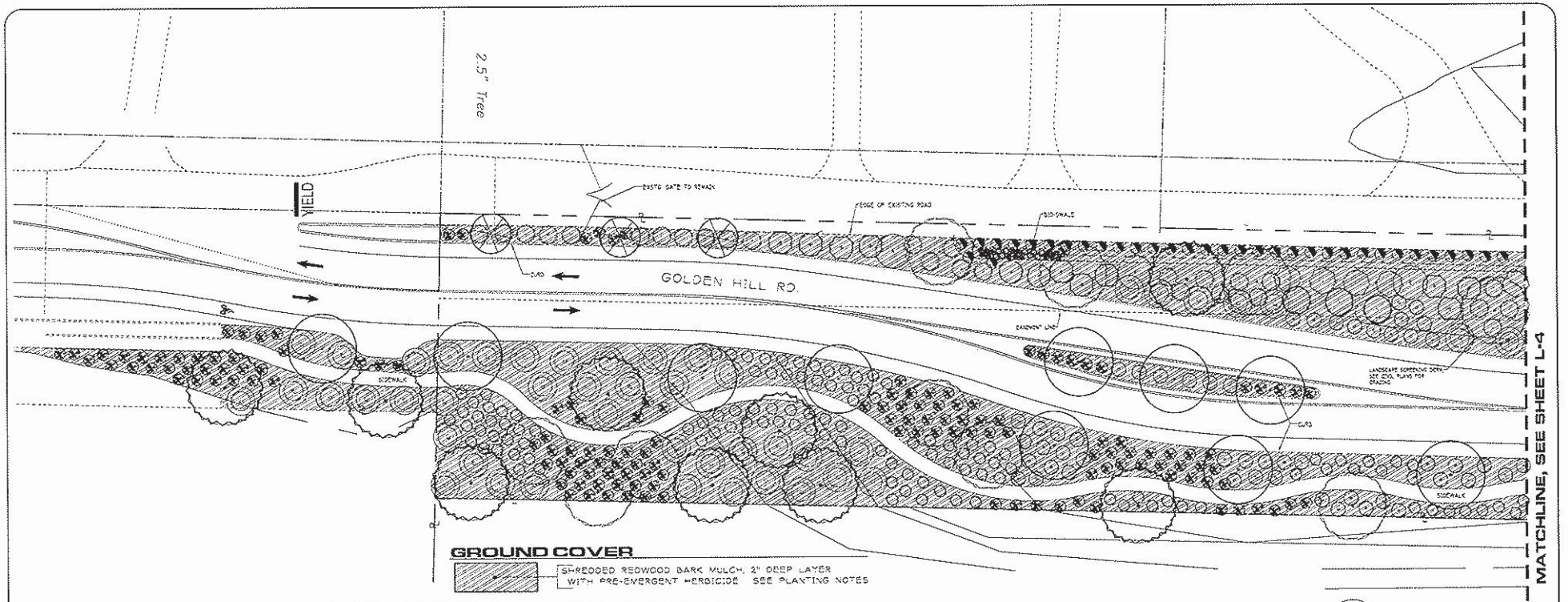
CASEY J PATTERSON LANDSCAPE ARCHITECT 805 . 466 . 7629 LIC. NO. 2093

title: **PHASE 1 LANDSCAPE PLAN**

project: **PASO ROBLES RV RESORT**

date: Nov. 18, 2011

sheet: **L-2** 2 of 11



GROUND COVER

SHREDDED REDWOOD BARK MULCH, 2" DEEP LAYER WITH PRE-EMERGENT HERBICIDE SEE PLANTING NOTES

PLANT SYMBOL LEGEND

SYMBOL	PLANT NAME	QUAN	SIZE
	JUNCUS PATENS (WIRE GRASS)	34	4"POT or LINER
	CAREX PRAEGRACILIS or PANSA (CAL. MEADOW or DUNE SEDGE)	20	4"POT or LINER
	MUHLENBERGIA RIGENS (DEER GRASS)	217	4"POT or LINER
	LEYMUS C "CANYON PRINCE" (LYME GRASS)	82	1 GAL.
	ERIOGONUM FAS FOLIOLOSUM (CALIFORNIA BUCKWHEAT)	105	4"POT or LINER
	HESPEROYUCCA WHIPPLE (OUR LORD'S CANDLE)	26	5 GAL
	ARTEMISIA CAL "CANYON GRAY" (CALIFORNIA SAGEBRUSH)	83	4"POT or LINER
	SALVIA LEUCOPHYLLA "POINT SAL" (POINT SAL SPREADER SAGE)	31	1 GAL
	R-AVNUS CROCEA (REDBERRY)	45	5 GAL
	ARCTOSTAPHYLOS GLAUCA (BIGBERRY VANZANITA)	16	1 GAL
	CEANOTHUS "DARK STAR" (MOUNTAIN LILAC)	17	5 GAL
	RHUS OVATA (SUGAR BUSH)	23	5 GAL
	CEANOTHUS "JOYCE COULTER" (CREEPING MOUNTAIN LILAC)	61	1 GAL
	HETEROMELES ARBUTIFOLIA (TOYON)	7	5 GAL
	FREMONTODENDRON "KEN TAYOR" (FLANNEL BUSH)	7	5 GAL
	CERCIS OCCIDENTALIS (WERTERN REDBUD)	5	15 GAL
	QUERCUS AGRIFOLIA (LIVE OAK)	20	15 GAL
	ROBINIA "PURPLE ROBE" (LOCUST)	15	15 GAL
	QUERCUS LOBATA (VALLEY OAK)	10	15 GAL

NORTH

0 16' 32' 48'

SCALE 1"=16'-0"

SEE SHEET L-2 FOR PLANTING NOTES

LANDSCAPE LAWN AREA CALCULATION
TOTAL LANDSCAPE AREA (TLA) = 34,045 S.F.
NOTE: PROJECT IS LESS THAN 1 ACRE
MAXIMUM LAWN AREA (10% OF TLA) = 3,405 SF
AMOUNT ON PLAN = NONE

CASEY J PATTERSON
LANDSCAPE ARCHITECT
805 . 458 . 7825
LIC. NO. 2985

title: GOLDEN HILL ROAD PLANTING PLAN

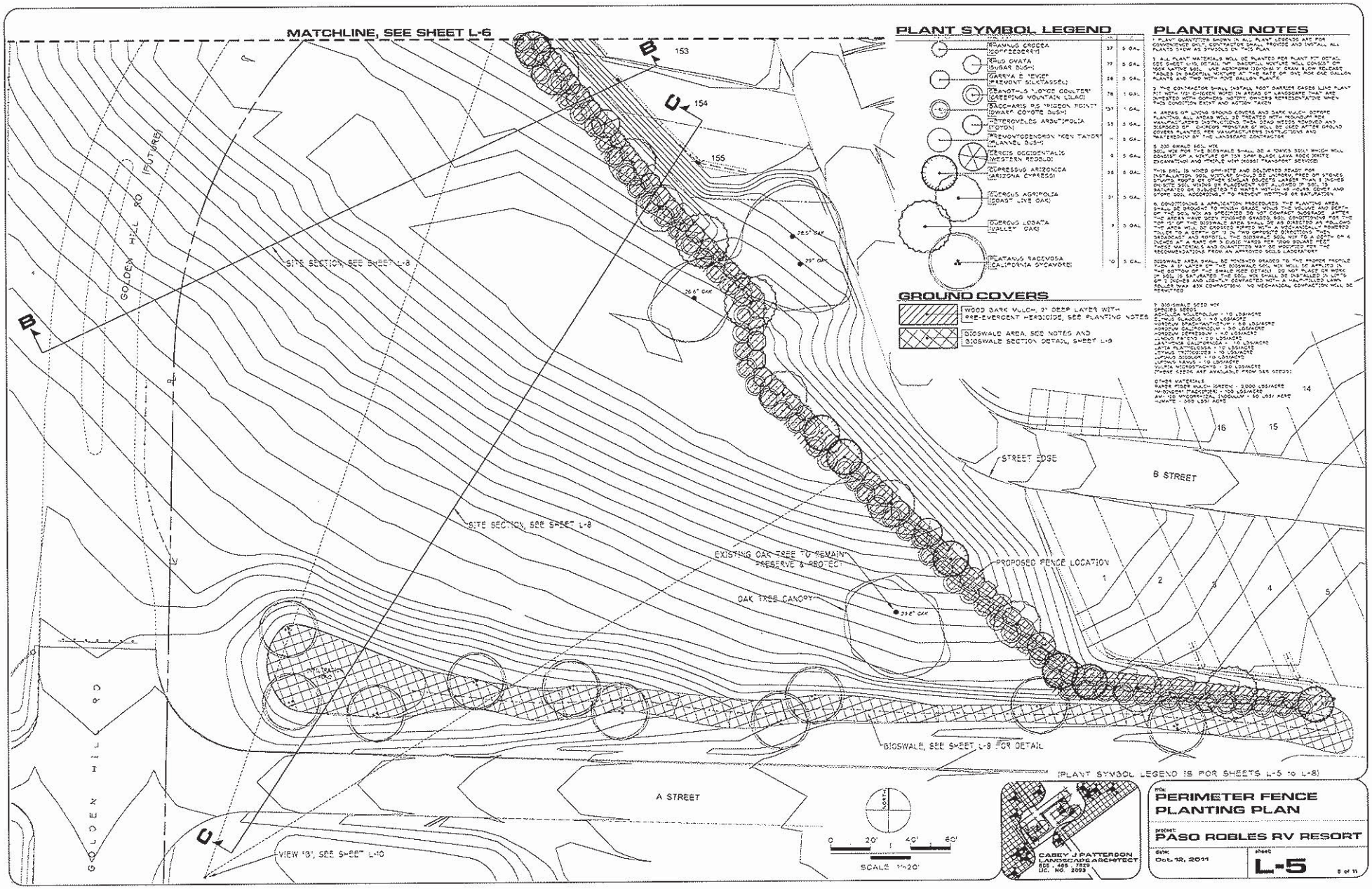
project: PASO ROBLES RV RESORT

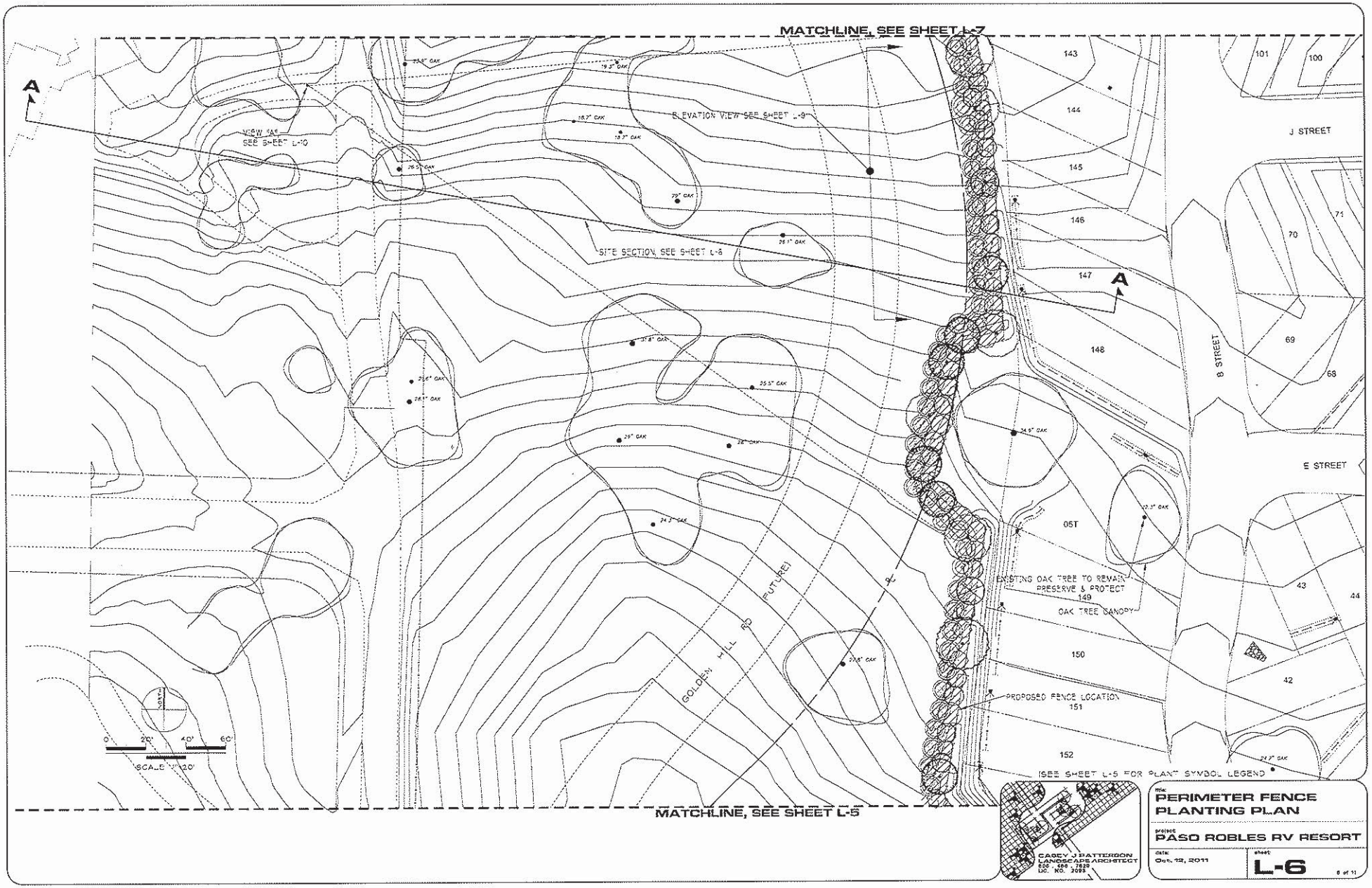
date: Oct. 12th, 2011

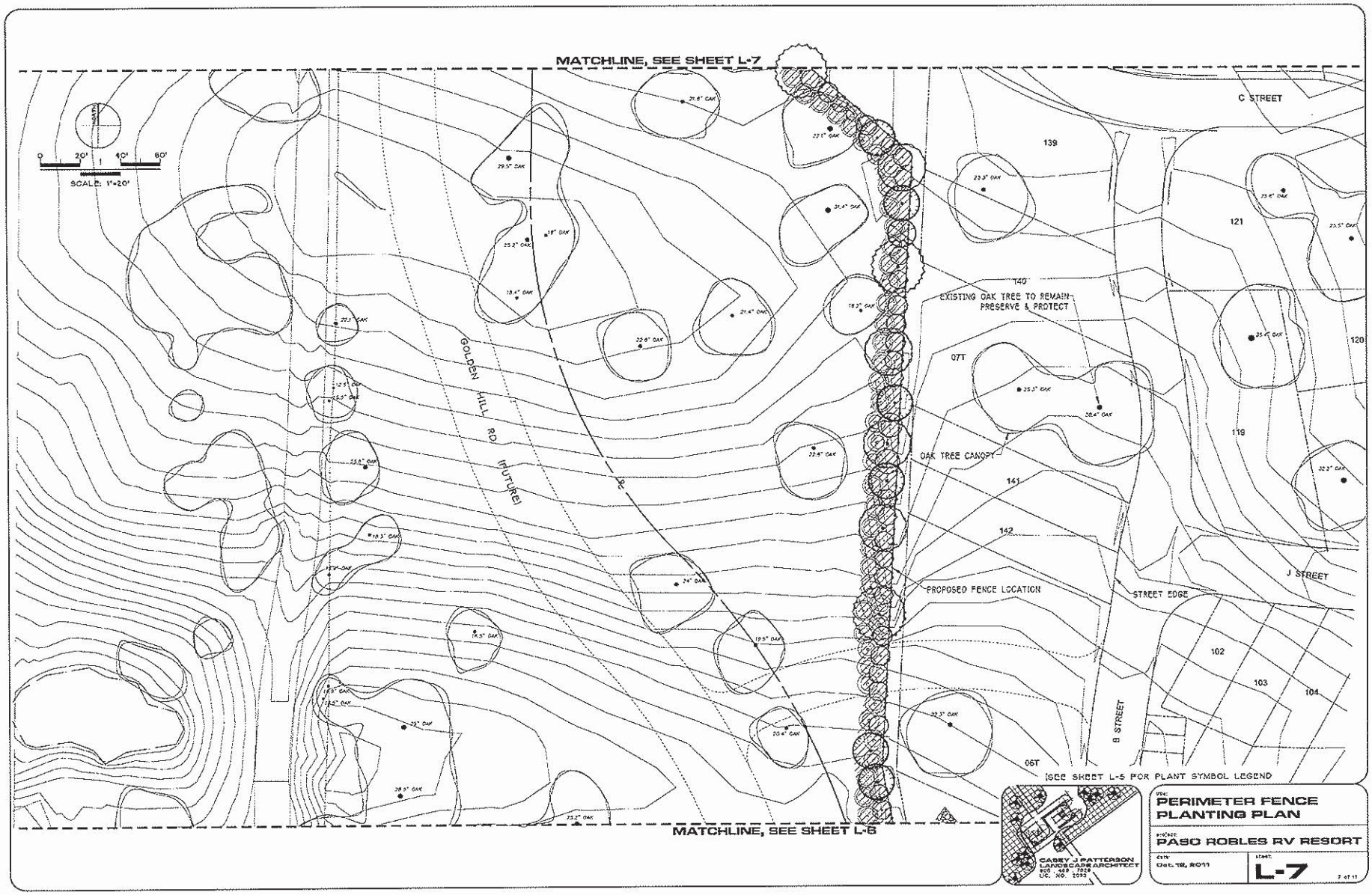
sheet: L-3

3 of 11

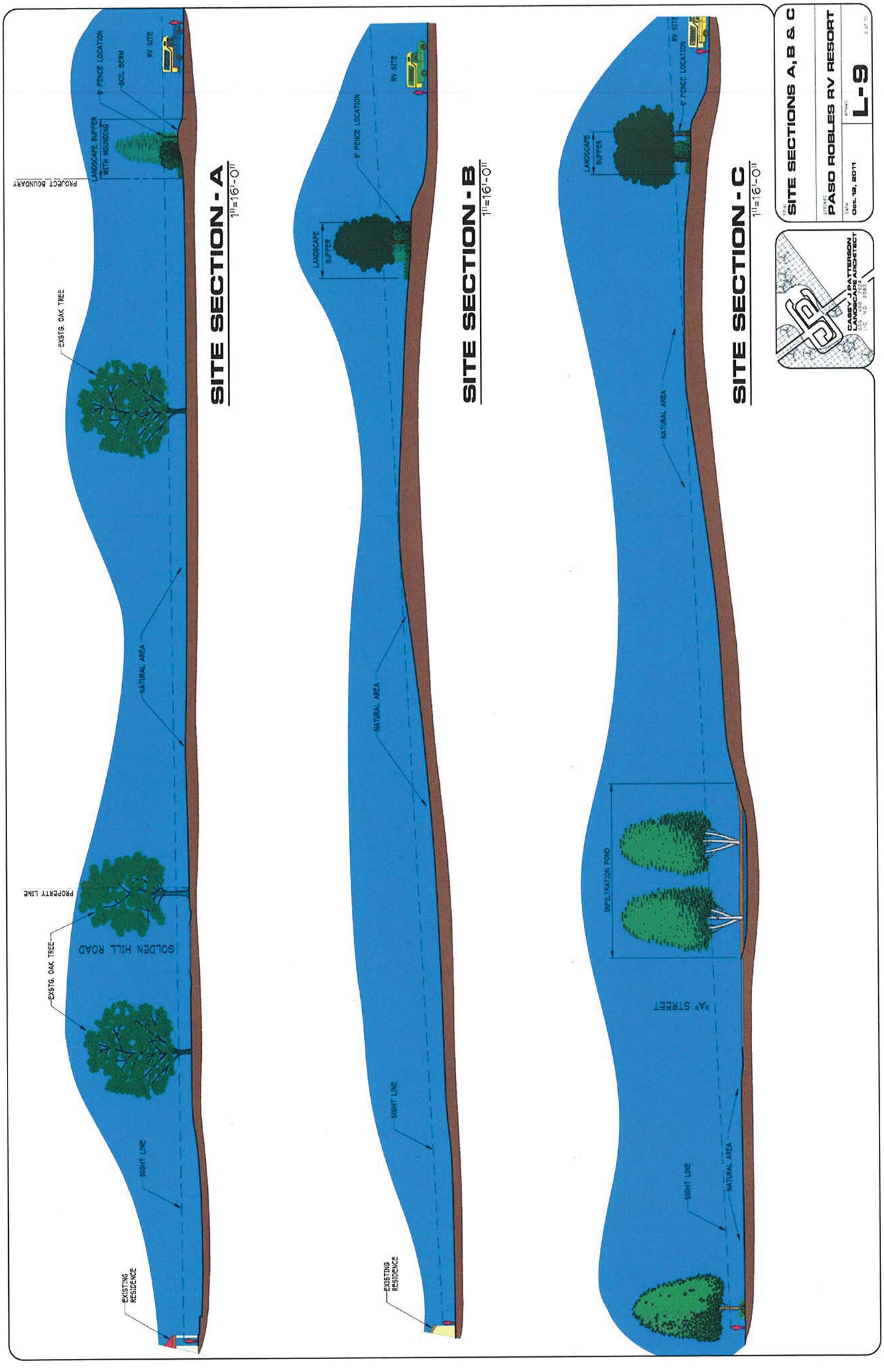
GOLDEN HILL ROAD
PLANTING PLAN
PASO ROBLES RV RESORT
Dec. 15, 2011
L-4
A STREET
GOLDEN HILL RD.
MATCHLINE, SEE SHEET L-3
GROUND COVER
15-GREDED REDWOOD BARK MULCH, 2" DEEP LAYER
W/ PRE-EMERGENT HERBICIDE SEE PLANTING NOTES
PLANTING NOTES
CASEY J. PATTERSON
LANDSCAPE ARCHITECT

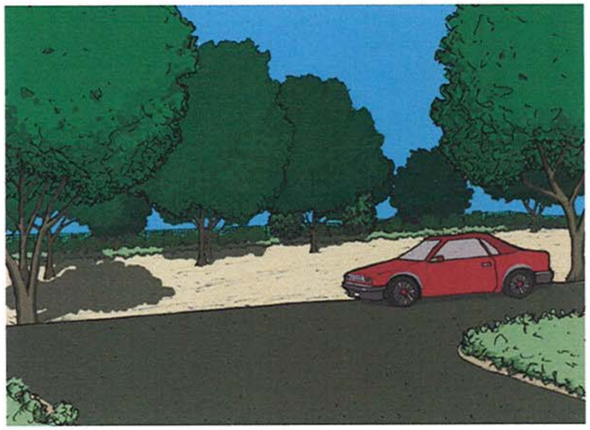

MATCHLINE, SEE SHEET L-6
PLANT SYMBOL LEGEND
PLANTING NOTES
GROUND COVERS
WOOD BARK MULCH, 2" DEEP LAYER WITH PRE-EMERGENT HERBICIDE, SEE PLANTING NOTES
BIOSWALE AREA, SEE NOTES AND BIOSWALE SECTION DETAIL, SHEET L-9
SITE SECTION, SEE SHEET L-8
EXISTING OAK TREE TO REMAIN PRESERVE & PROTECT
OAK TREE CANOPY
PROPOSED FENCE LOCATION
BIOSWALE, SEE SHEET L-9 FOR DETAIL
VIEW "B", SEE SHEET L-10
GOLDEN HILL RD (FUTURE)
GOLDEN HILL RD
A STREET
B STREET
STREET EDGE
(PLANT SYMBOL LEGEND IS FOR SHEETS L-5 TO L-8)
SCALE 1"=20'
CASEY J PATTERSON LANDSCAPE ARCHITECT
title: PERIMETER FENCE PLANTING PLAN
project: PASO ROBLES RV RESORT
date: Oct. 12, 2011
sheet: L-5


MATCHLINE, SEE SHEET L-7
A
VIEW "A"
SEE SHEET L-10
ELEVATION VIEW SEE SHEET L-9
SITE SECTION, SEE SHEET L-8
A
GOLDEN HILL RD FUTURE
EXISTING OAK TREE TO REMAIN
PRESERVE & PROTECT
OAK TREE CANOPY
PROPOSED FENCE LOCATION
J STREET
B STREET
E STREET
143
144
145
146
147
148
149
150
151
152
101
100
70
69
68
43
44
42
05T
0
20'
40'
60'
SCALE 1" = 20'
MATCHLINE, SEE SHEET L-5
SEE SHEET L-5 FOR PLANT SYMBOL LEGEND
CASEY J PATTERSON
LANDSCAPE ARCHITECT
misc:
PERIMETER FENCE
PLANTING PLAN
project:
PASO ROBLES RV RESORT
date:
Oct. 12, 2011
sheet:
L-6
6 of 11

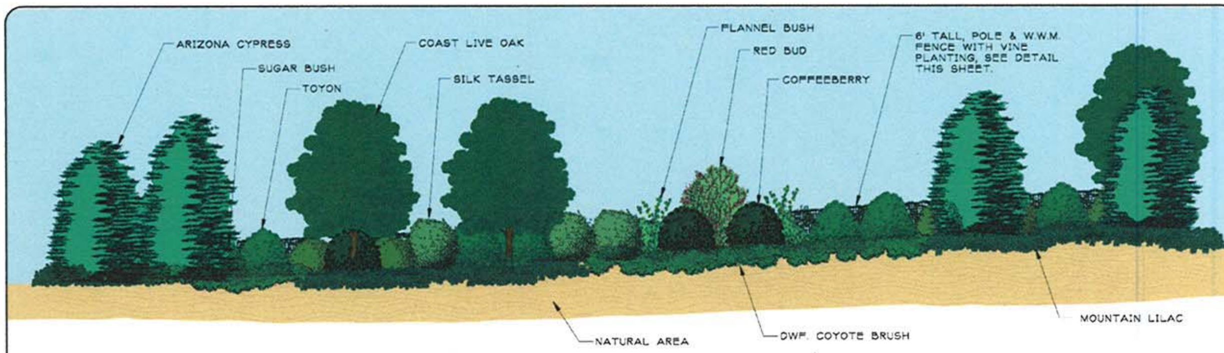

MATCHLINE, SEE SHEET L-7
NORTH
0 20' 40' 60'
SCALE: 1"=20'
GOLDEN HILL RD (FUTURE)
C STREET
139
121
140
EXISTING OAK TREE TO REMAIN PRESERVE & PROTECT
120
07T
119
OAK TREE CANOPY
141
142
PROPOSED FENCE LOCATION
STREET EDGE
J STREET
102
103
104
B STREET
06T
(SEE SHEET L-5 FOR PLANT SYMBOL LEGEND
MATCHLINE, SEE SHEET L-8
CASEY J PATTERSON LANDSCAPE ARCHITECT
title: PERIMETER FENCE PLANTING PLAN
project: PASO ROBLES RV RESORT
date: Oct. 12, 2011
sheet: L-7


GOLDEN HILL RD (PUBLIC)
C STREET
STREET EDGE
PROPOSED FENCE LOCATION
EXISTING OAK TREE TO REMAIN PRESERVE & PROTECT
OAK TREE CANOPY
MATCHLINE, SEE SHEET L-7
(SEE SHEET L-5 FOR PLANT SYMBOL LEGEND
SCALE 1"=20'
0 20' 40' 60'
CASEY J PATTERSON LANDSCAPE ARCHITECT
title: PERIMETER FENCE PLANTING PLAN
project: PASO ROBLES RV RESORT
date: Oct. 12, 2011
sheet: L-8
8 of 11


SITE SECTION - A
1"=16'-0"
PROJECT BOUNDARY
LANDSCAPE BUFFER WITH MOUNDING
6' FENCE LOCATION
SOIL BERM
RV SITE
EXSTG. OAK TREE
NATURAL AREA
PROPERTY LINE
GOLDEN HILL ROAD
EXSTG. OAK TREE
SIGHT LINE
EXISTING RESIDENCE
SITE SECTION - B
1"=16'-0"
LANDSCAPE BUFFER
6' FENCE LOCATION
RV SITE
NATURAL AREA
SIGHT LINE
EXISTING RESIDENCE
SITE SECTION - C
1"=16'-0"
LANDSCAPE BUFFER
6' FENCE LOCATION
RV SITE
NATURAL AREA
INFILTRATION POND
"A" STREET
SIGHT LINE
NATURAL AREA
CASEY J PATTERSON
LANDSCAPE ARCHITECT
SITE SECTIONS A, B & C
PASO ROBLES RV RESORT
Oct. 12, 2011
L-9

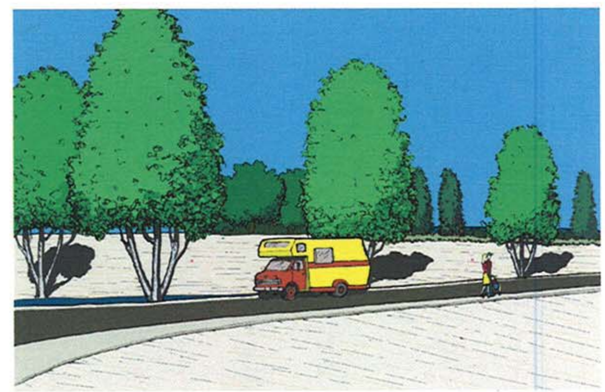


VIEW "A"

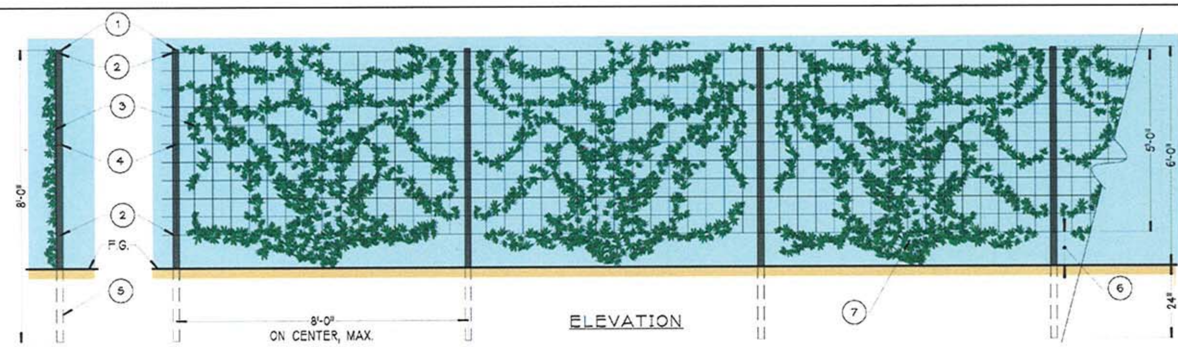


NOTE:
ELEVATION VIEW SHOWS SHRUB SIZE AT AN AGE OF 5 YEARS AND TREES AT 10 YEARS. ALL PLANTS WILL GROW TO LARGER SIZES AS THEY MATURE.

PERIMETER FENCE
ELEVATION VIEW at SITE SECTION "A"
(partial & typical)



VIEW "B"



SECTION

ELEVATION

1. 2 INCH DIAMETER, 8 FOOT LONG "GAS PIPE" STEEL FENCE POST.
2. SECURE FENCE FABRIC TO FENCE POST AT TOP AND BOTTOM WITH PRE-DRILLED HOLES IN POST WITH STAINLESS STEEL, 12 GAUGE WIRE (WRAP A MINIMUM FOUR TIMES).
3. 6X6-10X10 WWM METAL FENCE FABRIC.
4. SECURE FENCE FABRIC TO FENCE POST AT MID POINT WITH STAINLESS STEEL, 12 GAUGE WIRE (WRAP A MINIMUM FOUR TIMES).
5. HOLES FOR POSTS TO BE A MINIMUM 24" DEEP WITH COMPACTED 3/4" CRUSHED GRAVEL AS BACKFILL. CORNER POST AND LINE POST 24 FT. O.C. TO HAVE CONC. FOOTING.
6. PROVIDE AN ELEVEN (11) INCH SPACE AT BOTTOM OF FENCE FOR ANIMAL PASSAGE.
7. VINE PLANTING, ATTACHED TO FENCE

POLE & W.W.M. FENCE

N.T.S.

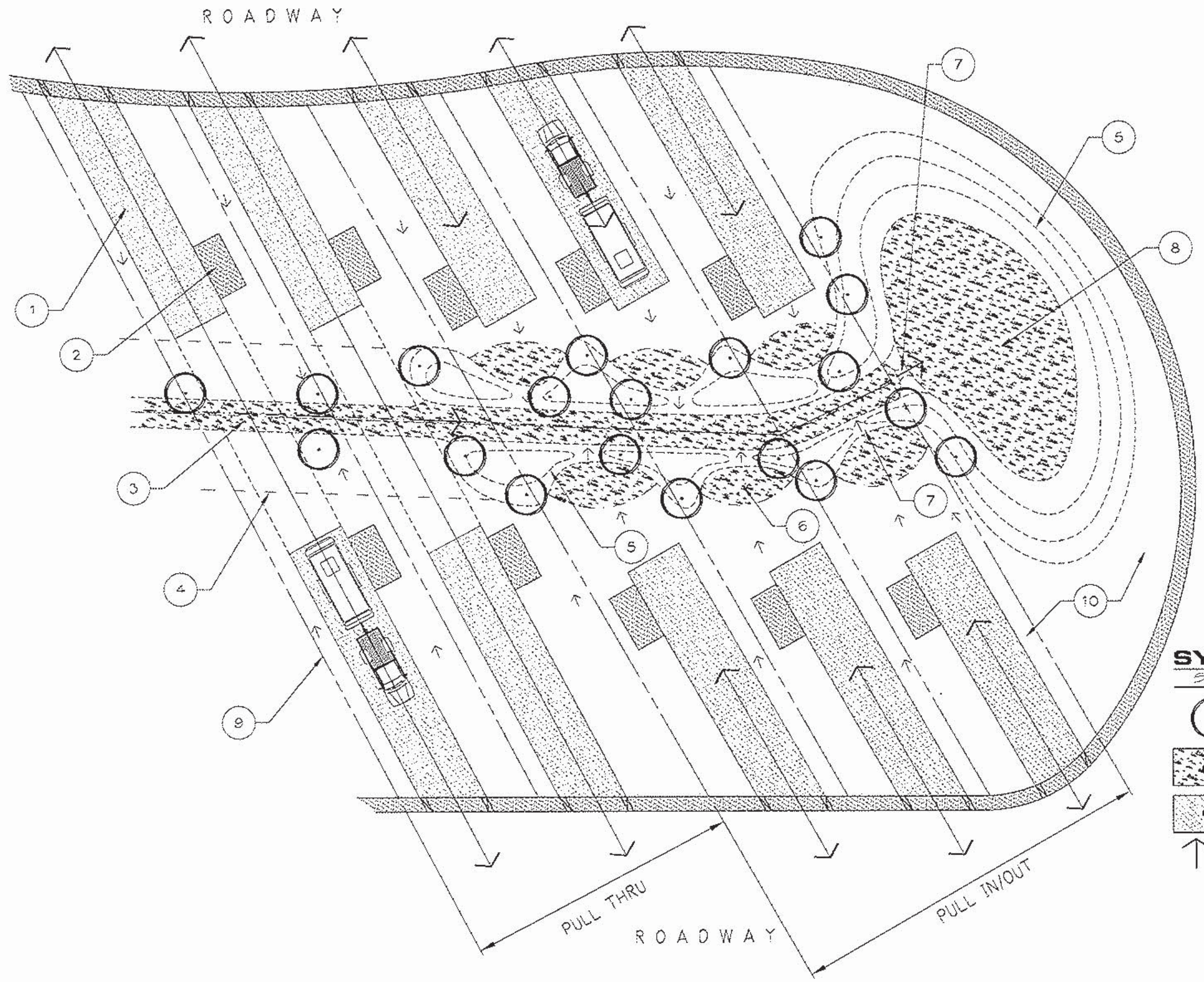
CASEY J PATTERSON
LANDSCAPE ARCHITECT

title:
TYP. ELEVATION, VIEWS & FENCE DETAIL

project:
PASO ROBLES RV RESORT

date:
Oct. 12, 2011

sheet:
L-10



CONCEPTUAL LANDSCAPE / SITE DRAINAGE

CALL-OUT NOTES

1. DECOMPOSED GRANITE RV PARKING PAD
2. CONCRETE PAD.
3. BIOSWALE FOR REAR LOT DRAINAGE
4. GRADE BREAK LINE, FROM (+/-) 2% TO 5% (MAX) SLOPE
5. MINOR EARTH CONTOURING FOR DRAINAGE CONTROL
6. SMALL RAIN GARDEN FOR RV LOT SITE DRAINAGE
7. EARTHEN WEIR
8. LARGE RAIN GARDEN
9. RV LOT PROPERTY LINE
10. NATURAL AREA

NORTH

1"=10'-0"

SYMBOL LEGEND

SYMBOL	ITEM
(circle)	SMALL TREE OR LARGE SHRUB LOCATION USED FOR PRIVACY AND SPACE ARTICULATION
(hatched)	BIOSWALE PLANTING AREA SEE SHEET L-9 FOR PLANTING NOTES
(stippled)	DECOMPOSED GRANITE PAVING AREA
(arrow)	SITE DRAINAGE DIRECTION

CASEY J PATTERSON
LANDSCAPE ARCHITECT
805 . 458 . 7929
LIC. NO. 2083

title: TYPICAL RV LOT LANDSCAPE
project: PASO ROBLES RV RESORT
date: Oct. 12, 2011
sheet: L-11
11 of 11

1. Storm Water Management Program SWMP

1.1. Regulatory Requirements

The City of Paso Robles (City) is classified as a small municipal separate storm water system (MS4) and as such is subject to the National Pollution Discharge Elimination System (NPDES) Phase II (General Permit) and California Environmental Quality Act (CEQA) regulations. As part of the General Permit requirements the City has developed and implemented a Storm Water Management Program (SWMP). The current general permit requires that the SWMP include Best Management Practices (BMPs), measurable goals, and effectiveness measures and time tables for the following six Minimum Control Measures (MCMs):

- Public Education
- Public Participation
- Illicit Discharge Detection and Elimination
- Construction Site Storm Water Runoff Control
- Post Construction Storm Water Management
- Pollution Prevention/Good Housekeeping for Municipal Operations

1.2. Objectives of SWMP

The goal of the SWMP is to define strategies and guidelines for the protection of water quality and the reduction of pollutant discharges to the Maximum Extent Practicable (MEP). MEP is the technology based standard established by Congress in the Clean Water Act (CWA) section 402(p)(3)(B)(iii). The MEP approach is an ever evolving, flexible, and advancing concept which considers technical and economic feasibility.

The City is a participant in a joint effort among other regional MS4s in an effort to derive a methodology for creating hydromodification control criteria; this joint effort is sponsored by the Central Coast Regional Water Quality Control Board (RWQCB). From this effort the City has developed interim hydromodification criteria as outlined in the "Low Impact Development (LID) for Storm Water Control: Interim Design Guidance for New and Redevelopment Projects" (LID Guidelines).

1.3. Developers Responsibility

Two of the MCMs, Construction Site Storm Water Runoff Control, and Post Construction Storm Water Management, required for the SWMP are directly related to project construction activities. Construction site runoff control measures are addressed in Storm Water Pollution Prevention Plans (SWPPPs) which are currently required for all construction projects with an area of disturbance of one acre or more.

In order to achieve the goals of the Post Construction Storm Water Management Plan MCM the City has required that developers incorporate Low Impact Design (LID) techniques into their projects. The City has published LID Guidelines to assist project applicants to successfully incorporate LID design principles into their projects, and to set numeric storm water control requirements. The LID Guidelines also sets applicability thresholds for projects based on size and type of development. Under these guidelines the Paso Robles RV Resort project is a Tier 3 project and as such must comply with the requirement of the LID Guidelines. The applicant has prepared a Storm Water Runoff Control Plan (SWRCP) in order to demonstrate that the LID Guideline requirements have been met. The SWRCP illustrates the LID principles that been used to plan the project and the LID BMPs that have been incorporated into the design of the project in order to achieve the goals of the Post Construction Storm Water Management Plan MCM.

2. Low Impact Design (LID)

LID principles and techniques have been shown to be effective at managing storm water runoff and is an accepted method to meet the MEP standard. The implementation of LID principles and techniques has the primary goals of maintaining the hydrologic function of the project site and maintaining the existing characteristics and water quality of runoff to receiving water bodies. These goals are achieved first through project planning to reduce impacts, and second by mitigating the remaining impacts using structural BMPs.

2.1. LID Planning Objectives

Project planning can greatly reduce the impacts of development using the following strategies:

- Reduction of impervious surfaces by using narrower roads, and using alternative road layout to require shorter roads.
- Reduction of impervious surfaces by using pervious pavements such as permeable pavers and pervious concrete or asphalt.
- Reduction of impervious surfaces by constructing taller structures with multiple floors instead of sprawling one story structures.
- Plan site to follow the exiting contours of the land which in turn minimizes grading, and preserves natural drainage courses and native vegetation.
- Disconnect impervious surfaces from storm drain facilities by directing roof and paving runoff to vegetated areas.

2.2. LID BMP Objectives

Construction activities almost always have impacts that can't be avoided by careful planning. These impacts must be mitigated by employing structural BMPs. These impacts can be mitigated using the following LID principles:

- Mitigate runoff impacts using natural and engineered infiltration and retention techniques to promote infiltration and ground water recharge, allow pollutant removal, and maintain existing flow patterns and runoff quantities.
- Employ bioretention to provide retention and treatment of pollutants.
- Disperse LID measures uniformly across the site to mimic natural conditions.

Exhibit M1
Stormwater Control Plan
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

- Mitigate runoff impacts at the source to the extent feasible to mimic natural conditions and build redundancy within the mitigation measures.

2.3. Common LID practices

- Preservation of native vegetation.
- Reduce impervious surfaces to mitigate increased runoff.
- Disconnect impervious surfaces to promote sheet flow to vegetated areas.
- Maximize Bioretention.
- Vegetated swales, buffers, and strips.
- Disconnect roof gutters from storm drains and direct runoff to vegetated areas.
- Utilize rain gardens and vegetated retention basins.
- Utilize permeable pavements.
- Amend soils to increase infiltration rates.
- Limit use of storm drain systems to promote sheet flow to vegetated areas.

2.4. LID BMP Design Criteria

The City LID Design Guidelines have set forth the following design criteria which were used in the preliminary LID BMP design of the project:

- The LID BMPs were sized to maintain the existing 85th percentile 24-hour runoff volume. The pre-developed and post-developed runoff volumes were calculated using the modified rational method using 0.75" 24 hour rainfall depth, and weight runoff coefficients from the County of San Luis Obispo Department of Public Works Public Improvement Standards drawings H-3 and H-3a.
- Although not specifically required by the City LID Design Guidelines, the project retention/detention facilities were sized to maintain the peak flow flows during the 85th percentile and the 25-year design storms. These peak flows were also calculated using the rational method.
- Runoff velocities leaving the site were maintained to pre-developed levels and characteristics.

3. Project description

The Paso Robles RV Resort proposes developing a 332 space RV resort at the north end of Golden Hill Road in the City of Paso Robles California.

3.1. Existing Condition:

The existing site is located on 3 parcel covering approximately 161 acres at the end of Golden Hill Road in the City Paso Robles California. The site is currently undeveloped and is covered primarily with grasses and several mature oak trees. The site generally slopes towards the Huerhuero Creek which runs along the west side of the site. The eastern 2/3 of the site is relatively flat with slopes generally less than 5 %. The slopes on the northern 1/3 of the site are steeper with slopes ranging from 10% to 20% and approaching 30% near Huerhuero Creek. The Huerhuero Creek has a broad, clean, deep granular sand bottom with a heavily vegetated riparian border. The Huerhuero Creek is tributary to the Salinas River and has an approximately 97,000 acre watershed with an estimated 100-year peak flow of 14,800 cfs. Despite its high 100-year peak the Creek is ephemeral and has little to no base flow during a typical rain season.

Golden Hill Road improvements and public right-of-way currently ends at the southern project boundary. A private driveway serving the Circle B residential development accesses Golden Hill Road at this location. This area experiences frequent flooding and sediment deposits are found at the end of the street after average storm events. As part of the project LID improvements a retention basin will be constructed on Parcel 2 to mitigate a portion of the existing flooding and sedimentation problems at this location. The runoff at this location is primarily generated by the commercial/industrial developments located on the east side of Golden Hill Road from Highway 46 to the site. The runoff is conveyed to this location in Golden Hill Road which receives runoff from Tractor Street and Wisteria Lane; the approximate watershed area is 120 acres.

3.2. Site Investigation

A boundary and topographic survey of the site was performed. The topographic information was used to determine the limits of the watersheds affecting the site and to determine the existing flow patterns on the site. Visual field surveys were also conducted to determine the ground cover on the site and to confirm the existing flow patterns and watershed limits. An extensive field survey was conducted to locate all the trees on the site and to determine the disposition of these trees. This survey found that the majority of these trees were mature and in good conditions, but some were found to be in poor condition or dead.

NRCS soils maps show that the site is predominately covered with soils from the Hydrologic Soils Group (HSG) type C which have moderately slow to slow infiltration rates. The soils in and around the Huerhuero Creek are from the HSG type A which have high to very high infiltration rates. A preliminary geotechnical investigation of the site generally confirmed the information obtained from the NRCS soils map. A hydrologic and hydraulic analysis was performed for the site for both the pre and post developed conditions. The results of these analyses were used in planning LID measures in order to meet the SWMP objectives.

3.3. Proposed Development

The Paso Robles RV Resort project proposes constructing a 332 space RV Resort and involves three parcels located at the north end of Golden Hill Road, in the City of Paso Robles. The majority of the project development occurs on Parcel 1 (±72 acres). Parcel 2 (±62 acres) will not be developed and has been dedicated to the City of Paso Robles as public open space. Parcel 3 (±23 acres) will not be developed as part of this project, but approximately 5

Exhibit M2
Stormwater Control Plan
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

acres will be used to install LID measures for the benefit of the project, and 2 acres for the extension of Golden Hill Road to the project entrance. The project development footprint covers approximately 50 acres of which more than 20 acres will be left undisturbed. Proposed project improvements include internal road, RV spaces, dry camping spaces, the Golden Hill Road Extension, sewer, water and utilities, a guest registration center, two guest comfort facilities, 3 swimming pools, and all drainage and LID systems. A 100 foot wide offer of dedication along the west side of the site has been made for the future extension of Golden Hill Road past the project entrance. This extension will not be developed as a part of this project.

The project LID BMPs were not sized considering its future development, but a review of the site shows that sufficient LID measures can be incorporated within the 100' right-of-way to mitigate the impervious surfaces generate by its future development.

4. Project specific implementation of LID measures.

The project was planned and designed to implement LID principles and techniques to reduce and mitigate the impacts to site runoff caused by construction. The project employed both planning and structural BMP techniques.

4.1. Project Planning Techniques

The following elements were implemented in planning the project in order to reduce the impacts to the hydrologic function of the site and to reduce impervious areas:

- The Project was planned to minimize grading and soil disturbance by following the natural contours of the land to the extent feasible.
- Project improvements and roads were located to reduce the impacts on the grove of oak trees covering much of the project site.
- The Project improvements were located away from existing drainage courses to reduce impacts to the existing flow patterns.
- Impervious surfaces were reduced by eliminating street sidewalks and reducing road widths to the extent feasible.
- Most RV parking spaces are paved with gravel instead of using asphalt or concrete paving.
- Project has dedicated a significant portion of the project site to be preserved as open space and exclude future development.
- Where feasible curb and gutter has been eliminated from the project and streets have been sloped to discharge runoff to vegetated areas. When concentrated street flows could not be avoided every attempt was made to discharge this flow to a bioretention swale or rain garden instead of being collected in a central storm drain system. Elimination of curb and gutter increase contact time with the ground and promotes sheet flow allowing for increased infiltration and removal of pollutants.

4.2. LID structural BMP measures employed in project

The project will employ several BMP measures to mitigate impacts by promoting bioretention, infiltration, and ground water recharge. The BMPs will serve the function of treating runoff and maintaining existing peak flows, runoff volumes, and drainage patterns, closely mimicking the existing hydrologic function of the site. The use of multiple BMP techniques adds a level of redundancy to the LID design that improves the overall treatment of the runoff. Multiple small BMPs were used when possible to control runoff at the source and to allow even distribution around the site which more closely mimics the existing hydrologic function of the site. The following BMPs will be employed in the LID measures for the site:

- Bioretention swales will be employed on the site to convey runoff across the site instead of collecting in a central storm drain system. The swales have been designed to retain runoff from the 85th percentile storm; retention occurs within the vegetation, in the interstitial spaces within the soil, and in short term surface storage. Eliminating storm drain pipes allows more contact time with the ground allowing for treatment and infiltration, and increases the time of concentration which decreases peak flows. An added feature of the bioretention swale and other bioretention facilities is the creation of wildlife habitat.

Appropriate plant species within the bioretention swales will be selected based on climate, soil conditions, and varied moisture conditions with guidance from the Central California Coast Technical Assistance Memo (TAM) LID Plant Guidance for Bioretention. Soils to be used within the Bioretention swale will be specified with guidance from the "Regional Bioretention Soil Guidance & Model Specification Bay Area storm Water Management Agencies Association", Technical Memorandum. Links to both of these memos can be found at: http://centralcoastlidi.org/Central_Coast_LIDI/LID_Structural_BMPs.html.

- Rain Gardens will be employed in open spaces to promote infiltration, bioretention, and allow pollutant removal. They have been designed to retain runoff from the 85th percentile storm. Rain Gardens are similar to Bioretention swales in that they will utilize the same plants and soil specification. The Rain Gardens are not used for conveyance of runoff but instead act as terminal storage facilities much like miniature retention ponds. In some cases they will be designed to overflow to the central storm drain system through riser pipes; even then they are still designed to retain the 85th percentile storm.
- Infiltration/Retention Ponds used in conjunction with other LID measures to reduce peak flows and runoff volumes, provide retention, and promote infiltration and ground water discharge. The Retention Ponds are similar to rain gardens but on a larger scale; they will be planted with similar plant species and have similar soils. They have been designed to retain both the 85th percentile and 25 year storms and will also act to detain the 100 year storm and mitigate the peak flows to the pre-developed 100 year rate. The typical retention pond will be a maximum of 4 feet deep with side slopes of 4:1 or flatter. These ponds will be graded to blend into the surrounding topography in order to be visual appealing.

Exhibit M3
Stormwater Control Plan
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

- Drywells maybe used in conjunction with infiltration/retention ponds to increase infiltration rates where surface soil infiltration rates are found to be inadequate.
- In some cases Gravel Trenches will be used in combination with bioretention swales to increase retention capacity and increase infiltration rates.
- Level Spreaders will be employed where possible in situations where concentrated flows could not be avoided such as at the end of drain pipes and swales. Level Spreaders diffuse concentrated flows into sheet flow and dissipates velocities, which in turn mimics the existing flow patterns and reduces erosion. In cases where space limitations or steep slopes preclude using level spreaders, conventional velocity dissipaters such as rip-rap aprons will be employed.
- Pervious pavements such as permeable pavers or pervious concrete were considered for use in the parking areas. Because of the heavy loads caused by the RVs it was conceded impractical to use pavers for the RV parking spaces and that pervious concrete was cost prohibitive in these applications. Instead the parking spaces will be gravel based and runoff mitigated using bioretention swales and rain gardens. The passenger vehicle parking spaces located at the registration building and at the two comfort buildings will be paved but if additional mitigation measures are required, permeable pavers will be considered for use instead of asphalt paving.

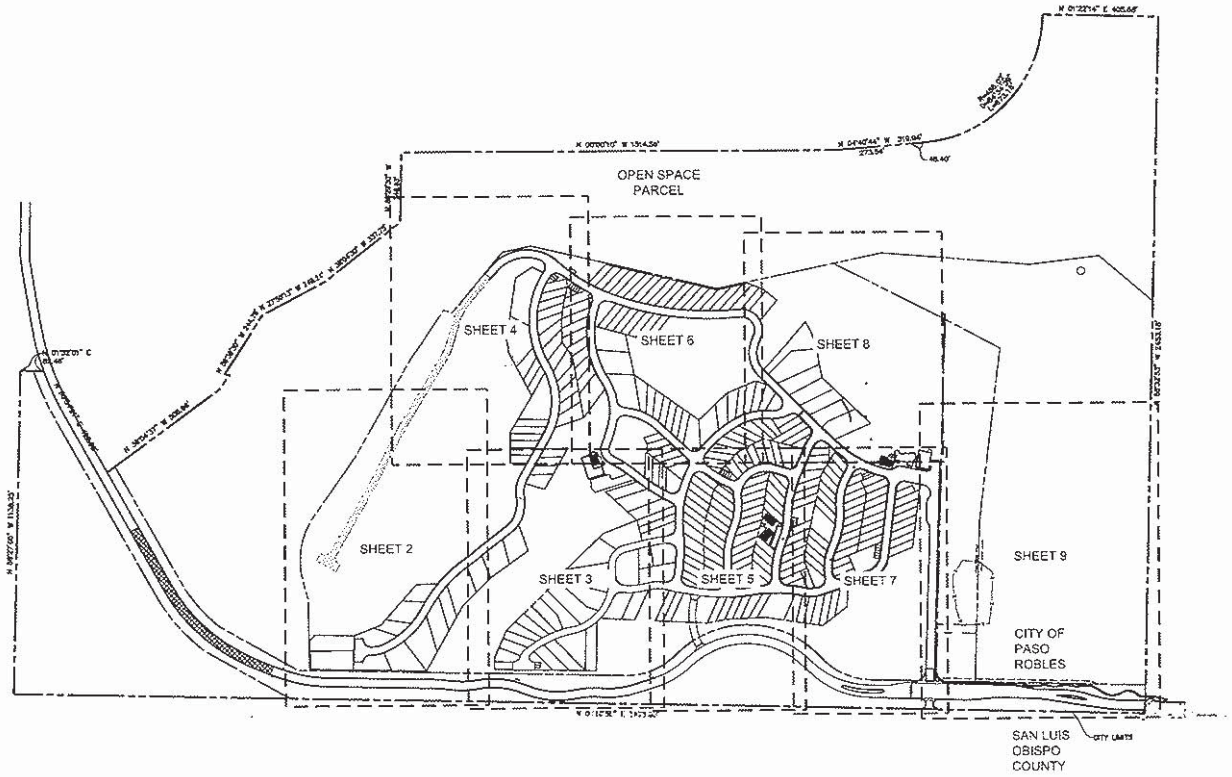
5. Summary

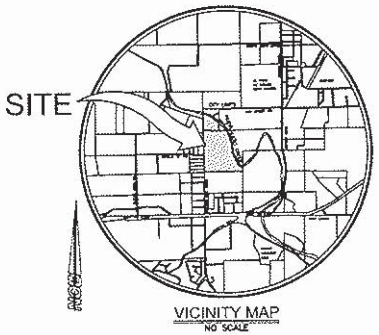
It has been shown that the Paso Robles RV Resort project has been planned to reduce hydromodification impacts to the extent feasible using LID planning techniques. The remaining impacts will be successfully mitigated using LID BMPs and the hydrologic function of the developed site will closely mimic the existing conditions. The existing characteristics of runoff leaving the site including peak flow, volumes, velocities and water quality will also closely mimic the existing condition.

Exhibit M4
Stormwater Control Plan
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

SITE STATISTICS - OVERVIEW

RECORD OWNER	PASO 33, LLC 11696 SORRENTO VALLEY ROAD, #201 SAN DIEGO, CA 92121
APPLICANT	DOUG McCURDY & PASO 33, LLC 11696 SORRENTO VALLEY ROAD, #201 SAN DIEGO, CA 92121
ENGINEER	NORTH COAST ENGINEERING, INC. 725 CRESTON RD., STE. B. PASO ROBLES, CA 93446 CHRISTY GABLER R.C.E. 64821 EXP. 6/30/09





SHEET INDEX

NCE

0 100' 200' 400'

SCALE: 1"=200'

PASO ROBLES RV RESORT
TITLE AND INDEX SHEET

NCE NORTH COAST ENGINEERING INC. 725 Creston Rd Suite B, Paso Robles, 239-3122

PAGE 1 OF 13

PASO ROBLES RV RESORT (08119)

Exhibit N1
Grading & Drainage Plans
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

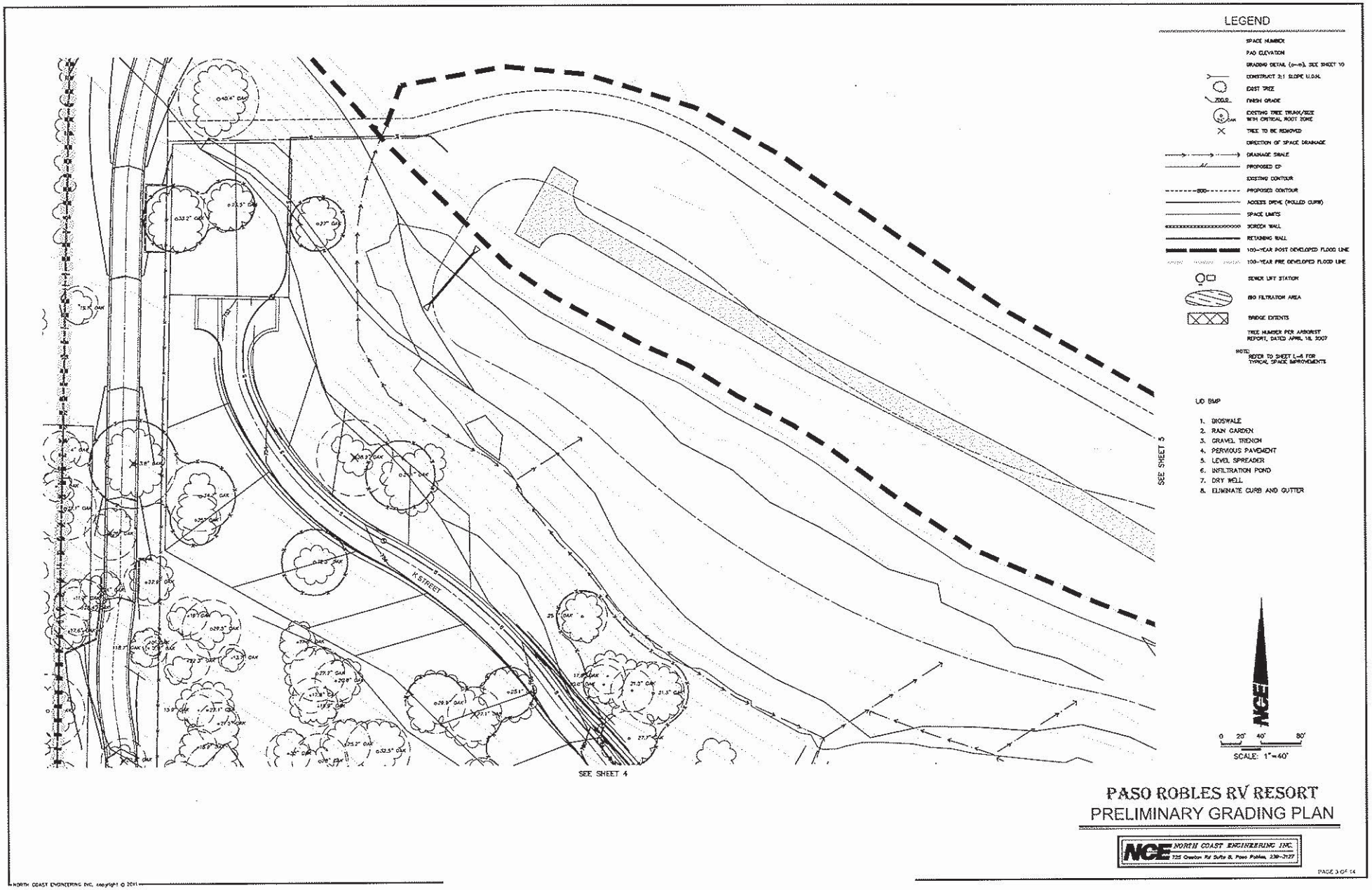


Exhibit N2
Grading & Drainage Plans
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

Exhibit N3

Grading & Drainage Plans

PD 08-001 & CUP 08-001 Amend.

(PR RV Park)

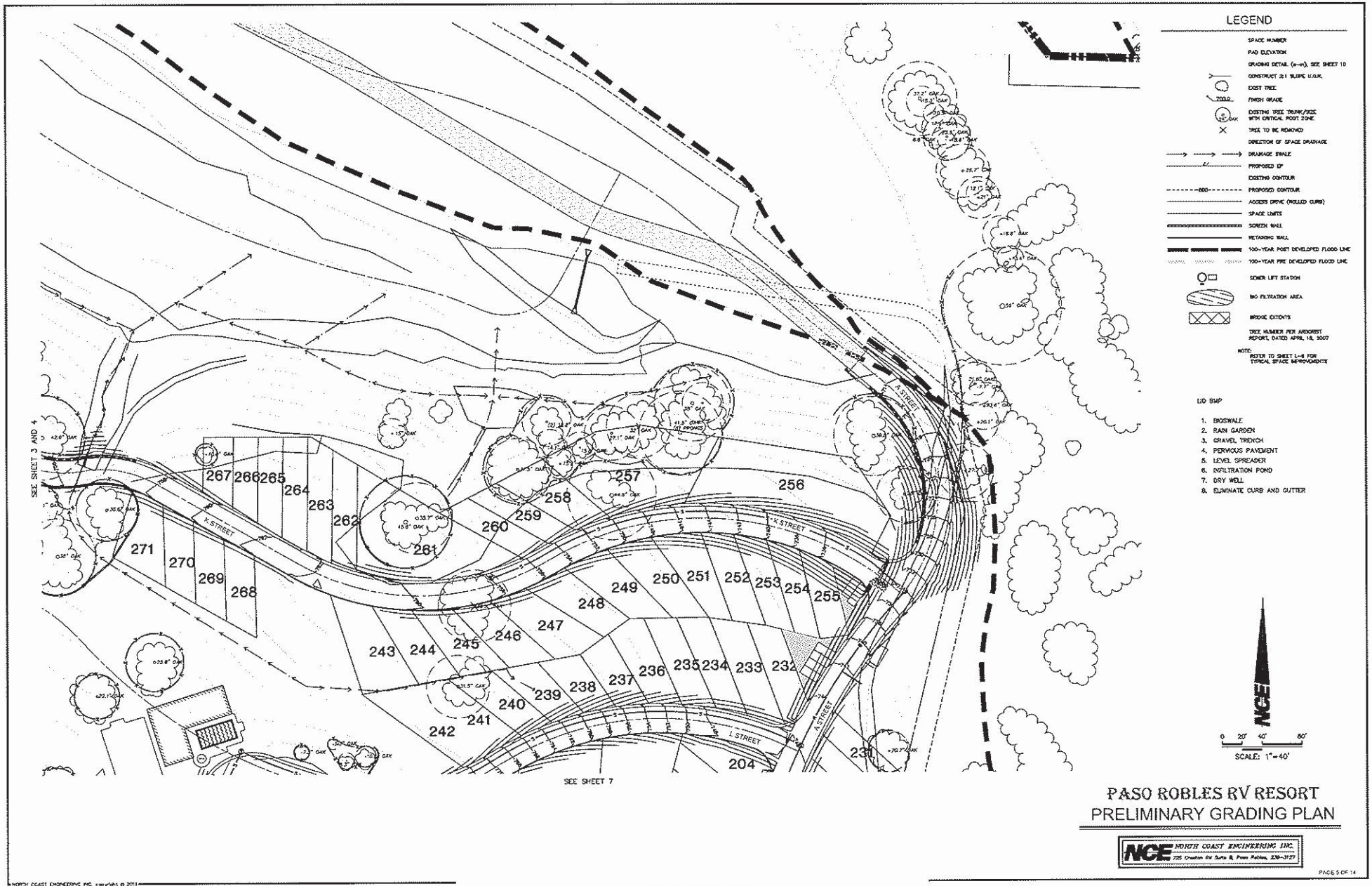


Exhibit N4

Grading & Drainage Plans

PD 08-001 & CUP 08-001 Amend.

(PR RV Park)

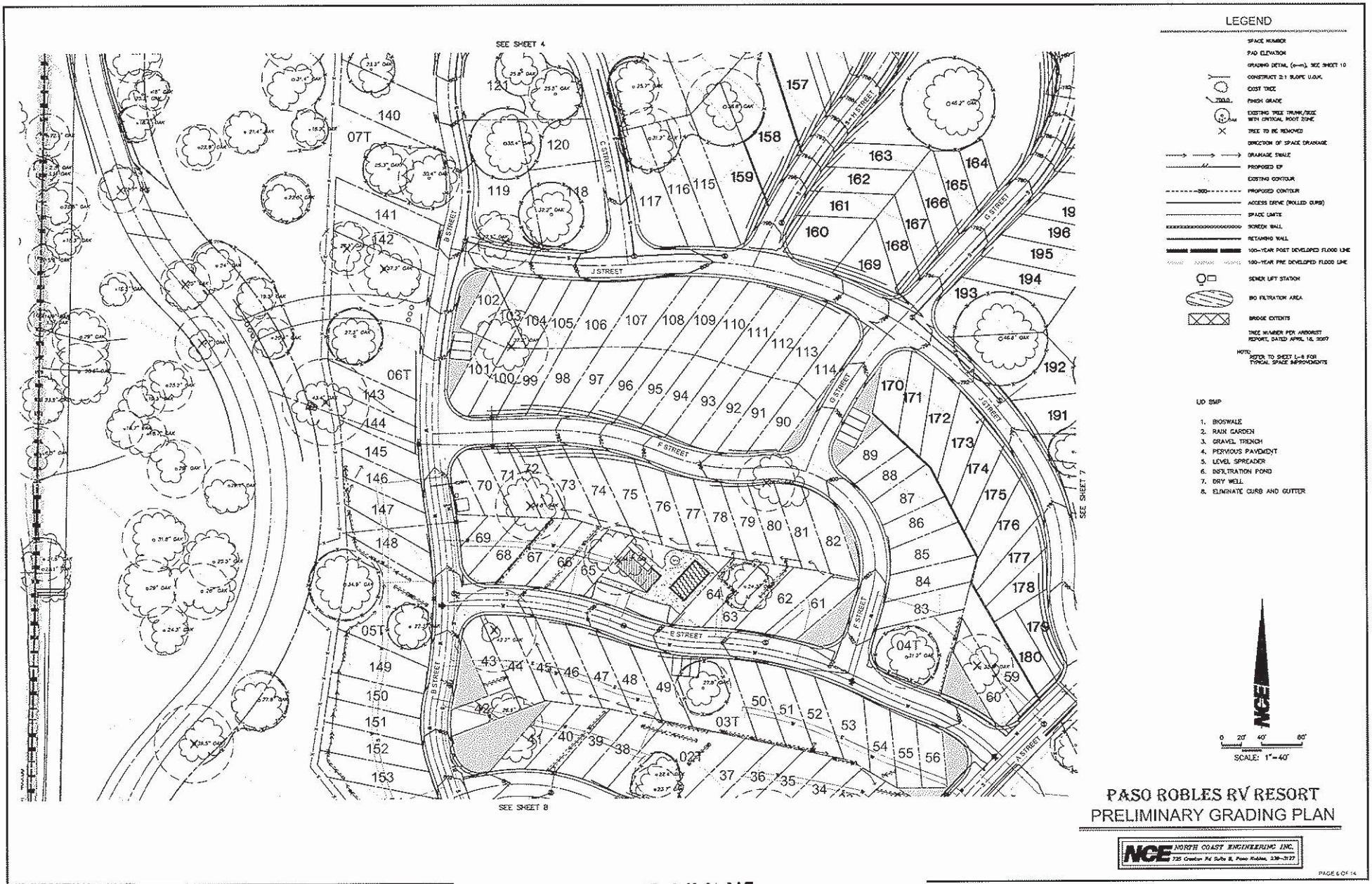


Exhibit N5
Grading & Drainage Plans
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

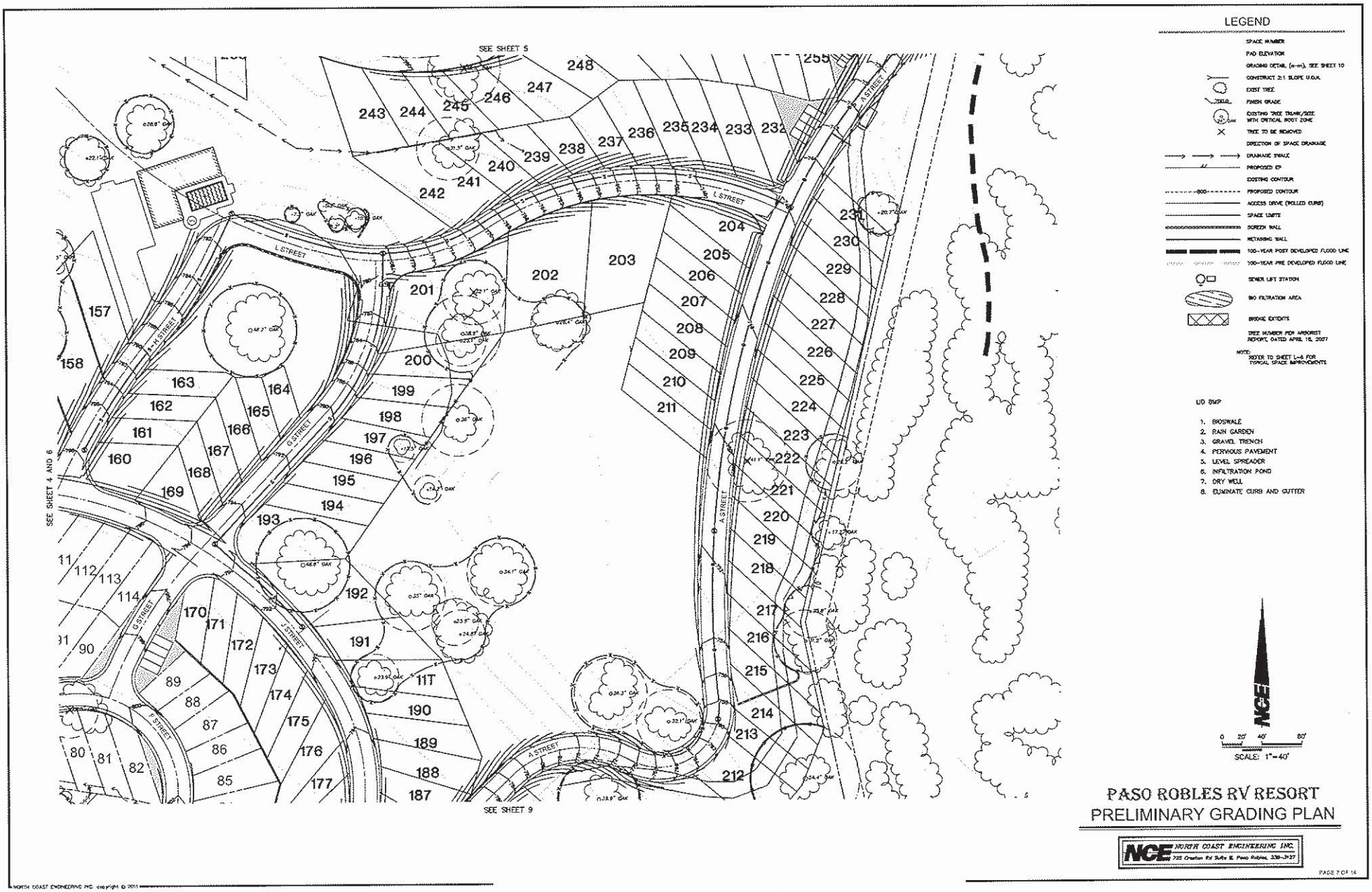


Exhibit N6
Grading & Drainage Plans
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

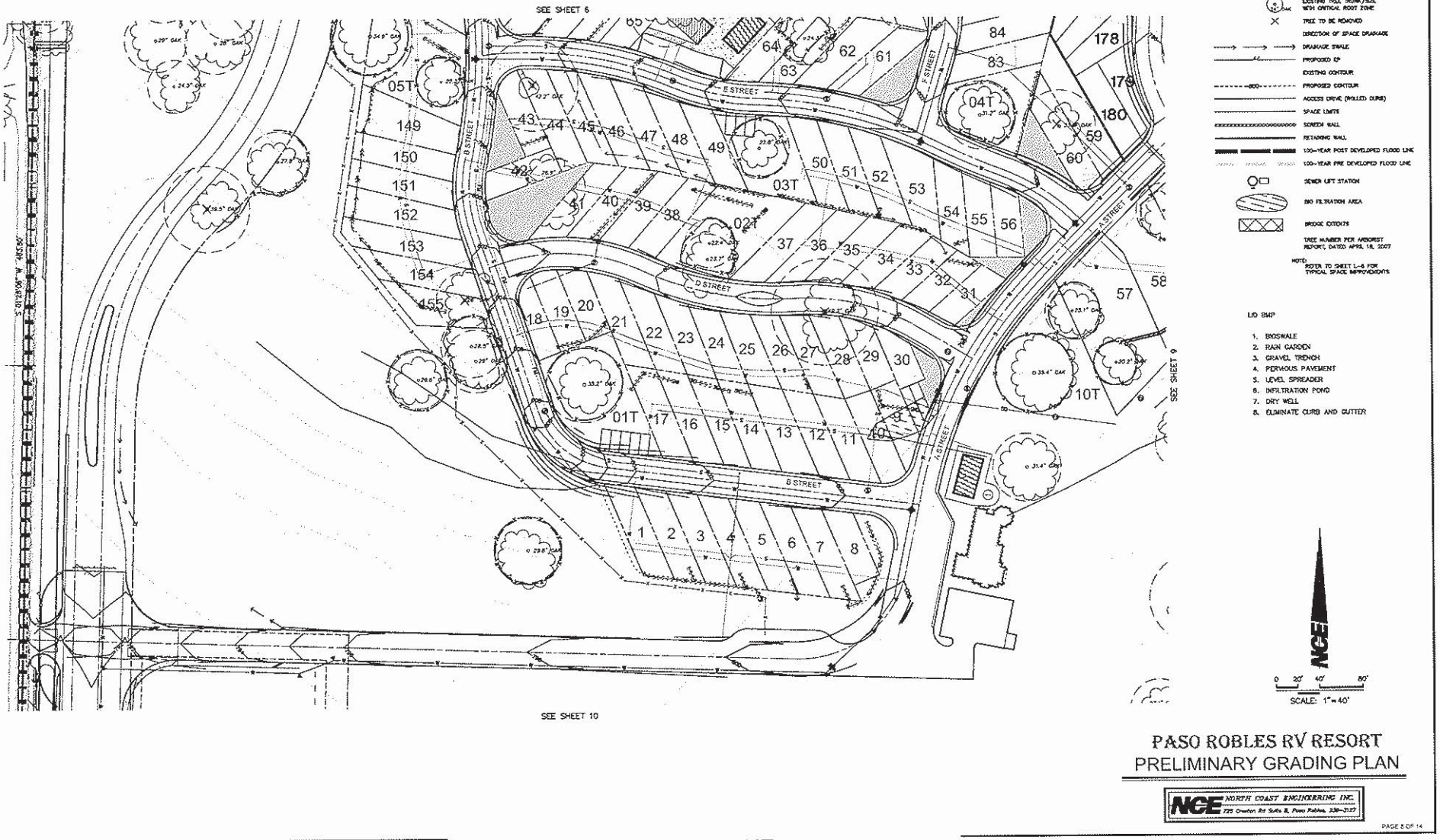


Exhibit N7
Grading & Drainage Plans
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

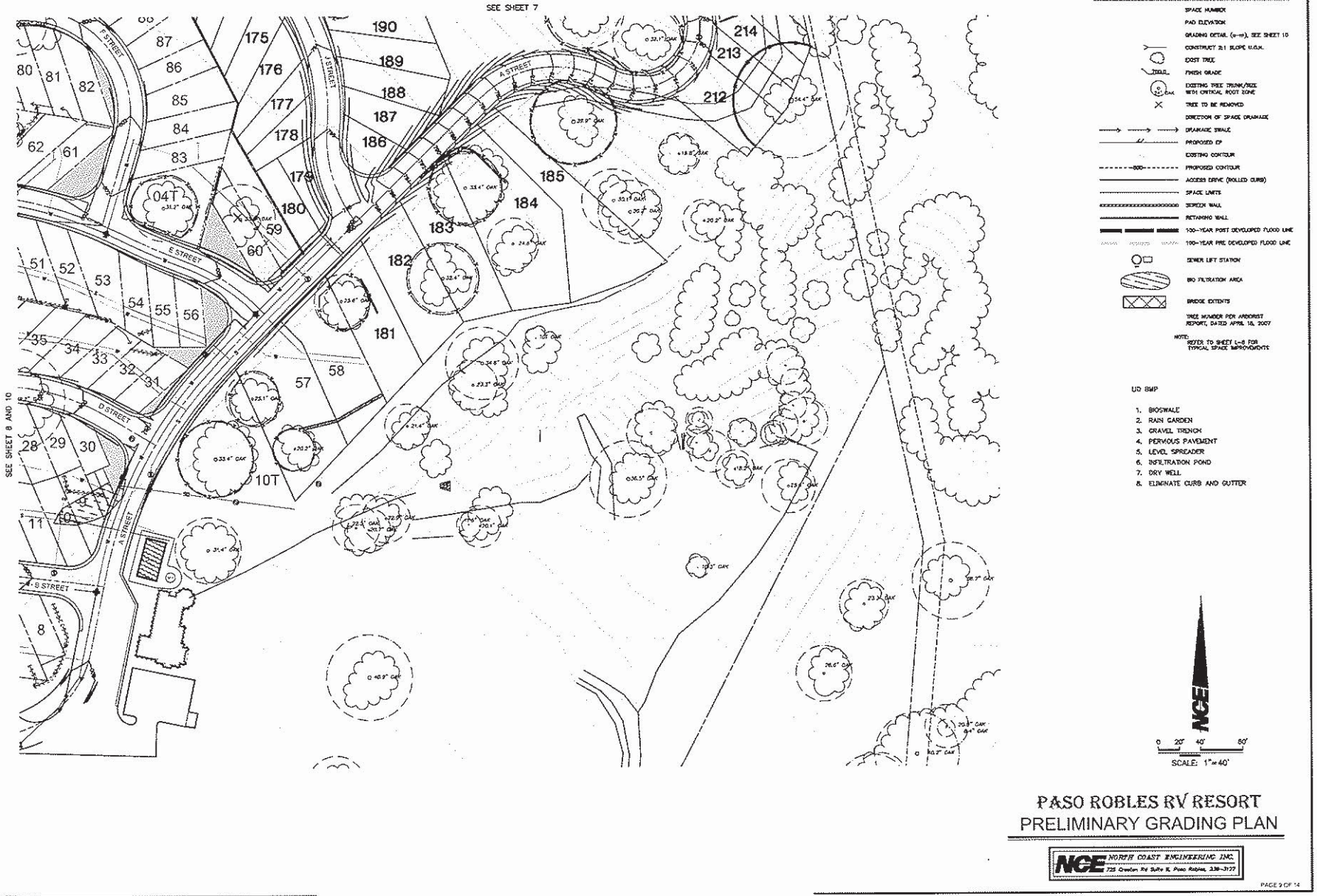


Exhibit N8
Grading & Drainage Plans
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

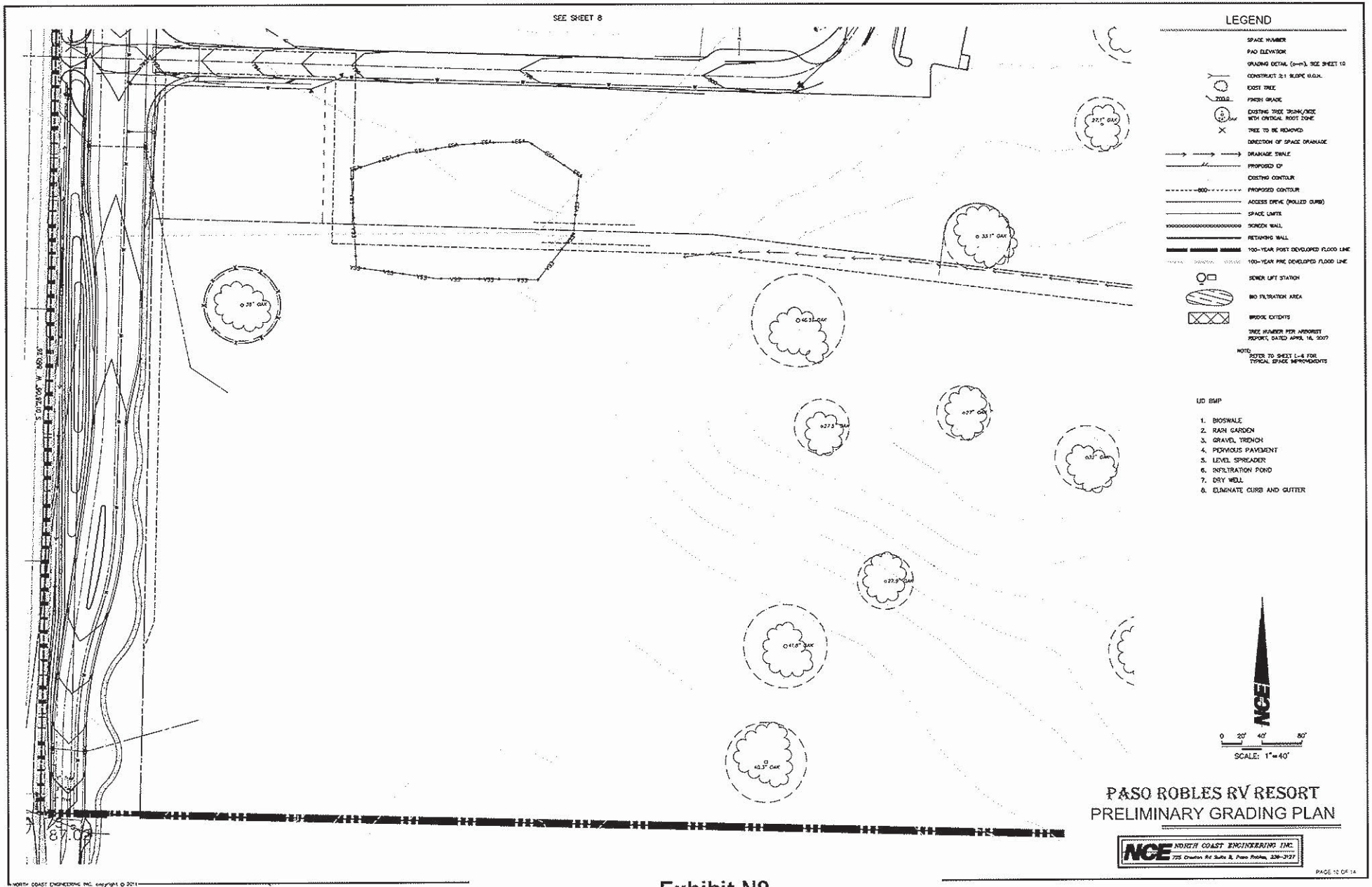


Exhibit N9
Grading & Drainage Plans
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

GENERAL LOW IMPACT DESIGN PRINCIPLES AND TECHNIQUES

#	Mitigation	Description	Pros	Cons
	Reduce Impervious Surfaces	Reduction of impervious areas by eliminating roads, reducing road widths, use of pervious pavements	Reduce runoff increases	
	Mitigate at Source	Use bio-swales and rain gardens to store and treat runoff on individual spaces.	Mitigate runoff in smaller areas	
	Promote Sheet Flow to Vegetated Areas	Allow infiltration in vegetated areas, treat runoff.	Reduce runoff volumes to central storm drain system. Treat runoff.	
	Disconnect from Storm Drains	Promotes sheet flow and infiltration in vegetated areas.	Reduce runoff volumes to central storm drain system. Treat runoff.	
	Reduce Grading	Grade site following natural contours where possible, reduce need for walls	Reduce and treat runoff by reducing concentrated flows and promoting surface infiltration, reduce the need for walls and maintain native drainage patterns.	
	Sheet Flow Away from Streets	Grade sites to drain away from streets; allows infiltration on vegetated areas	Reduce and treat runoff, decrease concentrated flows. Reduce need for central storm drain system.	May increase standing water in some areas for short periods of time.
	Reduce Storm Drains	Use surface channels were feasible instead of storm drains to minimize concentrated flows and to increase the contact time between water and soil. This allows runoff to be treated and infiltrated in vegetated areas.	Reduce and treat runoff, reduces the need for central storm drain system	May increase standing water in some areas for short periods of time.
	Remove Walls	Minimize grading to follow existing contours were possible. Reduce the need for walls by using slopes were feasible.	Reduced construction costs. Reduce concentrated flows at walls. Reduced construction costs.	May reduce usable flat areas on some spaces.
	Disconnect Rain Gutters from Storm Drain	Direct roof runoff to landscaped and vegetated areas, treat runoff through infiltration.	Reduce and treat runoff, reduces the need for central storm drain system	

PASO ROBLES RV RESORT
GENERAL LOW IMPACT DESIGN
PRINCIPALS AND TECHNIQUES

NCE NORTH COAST ENGINEERING INC.
725 Creston Rd Suite B, Paso Robles, 239-9737

PAGE 11 OF 14

Exhibit N10
Grading & Drainage Plans
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

LOW IMPACT DESIGN MITIGATION MEASURES AND BMPS

#	Mitigation	Description	Pros	Cons
1	Bio-Swales	Vegetated swales that stores and treats runoff by promoting infiltration. Check dams required on slopes greater than 2% to maximize storage. Storage can be increased by adding gravel trenches. Bio-swales typically found at rear of spaces.	Reduces and treats runoff through storage and infiltration. Reduces the need for central storm drain system	Increased construction cost, part of which may be offset by the reduction of storm drain costs. Standing water for short periods of time
2	Rain Gardens	Small scale retention ponds in vegetated areas that treat and store runoff promoting infiltration. Typical ponded depth of 6" to 12". Typically found at rear of spaces and in open spaces. To treat and store runoff from spaces. Can also be used to treat and store runoff from streets by using over-side drains instead of connecting to storm drain system. Can connect to storm drain system through riser pipes, but allows for infiltration and treatment before entering central storm drain system.	Reduces and treats runoff through storage and infiltration. Reduces the need for central storm drain system	Increased construction cost, part of which may be offset by the reduction of storm drain costs. Standing water for short periods of time
3	Gravel Trenches	Trenches filled with high porosity gravel, typically 2' to 3' wide and 2' to3' deep. Allows subsurface storage and treatment of runoff until it can be infiltrated. Can be used in conjunction with bio-swales to increase their storage capacity.	Reduce and treat runoff through infiltration. No standing water.	Increased construction cost
4	Level Spreaders	Small ponded area at the terminus of swales and storm drains to return concentrated to sheet flow.	Reduce and treat runoff through infiltration and vegetation. Maintains native flow conditions and reduces erosion.	Increased construction cost
5	Infiltrations Ponds	Large scale detention/retention ponds used to mitigate runoff increase in large storm events. Use of infiltration to maintain runoff volumes at approximately the native rate. Ponds can be lightly vegetated, i.e. vineyards, but must not impede the ability to maintain pond. Poor infiltration rates will require larger shallower ponds to mitigate runoff.	Reduce and treat runoff through infiltration.	Soil infiltration rates may not be high enough to drain the ponds in a timely manner and may cause standing water for long periods of time.
6	Dry Wells	Used in conjunction with infiltration ponds to increase infiltration rates in the ponds. The dry wells are large diameter pipes (24" to 48") installed to a depth where	Reduce footprint of infiltration ponds, reduce time period of standing water.	Increased construction and maintenance costs.
7	Eliminate Curb and Gutter	Allow runoff to sheet onto lots and open spaces where feasible. Promotes surface infiltration and runoff treatment in vegetated areas.	Reduce and treat runoff, reduces the need for central storm drain system	

PASO ROBLES RV RESORT
LOW IMPACT DESIGN MITIGATION
MEASURES AND BMPS

NCE NORTH COAST ENGINEERING INC.
725 Creston Rd Suite B, Paso Robles, 238-3027

PAGE 12 OF 14

Exhibit N11
Grading & Drainage Plans
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

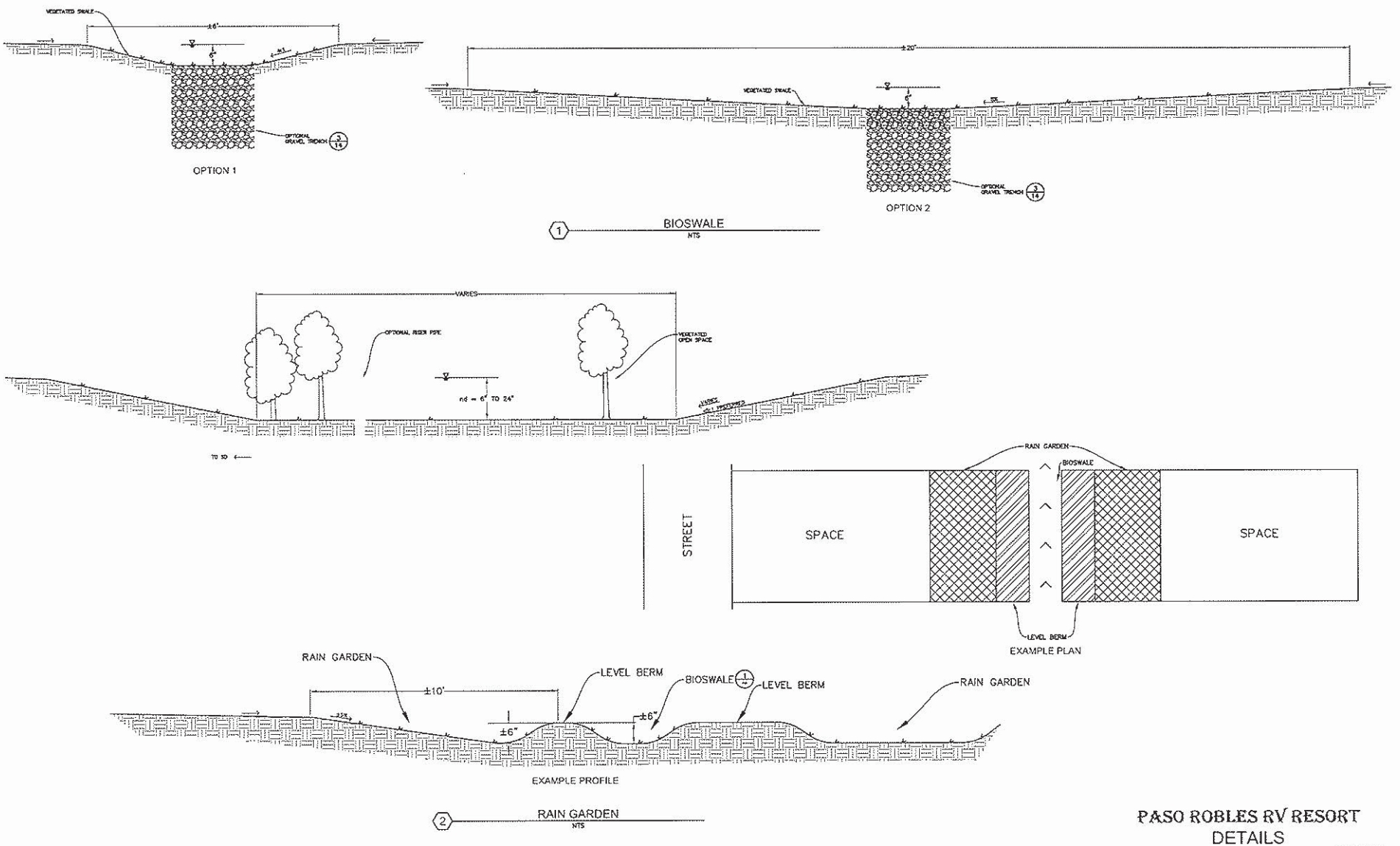
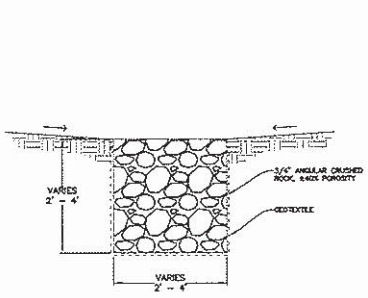
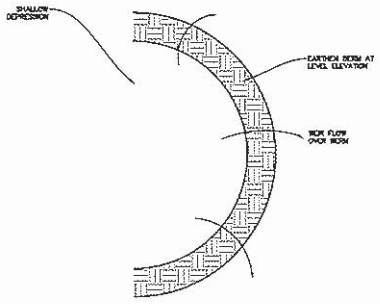


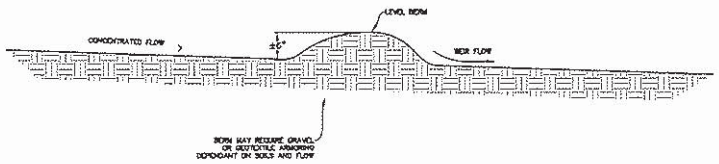
Exhibit N12
Grading & Drainage Plans
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)



3 GRAVEL TRENCH
NTS

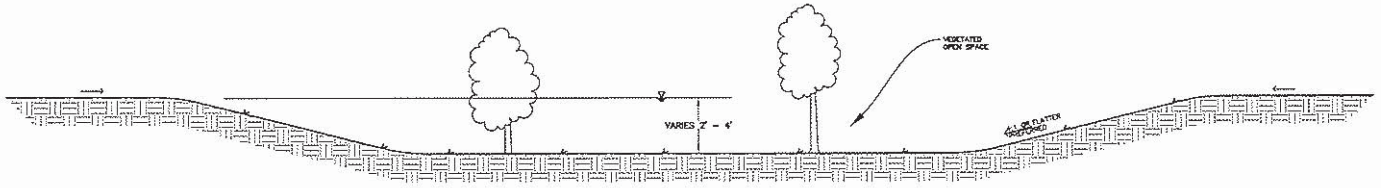


EXAMPLE PLAN

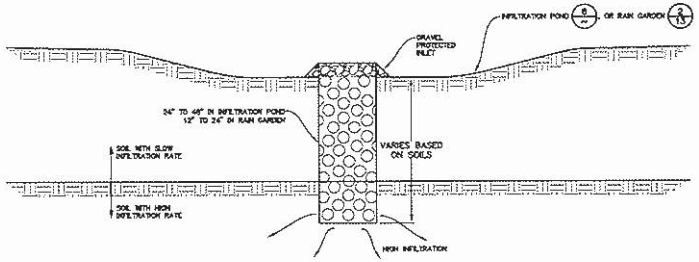


EXAMPLE PROFILE

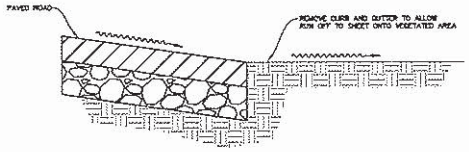
5 LEVEL SPREADER
NTS



6 INFILTRATION POND
NTS



7 DRY WELL
NTS



8 ELIMINATE CURB AND GUTTER
NTS

PASO ROBLES RV RESORT
DETAILS

NCE NORTH COAST ENGINEERING INC.
725 Creston Rd Suite B, Paso Robles, 238-7137

PAGE 14 OF 14

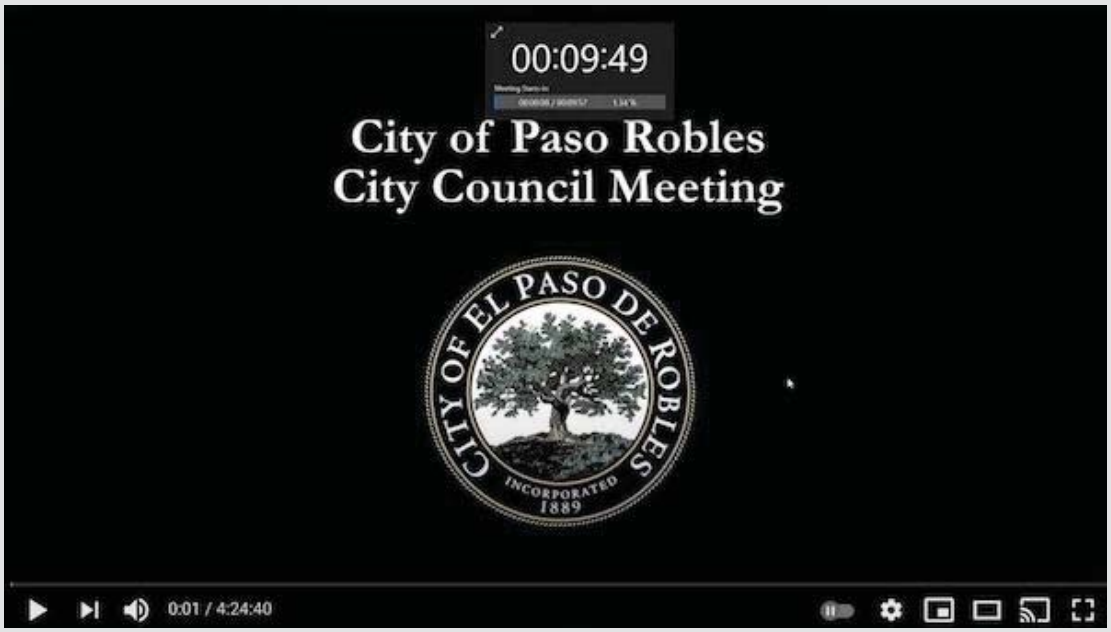
Exhibit N13
Grading & Drainage Plans
PD 08-001 & CUP 08-001 Amend.
(PR RV Park)

ATTACHMENT 3

Paso Robles Daily News

Paso Robles City Council opposes new power lines over Highway 46

Posted: 6:40 am, January 20, 2021 by News Staff



Click here to view the meeting on Youtube.

–At its Tuesday night meeting, the Paso Robles City Council voted unanimously to oppose a proposed PG&E power line that would cross Highway 46 and travel across several businesses on the east side of Paso Robles.

Community Development Director Warren Frace showed slides of the proposed Estrella Substation and Paso Robles Area Reinforcement Project. Representatives of Cava Robles RV Park, Vina Robles Winery, Riboli Winery, and several other businesses in the area spoke against the proposal. PG&E is proposing improvements to the Estrella Substation and Paso Robles Area Reinforcement Project which includes the construction of towers 70' to 105' tall to transport electricity across the freeway.

Hans Michel, the owner of Vina Robles said their facility values the visual experience of visitors to that part of Paso Robles and says large power lines near the eastern entrance of the city will compromise that visual experience. Others said the power lines and large towers would ruin their businesses. Steve Baker of Cava Robles RV Resort said that PG&E has an alternative that is preferable environmentally.

Ultimately the council voted 5-0 to oppose the development, but City Manager Tom Frutchey advised the council this may be a long process, and the city needs to be prepared to fight the proposal at each step. The council's vote will be sent to the California Public Utility Commission.

The council also received a report from Police Chief Ty Lewis on cleaning the riverbed. He compared it to painting the Golden Gate Bridge. When they're finished making their way through the riverbed, they return to the beginning. He did not comment on Tuesday afternoon's bank robbery after which the robber escaped into the riverbed to elude officers.

The city council also received a report from Paso Robles Fire Department Battalion Chief Randy Harris and Assistant City Manager Sarah Johnson-Rios regarding COVID-19. Harris says the vaccination program is underway at the Paso Robles Event Center. Reservations were taken last week and filled up by one Friday afternoon. He says they will take

reservations again on Thursday. One can make a reservation for vaccination by going to the county website [redacted]

Assistant City Manager Sarah Johnson-Rios said the council approved in December spending $235,000 to assist local businesses. That money has gone to support parklets in the city, and also provide propane for heating out-of-door dining. The city is also introducing a new program that allows local businesses to sell gift cards which include a 20-percent discount. The city pays for that discount up to $5,000 per business. The gift cards are going on sale now at more than 50 businesses in Paso Robles.

Administrative Services Director Ryan Cornell reported the city's financial standing is good. He says the city has just under $20 million dollars in reserves, which is about 50-percent of the annual budget. He recommends deferral of Transient Occupancy Tax Collections for hotels, motels, and short-term rentals. However, it would put the minimum deferral at $3,000 a month.

The Paso Robles City Council also hired Oasis Associates to do environmental planning work to expedite the state's sale of the El Paso de Robles Youth Correctional Facility on Airport Road. The state has decided to sell the property and there are several interested buyers. The City of Paso Robles is not buying the property, but expediting the sale.

Related

Paso Robles City Council meeting highlights for Jan. 19
January 22, 2021
In "Politics"

NextEra, PG&E return to community for feedback on local infrastructure project
June 14, 2016
In "Region"

Public feedback sought for upcoming electric infrastructure project
November 24, 2015
In "Community"

ATTACHMENT 4

LAND USE ELEMENT

1.0 Introduction

This Land Use Element provides for the opportunity for infill development within the City limits and expansion of the City limits to incorporate potential annexation areas.

Since adoption of the Land Use Element in 2003, the City has completed annexation of the Sphere and Expansion Areas shown on Figure LU-2. Following completion of the Olsen Ranch and Beechwood Annexations in 2004 and the Linne Road (Our Town) Annexation in 2005, there are 19.9 square miles (12,739 acres) within City Limits.

Population Planning Threshold

Resolution 03-232, by which the General Plan was comprehensively updated in December 2003, established a population planning threshold of 44,000 persons. That population threshold was calculated on the assumption that the sum of all existing dwelling units (in 2003) and the maximum number of potential dwelling units authorized by the Land Use Element would be occupied by an average of 2.7 persons per household (average household size reported for the City in the 2000 U.S Census).

As discussed below, the population planning threshold remains at 44,000 persons. However, in 2012, the City Council approved adjustments to the underlying assumptions defining the occupancy of dwelling units.

Population Projection

The General Plan sets a vision and supporting policy focused on expected development between 2003 and the plan's 2025 horizon year. This projection is not a statement of policy that the City should or will take actions to manage the rate of development to conform to the projection.

When the General Plan Update was adopted in December 2003, based on the pace of development activity at that time, it was anticipated that residential build-out of the City, resulting in a population of 44,000, would occur by 2025. However, the national economic slowdown that began in 2007, coupled with the history of periodic slowdowns over prior decades, has caused the City to consider that build-out and an attendant population of 44,000 may take more than 20 additional years: to 2045 or longer, to attain. Table LU-3B contains a population projection prepared in 2014 that takes into consideration the periodic fluctuations in the economy as well as the anticipated availability of finished subdivided lots in the various specific plan areas. Table 1-E in the Land Use Element Appendix provides greater detail for the figures shown in Table LU-3B. It is important to note that the population projection in Table LU-3B and Table 1-E in the Land Use Element Appendix is an estimate of population growth in response to the expected pace of development.

Projected Number of Dwelling Units

A key component of determining the future population is to identify the numbers of existing and potential dwelling units. Table LU-3 provides an accounting of these units.

Vacancy Rate

In 2012, the City acknowledged that, at any point in time, a percentage of built units will be vacant, and that an appropriate vacancy rate is a hallmark of a healthy economy: helping

provide access to housing and stabilize housing prices. According to the U.S. Census, between 1980 and 2010, the housing vacancy rate has averaged 6.22 percent. However, noting that the vacancy rate fluctuates with the state of the economy, the City finds it prudent to adopt a more-conservative vacancy rate of 5.0 percent.

Average Household Size

According to the U.S. Census, the household size has averaged 2.66 persons between 1980 and 2010. The General Plan now (2012) assumes that each dwelling unit will be occupied with an average 2.66 persons.

Build-Out Population

At such time that the 16,818 units shown in Table LU-3 are built, it is assumed that 5.0% of them will be vacant and that the other 95.0 percent will be occupied with an average of 2.66 persons, yielding a population of 42,499.

The City Council may consider general plan amendments that increase the numbers of dwelling units at build-out provided that the build-out population does not exceed the population planning threshold of 44,000 persons.

Commercial and Industrial

Land designated for commercial and industrial development is projected to be more than adequate to accommodate the demands associated with the planned for population growth.

There is sufficient commercially designated area within the City to accommodate a projected 2.90 million additional square feet of floor area through the Year 2025 (refer to Table LU-1B). Industrially-designated land could accommodate up to 1.50 million additional square feet of City of El Paso de Robles General Plan 2003 floor space through the Year 2025. Much of the industrial development is anticipated to be concentrated near the airport.

2.0 Land Use Goals, Policies and Action Items

GOAL LU-1: Land Uses. Strive to maintain a balanced community, where the majority of residents can live, work, and shop.

POLICY LU-1A: Land Use Categories. Provide an appropriate mix and diversity of land uses.

Action Item 1. Amend/update the Zoning Ordinance to ensure that there is a Zoning District for each General Plan Land Use Category on Table LU-2.

Action Item 2. Allow projects in the Mixed Use land use category and/or in Specific Plan areas to be developed with more than one land use.

Table LU-1A. General Plan Development Potential

Land Use Category	Acreage	Percent
Commercial	1,271	10.0%
Business Park/Industrial	1,721	13.5%
Other/Public Facilities	1,947	15.3%
Agriculture & Open Space	2,572	20.0%
Residential	5,228	41.2%
Total	12,739	100%

Table LU-1B. General Plan Development Potential

Land Use	Existing	Potential	Total
Residential	11,711 DU	5,107 DU	**16,818 DU**
Commercial	4,044,000 sf	2,896,000 sf	**6,940,000 sf**
Industrial	2,093,000 sf	1,498,000 sf	**3,591,000 sf**

Notes:
1. DU = Dwelling Unit; existing numbers of DU per December 31, 2011 Land Use Inventory; See Table LU-3 for details on potential DU
2. Actual full commercial and industrial buildout would be driven largely by market factors and other considerations beyond the control of the City.

Table LU-2. General Plan Land Use Distribution

Land Use Category	Acres	Percent
Agriculture	**814**	**7.3%**
Residential Categories		
Residential Rural (1 du/5 acres)	0	0.0%
Residential Suburban (1 du/2.5 acres)	642	5.8%
Residential - Single Family - 1 (1 du/acre)	419	3.8%
Residential - Single Family - 2 (2 du/acre)	272	2.5%
Residential - Single Family - 3 (3 du/acre)	772	7.0%
Residential - Single Family - 4 (4 du/acre)	1,590	14.3%
Residential - Single Family - 6 (6 du/acre)	18	0.2%
Residential - Multiple Family - 8 (8 du/acre)	287	2.8%
Residential - Multiple Family - 9 (9 du/acre)	17	0.2%
Residential - Multiple Family - 12 (12 du/acre)	178	1.6%
Residential - Multiple Family - 16 (16 du/acre)	0	0.0%
Residential - Multiple Family - 20 (20 du/acre)	47	0.4%
Mobile Home Park (5 du/acre)	58	0.5%
Residential Total	**4,300**	**39.0%**
Commercial Categories		
Neighborhood Commercial	55	0.5%
Office Professional	29	0.3%
Downtown Commercial	41	0.4%
Community Commercial	97	0.9%
Regional Commercial	175	1.6%
Commercial Service	505	4.6%
Commercial Total:	**902**	**8.1%**
Mixed Use Categories		
Mixed Use 8 (Commercial and Multi-Family - 8)	18	0.2%
Mixed Use 12 (Commercial and Multi-Family - 12)	37	0.3%
Mixed Use Total:	**55**	**0.5%**
Industrial Categories		
Business Park	1,676	15.1%
Industry	52	0.5%
Industrial Total:	**1,728**	**15.6%**
Other Categories		
Public Facilities	1,654	14.9%
Parks and Open Space	1,634	14.5%
Other Categories Total:	**3,288**	**29.5%**
TOTAL	**11,087**	**100.0%**

Notes:
1. Source: Land Use Inventory, updated to reflect General Plan Amendments through June 30. 2011. All acreages are net (exclude dedicated rights-of-way for streets and highways).
2. It is expected that the Chandler Ranch Area Specific Plan will include changes to some of the above acreage in order to attain the 1,439 dwelling units provided by the General Plan.

Table LU-3A. Summary of Potential Residential Development (Dwelling Units)

Area/Land Use Categories	Existing Dwelling Units	Potential Dwelling Units	Total Dwelling Units
West Side (includes area south of 1st Street)			
Uptown/Town Centre (UTTC) Specific Plan *	2,202	985	3,187
Outside of UTTC - Single Family Residential	702	119	821
Outside of UTTC - Multi-Family Residential	319	86	405
Outside of UTTC - Non-Residential Use	43	0	43
Subtotal	3,266	1,190	4,456
East Side			
Borkey Area Specific Plan - Single Family	396	33	429
Borkey Area Specific Plan – Multi-Family	107	193	300
Union/46 Specific Plan (SF)	816	134	950
Chandler Ranch Area Specific Plan - Single Family	1	1,291	1,292
Chandler Ranch Area Specific Plan – Multi-Family	12	135	147
Olsen Ranch Specific Plan – Single Family	4	574	578
Olsen Ranch Specific Plan – Multi-Family	0	95	95
Beechwood Area Specific Plan – Single Family	5	469	474
Beechwood Area Specific Plan – Multi-Family	0	200	200
Outside of Specific Plan Areas – Single Family	5,122	117	5,239
Outside of Specific Plan Areas – Mobile Homes	310	0	310
Outside of Specific Plan Areas – Multi-Family	1,587	648	2,235
Non-Residential Use	85	28	113
Subtotal	8,445	3,919	12,362
Total	**11,711**	**5,107**	**16,818**

Source: City of Paso Robles Land Use Inventory - December 31, 2011

* UTTC: Existing units as of 12/31/11; potential units assumes 989 potential units minus 4 net units added since 01/01/10.

Table LU-3B: Population Projection

Year	Population [1]	Total Dwelling Units [2]
2010	29,800 [3]	11,652
2012	30,200 [4]	11,711
2015	30,100 [5]	11,917
2020	32,300	12,775
2025	34,400	13,602
2030	37,700	14,933
2035	39,900	15,775
2040	41,900	16,586
2045	42,800	16,924

Notes:

1. All population figures are rounded to the nearest 100. Except for 2010 and 2012, population figures are estimates based on household size and vacancy rate in Section 1 of this Land Use Element.
2. Numbers of dwelling units in 2010 and 2012 are based total numbers of existing units reported on City's Land Use Inventory;
3. Source: 2010 U.S. Census Bureau
4. Source: 2012 State Department of Finance (DOF) E-5 Report (for January 1, 2012)
5. Population "decrease" caused by application of the General Plan's assumptions stated in Section 1 of this Land Use Element. The 2012 DOF population estimate reported 2.73 persons per household, which yielded a higher population estimate than projected in 2015.

POLICY LU-1B: Airport Land Use Compatibility. As a general policy, new residential development is an undesirable land use within the Airport Influence Area.

Action Item 1. Prohibit further subdivision of land within the Airport Land Use Review Area (AP Overlay Area), or changes to land use or zoning, in a manner that would accommodate additional dwelling units. Existing parcels would, however, be entitled to be occupied by existing or new residential dwelling in accordance with current General Plan and Zoning.

GOAL LU-2: Image/Identity. Maintain/enhance the City's image/ identity.

POLICY LU-2A: Citizen Participation. Foster citizen participation in the planning process.

POLICY LU-2B: Visual Identity**.** Promote architectural and design excellence by imposing stringent design and construction standards for commercial, industrial, mixed-use, and multi-family projects.

Action Item 1. Amend/Update the Zoning Ordinance to define standards. Encourage property-owners to upgrade existing buildings and sites to conform to these standards.

Action Item 2. Adopt design standards to clearly articulate how important public views, gateways and landmarks (as shown on Figure CE-3) are to be maintained/ enhanced. This is to include, but not be limited to:

- Enhancing views along highways, roads, streets, and rail corridors with landscaping, building setbacks, enhanced architecture and signage/monuments.
- Ensuring that residential building lots are of sufficient size to preserve the topographic and aesthetic features of the landscape.

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

Action Item 4. Continue to enhance the downtown as a priority.

Action Item 5. Require new development to mitigate its share of the impacts to the natural and built environment as feasible and appropriate.

POLICY LU-2C: Local Heritage. Preserve/enhance downtown and the historic Vine Street neighborhood through adherence to established guidelines.

Action Item 1. Establish a Vine Street Historic Overlay District and adopt design guidelines.

Action Item 2. Review new development projects for consistency with the Downtown design guidelines and the Vine Street neighborhood guidelines.

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

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

Action Item 1 (Accessory Structures). Review/Revise the Zoning Ordinance**,** as necessary**,** to address the size, use and appearance of accessory structures to ensure neighborhood compatibility.

Action Item 2 (Quality of Life). Preserve health and safety, and strengthen the integrity of distinct and identifiable neighborhoods and districts, by protecting local streets from cut through traffic, speeding, parking intrusion, and traffic congestion and by implementing traffic calming measures.

a. Maintain/enhance traffic flow of arterial streets bordering residential neighborhoods, and develop neighborhood traffic management plans where deemed appropriate.

b. Provide well designed streets that provide for multiple benefits including public safety, mobility and storm water management. Integrate storm water management design features in an aesthetically pleasing manner to; intercept pollutants in storm water, recharge ground water, reduce storm water volume and velocity on streets that drain to the Salinas River, Huer Huero Creek, and other smaller tributaries for purposes of protecting and preserving riparian habitats and enhancing water resources.

Action Item 3 (Traffic Calming). Develop safety and traffic calming measures to be incorporated into the design of streets to ensure that they are compatible with the character of the residential neighborhood and other districts with pedestrian activity. These measures are to include, but not be limited to: narrow lanes, landscaped parkways, traffic circles, textured crosswalks, angled parking, and/or other measures.

Action Item 4 (Safety/Security). Review and update, as necessary, the City's Building Security & Construction Standards for new development projects to address:

- Exterior lighting,
- Surveillance devices,
- Illuminated street numbering,
- Locking devices for doors,

- Pedestrian safety devices,
- City Security Plan requirements, and
- City requirements/standards to incorporate considerations related to safety and defensibility into project design and site layout.

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

Action Item 6 (Light/Glare – Existing Development). Continue to enforce the General Performance Standards for All Uses (Section 21.21.040 of the City's Zoning Ordinance) specifies that: "No direct glare, whether produced by floodlight, high-temperature processes such as combustion or welding or other processes, so as to be visible from any boundary line of the property on which the same is produced shall be permitted. Sky-reflected glare from the building or portions thereof shall be so controlled by reasonable means as are practical to the end that said sky-reflected glare will not inconvenience or annoy persons or interfere with the use and enjoyment of property in and about the area where it occurs.

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

Action Item 1. Coordinate with the County and private organizations to identify boundaries of and obtain support for a "purple-belt" that buffers the eventual edge of the City through the preservation of existing, and encouragement of future agriculture and open space.

Action Item 2. As feasible, acquire development rights/easements within the designated purple belt area. Use these development rights/easements to limit land uses within the designated purple belt to agricultural and/or open space.

Action Item 3. Take steps to ensure that the County retains surrounding lands in very low-density rural residential, open space (including natural resource), and agricultural uses. Oppose the creation of new parcels within the County.

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

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

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

POLICY LU- 2F: Planning Impact Area (PIA): Maintain and periodically update a Planning Impact Area (PIA) to indicate the maximum potential geographical boundaries to which the City may grow in the foreseeable future (within the 2003-2025 planning period and beyond), or areas within which development patterns would have an immediate impact upon the City, and identify land use categories that would be assigned if unincorporated land were annexed.

Action Item 1: Evaluate annexation requests for conformance with adopted General Plan goals, policies and action items (including the requirement that financing mechanisms or alternative measures be put into effect in order to ensure fiscal neutrality), as well as public infrastructure and service plans.

Action Item 2: Continue to review and comment on planning efforts and development projects being considered by the County within the City's Planning Impact Area.

POLICY LU- 2G: Specific Plans. Require for large, vacant and/or underutilized areas, as well as for areas with special planning needs, as follows (refer to Figure LU-3):

- Areas outside of and southeast of the 2003 City limits, within Subarea "D" (proposed Annexation Areas between Linne Road and Creston Road). Two specific plans, which include:
- Olsen Ranch Specific Plan
- Beechwood Area Specific Plan
- Chandler Ranch Area Specific Plan
- Oak Park Area Specific Plan
- Uptown/Town Centre Specific Plan
- Other areas as established by the City Council

Limitations on Chandler Ranch Area Specific Plan, Olsen Ranch Specific Plan, Beechwood Area and Uptown/Town Centre Specific Plans.

The following shows the maximum number of dwelling units that can be accommodated within each of the specific plans. These numbers may be reduced, depending on topographic, environmental, or other development constraints:

- *Chandler Ranch Area Specific Plan:* *1,439 dwellings*
- *Olsen Ranch Specific Plan:* *673 dwellings*
- *Beechwood Area Specific Plan:* *674 dwellings*
- *Uptown/Town Centre Specific Plan* *989 dwellings*

Within the scope of a specific plan, the Planning Commission and City Council have the authority to:

☑ Provide flexibility in terms of:
- Distribution of densities within the geographic area covered
- Parcel sizes and location (including clustering to retain unique site features)
- Development Standards and other Zoning Ordinance requirements
- Allowable land uses by providing an opportunity for mixed use provisions (e.g. neighborhood serving commercial land uses) within the overall residential densities anticipated in the General Plan. This flexibility includes the ability to provide for multi-family land uses as long as the total dwelling unit count is within the scope of the General Plan designation for the geographic area under consideration.

☑ Address community-wide issues on a comprehensive basis, including:
- Fiscal impacts
- Infrastructure phasing and financing
- Parks and Trails
- Project Amenities
- Coordinated Architecture

Action Item 1. Encourage establishment of Specific Plans for other areas where it would be appropriate to:

a) Retain unique site features.
b) Insure a cohesive development pattern for the area (A Specific Plan could establish site planning, design and architectural parameters that could integrate the uses of the different parcels in the area).
c) Lend themselves to long-term development and infrastructure phasing;
d) Allow for flexibility in site planning in order to encourage creative and higher quality design and to ensure compatibility with surrounding land uses.

Action Item 2. As part of the environmental review of new Specific Plans, require preparation of fire station analysis identifying staffing requirements, station location, and response times.

POLICY LU- 2H: Downtown. Continue to revitalize the historic Downtown. Focus efforts on developing Downtown Paso Robles as the specialty retail, government, office, cultural, conference, and entertainment center of the City and North County region.

Action Item 1. Continue requiring new projects to implement the adopted Downtown Design Guidelines and to adhere to the development standards of the Zoning Ordinance.

Action Item 2. Promote a vibrant Downtown using the following methods:

- Implement the City's Economic Development Strategy.
- Continue to support Main Street and Chamber of Commerce efforts to use media, publications and technology to encourage retailers and entrepreneurs to locate and build in downtown.
- Encourage Main Street to recruit specialty stores to the Downtown

- Promote special events in the downtown developed by the City, Farmer's Market, Main Street, Chamber of Commerce and other community groups.
- Accommodate and encourage special festivals and events, and public art in the Downtown area.

POLICY LU-2I: Infill. Encourage infill development as a means of accommodating growth, while preserving open space areas, reducing vehicle miles traveled, and enhancing livability/quality of life. Infill includes:

1. Mixed use development in the Downtown and/or in areas within walking distance to transit, employment centers, and commercial services where the environmental impacts of the development would be minimized;

2. Residential infill in/near established neighborhoods;

3. Increased densities on sites which can accommodate the increases without having an adverse effect on adjacent properties;

4. Targeted residential infill to help address the needs of Cuesta College students and employees, City and school district employees, seniors, lower income households and other special needs groups; and rehabilitation of older apartment complexes.

Action Item 1. Amend the Zoning Ordinance to allow mixed-use projects in the Downtown and other suitable locations (near transit, multi-modal transportation facilities, commercial services, and/or employment centers).

Action Item 2. Prior to or concurrent with consideration of any mixed use projects, stringent design and construction standards shall be established.

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

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

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

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

GOAL LU-4: Public Services and Facilities. Maintain/improve the quality of life enjoyed by residents.

POLICY LU-4A: Service Levels. Strive to ensure that City services and facilities are maintained at current levels and/or adopted standards, and are funded as revenues become available. These standards are summarized as follows:

Police	Maintain a ratio of 0.5 non-sworn personnel per 1,000 population. Maintain a ratio of 1.4 to 1.6 sworn personnel per 1,000 population.
Emergency Services **Public Works** (Water, Sewer, Storm Drainage, Solid Waste)	Strive to achieve a 4 minute response to 90% of the calls for service. Maintain a ratio of 0.8 to 1.3 Firefighters per 1,000 population. Public facilities to be designed to meet the current and planned land uses, provisions to be made for continued operation, maintenance, and upgrades as necessary.
Library	Maintain 0.5 square feet per capita of library facilities.

Action Item 1. Direct City revenues toward continuing to fund the public services and on-going maintenance/operation of public facilities and utilities provided by the City (water, sewer, storm drains, police, emergency services, library, recreational services, and solid waste).

Action Item 2. Require new development in annexation areas and/or specific plan areas to establish funding mechanisms to pay for the construction, maintenance, and operation of required City services and facilities on an on-going basis: (1) at current levels; or (2) per adopted City standards, as well as in compliance with state and federal mandates; and/or (3) as deemed necessary during the environmental review and/or the fiscal impact review process.

Action Item 3. Require a fiscal impact analysis for new development in annexation areas and/or specific plan areas and condition projects accordingly so as to ensure that they will be fiscally neutral and not result in a net loss for the City.

Action Item 4. As part of implementation of the General Plan Update:

- Review/refine the existing Growth Management Plan to address Emergency service needs on a periodic basis.
- Revise/update the City's Master Plans of Water, Sewer, Storm Drainage, and Solid Waste and City standards and specifications for public facilities.
- Update the Capital Improvement Program so that it is in conformance with the revised Master Plans.
- Investigate expansion of branch libraries to serve outlying areas and adding new outreach programs, including a book mobile.
- Implement planned City library expansion into the 2nd floor of the existing library and develop City hall relocation plans, as feasible.
- Maintain the Youth Arts Center satellite library.

Table 1-E
Population Projection Details

	Potential # Units	Jan 1 2015	Jan 1 2020	Jan 1 2025	Jan 1 2030	Jan 1 2035	Jan 1 2040	Jan 1 2045	Residual
West Side									
Uptown/Town Centre Specific Plan									
Multi-family, vacant lots	105	12	30	30	30	0	0	0	3
Multi-family, under-developed lots	541	8	110	75	40	30	40	30	208
Multi-family, mixed use potential	295	0	0	0	0	44	50	40	161
Outside UTCSP Area									
Single family, vacant finished lots	97	10	20	15	20	15	5	0	12
Single family, under-developed lots	22	0	2	1	2	1	2	1	13
Single family, vacant subdividable parcels	3	0	1	1	1	0	0	0	0
Multi-family, vacant lots	17	0	16	1	0	0	0	0	0
Multi-family, under-developed lots	90	1	5	7	10	7	10	7	43
Subtotal for West Side	**1,170**								**440**
East Side									
Borkey Area Specific Plan									
Single family, vacant finished lots	13	0	11	0	0	0	0	0	2
Single family, vacant subdividable parcels	15	2	2	2	2	2	2	2	1
Multi-family, vacant lots	188	0	188	0	0	0	0	0	0
Union/46 Specific Plan									
Single family, vacant finished lots	18	6	7	3	2	0	0	0	0
Single family, subdividable parcels	49	0	8	8	13	5	5	5	5
Chandler Ranch Specific Plan									
Single family (does not include 12 existing units)	1,291	0	0	200	300	250	350	191	0
Multi-family	135	0	0	75	60	0	0	0	0
Beechwood Specific Plan									
Single family (does not include 5 existing units)	469	0	100	120	180	69	0	0	0
Multi-family	200	0	0	50	50	50	50	0	0
Olsen Ranch Specific Plan									
Single family (does not include 4 existing units)	574	0	0	80	184	120	190	0	0
Multi-family	95	0	0	0	50	45	0	0	0
Outside Specific Plan Areas									
Single family, vacant lots	94	10	20	10	20	10	15	8	1
Multi-family, vacant parcels	440	5	150	100	80	40	35	29	1
Multi-family, under-developed lots	197	0	40	25	40	25	35	25	7
Multi-family on mixed use zoned property	28	0	28	0	0	0	0	0	0
Subtotal	**3,806**								**17**
General Plan Amendments Active in 2014									
Borkey Area Specific Plan - Single Family	271	0	120	24	77	30	20	0	0
Beechwood Area Specific Plan - Mixed types	241	0	0	0	150	89	2	0	0
Furlotti Annexation - Single Family	30	0	0	0	20	10	0	0	0
Subtotal	**542**								0
Total	**5,518**	**54**	**858**	**827**	**1,331**	**842**	**811**	**338**	**457**

Notes:

1. Source for Potential # Units is the City's Land Use Inventory dated December 31, 2013.
2. Figures in Jan 2015, Jan 2020,... columns assume units complete (Certificates of Occupancy issued) as of Dec 31 of the previous year.
3. Inclusion of dwelling units in General Plan Amendments Active in 2014 does not indicate pre-approval of these applications, but provides an estimate of their development in the event that they are approved.

ATTACHMENT 5

ISBN 978-0-620-44584-9

CORONA AUDIBLE NOISE OF 110 KV HIGH VOLTAGE OVERHEAD TRANSMISSION LINES

H. Egger[1], R. Draxler[2], H.-J. Wernegger[2*], M. Muhr[3], R. Woschitz[3]
(1) KELAG-Kärntner Elektrizitäts-Aktiengesellschaft, Klagenfurt, Austria
(2) KELAG Netz GmbH, Klagenfurt, Austria
(3) University of Technology, Institute of High Voltage Engineering and System Management, Graz, Austria
*Email: hans-juergen.wernegger@kelagnetz.at

Abstract: The corona discharge mechanism and the resulting audible noise of high voltage overhead transmission lines with a nominal voltage class equal or higher than 220kV is largely solved and published. In the course of reconstructing a 110kV line the local approving authority has forced the grid operator to investigate the corona noise before and after the reconstruction, especially the effect of changing from single to bundle conductor.
Therefore an experimental setup in the high voltage laboratory of the Institute of High Voltage Engineering and System Management of the University of Technology has been build and acoustic measurements on single and bundle conductor were performed. To prove the impact of typical, various weather conditions to the corona discharges field tests are also realized. With this results general predications of the corona audible noise of 110kV high voltage overhead transmission lines can be derived.

1 INTRODUCTION

At places of raised electric field strengths high voltage overhead transmission lines can produce spontaneous, pulse-like corona discharges (acoustic sound emission or A-levels) which become apparent by crackling noise. By wet or humid weather conditions a distinctive 100 hertz hum (2f or tonale emission) can appear beside the acoustic sound emission [1].

To take into account the increased awareness of the population concerning noise exposure, the local approving authority has forced the grid operator to investigate the corona noise before and after the reconstruction of an 110kV overhead line (OHL), especially the effect of changing from single to bundle conductor.

This paper describes the results of sound measurements in different conductor-configurations in a high voltage laboratory and verification of these results on the basis of field tests.

2 GENERAL DEFINITIONS OF SOUND MEASUREMENT

In this Paper the following sound pressure levels are used:

Name	Description
$L_{A,95\%}$	**Basis level in dB** In 95% of the observation time exceeded A-valued sound pressure level of any noise.
$L_{A,eq}$	**A-valued energy-equivalent long-term sound level in dB** Single indication, which describes the sound events with fluctuating sound pressure levels. It is that sound level which has the same energy concentration like the fluctuating noise by constant steady influence for a given relation time.
$L_{Z,eq}$	**Unvalued energy-equivalent long-term sound level in dB**
$L_{A,Max}$	**Maximum level in dB** The highest sound level within the measuring time

Table 1: sound pressure levels

"A-valued" means the weighting of the measured unvalued sound pressure levels with a function considering that human beings have a different frequency-dependent hearing.

3 CALCULATION OF THE CONDUCTOR-GRADIENT

Substantially for the appearance of corona discharge is the existence of effectual conductor-gradient on the conducting wire. The middle conductor-gradient of one outer conductor is generally calculated according to the equation below [2]:

$$Ei = \frac{Ci'}{2 \cdot \pi \cdot \varepsilon_0 \cdot r} \cdot [1 + 2 \cdot (n-1) \cdot \sin\left(\frac{\pi}{n}\right) \cdot \frac{r}{a}] \cdot \frac{V}{\sqrt{3}} \qquad (1)$$

ISBN 978-0-620-44584-9

Ei	middle conductor-gradient of one outer conductor
Ci'	capacitance per unit length of the conductor i at the co-system
ε_0	dielectric constant $8.8 \cdot 10^{-12}$ F/m
V	nominal voltage (phase to phase)
a	subconductor distance of the bundle conductor
r	subconductor radius
n	number of the subconductor's

The capacity Ci' must be determined from the geometrical data of the outer conductors, the earth wire and the tower geometry. For a symmetrical line with two systems the middle capacity of one conductor can be determined by the following approximation formula:

$$\overline{C}' = \frac{2 \cdot \pi \cdot \varepsilon_0}{\ln\left(\frac{D \cdot DmRs}{r \cdot DmRr}\right)} \quad (2)$$

$$D = \sqrt[3]{D_{RS} \cdot D_{ST} \cdot D_{RT}} \quad (3)$$

$$DmRs = \sqrt[3]{D_{RS} \cdot D_{St} \cdot D_{Rt}} \quad (4)$$

$$DmRr = \sqrt[3]{D_{Rr} \cdot D_{Se} \cdot D_{Tt}} \quad (5)$$

$\overline{C}'$	middle capacitance per unit length of one conductor of the co-system
ε_0	dielectric constant $8.8 \cdot 10^{-12}$ F/m
r	subconductor radius
D_{Xy}	middle outer conductor's distance of the phase X to the phase y
DmRs, DmRr	middle outer conductor distance of different systems
D	middle outer conductor's distance of one system

By the bundle conductor the partial radius becomes the equivalent radius r_B.

$$r_B = \sqrt[n]{n + r + r_T^{(n-1)}} \quad (6)$$

r_B	equivalent radius
n	number of the subconductors
r	subconductor radius
r_T	pitch circle radius

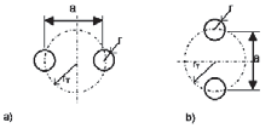


Figure 1) examples of double bundle configurations a) horizontally and b) vertically

The results of the conductor-gradient-calculation with the Al/St 240/40 wire in different configurations and various tower designs used in the field tests are shown in the Table 2. Besides, the shown voltages in tables and in the figures are phase-earth voltages.

tower design	operating voltage in kV	conductor-type	conductor-configuration	conductor-gradient in kV/cm
„ton“	68	Al/St 240/40	single conductor	9,5
	68	Al/St 240/40	2-bundle conductor	6,9
„lyra“	69	Al/St 240/40	single conductor	9,8

Table 2) calculation of the conductor-gradient

The critical conductor-gradient cited in the literature concerning annoying corona discharge emission of 16-17kV/cm were fallen short under the examined conditions (see table 2).

4 LABORATORY MEASUREMENT

4.1 Description of the high-voltage laboratory and the measuring set-up

The sound measurements on different conductor-configurations were carried out in the high voltage-laboratory of the test research institute for high voltage engineering Graz GmbH (VAH) of the University of Technology of Graz. The high voltage laboratory is located 353 metres above the sea level and is performed completely shielded to be able to measure interference-free in the hall and to not disturb the environment through unintentional hf-transmission. For the realisation of the sound measurement the high-voltage-cascade was supplied by a variable AC transformer. The connection of the specimen occurred by means of a 9kOhm resistor and a central electrode. A 3m long pipe with an external diameter of 22.5mm was taken down on the central electrode to the specimen and the conductor was connected through a T-connector electrically as well as mechanically. The basic set up of the measurements is shown in figure 2.

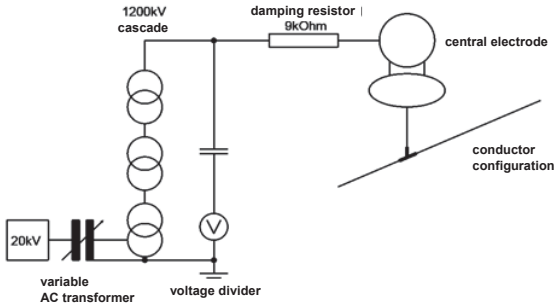


Figure 2) basic set-up

The specimen itself was mounted horizontal in the hall and stretched on both sides of the hall by means of composite insulator and chain block. Besides, the specimen's length was approx. 25 metres long. The ends of the insulator and the connectors were shielded with doubletorus (external diameter of 600mm).

ISBN 978-0-620-44584-9

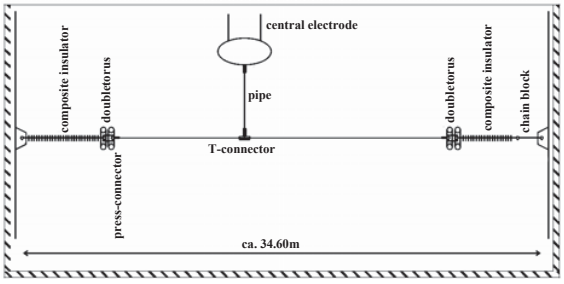


Figure 3) scheme of the single conductor configuration

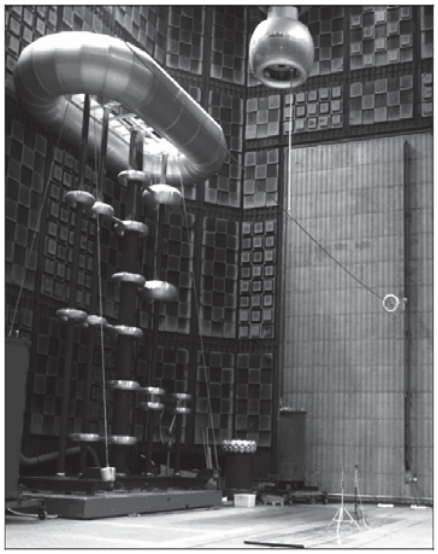


Figure 4) laboratory set-up of the single conductor measurement

In addition to fix the double bundle a plastic rope was mounted on the right double torus, so the vertical mounting orientation could be reached by the hall crane. The field distance holders were mounted at the end of the press-connectors and at the T-connector.

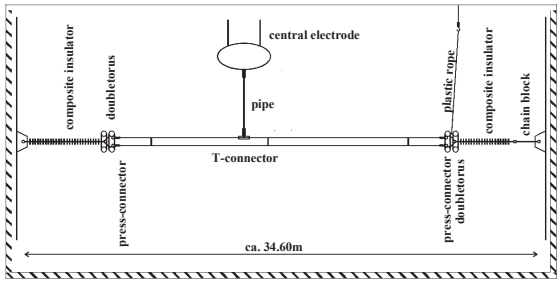


Figure 5) scheme of the double bundle configuration

4.2 Description and set-up of the sound level measuring instrument

The sound level measuring instrument 2250 of the company Brühl and Kjaer was used. The measuring microphone was mounted in a distance of 3 metres vertically below the conductor and led by shielded cables in the control room to the analyzer.

4.3 Atmospheric measuring conditions in the high voltage laboratory

During the measurements the climate in the hall was 22.4°C, 61.9% relative dampness (corresponds 11.9 g / m ^{3} H2O) and 1015hPa (relative air pressure).

4.4 Measurement of the quiescent noise level in the laboratory

The measurement of the quiescent level occurred with built up specimen and without supply of the cascade. Besides, possible disturbing noise and background noise just as the own noise of the measuring instruments were also detected. The quiescent noise level in the hall moved by the $L_{A,\,eq}$ between 20.4dB and 24.7dB and by the $L_{A,\,95\%}$ between 19.0dB and 19.8dB. The evaluation of the noise emission of the transformer (transformer hum) resulted sound levels at the $L_{A,\,eq}$ from 21.7dB to 26.1dB and at the $L_{A,\,95\%\ of}$ from 19.6dB to 20.1dB.

4.5 Measurements on the single conductor configuration

For the single conductor configuration a used wire piece from the rebuilt 110kV line Malta - Außerfragant (system number 115 / 3B and 115 / 4C) was used.
The used line conductor was a 240/40 aluminium/steel composite wire with a nominal external diameter of 21.84mm. The surface of the conductor showed cokings by the many years of use. The conductor was mounted with the T-connector at 5.9 metre height and by the microphone at a height of 6.07 metres above the hall bottom.

operating voltage in kV	$L_{A,eq}$ in dB	$L_{A,Max}$ in dB	$L_{A,95\%}$ in dB
70	22.3	33.6	19.7
120	25.5	40.2	21.5

Table 3) measurement results of the single conductor, measuring time 5 minutes

The following diagrammes show the third-octave-band unvalued frequency spectra by different operating voltages.

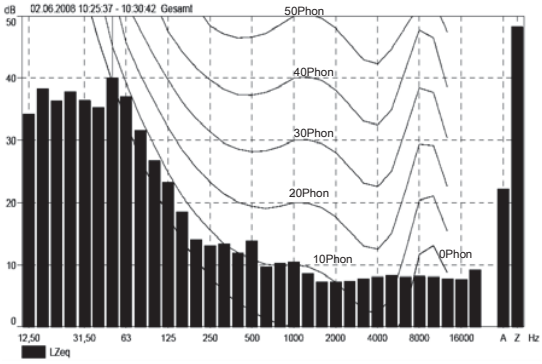


Figure 6) spectrum of the single conductor measurement with a voltage of 70kV, measuring time 5 minutes

ISBN 978-0-620-44584-9

The envelopes mark the curves of the same volume in phon after Fletcher and Munson.

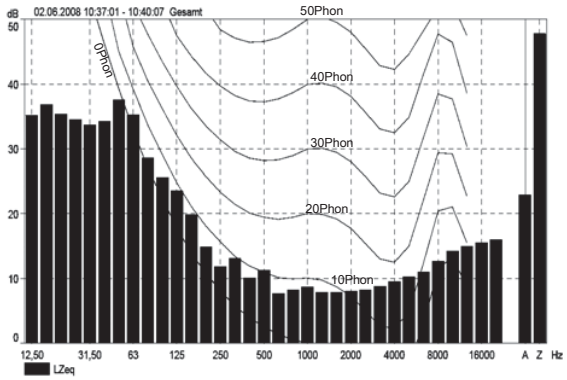


Figure 7) spectrum of the single conductor measurement with a voltage of 120kV, measuring time 5 minutes

By a voltage of 120kV a light increase of the high frequency levels is recognizable, but not audible.

4.6 Measurements on the double bundle configuration

For the double bundle configuration in vertical position (subconductor distance of 400mm) a brand new conductor was used. The height above the hall bottom of the lowest conductor was by T-connector 5.52 metres and by the microphone 5.38 metres. At the beginning of the measurements the conductors were "branded" with 200kV for 5 minutes to delete possible foulings.

operating voltage in kV	$L_{A,eq}$ in dB	$L_{A,Max}$ in dB	$L_{A,95\%}$ in dB
70	20.7	33.2	19.3
120	23.3	44.6	19.7

Table 4) measurement results of the double bundle configuration, measuring time for 70kV and 120kV in each case 5 minutes

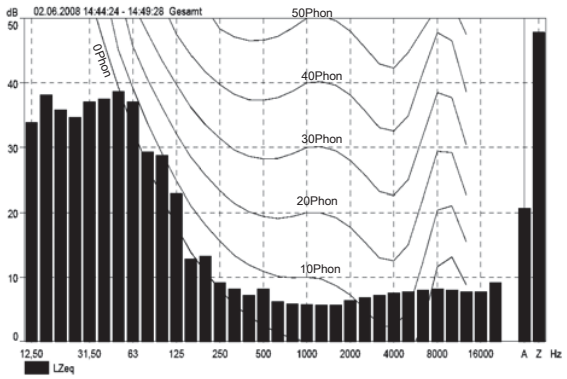


Figure 8) spectrum of the double bundle measurement with a voltage of 70kV, measuring time 5 minutes

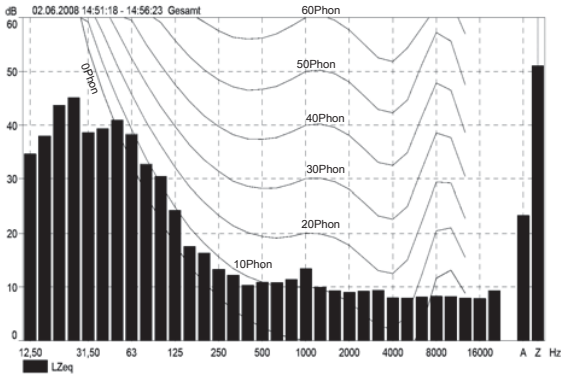


Figure 9) spectrum of the double bundle measurement with an operating voltage of 120kV, measuring time 5 minutes

4.7 Results of the laboratory measurement

With an operating voltage of approximately 70kV no essential noise emission over the quiescent level was noticed at both conductor-configurations (single and bundle conductor). The simulation of an earth-fault (increase of the phase-earth voltage in both "healthy" phases to 120kV) showed a higher noise level by the single conductor configuration than the double bundle configuration. This is a result of the conductor-gradient-decreasing-effect of the double bundle configuration.

5 FIELD MEASUREMENTS

5.1 General

To verify the laboratory-results other sound level measurements were carried out on selected 110kV overhead line locations. The sound level measuring instrument was again the 2250 of the company Brühl and Kjaer. The choice of the measuring locations occurred according to the accessibility and the quiescent level at the respective place (traffic, waters, railroad, wind, etc.). To minimize the quiescent level all measurements were hold during late night hours.

5.2 Measurement at a 110kV OHL of the type "ton-tower"

5.2.1 Description of the measuring place and the measuring set up

Measuring place:

The measuring place was located between mast No. 146 and No. 145 of the 110kV OHL "ton-tower" with the system number 112/2 (southern system) and 112/5 (northern system) near the places Projern and Dellach.

ISBN 978-0-620-44584-9

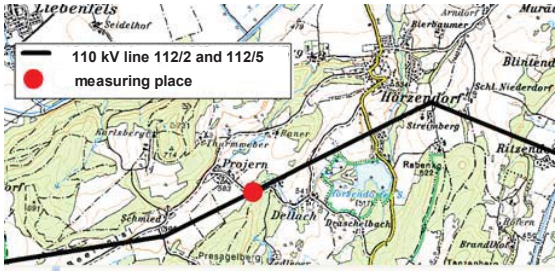


Figure 10) description of the measuring location

During the measurement the vertical distance between microphone and the tower symmetry line was 4 metres The distance between microphone (spike) and the lowest conductor (system 112/2) 5.5 metres. The measuring place is lying 517 metres above the sea level and is well protected against the wind.

Conductor and overhead earth wire:
The system 112/2 consists of an 240/40 aluminium/steel composite wire and runs between the substation St. Veit and the substation Landskron. The system 112/5 consists of an 260/40 aluminium/stalum composite wire and runs between the substation Brueckl and the substation Windischbach. The earth wire type is a 56 / E24. AlMgSI/Stalum.

Tower geometry, span field length and insulators:
The "ton-tower" consist of screwed angle-frameworks with open profiles. As insulators full-core-long-rod-insulators in double configuration with electric arc protection armatures were used.

The span field 145 - 146 measures a length of 280 metres and has in the measuring point a bottom distance of 9.42 metres (distance between the lowest conductor of the system 112/2 and the surface of the earth level).

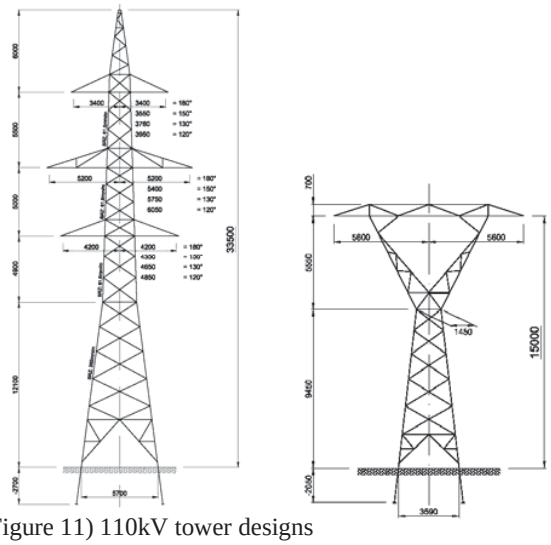


Figure 11) 110kV tower designs
(left: "ton-tower", right: "lyra-tower")

5.2.2 Atmospheric conditions at the measuring location

During the measurement the climate at the measuring place was 2.4°C, 73.8% rel. dampness (corresponds 5.4 g / m ³ H2O) and 1080hPa (relative air pressure). During the measurement it was absolutely calm.

5.2.3 Measurement at the 110kV OHL "ton-tower"

The measurement started about 22.08 CET and lasted 5 minutes. During the measurement the operating voltage in both systems was 68.13kV (phase-earth voltage).

operating voltage in kV	$L_{A,eq}$ in dB	$L_{A,Max}$ in dB	$L_{A,95\%}$ in dB
68.13	20.9	21.5	20.7

Table 5) measurement results of the 110kV OHL "ton-tower"

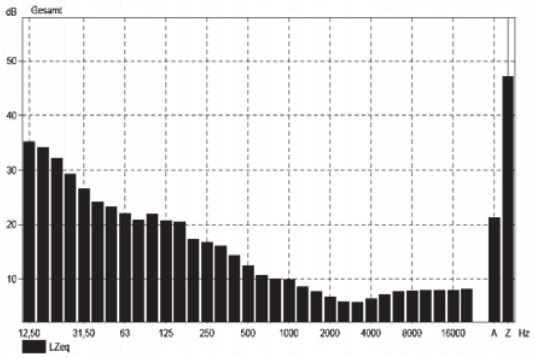


Figure 12) spectrum of the measurement of the 110kV OHL "ton-tower"

5.3 Measurement at a 110kV OHL of the type "lyra-tower"

5.3.1 Description of the measuring place and the measuring set up

Measuring place:
The measuring place was between mast No. 168 and No. 169 of the 110kV OHL "lyra-tower" with the system number 111 / 3A near the place Kras.

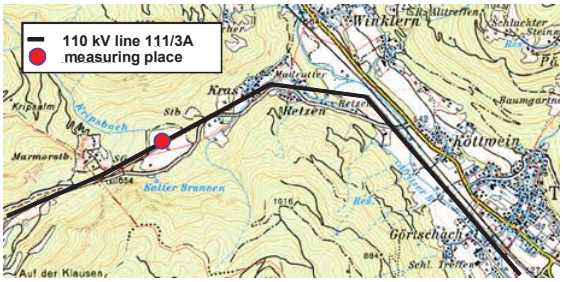


Figure 13) description of the measuring location

During the measurement the vertical distance between microphone and the tower symmetry line was 4 metres. The distance between microphone and the lowest conductor (system 112/2) 3.0 metres. The measuring place is lying 654 metres above the sea level.

ISBN 978-0-620-44584-9

Conductor:
The system 111 / 3A consists of an 240/40 aluminium/steel composite wire and runs between the substation Landskron and the substation Gummern.

Tower geometry, span field length and insulators:
The "lyra-tower" consist of screwed angle-frameworks with open profiles. As insulators full-core-long-rod-insulators in double configuration with electric arc protection armatures were used.

The span field 168 - 169 measures a length of 250 metres and has in the measuring point a bottom distance of 10.10 metres.

5.3.2 Atmospheric conditions at the measuring location

During the measurement the climate at the measuring place was 0.3°C, 72.0% rel. dampness (corresponds 3.6 g / m ³ H2O) and 1113hPa (relative air pressure). The measurement was influenced strongly by wind caused sounds.

5.3.3 Measurement at the 110kV OHL "lyra-tower"

The measurement started at about 00.25 CET and lasted 5 minutes. In the system 111 / 3A the operating voltage during the measurement was 68.7kV (phase-earth voltage).

operating voltage in kV	$L_{A,eq}$ in dB	$L_{A,Max}$ in dB	$L_{A,95\%}$ in dB
68.7	33.8	48.8	32.6

Table 6) measurement results of the 110kV OHL "lyra-tower"

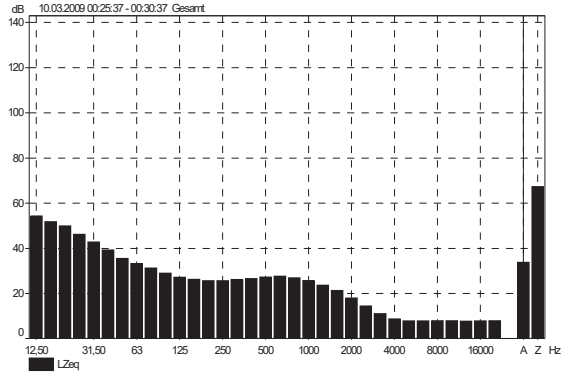


Figure 14) spectrum of the measurement in the 110kV OHL "lyra-tower"

5.4 Results of the field measurements

In comparison to the laboratory measurement the biggest problem with the field tests was the relatively high quiescent sound level. However, laboratory conditions could be reached by the transfer of the measurements during the night hours. Nevertheless, it turned out that also with favourable measuring conditions the background noise was always stronger than a possible corona discharge noise of the line itself. Also the analysis of the spectra could not deliver any indication of corona discharge noise (no striking 100 hertz level and no audible broadband increase of the sound level between 1kHz and 16kHz).

6 CONCLUSION AND VIEW

Several measurements were executed in the laboratory as well as in the field to investigate the corona discharge emission from 110kV overhead lines. Nevertheless, the analyses of the measurement-results showed that under the prevailing climatic conditions and an operating voltage of 69kV phase-earth voltage (phase-phase voltage of 120kV) the phenomenon of corona discharge emission could not be attested neither in the laboratory nor in the field test.
Also the critical conductor gradients cited in the literature concerning annoying corona discharge emission of 16-17kV/cm were fallen short by the examined conductor-configurations, conductor-types and the tower-configurations by far.

All field measurements were executed under dry weather conditions. In addition to these investigations further field measurements on 110kV overhead lines under humid air conditions are planed.

7 EXPRESSION OF THANKS

This paper would not have been possible without vigorous support by the Carinthian government, department 15, subdivision sound and electrical engineering. Hence, our special thanks go to Mr. Ewald Holzer and Mr. Jürgen Ruppitsch.

8 REFERENCES

[1] U. Straumann et. al.: Tonale Emission von Hochspannungsfreileitungen, Bulletin SEV/VSE 15/05
[2] H. Happold, D. Oeding: Elektrische Kraftwerke und Netze. Berlin, Heidelberg, New York. Springer Verlag, 5-Auflage 1978