APPROVED

APR 15 2014

CITY OF ATASCADERO
PLANNING

RESOLUTION NO. PC 2014-0008

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ATASCADERO APPROVING PLN 2014-1497 / TRP 2014-0170 / PPN 2014-0257, CERTIFYING MITIGATED NEGATIVE DECLARATION 2014-004 AND ALLOW THE REMOVAL OF NINE (9) VALLEY OAKS, THREE (3) COAST LIVE OAKS, AND ONE (1) BLACK WALNUT. LOCATED AT APN: 031-351-002 / 054-152-001

WHEREAS, an application was received from the City of Atascadero, 6500, Palma Avenue, Atascadero, CA 93422 (Applicant/Owner) for a Tree Removal Permit to remove nine (9) Valley Oaks ranging from 2- 26-inches DBH for a total of 75 inches, three (3) coast live oaks with each being 4-inches DBH for a total of 12-inches, and one (1) black walnut with a diameter of 10-inches.

WHEREAS, the laws and regulations relating to the preparation and public notice of environmental documents, as set forth in the State and local guidelines for implementation of the California Environmental Quality Act (CEQA) have been adhered to; and,

WHEREAS the Planning Commission of the City of Atascadero held a public hearing on April 15, 2014 to consider the Initial Study and Proposed Mitigated Negative Declaration; and

WHEREAS, the Planning Commission reviewed the proposed Tree Removal Permit application on April 15th 2014, at 7:00 p.m. and considered testimony and reports from staff, the applicants, and the public; and,

NOW THEREFORE, the Planning Commission of the City of Atascadero, California takes the following actions:

SECTION 1. Certification of Mitigated Negative Declaration the Planning Commission of the City of Atascadero, hereby certifies Mitigated Negative Declaration 2014-0004 based on the following findings:

1. The Mitigated Negative Declaration has been completed in compliance with requirements of the California Environmental Quality Act; and,
2. The project does not have the potential to degrade the environment when mitigation measures are incorporated into the project; and,
3. The project will not achieve short-term to the disadvantage of long-term environmental goals when mitigation measures are incorporated into the project; and,
4. The project does not have impacts which are individually limited, but cumulatively considerable when mitigation measures are incorporated into the project; and,
5. The project will not cause substantial adverse effects on human beings either directly

or indirectly when mitigation measures are incorporated into the project.

SECTION 2. Findings for tree removal. The Planning Commission finds as follows:

The tree is obstructing proposed improvements that cannot be reasonably designed to avoid the need for tree removal, as certified be a report from the site planner and determined by the Community Development Department based on the following factors:

a. Early consultation with the City,
b. Consideration of practical design alternatives,
c. Provision of cost comparison (from applicant) for practical design alternatives,
d. If saving tree eliminates all reasonable use of the property, or
e. If saving the tree requires the removal of more desirable trees.

SECTION 2. Approval. The Planning Commission of the City of Atascadero, in a regular session assembled on April 15th 2014, resolved to approve Tree Removal Permit 2014-0170, subject to the following:

EXHIBIT A: Initial Study and Mitigated Negative Declaration 2014-0004
EXHIBIT B: Conditions of Approval
EXHIBIT C: Tree Mitigation Chart

On motion by Commissioner Bentz, and seconded by Commissioner Wolff, the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

AYES:	Commissioners Anderson, Bentz, Colamarino, Wolff, Dariz, Schmidt	(6)
NOES:	None	(0)
ABSENT:	Commissioner Cooper	(1)

ADOPTED: April 15, 2014

ABSTAINED:

CITY OF ATASCADERO, CA

Dennis Schmidt
Planning Commission Chairperson

ATTEST:

Warren Frace
Planning Commission Secretary

EXHIBIT A:	**Initial Study and Mitigated Negative Declaration** **PLN 2014-1497 / TRP 2014-0170 / PPN 2014-0257**

Please See Next Page

State of California - Department of Fish and Wildlife

2014 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (Rev. 09/13)

RECEIPT # 448832

STATE CLEARING HOUSE # (If applicable) 2012103046

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY: City of Atascadero

DATE: 4/16/14

COUNTY/STATE AGENCY OF FILING: County of San Luis Obispo

DOCUMENT NUMBER:

PROJECT TITLE: Hwy 41 Morro Rd Class 1 Multi-Use Trail

PROJECT APPLICANT NAME: City of Atascadero

PHONE NUMBER: 805 461-5035

PROJECT APPLICANT ADDRESS: 6500 Palma Ave

CITY: Atascadero

STATE: CA

ZIP CODE: 93422

PROJECT APPLICANT *(Check appropriate box):*

☑ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)	$3,029.75	$
☑ Mitigated/Negative Declaration (MND)(ND)	$2,181.25	$ 2,181.25
☐ Application Fee Water Diversion *(State Water Resources Control Board only)*	$850.00	$
☐ Projects Subject to Certified Regulatory Programs (CRP)	$1,030.25	$
☑ County Administrative Fee	$50.00	$ 50.00
☐ Project that is exempt from fees		
☐ Notice of Exemption (attach)		
☐ CDFW No Effect Determination (attach)		
☐ Other _____		$

PAYMENT METHOD:

☐ Cash ☐ Credit ☑ Check ☐ Other _____

TOTAL RECEIVED $ 2,231.25

SIGNATURE: X Naomi Balseiro

TITLE: Deputy Clerk

WHITE - PROJECT APPLICANT YELLOW - CDFW/ASB PINK - LEAD AGENCY GOLDEN ROD - COUNTY CLERK

CITY OF ATASCADERO
NOTICE OF DETERMINATION

6500 Palma Avenue Atascadero, CA 93422 805.461.5035

To: ☒ County Clerk, County of San Luis Obispo

From: Warren Frace, City of Atascadero

Subject: **Filing of Notice of Determination in Compliance with Section 21152 of the Public Resources Code**

Applicant:	City of Atascadero, 6500 Palma Avenue, Atascadero, CA 93422
Owner:	City of Atascadero, 6500 Palma Avenue, Atascadero, CA 93422
Project Title:	Highway 41 / Morro Road Class 1 Multi-Use Trail PLN 2014-1497 / Precise Plan 2014-0257 / TRP 2014-0170
Project Location:	Westbound Side of Morro Road / Highway 41 (APN 031-351-002, 054-152-001) between Portola Road and San Gabriel Road.
Project Description:	The City of Atascadero proposes to construct a Class 1 multi-purpose trail adjacent to California State Route 41(Morro Road) to connect Atascadero Lake Park with a recently completed Safe Routes to School Project and provide pedestrians and cyclists with safe access along Highway 41 / Morro Road. The Americans with Disabilities Act (ADA) compliant path would be approximately 10 feet wide with two-foot shoulders on each side, and would extend approximately 2,710 feet from Portola Road west to San Gabriel Road. The path would be located between the edge of the existing pavement on westbound Highway 41 and the riparian corridor of Atascadero Creek. General Plan Designation: Open Space (OS) Zoning District: Open Space (OS)

STATE CLEARINGHOUSE #: 2014031046

This is to certify that the City of Atascadero, the ☒ lead/a ☐ responsible agency approved the above-described project on February 14th 2014 and made the following determinations:

1. The project ☐ will ☒ will not have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of CEQA and reflects the independent judgment of the Lead Agency.
   ☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA and reflects the independent judgment of the Lead Agency.
   ☒ A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA and reflects the independent judgment of the Lead Agency.
3. Mitigation measures ☒ were ☐ were not made a condition of the approval of the project.
4. A Statement of Overriding Considerations ☐ was ☒ was not adopted for this project.
5. Findings ☒ were ☐ were not made pursuant to the provisions of CEQA.
6. The location and custodian of the documents which comprise the record of proceedings for the Final EIR (with comments and responses) or Mitigated Negative Declaration are specified as follows:

Custodian: *Warren Frace, Community Development Director*
Location: *Community Development Department, 6500 Palma Avenue, Atascadero, CA 93422*

APR 16 2014

Warren Frace, Community Development Director — Date

CITY OF ATASCADERO

COMMUNITY DEVELOPMENT DEPARTMENT

(ENDORSED)
FILED
MAR 17 2014
JULIE L. RODEWALD COUNTY CLERK

NOTICE OF INTENT TO ADOPT PROPOSED MITIGATED NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that the Environmental Coordinator of the City of Atascadero has completed a review of the following project and is proposing the following environmental determination:

Applicant:	City of Atascadero, 6500 Palma Avenue, Atascadero, CA 93422
Owner:	City of Atascadero, 6500 Palma Avenue, Atascadero, CA 93422
Project Title:	Highway 41 / Morro Road Class 1 Multi-Use Trail PLN 2014-1497 / Precise Plan 2014-0257 / TRP 2014-0170
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Environmental Review Dates:	**Begins: March 17, 2014** **Ends: April 15, 2014**
Electronic Public Review:	**This Document can be found electronically in PDF format on the City of Atascadero Website: http://www.atascadero.org/environmentaldocs**
Proposed Environmental Determination:	Based on the Initial Study prepared for the project, a Mitigated Negative Declaration is proposed. The Mitigated Negative Declaration is available for public review from 3/17/2014 through 4/15/14 at 6500 Palma Avenue, Community Development Department from 8:30 a.m. to 5:00 p.m. Monday through Thursday.
Hearing:	A public hearing will be held at 7:00 pm on Tuesday, April 15, 2014 at 6500 Palma Avenue, 4th Floor Council Chambers, Atascadero, CA 93422.

Any interested person may review the proposed Mitigated Negative Declaration and project files. Questions should be directed to Alfredo J. Castillo, AICP, Assistant Planner, at 470-3436 or via email at acastillo@atascadero.org.

Warren Frace, Community Development Director — Date

CITY OF ATASCADERO
PROPOSED MITIGATED
NEGATIVE DECLARATION #2014-0004

6500 Palma Avenue Atascadero, CA 93422 805/461-5000

Applicant:	City of Atascadero, 6500 Palma Avenue, Atascadero, CA 93422
Owner:	City of Atascadero, 6500 Palma Avenue, Atascadero, CA 93422
Project Title:	Highway 41 / Morro Road Class 1 Multi-Use Trail PLN 2014-1497 / Precise Plan 2014-0257 / TRP 2014-0170
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Findings:

1. The project does not have the potential to degrade the environment.
2. The project will not achieve short-term to the disadvantage of long-term environmental goals.
3. The project does not have impacts which are individually limited, but cumulatively considerable.
4. The project will not cause substantial adverse effects on human beings either directly or indirectly.

Determination:

Based on the above findings, and the information contained in the Initial Study PPN 2014-1497 (made a part hereof by reference and on file in the Community Development Department), it has been determined that the above project will not have an adverse impact on the environment when the following mitigation measures are incorporated into the project (see attachment).

Prepared By: *Alfredo R. Castillo, AICP*
Date Posted: March 17, 2014
Public Review Ends: April 15, 2014
Attachments:
- Location & Zoning Map
- Aerial
- Site Plan / Profiles
- Typical Section
- Flood Zone Mapping
- Wetlands Mapping
- Cross Sections
- Site Photos
- Biological Assessment
- Archeological Assessment
- Arborist Report
- Initial Study **2014-0004**

CITY OF ATASCADERO
INITIAL STUDY

ENVIRONMENTAL CHECKLIST FORM

Environmental Review 2014-0004

Applicant:	City of Atascadero, 6500 Palma Avenue, Atascadero, CA 93422
Owner:	City of Atascadero, 6500 Palma Avenue, Atascadero, CA 93422
Project Title:	Highway 41 / Morro Road Class 1 Multi-Use Trail PLN 2014-1497 / Precise Plan 2014-0257 / TRP 2014-0170
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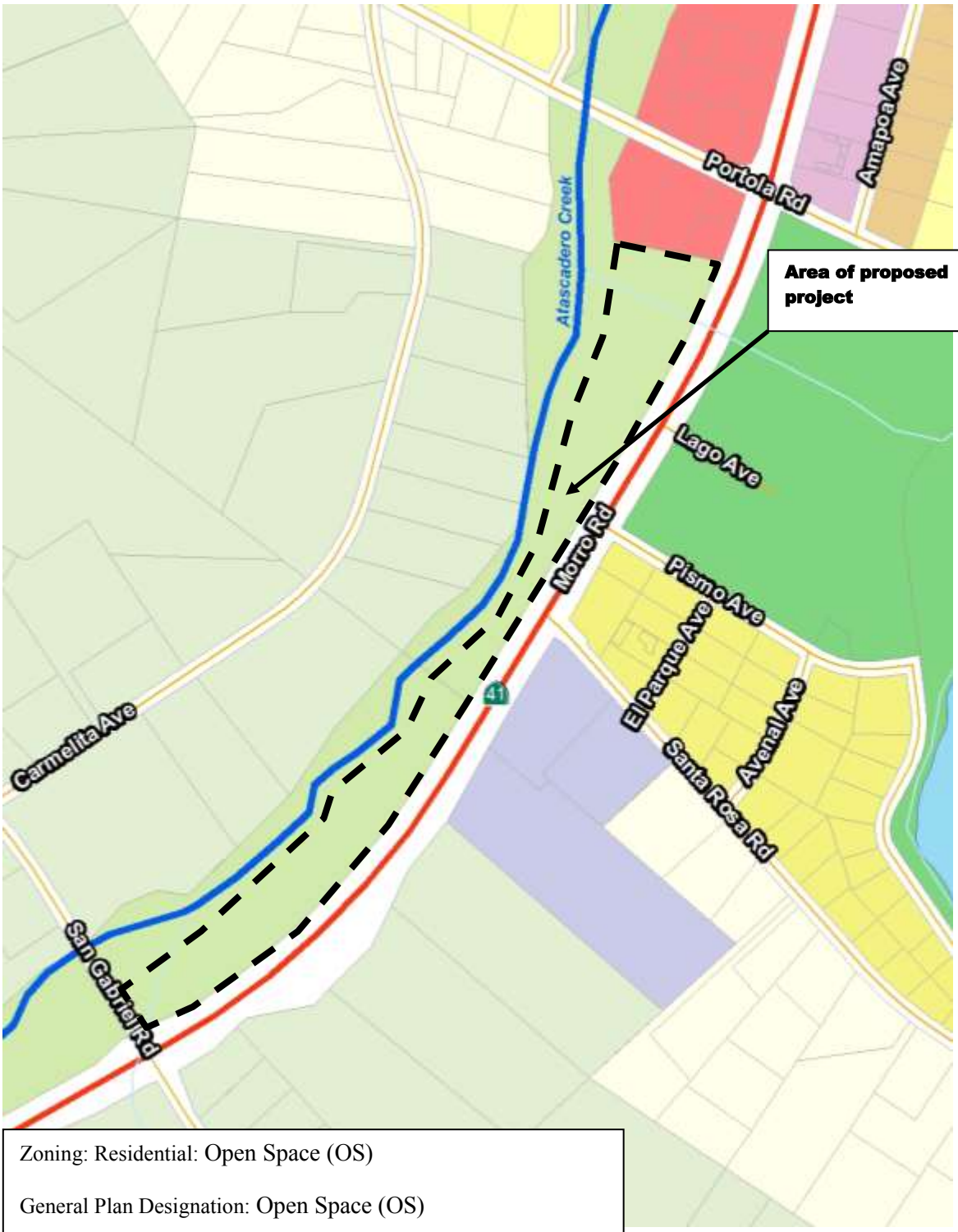
Lead Agency Name and Address:	City of Atascadero 6500 Palma Avenue, Atascadero, CA 93422
Contact Person and Phone Number:	Alfredo R. Castillo, AICP City of Atascadero, Phone: (805) 470-3436
General Plan Designation:	Open Space (OS)
Zoning:	Open Space (OS)
Surrounding Land Uses and Setting **West:**	Residential Suburban (RS)
East	Morro Road / State Route 41
North	Commercial Retail (CR) / San Gabriel Road
South	Open Space (OS) / San Gabriel Road
Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement)	California Department of Transit, Department of Fish and Wildlife (if under jurisdiction)

Attachment 1
Location & Zoning Map

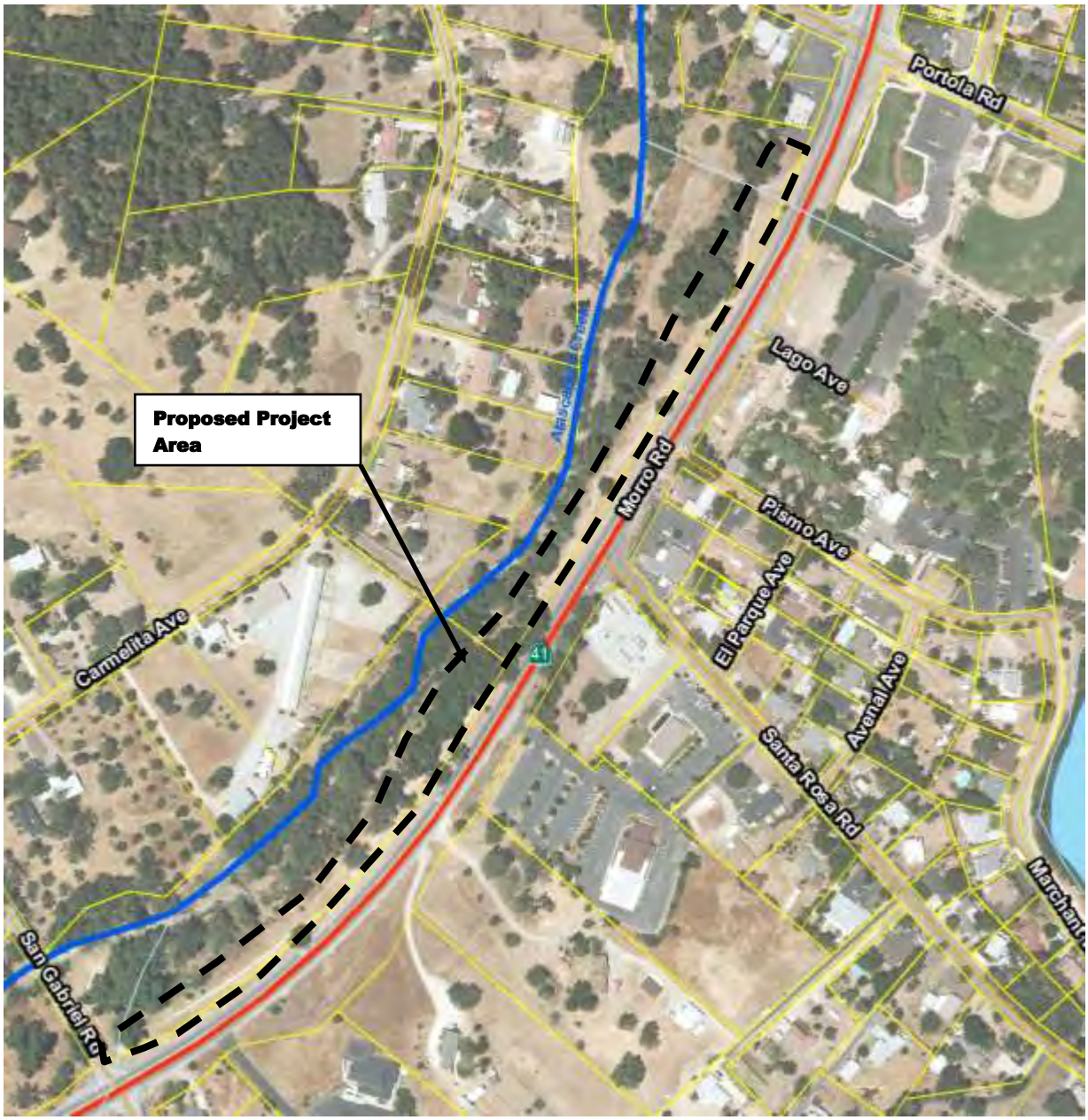


Zoning: Residential: Open Space (OS)

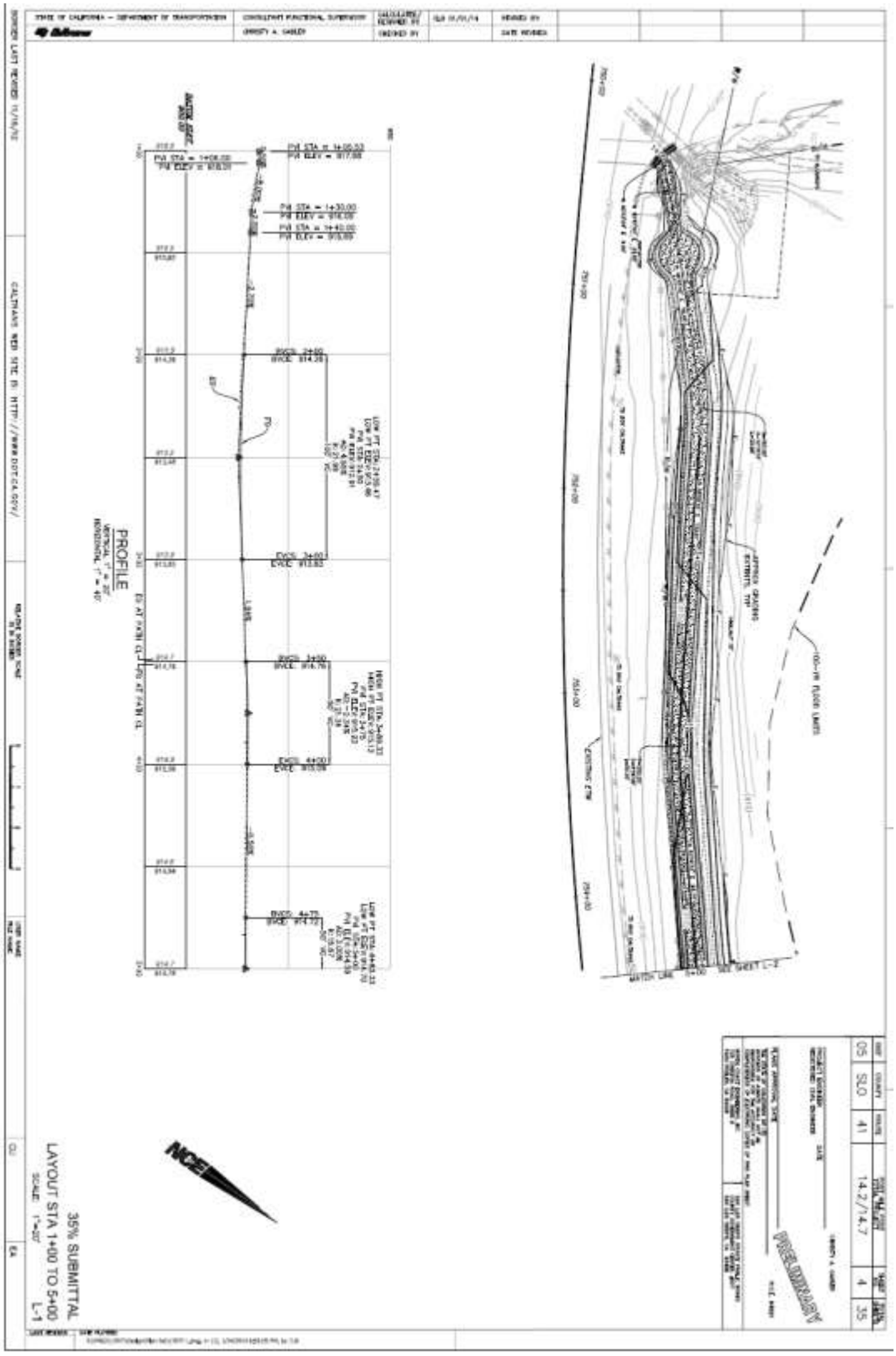
General Plan Designation: Open Space (OS)

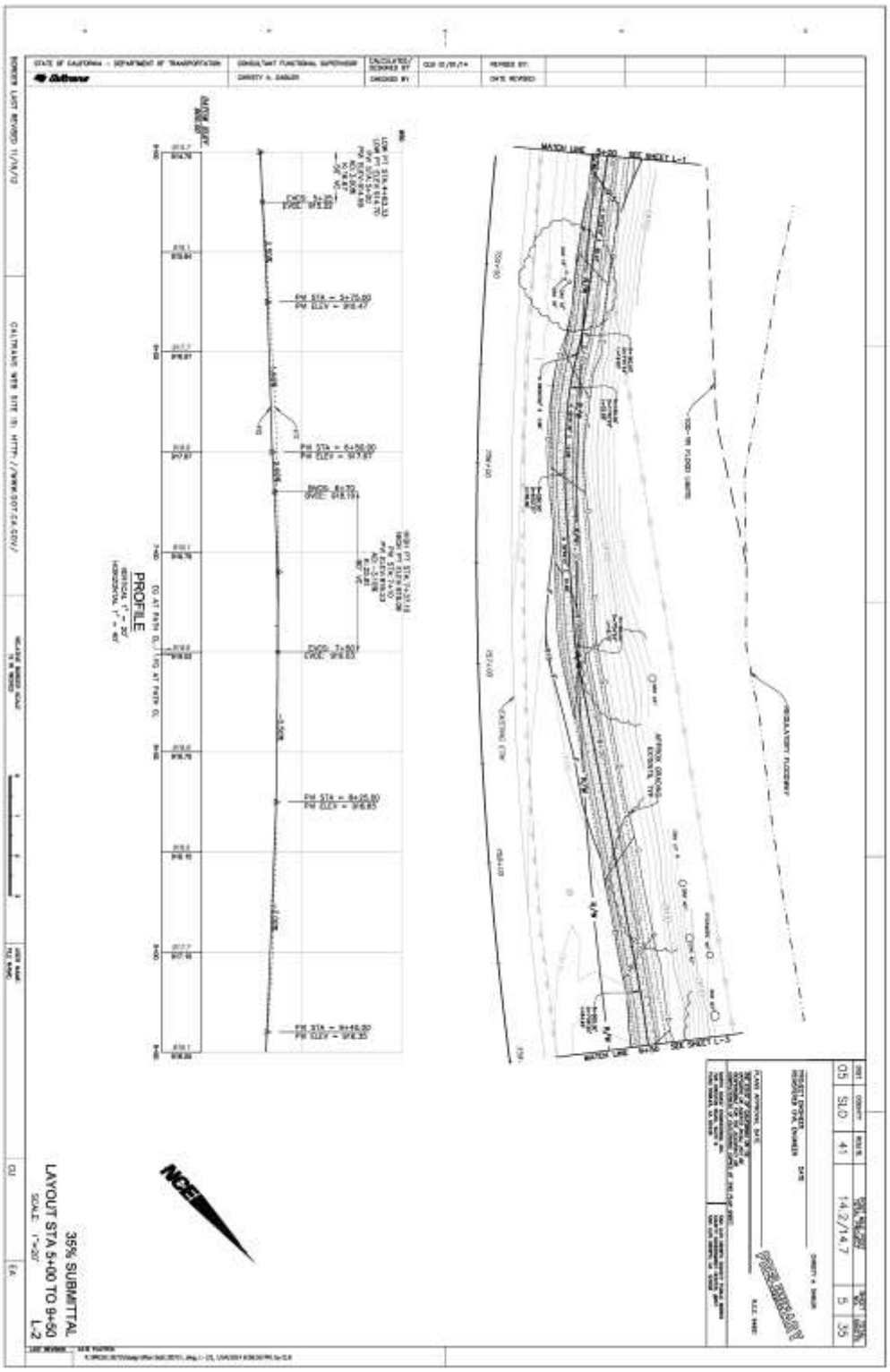
Surrounding Zoning: Residential Suburban (RS) / Roads

Attachment 2
Aerial



Attachment 3
Site Plan / Profiles




PROFILE
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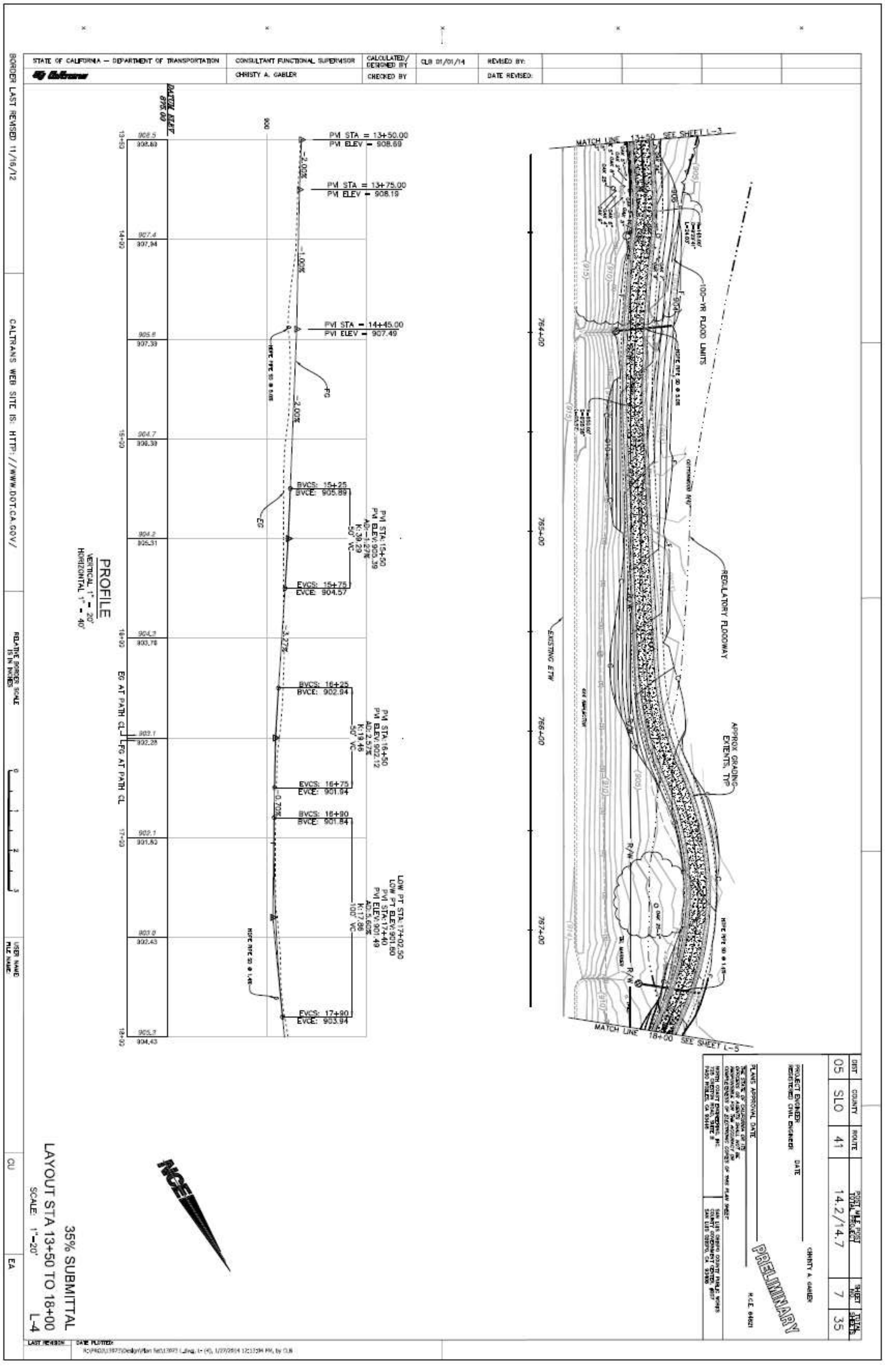
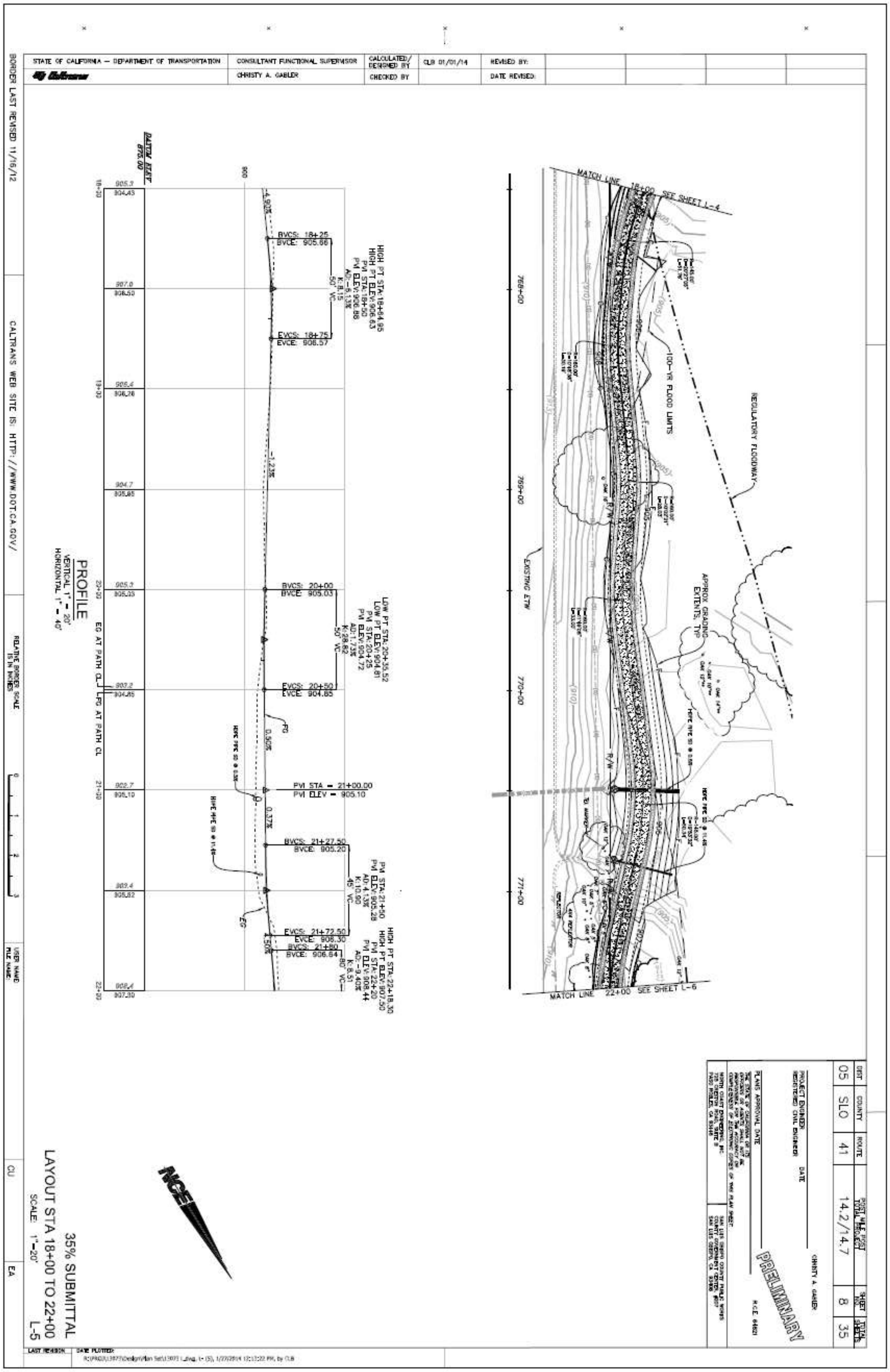
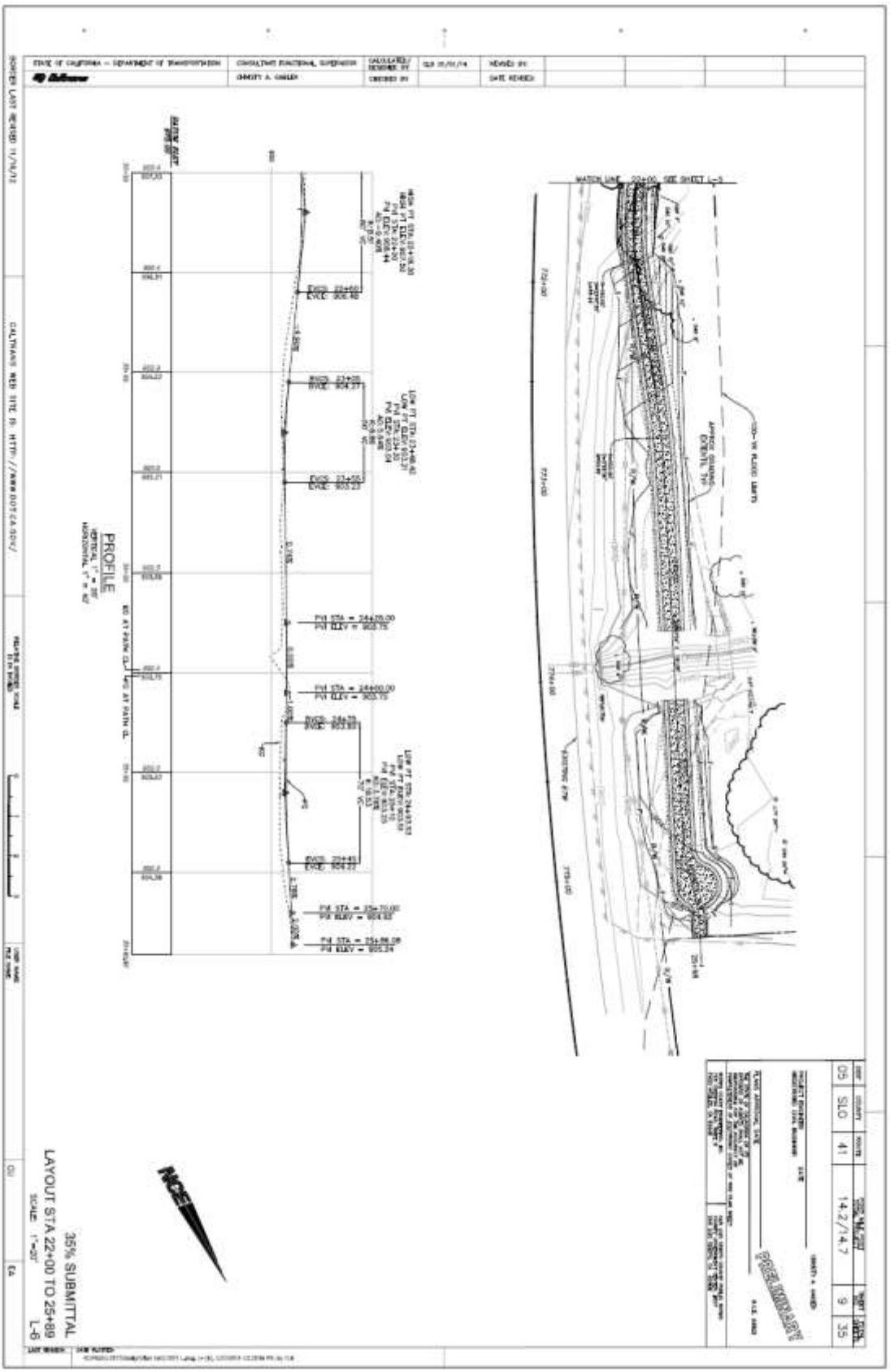
LAYOUT STA 5+00 TO 9+50
L-2


STATE OF CALIFORNIA — DEPARTMENT OF TRANSPORTATION
CONSULTANT FUNCTIONAL SUPERVISOR
CHRISTY A. GABLER
PROFILE
VERTICAL 1" = 20'
HORIZONTAL 1" = 40'
EG AT PATH CL
FG AT PATH CL
100-YR FLOOD LIMITS
REGULATORY FLOODWAY
APPROX GRADING EXTENTS, TYP
EXISTING ETW
MATCH LINE 13+50 SEE SHEET L-3
MATCH LINE 18+00 SEE SHEET L-5
35% SUBMITTAL
LAYOUT STA 13+50 TO 18+00
SCALE: 1"=20'
L-4
PRELIMINARY
05
SLO
41
14.2/14.7
7
35


STATE OF CALIFORNIA – DEPARTMENT OF TRANSPORTATION
CONSULTANT FUNCTIONAL SUPERVISOR
CHRISTY A. GABLER
PROFILE
MATCH LINE 18+00 SEE SHEET L-4
MATCH LINE 22+00 SEE SHEET L-6
100-YR FLOOD LIMITS
REGULATORY FLOODWAY
APPROX GRADING EXTENTS, TYP
EXISTING ETW
PRELIMINARY
35% SUBMITTAL
LAYOUT STA 18+00 TO 22+00
L-5


PROFILE
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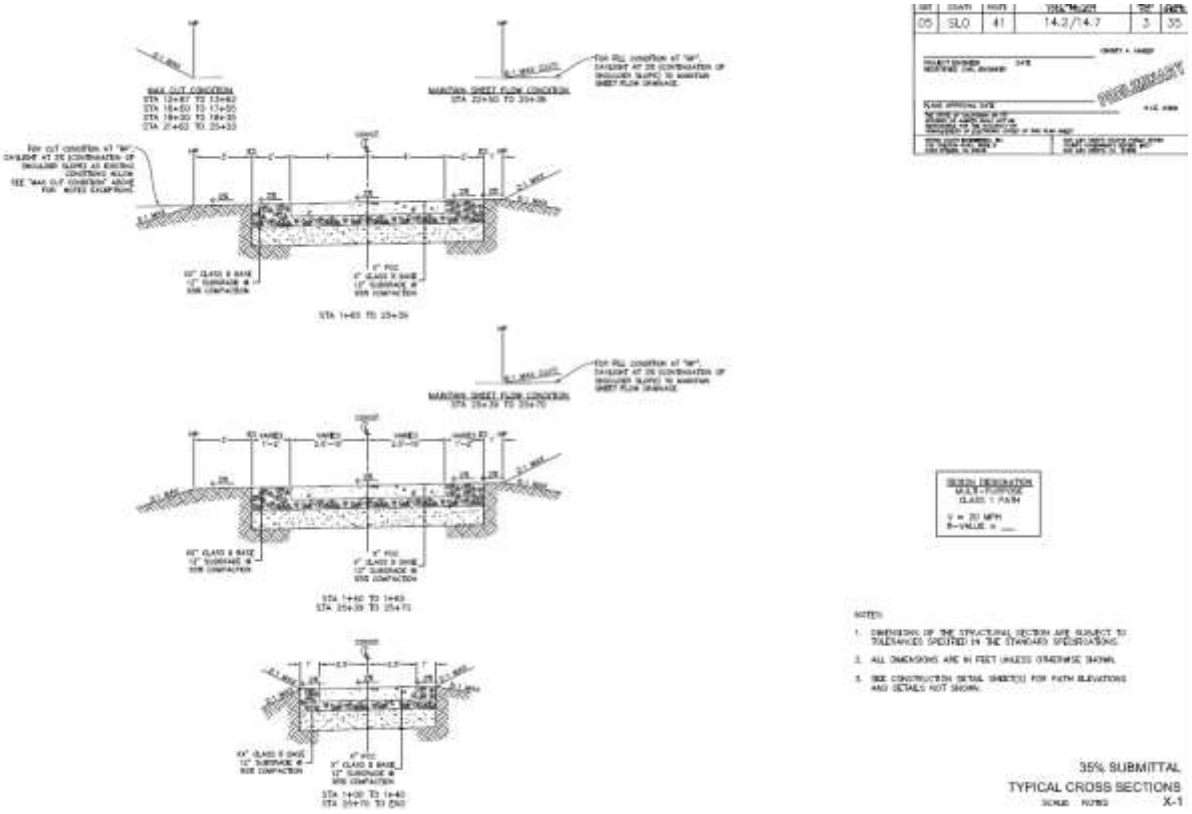
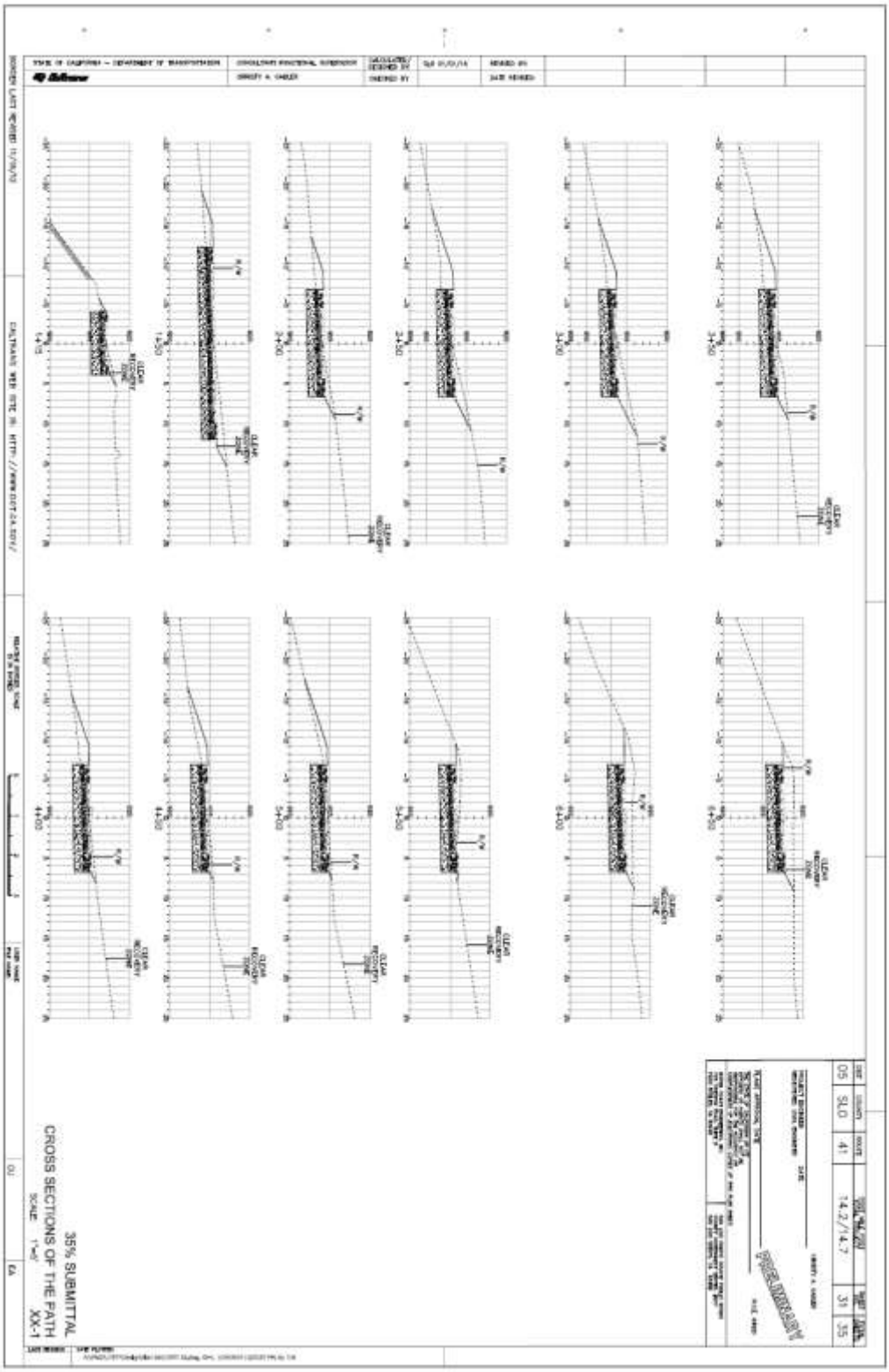
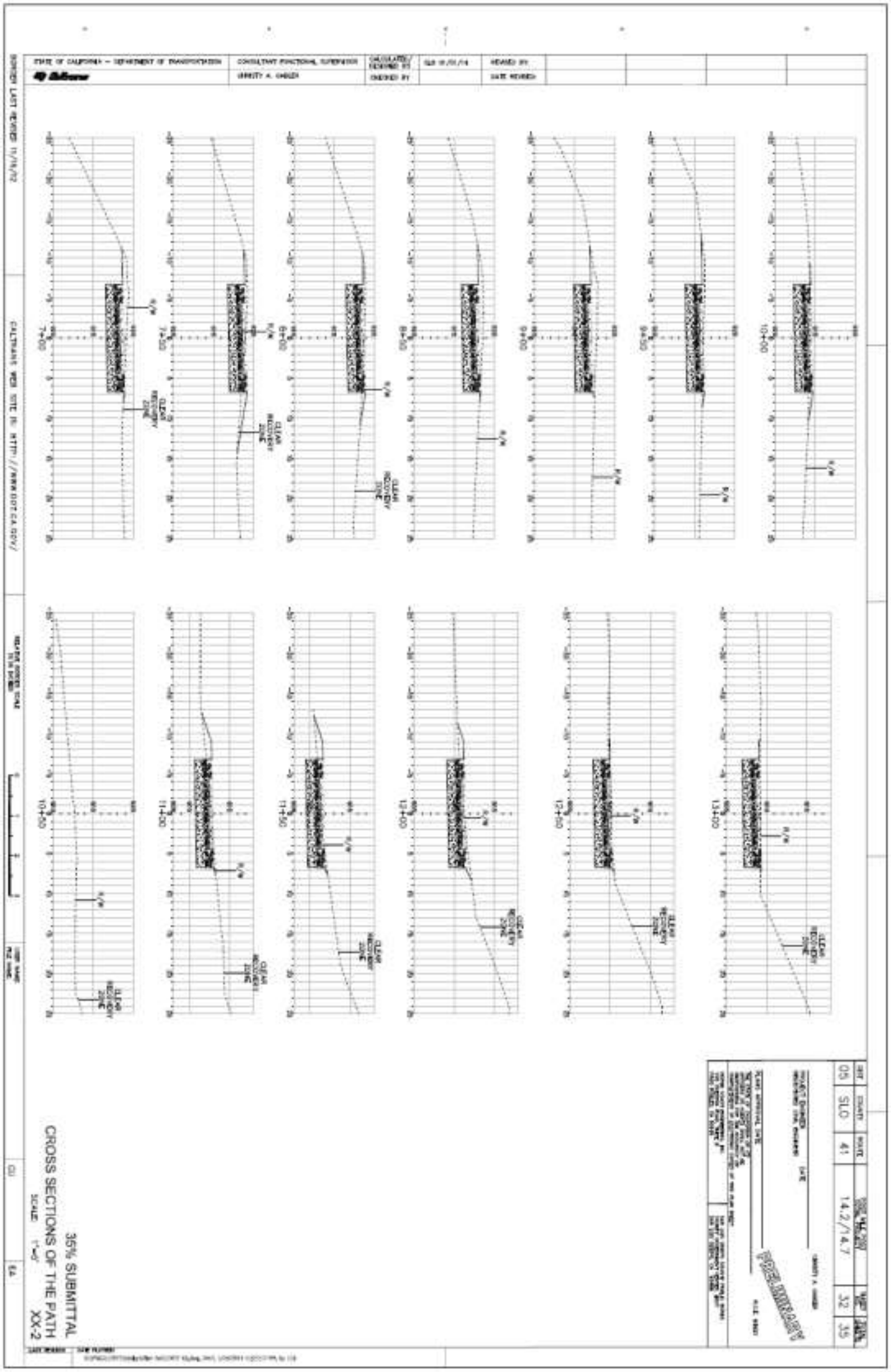
LAYOUT STA 22+00 TO 25+89
SCALE 1"=20'
L-8

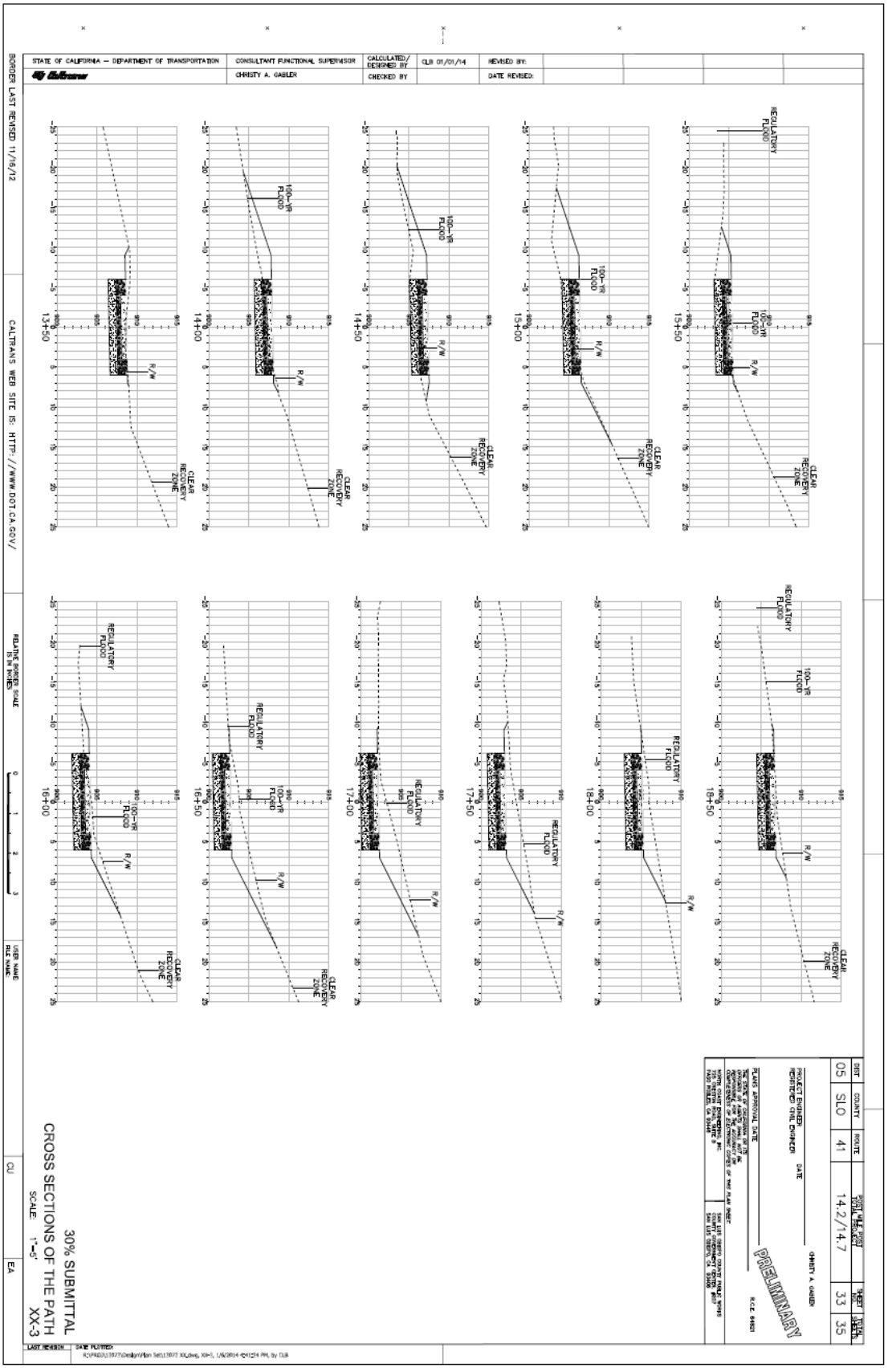
Attachment 4
Typical Sections

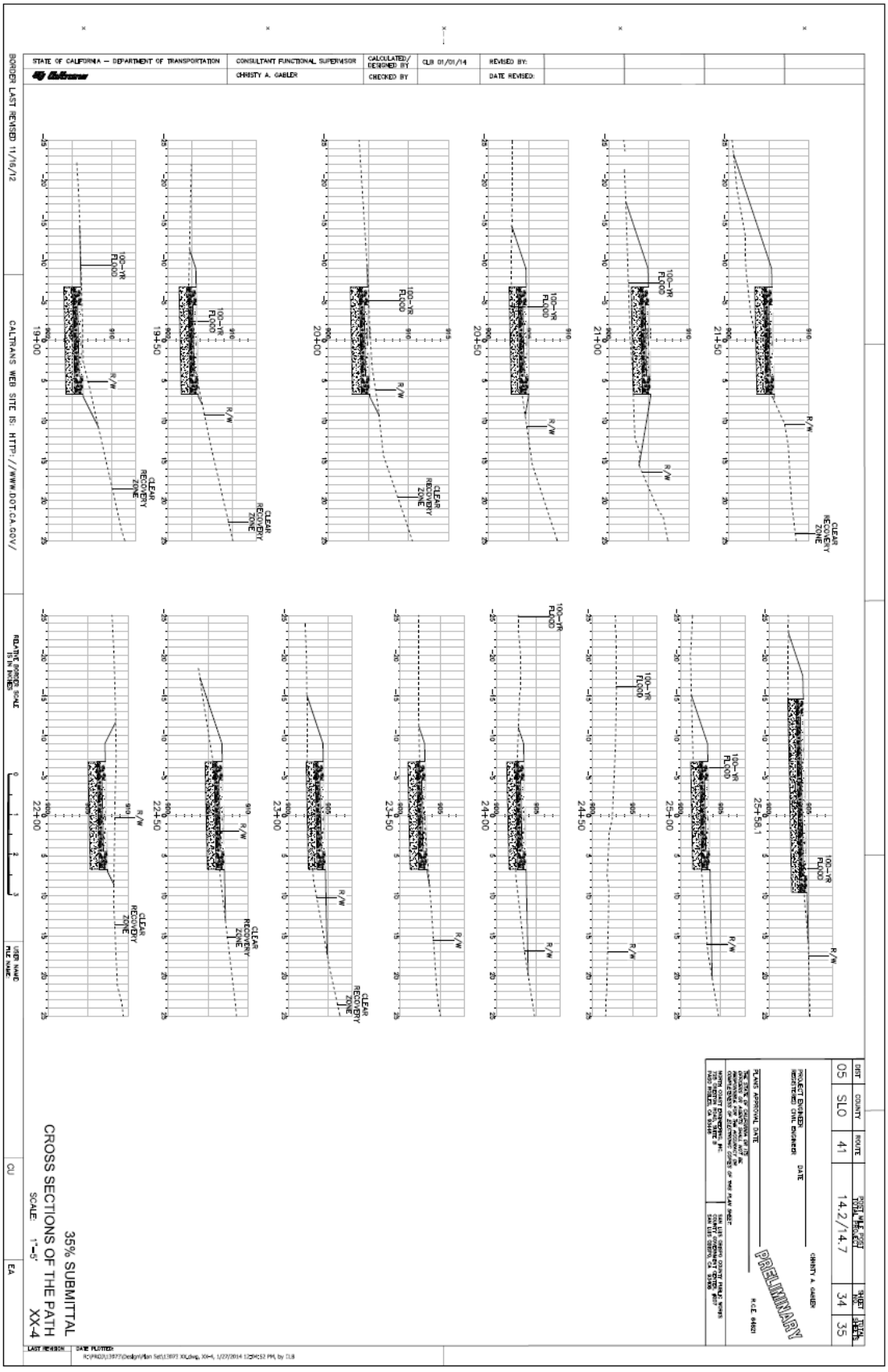


Attachment 5
Cross Sections

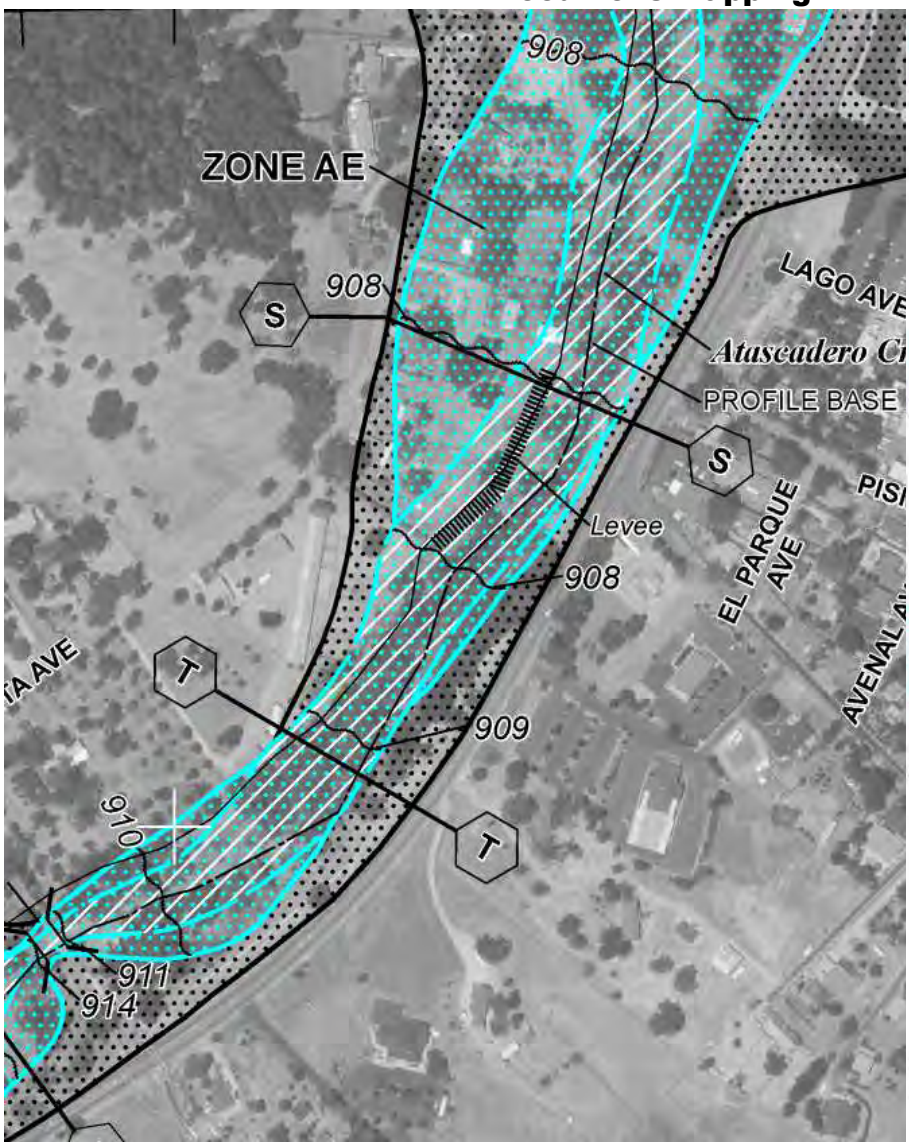


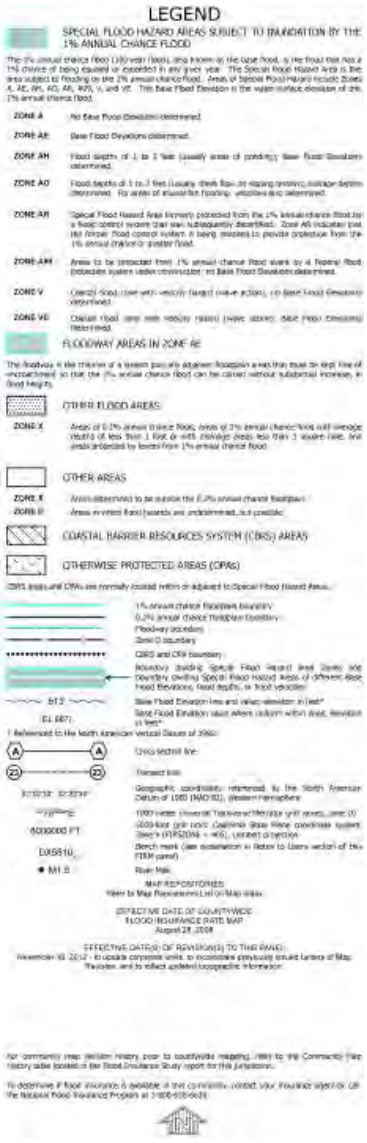

35% SUBMITTAL
CROSS SECTIONS OF THE PATH
XX-2
PRELIMINARY
05
SLO
41
14.2/14.7
32
35

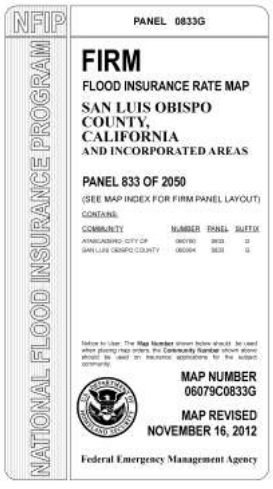

STATE OF CALIFORNIA — DEPARTMENT OF TRANSPORTATION
CONSULTANT FUNCTIONAL SUPERVISOR
CHRISTY A. GABLER
CALCULATED/DESIGNED BY
CLB 01/01/14
CHECKED BY
REVISED BY:
DATE REVISED:
BORDER LAST REVISED 11/16/12
CALTRANS WEB SITE IS: HTTP://WWW.DOT.CA.GOV/
REGULATORY FLOOD
100-YR FLOOD
R/W
CLEAR RECOVERY ZONE
13+50
14+00
14+50
15+00
15+50
16+00
16+50
17+00
17+50
18+00
18+50
30% SUBMITTAL
CROSS SECTIONS OF THE PATH
SCALE: 1"=5'
XX-3
PRELIMINARY
DIST 05
COUNTY SLO
ROUTE 41
POST MILE PRFX TOTAL PROJECT
SHEET NO. 33
SHEET TOTAL 35
PROJECT ENGINEER
REGISTERED CIVIL ENGINEER
DATE
CHRISTY A. GABLER
R.C.E. 64823
PLANS APPROVAL DATE
LAST REVISION
DATE PLOTTED

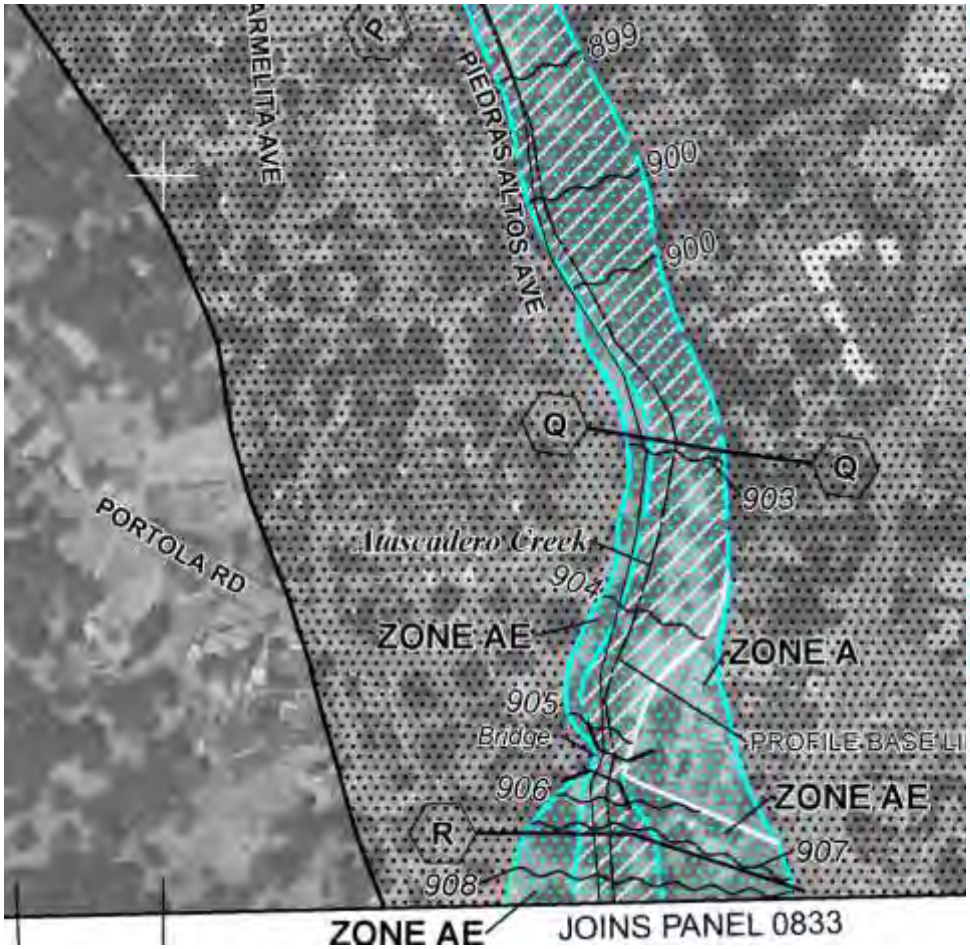

STATE OF CALIFORNIA – DEPARTMENT OF TRANSPORTATION
CONSULTANT FUNCTIONAL SUPERVISOR
CHRISTY A. GABLER
CALCULATED/ DESIGNED BY
CLB 01/01/14
CHECKED BY
REVISED BY:
DATE REVISED:
BORDER LAST REVISED 11/16/12
CALTRANS WEB SITE IS: HTTP://WWW.DOT.CA.GOV/
RELATIVE BORDER SCALE IS IN INCHES
USER NAME
FILE NAME
CU
EA
100-YR FLOOD
R/W
CLEAR RECOVERY ZONE
19+00
19+50
20+00
20+50
21+00
21+50
22+00
22+50
23+00
23+50
24+00
24+50
25+00
25+38.1
35% SUBMITTAL
CROSS SECTIONS OF THE PATH
XX-4
SCALE: 1"=5'
DIST 05
COUNTY SLO
ROUTE 41
POST MILE (REF) TOTAL PROJECT
14.2/14.7
SHEET NO. 34
TOTAL SHEETS 35
PROJECT ENGINEER REGISTERED CIVIL ENGINEER
DATE
CHRISTY A. GABLER
PLANS APPROVAL DATE
R.C.E. 64621
PRELIMINARY
LAST REVISION
DATE PLOTTED

Attachment 6
Flood Zone Mapping

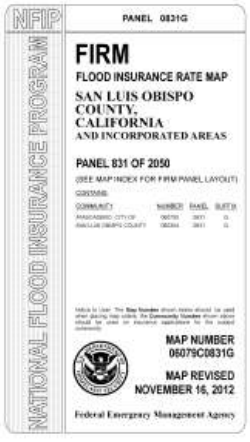







ARMELITA AVE
RIEDRAS ALTOS AVE
899
900
900
903
PORTOLA RD
Atascadero Creek
904
ZONE AE
ZONE A
905
Bridge
PROFILE BASE LI
906
ZONE AE
907
908
908
ZONE AE
JOINS PANEL 0833


LEGEND
SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD
ZONE A
ZONE AE
ZONE AH
ZONE AO
ZONE AR
ZONE A99
ZONE V
ZONE VE
FLOODWAY AREAS IN ZONE AE
OTHER FLOOD AREAS
ZONE X
OTHER AREAS
ZONE X
ZONE D
COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS
OTHERWISE PROTECTED AREAS (OPAs)
1% annual chance floodplain boundary
0.2% annual chance floodplain boundary
Floodway boundary
Zone D boundary
CBRS and OPA boundary
Base Flood Elevation line and value; elevation in feet*
EL 987
Base Flood Elevation value where uniform within zone; elevation in feet*
* Referenced to the North American Vertical Datum of 1988
Cross section line
Transect line
Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
1000-meter Universal Transverse Mercator grid values, zone 10
5000-foot grid ticks: California State Plane coordinate system (zone 5 (FIPSZONE = 405)), Lambert projection
Bench mark (see explanation in Notes to Users section of this FIRM panel)
River Mile
MAP REPOSITORIES
Refer to Map Repositories List on Map Index
EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
August 28, 2008
EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL


NFIP
NATIONAL FLOOD INSURANCE PROGRAM
PANEL 0831G
FIRM
FLOOD INSURANCE RATE MAP
SAN LUIS OBISPO COUNTY, CALIFORNIA
AND INCORPORATED AREAS
PANEL 831 OF 2050
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)
CONTAINS:
COMMUNITY
NUMBER
PANEL
SUFFIX
MAP NUMBER
06079C0831G
MAP REVISED
NOVEMBER 16, 2012
Federal Emergency Management Agency

Attachment 7
Wetlands Mapping

Attachment 8
Site Photos

View of State Route 41 and the existing unimproved trail. This section is across from the Lake Park / Zoo.

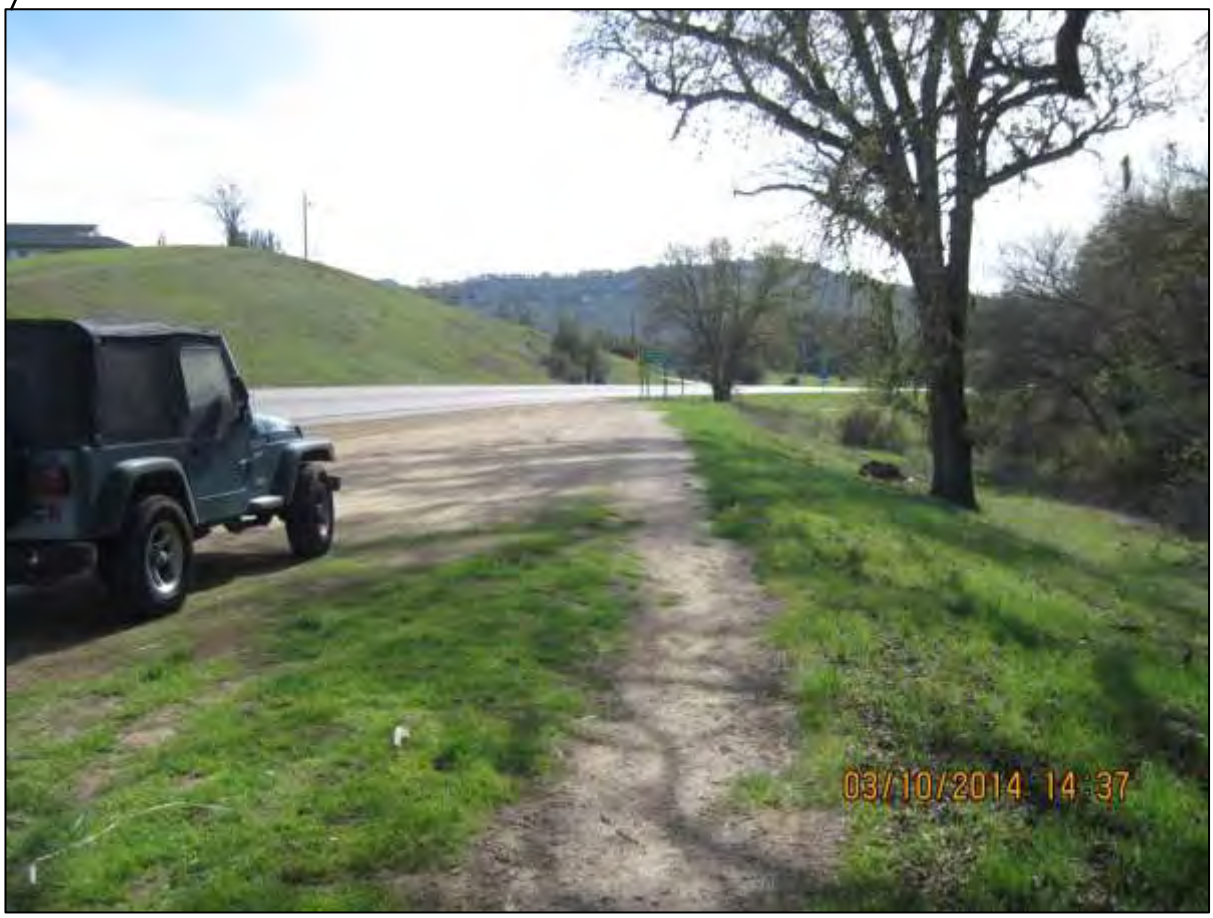
View of existing bridge over the freshwater emergent swale

View of culvert where water enters the Atascadero Lake Park

Unimproved path that winds around the existing oak tree

Trees that are proposed to be removed as a part of improvements to the trail.

View of the existing riparian corridor.



View of unimproved trail as it meets back with Highway 41 / Morro Road

View of the San Gabriel Road intersection

Attachment 9
Biological Assessment
See Next Page

1.0 Summary

The City of Atascadero, located in north-central San Luis Obispo County, California, with funding from the Federal Highway Administration and oversight by the California Department of Transportation, plans to construct a Class 1 multipurpose path adjacent to State Route 41 between Portola and San Gabriel Roads. The path would connect Atascadero Lake Park with a recently completed Safe Routes to School Project and would provide pedestrians and cyclists with safe access along State Route 41. The path would primarily affect a portion of the southbound Highway 41 right of way and an adjacent ruderal upland area of open space between Highway 41 and Atascadero Creek. The path would not affect special status species or their habitats.

2.0 Introduction

The City of Atascadero proposes to create a multipurpose path along the southbound side of State Route 41 (SR41) between Portola Road and San Gabriel Road in the City of Atascadero, San Luis Obispo County (Figure 1). Currently, pedestrians and bicyclists must use the shoulder of SR51 when traveling between Portola Road and San Gabriel Road. The proposed project would construct a Class 1 multipurpose path along the westbound side of SR41, on City-owned property and Caltrans right of way, between the highway and Atascadero Creek. The concrete path would be approximately 10-feet wide with 24-inch shoulders on each side, and would extend approximately 2,710 feet from Portola Road west to San Gabriel Road (Postmile (PM) 14.2 to 14.7). These improvements would provide off highway pedestrian and bicycle access along SR41, and connect Lake Park with a recently completed Safe Routes to School Project. Funding for this project will be provided by the Federal Highway Administration.

The Area of Potential Impacts (API) is approximately 4 acres (ac) and includes the unpaved area between the edge of the traveled way on southbound SR41 and the edge of the riparian corridor along Atascadero Creek. The API would be directly affected by construction activities including excavation of the path site, construction of the path, construction access and staging, and installation of landscape materials on City-owned property. Project activities will not impact Atascadero Creek.

The Biological Study Area (BSA) for this Natural Environment Study (NES) consists of the upland area located between SR41 and Atascadero Creek from Portola Road to San Gabriel Road, including adjacent Atascadero Creek riparian habitat (Figure 2). Land use in the BSA includes portions of the Atascadero Creek riparian corridor to the northwest and commercial business and a suburban residential home to the southeast. Atascadero Creek flows roughly parallel to SR41 in this area. Work on the project is anticipated to begin in summer 2014 and is anticipated to take three to four months to complete. Althouse and Meade, Inc. biologists conducted a background review and field surveys for the Highway 41 Multipurpose Path

("Project") in January 2014. This Natural Environment Study ("NES") was prepared based on these surveys. All documents were prepared based on templates and guidelines provided by the California Department of Transportation ("Caltrans").

3.0 Study Methods

Prior to site visits, we reviewed information from available sources to determine biological and other resources that occur or could potentially occur in or near the Project site. The California Natural Diversity Database (CNDDB) and the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants were searched for occurrences of special status species in the six USGS 7.5-minute quadrangles within 5 miles surrounding Project site: Atascadero, Creston, Morro Bay North, Santa Margarita, Templeton, and York Mountain. An Official Species List was obtained from the Ventura office of the United States Fish and Wildlife Service (USFWS). During site visits conducted on January 8 and 9, 2014, the site was photographed and plant and animal species observed at the site were identified. Plant specimens were identified in the field or collected and returned to the lab for identification. The potential for special status species in the Project area was assessed based on the type and quality of habitat present and the proximity of the site to known occurrences of special status species. Botanical resources were investigated in January 2014. Focused botanical surveys were not required due to the highly disturbed, ruderal anthropic nature of the API.

4.0 Environmental Setting

The Project site is located on highly disturbed ground immediately northwest of SR 41. A restaurant and paved lot are located immediately north of the Project site. An unimproved dirt trail parallels SR41 through the ruderal upland area, and existing foot bridges pass over small ephemeral and highway drainages in the BSA. The ground is relatively level throughout the Project site and largely outside any tree canopies, though small stands of coast live oak (*Quercus agrifolia*) are located near the center of the Project site. Atascadero Creek is located to the northwest of the Project site and features a well-developed riparian corridor.

4.1 Description of the Existing Biological and Physical Conditions

Vegetation along the propose path consists primarily of non-native upland species such as wild oat (*Avena fatua*), rip-gut brome (*Bromus diandrus*), and mustard (*Brassica ssp*.). This upland ruderal vegetation is adjacent to the Atascadero Creek riparian corridor that includes trees such as California sycamore (*Platanus racemosa*), black cottonwood (*Populus trichocarpa*), and red willow (*Salix laevigata*). Riparian understory vegetation includes poison oak (*Toxicodendron diversilobum*), coffee berry (*Rhamnus californica*), and blue elderberry (*Sambucus cerulea*). A portion of the proposed Project alignment passes through a small stand of coast live oak

(*Quercus agrifolia*). The riparian area along Atascadero Creek provides habitat for raccoon (*Procyon lotor*), gray squirrel (*Sciurus griseus*), blacktail deer (*Odocoileus hemionus columbianus*), and other mammals, as well as nesting habitat for avian species.

4.2 Regional Species and Habitats of Concern

The CNDDB and CNPS records list 35 plant species, 28 animal species, and one plant community known from the vicinity of the Project site. The USFWS Ventura Field Office Official Species List contains 3 plant species and 6 animal species. A fourth plant species was added to the list for consideration based on CNDDB reports from the region.

Table 1 (next page) lists federally listed species that may be present at or near the Project site. Absent [A] means no further work needed. Present [P] means general habitat is present and species may be present, but does not necessarily mean the species is present. Critical Habitat [CH] means that the project footprint is located within a designated critical habitat unit, but does not necessarily mean that appropriate habitat is present.

The majority of the BSA is already heavily altered and used by joggers and others for recreation. Suitable habitat for listed species other than purple martin is not present within the BSA due to heavily disturbed conditions and lack of suitable vegetation and substrates.

Appendix 1 provides a complete list of special status species that occur within the six USGS 7.5-minute quadrangles surrounding the Project site. The CNDDB list and USFWS Official Species List are included in the Appendix.

TABLE 1. SPECIAL STATUS SPECIES THAT COULD OCCUR AT THE PROJECT SITE BASED ON THE USFWS OFFICIAL SPECIES LIST.

Common name	Scientific name	Special status	General Habitat type	Habitat Present/ Absent
Plants				
Chorro Creek bog thistle	*Cirsium fontinale var. obispoense*	E[1]	Serpentine soil outcrops	A
Marsh Sandwort	*Arenaria paludicola*	E	Freshwater marshes	A
Salt-Marsh Bird's Beak	*Cordylanthus maritimus ssp. maritimus*	E	Salt marsh	A
Spreading Navarretia	*Navarretia fossalis*	T	Vernal pools/wet areas	A
Wildlife				
Steelhead - South/Central ESU	*Oncorhynchus mykiss*	FT[2]	Coastal streams	CH
California Red-Legged Frog	*Rana draytonii*	FT	In or near sources of deep water with dense, shrubby or emergent riparian vegetation.	A
Vernal Pool Fairy Shrimp	*Branchinecta lynchi*	FT	Vernal pools/wet areas	A
California Condor	*Gymnogyps californianus*	E	Wide-ranging over Coast Ranges from Ventura to Big Sur.	A
Least Bell's Vireo	*Vireo bellii pusillus*	E	Riparian habitat, near water or dry streambed. Nests in willows, mesquite, Baccharis.	P
Southwestern willow flycatcher	*Empidonax traillii extimus*	FT	Riparian woodlands in Southern California.	P
Purple Martin	*Progne subis*	SSC[3]	In San Luis Obispo County, prefers nesting in Sycamore trees along riparian corridors.	P

4.3 Vegetation

The BSA consists primarily upland habitat ruderal species along the Project alignment as well as the Atascadero Creek riparian corridor to the west. Searches of the CNDDB, USFWS Official Species List, and CNPS Rare Plant Inventory showed four federally-listed plant species that should be evaluated for potential to occur at the project site. These are Chorro Creek bog-thistle

[1] E = Federally listed Endangered
[2] FT = Federally listed Threatened
[3] SSC = California Species of Special Concern

(*Cirsium fontinale var. obispoense*), Marsh sandwort (*Arenaria paludicola*), Salt Marsh bird's-beak (*Cordylanthus maritimus ssp. maritimus*), spreading Navarretia (*Navarretia fossalis*).

4.3.1 Chorro Creek bog-thistle

Chorro Creek bog thistle only occurs naturally in San Luis Obispo County and is restricted to open seep areas in serpentine soil outcrops. This very specific habitat is not found at the Project site, thus this species will not be affected by the Project.

4.3.2 Marsh sandwort

Marsh sandwort is listed as endangered under the Federal Endangered Species Act (FESA) and the California Endangered Species Act (CESA), and is on CRPR 1B.1. Marsh sandwort occurs in freshwater marshes with cattails and rushes, and suitable habitat does not exist on or near the Project site. This species will not be affected by the Project.

4.3.3 Salt Marsh bird's-beak

Salt Marsh bird's-beak is a federal and state listed endangered species that occurs in scattered salt marsh localities between San Luis Obispo County and San Diego County. Salt marsh habitat is not present at the Project site and this species will not be affected by the Project.

4.3.4 Spreading Navarretia

Spreading Navarretia is native to southern and Baja California and is found in habitats such as vernal pools, ditches, and other areas that are wet or flooded during the rainy season and dry the rest of the year. The closest known location is approximately 10 miles northeast of the Project site near Creston. Vernal pools and similar habitat are not present at the Project site and this species will not be affected by the Project.

4.4 Animals

The CNDDB, USFWS Official Species List, and CNPS website showed six federally-listed wildlife species that should be evaluated for potential to occur at the project site. These include vernal pool fairy shrimp (*Branchinecta lynchi*), southwestern willow flycatcher (*Empidonax traillii extimus*), California condor (*Gymnogyps californianus*), South-Central Coast steelhead trout (*Oncorhynchus mykiss*), California red-legged frog (*Rana draytonii*), and least Bell's vireo (*Vireo bellii pusillus*).

4.4.1 Southern steelhead trout

The South-Central California Coast steelhead Distinct Population Segment (DPS) extends from the Pajaro River and its watershed at the north, south to but excluding the Santa Maria River. In this DPS, steelhead is a federally threatened species and Atascadero Creek is designated as critical habitat for South-Central Coast steelhead trout. However, the Project site is situated

away from Atascadero Creek and its associated riparian habitat. No work will occur in Atascadero Creek and the Project will not affect water quality. Therefore, the project will not affect steelhead trout.

4.4.2 California red-legged frog

California red-legged frogs are federally listed as threatened. This species is found in or near sources of deep water with overhanging or emergent riparian vegetation. California red-legged frogs and suitable habitat for this species were not detected during field surveys. This section of Atascadero Creek does not feature perennial water and the API and adjacent riparian corridor do not provide suitable habitat for California red-legged frogs. Therefore, this species will not be affected by the project.

4.4.3 Vernal pool fairy shrimp

Vernal pool fairy shrimp is a federally listed threatened species that occurs in vernal pools and other ephemeral pools where water accumulates for more than three weeks during the rainy season. The closest reported occurrence is from 9.75 miles northeast of the project site, on the south edge of Highway 41 (CNDDB #382). Depressions and vernal pools are not found on the project site, and vernal pool fairy shrimp will not be affected by the project.

4.4.4 California condor

California condors are federally and State-listed as endangered and require vast expanses of open savannah, grasslands, and foothill chaparral in mountain ranges of moderate altitude. Deep canyons containing clefts in rocky walls provide nesting sites. The California condor may forage up to 100 miles from its roosting site. There are no adequate roosting sites in the vicinity of the project site. Vast open areas for foraging are not present in the project vicinity. The Project area does not offer suitable habitat for California condor, and this species will not be affected by the Project.

4.4.5 Purple martin

Purple martin (*Progne subis*) is a California Special Concern species with a limited range and low abundance in California. Purple martins prefer to nest colonially in abandoned woodpecker and natural cavities in trees, especially California sycamore, and typically return to the same site year after year. There are two nesting localities documented in San Luis Obispo County in the CNDDB. Occurrence #26 is located at the south end of the project site. Occurrence #15 is from approximately 6.5 miles south of the property, on the Santa Margarita Ranch. Purple martins are likely to nest in the sycamore grove at the south end of the project site.

4.4.6 Southwestern willow flycatcher

Southwestern willow flycatcher is a federally threatened species that nests in dense riparian woodlands of Southern California, dominated by dense growths of willows (*Salix* sp.), seepwillow (*Baccharis* sp.), or other shrubs or trees. Southwestern willow flycatchers are not known to occur near the project site, as the closest reported observances are over 50 miles south in central Santa Barbara County. Southwestern willow flycatchers will not be affected by the Project.

4.4.7 Least Bell's vireo

Least Bell's vireo is listed as endangered under both the California and Federal Endangered Species Acts. This vireo nests in low riparian vegetation from Central to Southern California, preferring to place its nest on low branches of willows (*Salix* spp.), mule fat (*Baccharis salicifolia*), and mesquite bushes (*Prosopis* spp.) that extend into pathways. The Project will not remove riparian vegetation, and riparian vegetation adjacent to the Project site is less dense than typically preferred by least Bell's vireo. Nesting least Bell's vireos were found in the Salinas River north of the City of Paso Robles in 2005 (CNDDB #323). This occurrence is approximately 13 miles north of the Project site and is the only occurrence listed in the CNDDB. Least Bell's vireo will not be affected by the Project.

4.4.8 Nesting birds

Many species of nesting birds utilize riparian corridors for nesting and rearing young. In addition to purple martins, red-tailed hawks (*Buteo jamaicensis*) as well as many other raptors and songbirds are known to nest in the Atascadero Creek riparian corridor. Nesting birds are protected by both

5.0 Applicable Federal Laws, Acts, and Orders

5.1 Federal Endangered Species Act

The Federal Endangered Species Act (FESA) prohibits take of endangered or threatened species. "Take" under FESA includes harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting wildlife species or any attempt to engage in those activities. Substantially modifying or degrading habitat of listed species is also considered to be a form of "take." While the Project is adjacent to critical habitat for federally-listed steelhead trout, the project limits are outside steelhead habitat and steelhead will not be affected.

Caltrans, as part of its NEPA assignment of federal responsibilities by the FHWA, effective October 1, 2012 and pursuant to 23 USC 326, will act as the lead federal agency for Section 7 of the Federal Endangered Species Act.

5.2 Migratory Bird Treaty Act

Nesting birds are protected from disturbance by The Migratory Bird Treaty Act of 1918, as regulated by the United States Fish and Wildlife Service. Where feasible, vegetation removal and construction near natural vegetation would be conducted outside the general February 15 to August 1 bird nesting season. Trees with suitable raptor habitat would not be removed. If construction occurs during the nesting season, the Project would implement pre-construction nesting surveys, and active bird nests would be avoided and protected with buffers as described in Section 6.

5.3 Fish and Game Code, Section 3503

The California Fish and Game Code, Section 3503, states "It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto." This includes species that are not specifically protected by the Migratory Bird Treaty Act. If construction occurs during the nesting season, the Project would implement pre-construction nesting surveys, and active bird nests would be avoided and protected with buffers as described in Section 6.

5.4 Executive Order 11990 – Protection of Wetlands

Wetland habitat does not exist in the Project API. The proposed project would not impact wetlands or waters under the jurisdiction of the federal government.

5.5 Executive Order 11988 – Floodplain Management

The Project site is partially within the 100-year floodplain. This segment is approximately 200 feet long and primarily consists of the path's southbound shoulder. However, the project would not substantially alter floodplain elevation or function, as proposed improvements would be installed consistent with existing grades. The Project includes the following floodplain protection measures including avoiding changes to floodplain elevation or function, avoiding locations of ordinary high water flows, removing weeds, and minimizing tree removal.

5.6 Clean Water Act

The proposed project would not impact wetlands or waters under the jurisdiction of the federal government. These resources have been avoided in design of the proposed project. Implementation of standard erosion and sediment control best management practices will minimize indirect impacts due to stormwater runoff.

5.7 Executive Order 13112 – Invasive Species

Yellow starthistle (*Centaurea solstitialis*) is present in the Project site. Measures are provided in Section 6 to control the growth and spread of this species. Seed mixes used for erosion and

sediment control will contain native and naturalized species suitable for upland areas and will not include noxious or invasive species.

5.8 Laws, Orders, and Acts that do not apply

The following laws, acts, and orders do not apply to this project because the resources they govern are not in the Project area and are not affected by the proposed Project: Rivers and Harbors Act, National Wild and Scenic Rivers Act, Essential Fish Habitat, and Marine Mammal Protection Act.

6.0 Avoidance and Minimization Measures

6.1 Protection of adjacent habitats

Riparian habitat is present along Atascadero Creek. The proposed Project would be extremely unlikely to affect riparian habitat provided the following measures are implemented.

BR-1. Retain existing riparian edge of canopy to the extent possible. Clearly delineate the edges of work limits where they occur adjacent to riparian habitat prior to start of work. Work will not be permitted within the riparian area.

BR-2. Staging and storage areas will be located away from the creek, on the highway side of the Project site where possible, and outside any tree canopies.

6.2 Nesting birds

Appropriate habitat for nesting birds is present south of the BSA, although nesting habitat is limited within the BSA. The proposed project would be extremely unlikely to affect nesting birds provided the following measures are implemented.

BR-3. If construction occurs during the normal bird nesting season of February 15 to August 1, surveys will be conducted for nesting birds within 300 feet of the Project before the onset of construction. When active, purple martin nesting site(s) will be identified and a minimum 300-foot buffer shall be established around the site(s) to avoid impacts to this species. If present, active raptor nests shall be also avoided by a 300-foot buffer to avoid project-related nest abandonment. All other active nests shall be avoided by a 250-foot buffer to avoid project-related nest abandonment. Construction activities may resume in buffered areas when it is determined that the nests are no longer active. Upon concurrence with applicable regulatory agencies, nest buffers may be reduced if a qualified ornithologist determines that a species (e.g., house finch) may not be adversely affected by construction activities.

BR-4. A biological monitor will be on site as needed to monitor construction. The biological monitor shall have authority to stop project activities if necessary to protect nesting birds and other wildlife.

6.3 Tree removal

Approximately two oak trees would be removed to accommodate the proposed Path alignment. The proposed project would be extremely unlikely to affect oak trees provided the following measures are implemented.

BR-5. Trimming and pruning of oak trees shall be kept to the minimum amount necessary to meet Project goals.

BR-6. Oak trees removed as part of the project shall be replaced in-kind at a minimum ratio of 3:1 for trees less than 24 inches diameter at breast height (dbh) and 10:1 for trees 24 inches or greater dbh, or in accordance with the City of Atascadero tree ordinance, whichever is stricter. All trees shall be maintained and monitored as required by the City of Atascadero tree ordinance.

6.4 Invasive species

Implementation of the following measures would reduce invasive species presence in the vicinity of the proposed project:

BR-7. Treat existing known patches of yellow starthistle within the Project site with a water-safe herbicide approved for use in aquatic habitats.

BR-8. To avoid the export of invasive plant species during construction, soil or plant material within the vicinity of yellow starthistle shall not be transported offsite. If such soil or plant material must be exported offsite, it shall be disposed of at a certified landfill.

BR-9. Do not plant species known to invade wildlands as part of proposed landscape materials. Only use seeds that contain native and/or naturalized species appropriate for the Project site.

6.5 Water Quality

The proposed project would be extremely unlikely to affect water quality provided the following measures are implemented.

BR-10. Sediment containment devices such as biodegradable fiber rolls will be installed between the Project boundary and Atascadero Creek in locations where sediment could leave the site and enter the creek.

BR-11. Upon completion of the project, all construction material and all nonpermanent nonbiodegradable erosion control materials will be removed from the site and disturbed soil will be stabilized using native and/or naturalized seed species.

7.0 Project Impacts

The Project area consists of the highly disturbed, ruderal upland open space bordered by SR41 to the west and the Atascadero Creek riparian corridor to the east, between Portola Road and San Gabriel Road. This Project has been determined not likely to affect sensitive species or critical habitat adjacent to the Project site. The Project will not affect Atascadero Creek or the riparian area, aquatic species that may occur within Atascadero Creek, or critical habitat for southern steelhead. Approximately two oak trees are expected to be removed but will be replaced at appropriate ratios. No rare or sensitive plant species are present or will be affected. Best management practices will be implemented to prevent erosion and sediment loss and to protect water quality. Noise will be restricted to daytime equipment operations such as grading and paving.

8.0 Permits Required

The Project site was evaluated to determine if any portion of the project site could be subject to regulatory jurisdiction of the California Department of Fish and Wildlife (CDFW) under Sections 1600 – 1616 of the Fish and Game Code; United States Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act; or California Regional Water Quality Control Board (RWQCB) under Section 401 of the Clean Water Act.

8.1 Fish and Game Code, Section 1600 - 1616

Fish and Game Code, Section 1602, provides that an entity may not "...substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake ..." unless that entity provides written notification to the CDFW. The term "stream" is not defined in the Fish and Game Code; however, the California Fish and Game Commission (Commission) defines "stream" (which includes lakes and rivers) as "... a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having a surface or subsurface flow that supports or has supported riparian vegetation."

Atascadero Creek meets the Commission's definition of a stream. While the Project would be constructed to avoid impacting Atascadero Creek, vegetation along the edge of the associated

riparian corridor may need to be trimmed. A Lake or Streambed Alteration Agreement (LSAA) may be required for this Project.

8.2 USACE Section 404 Permit

The USACE has jurisdiction over waters of the United States within the "Ordinary High Water Mark" (OHWM). For Clean Water Act jurisdiction, the USACE defines OHWM (33 CFR 328.3[e]) as follows:

> "The term ordinary high water mark means that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas."

The Project would not encroach upon or affect areas within the OHWM of Atascadero Creek, and fill material would not be placed within Atascadero Creek. Therefore, a permit from the USACE is not required for this Project.

8.3 RWQCB Section 401 Permit

The RWQCB has jurisdiction over waters of the State. A Water Quality Certification under Section 401 of the Clean Water Act is required for projects involving discharges of dredged or fill material to waters of the United States including wetlands and other water bodies. Such discharges may result from navigational dredging, flood control channelization, levee construction, channel clearing, fill of wetlands for development, or other activities.

The Project would not result in discharges of dredged or fill material to waters or wetlands of the United States. Therefore, a permit from the RWQCB is not required for this Project.

8.4 Caltrans encroachment permit

A Caltrans encroachment permit must be obtained for any activity related to placement of encroachments within, under, or over State highway rights-of-way. Because the Project would encroach upon Caltrans' right-of-way, an encroachment permit will be required.

9.0 References

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10.0 Appendix

- Project BSA photos
- Figures 1 and 2
- CNDDB List: Species reported from Atascadero, Creston, Morro Bay North, Santa Margarita, Templeton, and York Mountain Quadrangles
- Official Species List: USFWS Ventura Field Office.

1. Upland area between SR 41 to left and riparian area of Atascadero Creek to right. View south. Photo taken 1/09/2014.

2. Upland area between riparian area of Atascadero Creek to left and SR 41 to right. View north. Photo taken 1/09/2014.

3. Upland area between Atascadero Creek and SR 41, near northern end of Project limits. View north. Photo taken 1/09/2014.

4. Upland area between SR 41 and Atascadero Creek. View south. Photo taken 12/16/2013.

Figure 1. General Location

N
W E
S

Legend

Study Area

Project Location

0 5 10 20 Miles

Hwy 41 Multipurpose Trail

National Geographic Basemap
Map Updated: January 10, 2014, 01:51 PM

Althouse and Meade, Inc.
1602 Spring Street
Paso Robles, CA 93446

Figure 2. Aerial Photograph

Hwy 41
Multipurpose Trail

2012 San Luis Obispo County
NAIP Aerial Imagery
Map Updated: January 13, 2014, 01:49 PM

Althouse and Meade, Inc.
1602 Spring Street
Paso Robles, CA 93446

California Department of Fish and Game
Natural Diversity Database
Highway 41 Multipurpose Trail Project
All species for Atascadero, Creston, Morro Bay North, Santa Margarita, Templeton, and Creston quads.

	Scientific Name/Common Name	Element Code	Federal Status	State Status	GRank	SRank	CDFG or CNPS
1	Ammodramus savannarum grasshopper sparrow	ABPBXA0020			G5	S2	SC
2	Anniella pulchra pulchra silvery legless lizard	ARACC01012			G3G4T3T4Q	S3	SC
3	Antrozous pallidus pallid bat	AMACC10010			G5	S3	SC
4	Aquila chrysaetos golden eagle	ABNKC22010			G5	S3	
5	Arctostaphylos pilosula Santa Margarita manzanita	PDERI04160			G3	S3	1B.2
6	Astragalus didymocarpus var. milesianus Miles' milk-vetch	PDFAB0F2X3			G5T2	S2	1B.2
7	Atriplex joaquinana San Joaquin spearscale	PDCHE041F3			G2	S2	1B.2
8	Branchinecta lynchi vernal pool fairy shrimp	ICBRA03030	Threatened		G3	S2S3	
9	Buteo regalis ferruginous hawk	ABNKC19120			G4	S3S4	
10	California macrophylla round-leaved filaree	PDGER01070			G2	S2	1B.1
11	Calochortus obispoensis San Luis mariposa-lily	PMLIL0D110			G2	S2.1	1B.2
12	Calochortus simulans La Panza mariposa-lily	PMLIL0D170			G2	S2	1B.3
13	Calycadenia villosa dwarf calycadenia	PDAST1P0B0			G2	S2	1B.1
14	Camissoniopsis hardhamiae Hardham's evening-primrose	PDONA030N0			G1Q	S1	1B.2
15	Carex obispoensis San Luis Obispo sedge	PMCYP039J0			G2	S2.2	1B.2
16	Castilleja densiflora var. obispoensis San Luis Obispo owl's-clover	PDSCR0D453			G5T2	S2.2	1B.2
17	Caulanthus lemmonii Lemmon's jewelflower	PDBRA0M0E0			G3	S3	1B.2
18	Charadrius alexandrinus nivosus western snowy plover	ABNNB03031	Threatened		G3T3	S2	SC
19	Chorizanthe breweri Brewer's spineflower	PDPGN04050			G2	S2.2	1B.3
20	Chorizanthe rectispina straight-awned spineflower	PDPGN040N0			G1	S1	1B.3
21	Cicindela hirticollis gravida sandy beach tiger beetle	IICOL02101			G5T2	S1	
22	Cirsium fontinale var. obispoense San Luis Obispo fountain thistle	PDAST2E162	Endangered	Endangered	G2T2	S2	1B.2
23	Cirsium occidentale var. lucianum Cuesta Ridge thistle	PDAST2E1Z6			G3G4T2	S2	1B.2

	Scientific Name/Common Name	Element Code	Federal Status	State Status	GRank	SRank	CDFG or CNPS
24	Coelus globosus globose dune beetle	IICOL4A010			G1	S1	
25	Corynorhinus townsendii Townsend's big-eared bat	AMACC08010		Candidate Threatened	G3G4	S2S3	SC
26	Danaus plexippus monarch butterfly	IILEPP2010			G5	S3	
27	Delphinium parryi ssp. eastwoodiae Eastwood's larkspur	PDRAN0B1B2			G4T2	S2	1B.2
28	Dudleya abramsii ssp. bettinae Betty's dudleya	PDCRA04011			G3T1	S1	1B.2
29	Dudleya blochmaniae ssp. blochmaniae Blochman's dudleya	PDCRA04051			G2T2	S2.1	1B.1
30	Elanus leucurus white-tailed kite	ABNKC06010			G5	S3	
31	Emys marmorata western pond turtle	ARAAD02030			G3G4	S3	SC
32	Eriastrum luteum yellow-flowered eriastrum	PDPLM03080			G2	S2.2	1B.2
33	Erigeron blochmaniae Blochman's leafy daisy	PDAST3M5J0			G2	S2.2	1B.2
34	Eucyclogobius newberryi tidewater goby	AFCQN04010	Endangered		G3	S2S3	SC
35	Fritillaria viridea San Benito fritillary	PMLIL0V0L0			G2	S2	1B.2
36	Helminthoglypta walkeriana Morro shoulderband (=banded dune) snail	IMGASC2510	Endangered		G1	S1	
37	Horkelia cuneata var. puberula mesa horkelia	PDROS0W045			G4T2	S2.1	1B.1
38	Juncus luciensis Santa Lucia dwarf rush	PMJUN013J0			G2G3	S2S3	1B.2
39	Layia heterotricha pale-yellow layia	PDAST5N070			G2	S2	1B.1
40	Layia jonesii Jones' layia	PDAST5N090			G1	S1	1B.2
41	Linderiella occidentalis California linderiella	ICBRA06010			G3	S2S3	
42	Malacothamnus palmeri var. involucratus Carmel Valley bush-mallow	PDMAL0Q0B1			G3T2Q	S2.2	1B.2
43	Malacothamnus palmeri var. palmeri Santa Lucia bush-mallow	PDMAL0Q0B5			G3T2Q	S2.2	1B.2
44	Monardella palmeri Palmer's monardella	PDLAM180H0			G2	S2.2	1B.2
45	Navarretia fossalis spreading navarretia	PDPLM0C080	Threatened		G1	S1	1B.1
46	Navarretia nigelliformis ssp. radians shining navarretia	PDPLM0C0J2			G4T2	S2	1B.2

	Scientific Name/Common Name	Element Code	Federal Status	State Status	GRank	SRank	CDFG or CNPS
47	Northern Interior Cypress Forest	CTT83220CA			G2	S2.2	
48	Oncorhynchus mykiss irideus steelhead - south/central California coast DPS	AFCHA0209H	Threatened		G5T2Q	S2	SC
49	Phrynosoma blainvillii coast horned lizard	ARACF12100			G3G4	S3S4	SC
50	Plagiobothrys uncinatus hooked popcornflower	PDBOR0V170			G2	S2	1B.2
51	Plebejus icarioides moroensis Morro Bay blue butterfly	IILEPG801B			G5T1T3	S1S3	
52	Polyphylla nubila Atascadero June beetle	IICOL68040			G1	S1	
53	Progne subis purple martin	ABPAU01010			G5	S3	SC
54	Pyrgulopsis taylori San Luis Obispo pyrg	IMGASJ0A50			G1	S1	
55	Rana boylii foothill yellow-legged frog	AAABH01050			G3	S2S3	SC
56	Rana draytonii California red-legged frog	AAABH01022	Threatened		G2G3	S2S3	SC
57	Sidalcea hickmanii ssp. anomala Cuesta Pass checkerbloom	PDMAL110A1		Rare	G3T1	S1	1B.2
58	Spea hammondii western spadefoot	AAABF02020			G3	S3	SC
59	Streptanthus albidus ssp. peramoenus most beautiful jewelflower	PDBRA2G012			G2T2	S2.2	1B.2
60	Suaeda californica California seablite	PDCHE0P020	Endangered		G1	S1	1B.1
61	Taricha torosa Coast Range newt	AAAAF02032			G4	S4	SC
62	Taxidea taxus American badger	AMAJF04010			G5	S4	SC
63	Trimerotropis occulens Lompoc grasshopper	IIORT36310			GH	SH	
64	Vulpes macrotis mutica San Joaquin kit fox	AMAJA03041	Endangered	Threatened	G4T2T3	S2S3	

United States Department of the Interior

FISH AND WILDLIFE SERVICE
VENTURA FISH AND WILDLIFE OFFICE
2493 PORTOLA ROAD, SUITE B
VENTURA, CA 93003
PHONE: (805)644-1766 FAX: (805)644-3958

Consultation Tracking Number: 08EVEN00-2014-SLI-0099 January 10, 2014
Project Name: Atascadero Multipurpose Trail

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project.

To Whom It May Concern:

The enclosed list identifies species listed as threatened and endangered, species proposed for listing as threatened or endangered, designated and proposed critical habitat, and species that are candidates for listing that may occur within the boundary of the area you have indicated using the U.S. Fish and Wildlife Service's (Service) Information Planning and Conservation System (IPaC). The species list fulfills the requirements under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.). Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the species list should be verified after 90 days. We recommend that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists following the same process you used to receive the enclosed list. Please include the Consultation Tracking Number in the header of this letter with any correspondence about the species list.

Due to staff shortages and excessive workload, we are unable to provide an official list more specific to your area. Numerous other sources of information are available for you to narrow the list to the habitats and conditions of the site in which you are interested. For example, we recommend conducting a biological site assessment or surveys for plants and animals that could help refine the list.

If a Federal agency is involved in the project, that agency has the responsibility to review its proposed activities and determine whether any listed species may be affected. If the project is a major construction project*, the Federal agency has the responsibility to prepare a biological assessment to make a determination of the effects of the action on the listed species or critical habitat. If the Federal agency determines that a listed species or critical habitat is likely to be adversely affected, it should request, in writing through our office, formal consultation pursuant to section 7 of the Act. Informal consultation may be used to exchange information and resolve conflicts with respect to threatened or endangered species or their critical habitat prior to a

written request for formal consultation. During this review process, the Federal agency may engage in planning efforts but may not make any irreversible commitment of resources. Such a commitment could constitute a violation of section 7(d) of the Act.

Federal agencies are required to confer with the Service, pursuant to section 7(a)(4) of the Act, when an agency action is likely to jeopardize the continued existence of any proposed species or result in the destruction or adverse modification of proposed critical habitat (50 CFR 402.10(a)). A request for formal conference must be in writing and should include the same information that would be provided for a request for formal consultation. Conferences can also include discussions between the Service and the Federal agency to identify and resolve potential conflicts between an action and proposed species or proposed critical habitat early in the decision-making process. The Service recommends ways to minimize or avoid adverse effects of the action. These recommendations are advisory because the jeopardy prohibition of section 7(a)(2) of the Act does not apply until the species is listed or the proposed critical habitat is designated. The conference process fulfills the need to inform Federal agencies of possible steps that an agency might take at an early stage to adjust its actions to avoid jeopardizing a proposed species.

When a proposed species or proposed critical habitat may be affected by an action, the lead Federal agency may elect to enter into formal conference with the Service even if the action is not likely to jeopardize or result in the destruction or adverse modification of proposed critical habitat. If the proposed species is listed or the proposed critical habitat is designated after completion of the conference, the Federal agency may ask the Service, in writing, to confirm the conference as a formal consultation. If the Service reviews the proposed action and finds that no significant changes in the action as planned or in the information used during the conference have occurred, the Service will confirm the conference as a formal consultation on the project and no further section 7 consultation will be necessary. Use of the formal conference process in this manner can prevent delays in the event the proposed species is listed or the proposed critical habitat is designated during project development or implementation.

Candidate species are those species presently under review by the Service for consideration for Federal listing. Candidate species should be considered in the planning process because they may become listed or proposed for listing prior to project completion. Preparation of a biological assessment, as described in section 7(c) of the Act, is not required for candidate species. If early evaluation of your project indicates that it is likely to affect a candidate species, you may wish to request technical assistance from this office.

Only listed species receive protection under the Act. However, sensitive species should be considered in the planning process in the event they become listed or proposed for listing prior to project completion. We recommend that you review information in the California Department of Fish and Wildlife's Natural Diversity Data Base. You can contact the California Department of Fish and Wildlife at (916) 324-3812 for information on other sensitive species that may occur in this area.

[*A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.]

Attachment

United States Department of Interior
Fish and Wildlife Service

Project name: Atascadero Multipurpose Trail

Official Species List

Provided by:

VENTURA FISH AND WILDLIFE OFFICE
2493 PORTOLA ROAD, SUITE B
VENTURA, CA 93003
(805) 644-1766

Non-participating U.S. Fish and Wildlife Service office(s):

The following office(s) have jurisdictions that overlap your project area, but do not provide automatically generated Species list documents. Please contact them directly to request a Species list document. Do this by visiting their website, if it is provided below. If a website is not provided, contact the office(s) by mail or phone.

SACRAMENTO FISH AND WILDLIFE OFFICE
FEDERAL BUILDING
2800 COTTAGE WAY, ROOM W-2605
SACRAMENTO, CA 95825
(916) 414-6600

Consultation Tracking Number: 08EVEN00-2014-SLI-0099
Project Type: Recreation Construction / Maintenance
Project Description: Multiuse path along west side of State Route 41 between Portola Road and San Gabriel Road. Concrete path would be 10 feet wide with 2-foot shoulders on each side, approximately 2,710 ft (0.52 mi). Path would be between SR 41 and Atascadero Creek, would not encroach into the creek.

Project Location Map:

Project Location Measurements: Area : 9.0 ac., Length : 1.1 mi.

Project Coordinates: MULTIPOLYGON (((-120.6699715 35.4689018, -120.6701319 35.4684567, -120.6706904 35.467443, -120.6728367 35.4644371, -120.6737266 35.4635458, -120.6742845 35.4631613, -120.6749819 35.4628205, -120.6751428 35.4630564, -120.6745528 35.463406, -120.6744884 35.4636332, -120.6738983 35.463974, -120.672761 35.4650488, -120.6725786 35.4652585, -120.6724714 35.4654595, -120.6720312 35.4659309, -120.6718595 35.4661931, -120.6715162 35.4669882, -120.6706792 35.4692327, -120.6699496 35.4689531, -120.6699715 35.4689018)))

Project Counties: San Luis Obispo, CA

Endangered Species Act Species List

There are a total of 9 threatened, endangered, or candidate species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed on the **Has Critical Habitat** lines may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

California condor *(Gymnogyps californianus)*

Population: Entire, except where listed as an experimental population below

Listing Status: Endangered

Has Critical Habitat: Final designated

California red-legged frog *(Rana draytonii)*

Population: Entire

Listing Status: Threatened

Has Critical Habitat: Final designated

Chorro Creek Bog thistle *(Cirsium fontinale var. obispoense)*

Listing Status: Endangered

Least Bell's vireo *(Vireo bellii pusillus)*

Population: Entire

Listing Status: Endangered

Has Critical Habitat: Final designated

Marsh Sandwort *(Arenaria paludicola)*

Listing Status: Endangered

Salt Marsh bird's-beak *(Cordylanthus maritimus ssp. maritimus)*

Listing Status: Endangered

Southwestern Willow flycatcher *(Empidonax traillii extimus)*

Population: Entire

Listing Status: Endangered

Has Critical Habitat: Final designated

Spreading navarretia *(Navarretia fossalis)*

Listing Status: Threatened

Has Critical Habitat: Final designated, Proposed

Vernal Pool fairy shrimp *(Branchinecta lynchi)*

Population: Entire

Listing Status: Threatened

Has Critical Habitat: Final designated

Critical habitats that lie within your project area

There are no critical habitats within your project area.

Attachment 10
Archeological Assessment
See Next Page

CALIFORNIA DEPARTMENT OF TRANSPORTATION

HISTORIC PROPERTY SURVEY REPORT
FOR THE HIGHWAY 41 BICYCLE AND WALKWAY MULTI-PURPOSE PATH IMPROVEMENT PROJECT, ATASCADERO, SAN LUIS OBISPO COUNTY, CALIFORNIA

USGS 7.5' Quadrangle, Atascadero, CA

District: 5
County: San Luis Obispo
Local Agency: City of Atascadero
Project Number: 05-SLO-41
Federal Aid Project Number: RPSTPLE-5243 (028)

Prepared for:

Althouse and Meade, Inc.
1602 Spring Street
Paso Robles, CA 93446

and

The City of Atascadero

Prepared by:

Allison Lober, Staff Archaeologist
and
Todd Hannahs, Senior Staff Archaeologist
Cultural Resource Management Services
829 Paso Robles Street
Paso Robles, CA 93446

February, 2014

CRMS
CULTURAL RESOURCE MANAGEMENT SERVICES

CRMS Project No.: 48-833

State of California Transportation Agency Department of Transportation

HISTORIC PROPERTY SURVEY REPORT

1. UNDERTAKING DESCRIPTION AND LOCATION

District	County	Route	Post Miles	Unit	E-FIS Project Number	Phase

District	*County*	*Federal Project. Number. (Prefix, Agency Code, Project No.)*	*Location*
5	SLO	FHWA RPSTPLE-5243 (028)	SR 41 Atascadero, CA

For Local Assistance projects off the highway system, use headers in italics

Project Description:

The City of Atascadero (City) with funding from the Federal Highway Administration (FHWA), proposes to improve the existing bicycle and walkway located along the northwest side of SR41 between San Gabriel Road and Portola Road. The area identified on the Area of Potential Effect (APE) map (Attachment D) identifies the area adjacent to SR41 and Atascadero Creek in the City where the improvements will be located (Attachment A, B, and C).

Within the APE, the project proposes a multi-purpose pathway which will be Americans With Disabilities (ADA) compliant. It will be a concrete paved pathway ten feed wide with two foot sloped shoulders on each side, and extending for 2,710 feet within the area described above.

2. AREA OF POTENTIAL EFFECTS

The Area of Potential Effects (APE) for the project was established in consultation with Krista Kiaha, Principal Investigator-Prehistoric Archaeology, and Tammy Mar, Project Manager/Local Assistance Engineer, on January 21, 2014. The APE maps are located in Attachment D of this Historic Property Survey Report.

The APE was established by utilizing the overall path presently traversed by the existing multipurpose path on the northwest right of way of SF41 between San Gabriel Road and Portola Road to the southwest and northeast and the banks of Atascadero Creek to the northwest.

3. CONSULTING PARTIES / PUBLIC PARTICIPATION

*(For the following, check the appropriate line, list names, dates, and locations and results of contacts, as appropriate. List organizations/persons contacted and attach correspondence and summarize verbal comments received as appropriate. **Delete this instruction line and statements below that are not applicable.**)*

X Local Government

- City of Atascadero, Department of Public Works

X Native American Tribes, Groups and Individuals

- On January 10, 2014, twenty six Native Americans and/or groups were contacted. Responses were received from three of the Native Americans contacted. One only wanted to verify that the Native Americans and groups in San Luis Obispo County had been contacted. Since they had, he said he would have no comments since the project was outside his area. One verified that the APE was not in conflict with any Sacred or

religious sites, and that the project should not adversely impact any cultural resources. One indicated that a Native American should accompany the survey team on the survey.

X Native American Heritage Commission

- Mr. Dave Singleton, Program Analyst, was contacted on January 7, 2014. The details of response are within the Archaeological Survey Report (ASR). The ASR is identified as Exhibit A, and is part of this report. He did indicate, however, that there were no Sacred or religious sites within the APE.

X Other

- Records and Literature Search conducted at the Central Coast Information Center at the University of California, Santa Barbara. CCIC responded with their report on January 8, 2014

4. SUMMARY OF IDENTIFICATION EFFORTS

X National Register of Historic Places
X California Register of Historical Resources
X California Inventory of Historic Resources
X California Historical Landmarks
X California Points of Historical Interest
X California Historical Resources Information System (CHRIS)
X Caltrans Historic Highway Bridge Inventory

X Native American Heritage Commission

X **Results:** *(Provide a brief summary and research results, as well as inventory findings.)*

- The records and literature search conducted at the Central Coast Information Center, showed no cultural resources on the reviewed historic databases and no cultural resources within the APE, however, four previous archaeological studies had been completed previously within a 500 foot radius of the APE. One of the studies covered all the area identified in this APE. The search revealed on recorded archaeological site, CA-SLO-517. SLO-517 is identified as a Bedrock Mortar and is located 200-300 feet outside the APE, and will not be impacted by this project.
- The Sacred Lands Search conducted at the Native American Heritage Commission (NAHC) showed that there were no Sacred or religious Native American resources within the APE or anywhere in the vicinity. The NAHC responded on January 10, 2014.

5. PROPERTIES IDENTIFIED

X **No cultural resources** are present within the APE.

6. HPSR to District File

X Caltrans, in accordance with Section 106 Programmatic Agreement Stipulation VIII, has determined that there are no cultural resources present in the APE and/or there are properties within the APE that **are exempt from evaluation;** see Section 5.

7. HPSR to SHPO

X Not applicable.

8. HPSR to CSO

X Not applicable.

9. Findings for State-Owned Properties

X Not applicable; project does not involve Caltrans right-of-way or Caltrans-owned property.

10. CEQA Considerations

X Not applicable; Caltrans is not the lead agency under CEQA.

11. List of Attached Documentation

X Project Vicinity, Location, and APE Maps (Attachment A, B, C and D)

X Archaeological Survey Report (ASR)

X Other

- The ASR was written by Staff Archaeologist, Allison Lober, and was reviewed for technical issues, format and general observations regarding a complete presentation by Todd S. Hannahs MS, RPA, Senior Staff Archaeologist. The ASR was completed and reviewed on February 6, 2014.

12. HPSR Preparation and Caltrans Approval

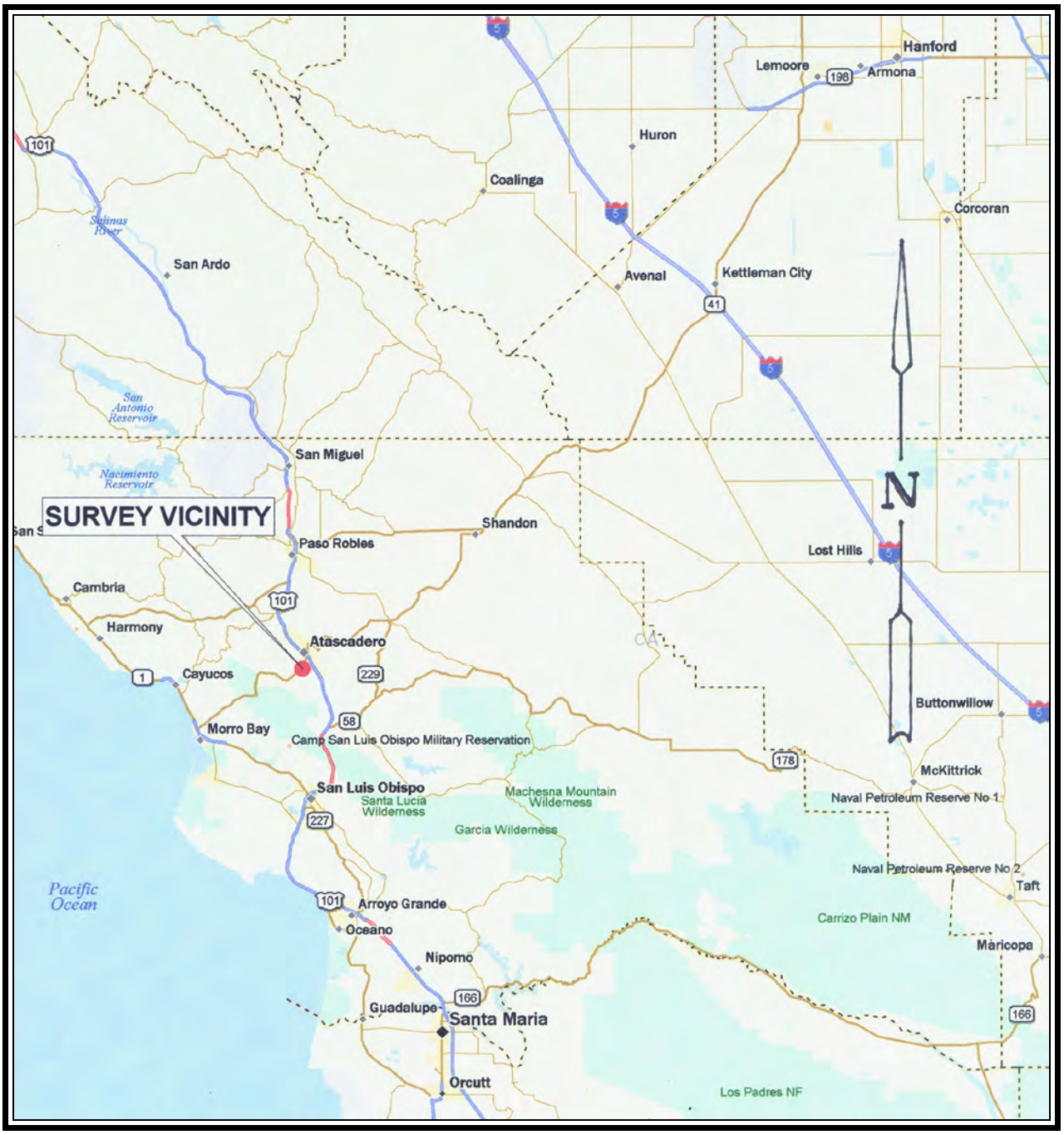
Prepared by:	Todd Hannahs	February 14, 2014
Consultant / discipline:	Todd S. Hannahs, MS, RPA	Date
Affiliation	Cultural Resource Management Services 829 Paso Robles St. Paso Robles, CA 93446	
Reviewed for approval by: *(sign on line)*		
District 5 Caltrans	Principal Investigator-Prehistoric Archaeology	Date
Approved by: *(sign on line)*		
District 5 ESB:	Environmental Stewardship Branch	Date

ATTACHMENT A
Regional Vicinity Map

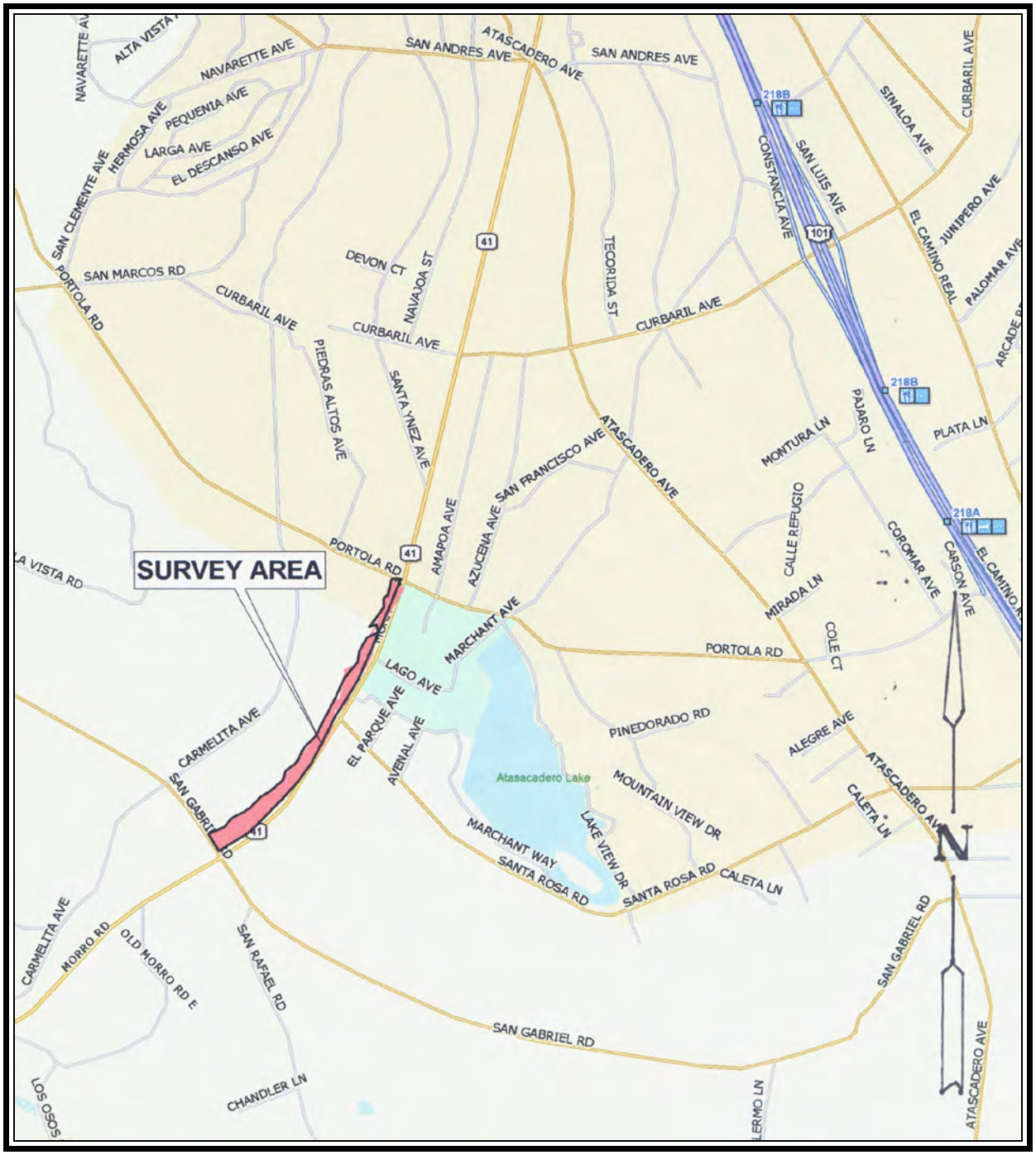
ATTACHMENT B
Local Vicinity Map

ATTACHMENT C
USGS 7.5' Quadrangle, Atascadero, CA

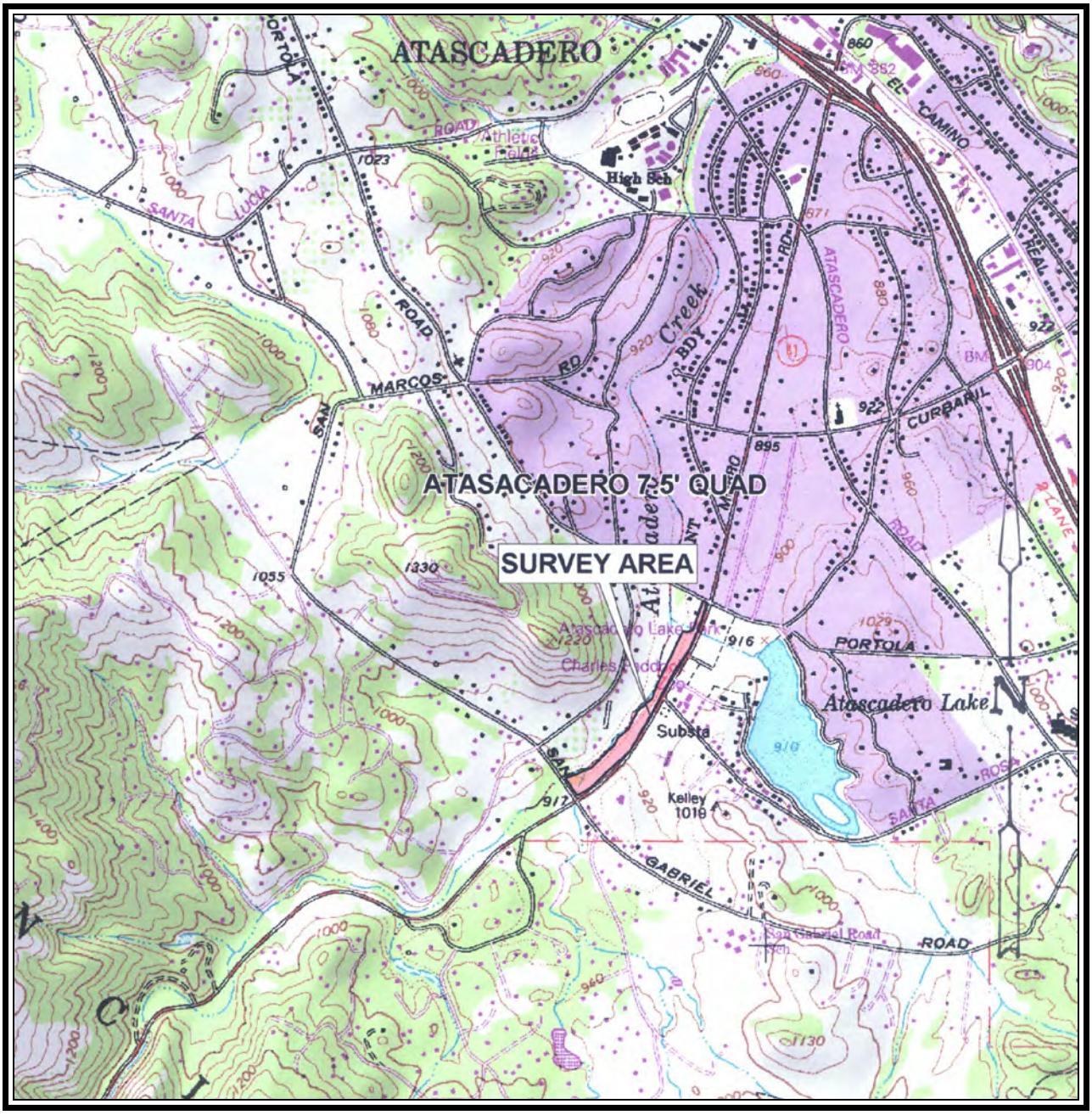
ATTACHMENT D
Area of Potential Effect (APE) Map



Attachment A: Regional Vicinity Map (No Scale)



Attachment B: Local Vicinity Map (No Scale)



Attachment C: Portion USGS 7.5' Quadrangle, Atascadero, CA

Area of Potential Effect (APE)

N
W E
S

Legend

Area of Potential Effect

Atascadero Creek

0 255 510 1,020 Feet

Hwy 41
Multipurpose Trail

2012 San Luis Obispo County
NAIP Aerial Imagery
Map Updated: January 20, 2014, 12:28 PM

Althouse and Meade, Inc.
1602 Spring Street
Paso Robles, CA 93446

Attachment D: Area of Potential Effect Map

EXHIBIT A

CALIFORNIA DEPARTMENT OF TRANSPORTATION

ARCHAEOLOGICAL SURVEY REPORT

(ASR)

ARCHAEOLOGICAL SURVEY FOR THE HIGHWAY 41 BICYCLE AND WALKWAY MULTI-PURPOSE PATH IMPROVEMENT PROJECT, ATASCADERO, SAN LUIS OBISPO COUNTY, CALIFORNIA

USGS 7.5' Quadrangle, Atascadero, CA

Prepared for:

Althouse and Meade, Inc.
1602 Spring Street
Paso Robles, CA 93446

Prepared by:

Allison Lober
and
Todd Hannahs
Cultural Resource Management Services
829 Paso Robles Street
Paso Robles, California 93446

February, 2014

CRMS
CULTURAL RESOURCE MANAGEMENT SERVICES

CRMS Project No. 48-832

ABSTRACT

On January 14, 2014, an archaeological inventory was conducted on the north side of SR 41 between San Gabriel Road and Portola Road in the City of Atascadero.

The survey area was between San Gabriel Road and Portola Road, and from the edge of pavement of SR41 to the banks of Atascadero Creek. The surveyors included Todd Hannahs, Allison Lober, and Ron Rose of Cultural Resource Management Services (CRMS).

Improvements to the existing multi-purpose trail system are planned. The new trail will be a ten foot wide, concrete paved corridor, and will be compliant with the Americans With Disabilities Act. Funding for this project is from the Federal Highway Administration (FHWA). No evidence of cultural resources was observed within the area of potential effect. No further investigation is necessary before the initiation of any construction.

This study included a record search at the Central Coast Information center at the University of California, Santa Barbara, and a Sacred Land/Sites search at the Native American Heritage Commission together with information letters to the listed Native Americans and groups.

Todd Hannahs holds a Master's Degree in Historic Preservation from the University of Vermont, is a Registered Professional Archaeologist (RPA), and has worked as Senior Archaeologist with CRMS since 2003. Allison Lober received her Bachelor's Degree in Anthropology and Art History from the University of Minnesota, and has worked as Staff Archaeologist with CRMS since 1996.

TABLE OF CONTENTS

FIGURES

INTRODUCTION

This report details the results of a literature and records search and field reconnaissance conducted by Cultural Resource Management Services (CRMS) for Althouse and Meade, Inc., and the City of Atascadero. The study area comprises one segment of a multi-purpose trail to be improved upon in the community of Atascadero, San Luis Obispo County (Figures 1, 2, 3, 4, 5, 6 and 7).

The purpose of this investigation was to identify significant prehistoric or historic archaeological resources that may be affected by proposed improvements to the existing trail system. This work is being done in compliance with the National Environmental Protection Act (NEPA) and is being conducted in accordance with the First Amended Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding compliance with Section 106 of the National Historic Preservation Act, As It Pertains to the Administration of the Federal-Aid Highway Program in California (PA), and with the requirements of the City of Atascadero, and guidelines for implementation of the California Environmental Quality Act (CEQA).

PROJECT LOCATION AND DESCRIPTION

The City of Atascadero plans to construct a Class 1 multipurpose path adjacent to State Route 41 to connect Atascadero Lake Park with a recently completed Safe Routes to School Project and provide pedestrians and cyclists with safe access along State Route 41. The ADA- compliant concrete path would be approximately 10 feet wide with 24-inch shoulders on each side, and would extend approximately 2,710 feet from Portola Road west to San Gabriel Road. The path would be located between the edge of the traveled way on southbound Highway 41 and the riparian corridor of Atascadero Creek.

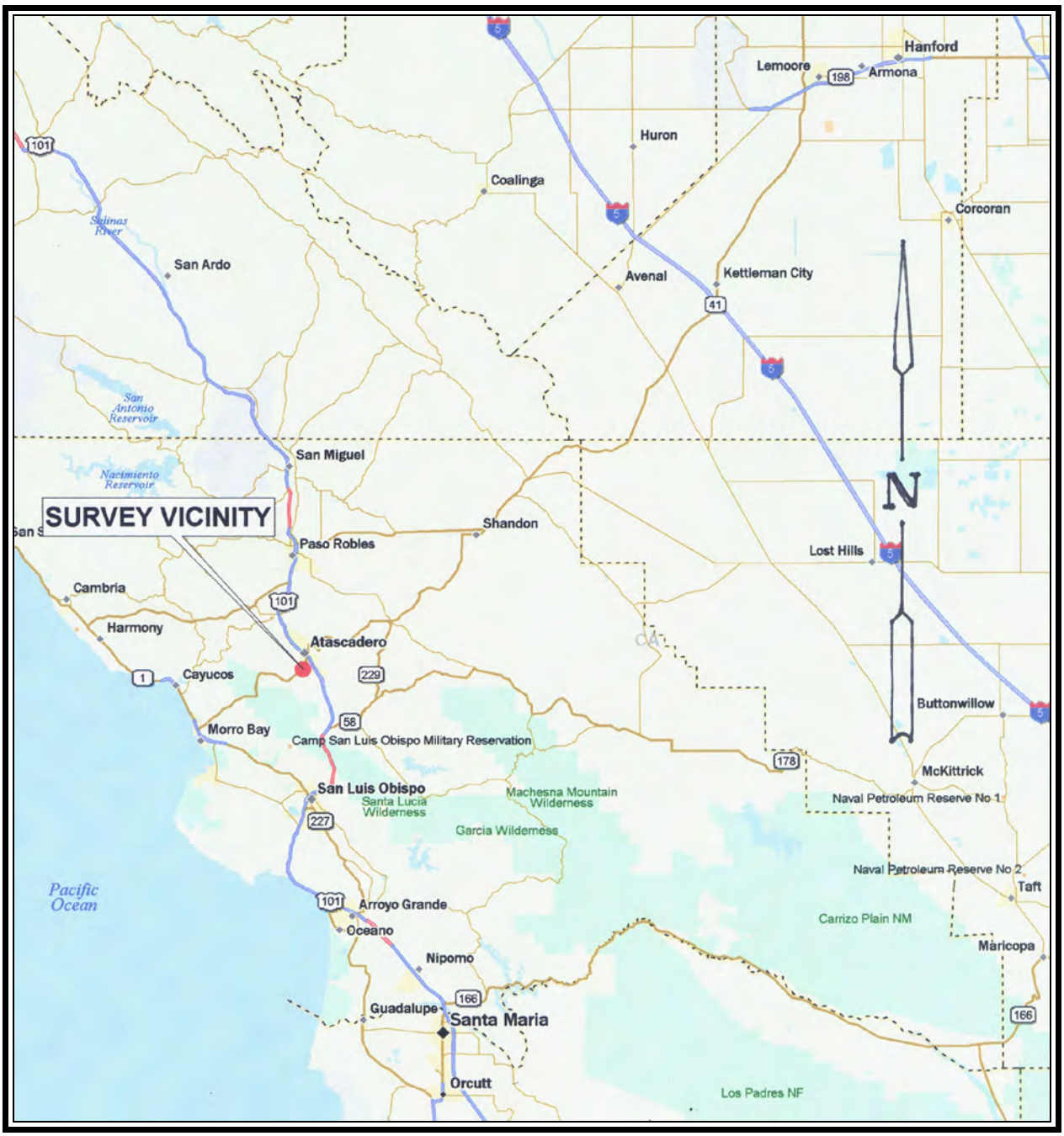


Figure 1: Regional Vicinity Map (No Scale)

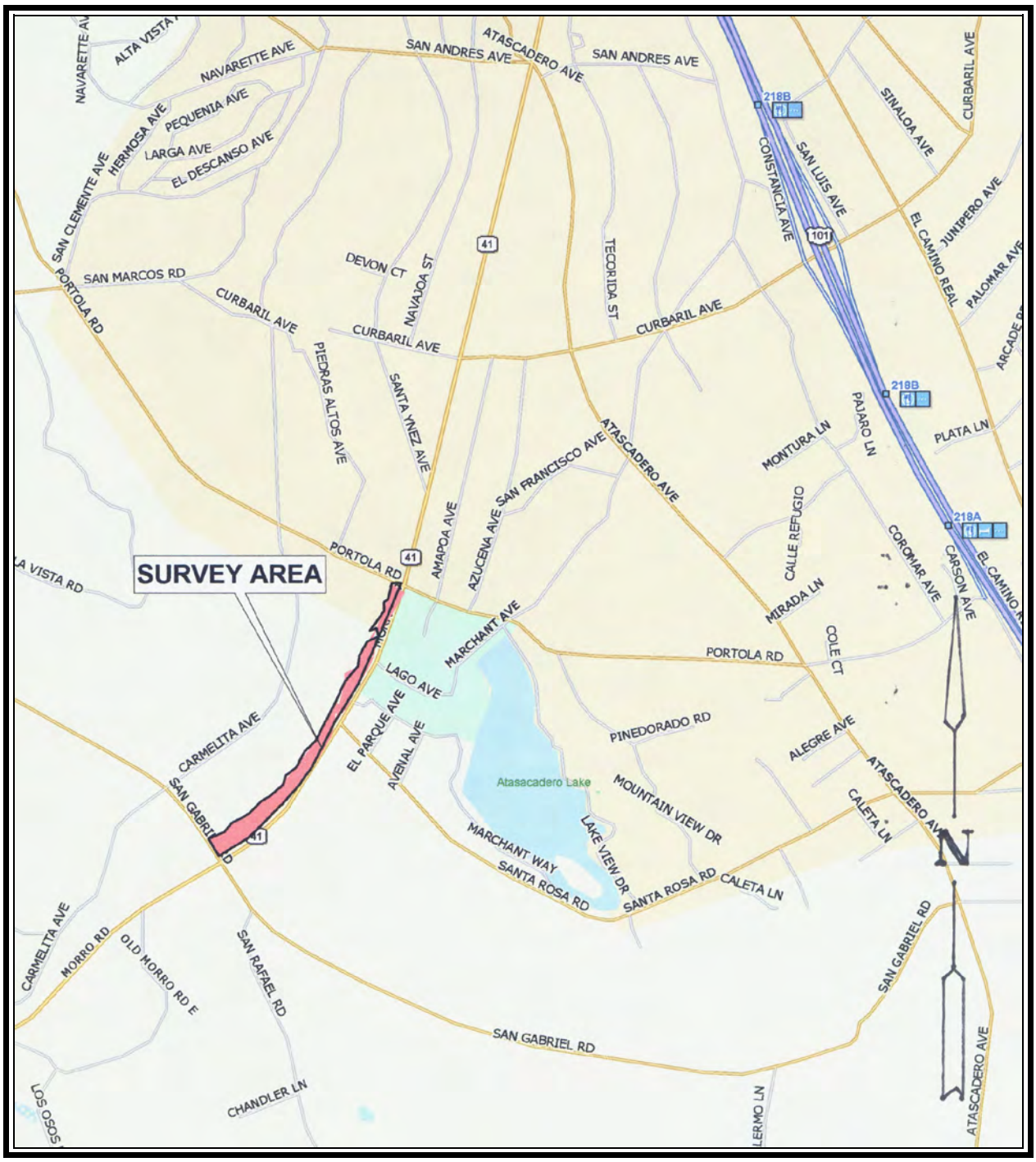


Figure 2: Local Vicinity Map (No Scale)

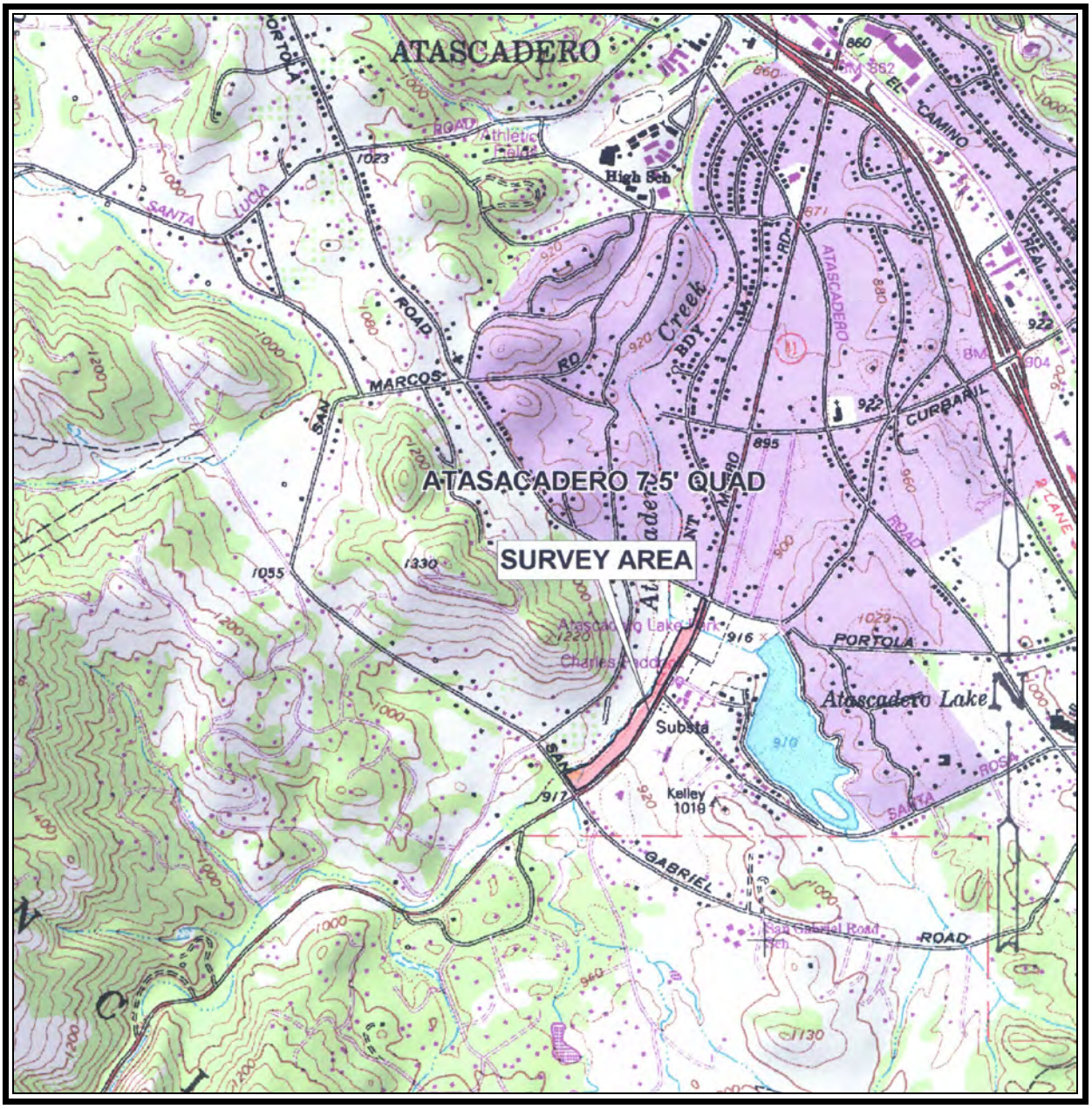


Figure 3: USGS 7.5' Quadrangle, Atascadero

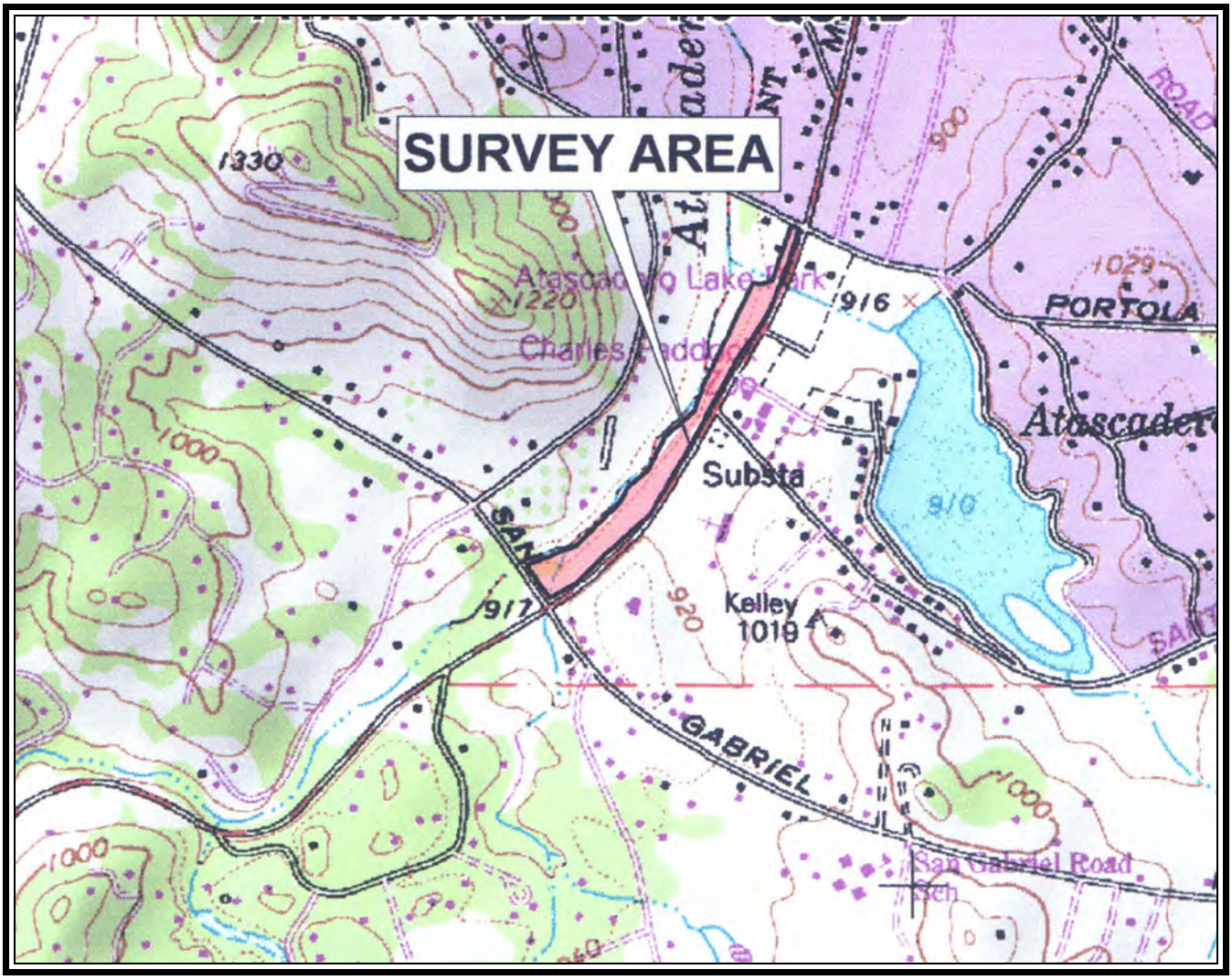


Figure 4: Survey Area (No Scale)

Figure 5: Overview To West Southwest

Figure 6: Overview To North Northeast

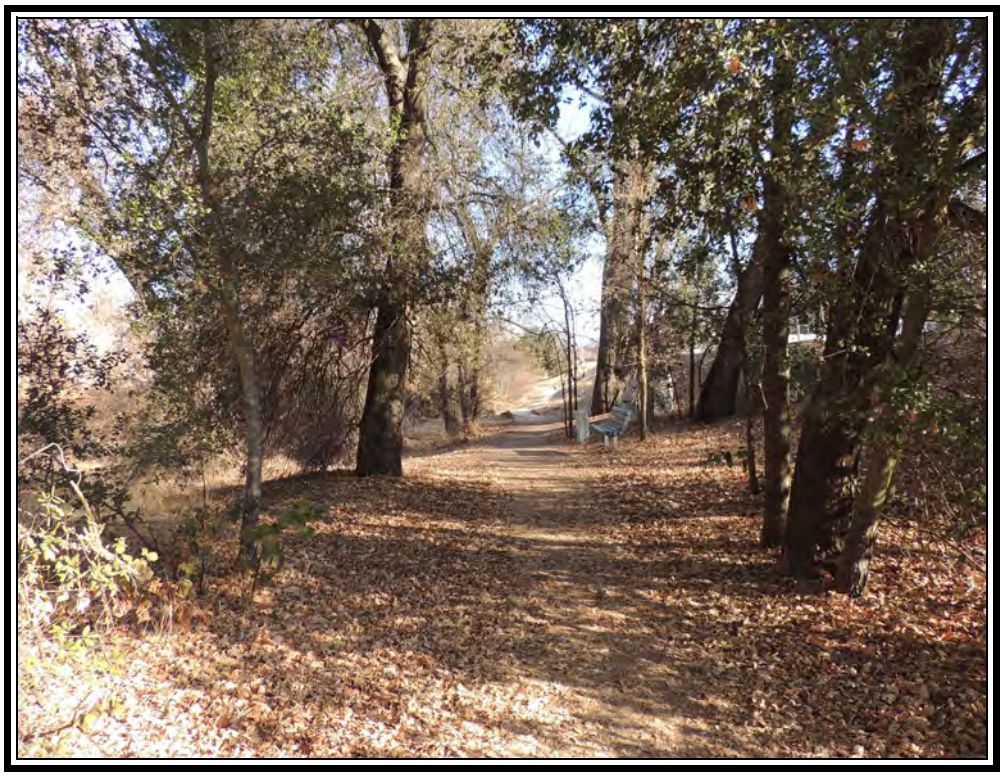


Figure 7: Overview To North Northeast

ENVIRONMENTAL SETTING

The study area is located in the upper Salinas River Valley in northern San Luis Obispo County about 20 miles northeast of Estero Bay and the Pacific Ocean (Figure 1 and Figure 2). To the west lies the Santa Lucia range, to the east broad plains and gently rolling hills. A number of tributaries flow into the upper Salinas, among them Santa Margarita Creek, Atascadero Creek, Graves Creek and Paso Robles Creek.

Geology and Pedology

The Atascadero area presents a complex picture. Cenozoic Monterey Shale and Miocene Santa Margarita Sandstone formations are dominant (Chipping 1987:VIII-7).

Sandstones, siltstone, diatomite and conglomerates are characteristic rocks of the Santa Margarita Formation. Beds of fossil Pecten and oyster shells are also present (ibid: III-8).

The soils encountered within the boundaries of the proposed project are found along the banks of Atascadero Creek and are primarily Quaternary alluvial deposits. They are subject to periodic flooding and disturbance due to human activities and the majority of the soils are level to gently sloped, to more moderately and steeply sloped. The soils encountered fall into four categories:

Elder loam is found on nearly level ground with a slope of 5% or less. The soil is moderately permeable and subject to periodic flooding. The surface layer is approximately two feet thick and varies from dark gray to dark gray brown sandy loam. Millsholm-Dibble Clay loam, with a 15-30% slope, and Millsholm-Dibble Clay loam with 30-50% slope, are both well-drained, shallow soils with a pale brown clay loam surface layer and light yellowish brown subsoil. Both have a high erosion hazard, which can be controlled by establishing permanent plant cover on the slopes. Still Clay loam, with 0-2% slope, has a surface layer of about 25 inches and is dark gray-brown clay loam. It has just slight hazard of erosion, and is a very productive soil suitable for cultivated crops and building sites, and roads.

Climate

Little evidence exists to claim that the local climate has undergone much change over the most recent few thousand years. The weather pattern is characterized by hot, dry summers and cold, moist winters. Every several years, extreme frosts occur during winter months, but generally the area experiences 300 to 325 frost-free days per year. Such a setting is eminently suitable for ancient as well as present-day human habitation.

Water Sources

Annual rainfall ranges from 245 mm to 515 mm (6 to 20 inches). Today, the Salinas River flows at the surface only during seasons of heavy rainfall, but the river flow was more abundant and regular during the time of prehistoric human occupation of the area. The surface flow has been reduced to a minimum in recent years by the

many municipal and private wells which draw water from the river for residential and agricultural use, as well as the construction of the Santa Margarita Dam in the early 1940s. Atascadero Creek has substantial flow in the winter and spring rainfall season with the flow diminishing through the summer and fall to intermittent pools.

Vegetation

The natural vegetation of the immediate area around Atascadero is oak savanna dominated by blue oak (*Quercus douglasii*) live oak, (*Q. agrifolia*) and/or valley oak *(Q. lobata*), interspersed with Oak woodlands and Chaparral, with chamise (*Adenostoma fasciculatum*) being a primary component. Along the proposed trail, however, the vegetation is primarily riparian. Dominant species in this narrow zone include oaks, sycamore (*Platanus racemosa*), elderberry (*Sambucus mexicana*), cottonwood (*Populous Fremontii*), willow *(Salix* spp.), poison oak (*Toxicodendron diversilobum*), and wild blackberry (*Rubus ursinus*). A variety of shrubs , forbs and grasses are also present.

Fauna

Fauna commonly occurring in the surrounding area include black-tailed deer (*Odocoileus hemionus columbianus*), coyote (*Canis latrans*), black-tailed jackrabbit (*Lepus californicus*), cottontail rabbit (*Sylvilagus* spp.), black bear (*Ursus americanus*) and historically, grizzly bear (*Ursus horribilis*) and tule elk (*Cervus elaphus nannoides*). A number of ground squirrels (*Spermophilus* spp.), the western gray squirrel (*Sciurus griseus*), gophers (*Thomomys* spp.), mice (*Microtus* spp. and *Peromyscus* spp.), and a variety of reptiles and amphibians are also present. Historically, the Southern Steelhead (*Oncorhynchus mykiss irideus*) and Chinook salmon migrated into the Salinas River and Atascadero Creek in the early spring to reach their spawning areas. A few Steelhead still manage to find their way to Atascadero Creek some years.

CULTURAL SETTING

Prehistoric Overview

Archaeological evidence indicates that San Luis Obispo County was occupied as early as 9000 years ago, as indicated by dates from excavations at Diablo Canyon (Greenwood 1972) and Edna Valley (Fitzgerald 2000). Because relatively few subsurface archaeological investigations have been carried out in the interior south coast ranges, a definitive cultural historical sequence has not yet been constructed for this region.

The most relevant local culture historical sequence to the study area is that used by Mikkelsen, Hildebrandt, and Jones (1998) when investigating site CA-SLO-165 at Morro Bay. This series of time periods was based on work by King (1990), Jones (1993), and Jones *et al.* (1994). The major temporal periods now generally recognized in this region are:

Paleoindian Period	11000 - 8500 Years Before Present (B.P.)
Millingstone Period	8500 - 5500 B.P.
Early Period	5500 - 2600 B.P.
Middle Period	2600 - 1000 B.P.
Middle/Late Transition	1000 - 700 B.P.
Late Period	700 B.P. - 450 B.P. or historic contact
Protohistoric Period	450 -150 B.P. [proposed by Jones and Waugh 1995]

Evidence for Millingstone period occupations in this region is sparse, amounting to materials recovered from two widely-separated sites. The first of these sites is the Grayson site (MER-94) in the San Luis Reservoir area (Olsen and Payen 1969). In the deepest levels of this multi-component deposit was a suite of artifacts including millingstones, handstones, small shaped mortars and pestles, simple flaked stone tools, perforated stone pendants, and beads made of whole *Olivella* shells. The second site with a possible Millingstone period occupation in the interior south coast ranges is the Salinas River Crossing Site (SLO-1756) reported by Fitzgerald (1997). Although the

association between artifacts and dates at this site is not straightforward, it also yielded an artifact assemblage similar to Millingstone Horizon sites in southern California and produced a date of 7000 B.P. Other important Millingstone period sites are found nearer the coast in the Edna Valley south of San Luis Obispo (Fitzgerald 2000), and at Diablo Canyon (Greenwood 1972).

Along the coast and in interior areas, the Early period is marked by the appearance of mortars and pestles and contracting-stemmed projectile points (Olsen and Payen 1969; Jones 1993). Other artifacts found with Early period occupations are also found in Millingstone period sites including *Olivella* class L beads, large side-notched projectile points, and millingslabs and handstones. Greater numbers of sites are known from the Early period, possibly signaling a population increase.

The Middle period is well represented at sites along the central coast and increasingly in interior regions as well. The types of artifacts found in Middle period occupations are similar to those from the Early period although a larger number of bone implements and bead types are known (Olsen and Payen 1969; Jones and Waugh 1995). Projectile points tend to be contracting-stemmed types with large side-notched and square-stemmed points apparently no longer used. Excavations at Fort Hunter Liggett have shown that Middle period occupations in that area resemble those found along the coast (Jones and Haney 1997).

Late period assemblages from the interior south coast ranges are distinguished by a suite of new bead types, small side-notched and triangular arrow points, and hopper mortars as well as many artifact types found in earlier periods (Olsen and Payen 1969). At Fort Hunter Liggett, Late period occupations also included small arrow points, new bead types, as well as bedrock mortars and unshaped pestles (Jones 2000; Haney et al. 2002). On the whole, the Late period assemblages from a wide area of the central coast and interior regions appear superficially similar, but this was probably a time of continued cultural differentiation due to higher population densities.

There is clearly still a great deal to learn about the prehistory of the interior south coast ranges, but comparisons between findings in coastal areas and the small

amount of work conducted locally show that a similar set of cultural changes probably occurred in both areas. What is not well understood at this point is how people living in the interior interacted with those living along the coast. Also, it is not known how the development of complex societies further south in the Santa Barbara Channel area may have affected groups living to the north. The presence of marine shell beads in interior areas and obsidian obtained from the desert east in coastal areas is testimony to the wide-ranging trade and social networks that existed from an early date. Future work may yet uncover archaeological evidence necessary to understand these and other important issues that have only recently begun to be explored in this region.

Ethnographic Overview

At the time of European contact, the Atascadero region was primarily occupied by a branch of the northern-most Chumash, the Obispeño, of the Hokan linguistic group (Gibson 1982). This group inhabited coastal and inland areas between Malibu and the vicinity of San Simeon (Kroeber 1925; Gibson 1982). Also present in the region historically were the Migueleño Salinan (Greenwood 1978). The Salinan were bordered by the Esselen and Costanoan to the north, Yokuts to the east and the Chumash to the south. Examination of mission records reveals that members of the Salinan Nation inter-married into the northern portion of San Luis Obispo County. The exact boundary of these two groups has not been well established and is the subject of continuing research on the part of ethno-historians, archaeologists, and some Salinan and Chumash descendants.

The economies of the Salinan and the Chumash, observed at the time of European contact, was based upon an annual cycle of gathering and hunting. Vegetal foods, especially acorns, provided the bulk of the diet. Acorns were stored in large willow-twig granaries until needed, then ground in a stone mortar. The tannic acid present in the acorn meal was leached out with water, and the result was cooked into a gruel. Other important plant foods included wild grass and other hard seeds, roots and corms, and various fruits and berries. Major animal foods included a diverse assortment of terrestrial mammals, marine and freshwater fish, shellfish, birds, as well as reptiles and insects. It is unclear to what extent people living inland ventured to the coast and vice versa, but it is likely that people were mobile enough to take advantage of plant and

animal foods when and where they occurred. If this were the case, then diets probably varied from season to season, and from year to year, depending on what was available at any one time.

Hunting of animals and birds was accomplished with snares, traps, spears, and the bow and arrow. Stone, bone, wood and shell all provided materials for the production of tools. Flaked stone tools included projectile points, knives, scrapers, choppers, and awls. Pecked and ground stone objects included bowl mortars, pestles, metates, basket mortars, stone bowls, notched pebble net sinkers, and steatite arrow shaft straighteners. Bone and shell tools were also manufactured; especially bone awls and C-shaped fishhooks. Containers were made primarily from basketry, although shells and stone were also used. Ornaments are made of steatite, serpentine, bone, shell and feathers. Stone tools and containers and the debris from their manufacture and maintenance are the most likely remains to be found in an archaeological context.

Historic Overview

European contact in the San Luis Obispo County region may have begun as early as 1587 with the visit of Pedro de Unamuno to Morro Bay, although some scholars have questioned this based on the ambiguity of Unamuno's descriptions (Mathes 1968). A visit in 1595 by Sebastian Rodriguez Cermeño is better documented (Jones *et al.* 1994:11). The earliest well-documented descriptions come from accounts by members of Gaspar de Portola's land expedition, which passed through the region in 1769 (Squibb 1984). No large villages, such as those seen along the Santa Barbara channel, were reported by early travelers in the San Luis Obispo region.

Mission Period 1769 - 1830 A.D.

Permanent Spanish settlement of the region began with the founding of Mission San Antonio de Padua (near King City) in 1771 and San Luis Obispo de Tolosa (in San Luis Obispo) in 1772. Twenty-five years later, Mission San Miguel Archangel (in San Miguel) was founded in the heart of southern Salinan territory. The mission properties were extensive and included an outlying rancho station near present day Paso Robles, a

sheep farm at Santa Ysabel on the east side of the Salinas, an adobe on grazing lands near Atascadero, and an adobe and granary near a spring at La Asuncion.

Colonization brought about major and devastating changes in the native society. As elsewhere, induction into the missions had a drastic effect on the local inhabitants, requiring them to live and work at the mission and abandon their former lifeways. Under the guidance of the mission fathers, the natives were instructed in farming methods, including the production of wheat, beans and various kinds of fruit. The earliest farming was intended to foster independence; thus making the import of supplies up from Mexico unnecessary.

The native population, however, was reluctant to adopt this new culture. The reason cited by Fr. Francisco Palóu, the acting Superior of the Missions, was that the subsistence strategies practiced by the local Chumash provided for all their material wants with very little effort. This state of affairs did not persist. By 1804 the Mission at San Luis Obispo supported 832 neophytes and by year's end 2,074 baptisms had been performed (Englehardt 1933). By 1805, most native villages had been abandoned, and the populace had either fled or moved into the mission system (Gibson 1983). By 1820 the Mission San Luis Obispo, while recording 2,537 baptisms also recorded 1,890 deaths and a neophyte population of 504, a decline of 40% from 1804 (ibid.). The overall high mortality rate of the natives during this time period can be explained primarily by the introduction of European diseases, and the pressure of overwhelming social change.

Rancho Period 1830 - 1865 A. D.

In 1822, Mexico attained independence of Spain and California became a Mexican territory. The Secularization Act, passed by the Mexican congress in 1833, provided for the immediate break-up of the missions and the transfer of mission lands to settlers and Indians. Work toward this end began in 1834 under Governor Figueroa. Grants were made to individuals by the governor on the recommendation of the local *alcalde* of the Mission. In 1848, at the end of the Mexican war, California was ceded to the United States, and admitted to the Union in 1850. A commission was set up to settle private land claims in the new state. These legal proceedings often took years and were a financial burden to most of the original grantees. Two ranchos in particular, figure prominently in the history of the study area.

Rancho Atascadero

In 1842, the Rancho Atascadero (meaning muddy or miry place) of one league was granted to Trifón García. Garcia had trouble developing his property, and sold the entire 4348.23 acres for 500 pesos to William Breck. He in turn sold to the Haight brothers in 1847 (Cowan 1977: 17). The rancho was patented by Henry Haight in 1860, although he had sold to Joaquin Estrada in 1857. After additional real estate transactions (cf. Ohles 1997: 123-125) the majority of the original grant came to be held in two parcels: the Jason H Henry Ranch headquarters was located in today's Atascadero, the Eagle Ranch lay to the south of the present city center. (Ohles 1997: 125)

Rancho La Asuncion

Lying to the south of Ranchos Paso Robles and Santa Ysabel and west and south of Rancho Atascadero, this 39,225 acre property was granted to Pedro Estrada in 1845. Señor Estrada moved into the adobe that had been built on the ranch by the Mission San Miguel in 1812 (Ohles 1997: 122). Much of the rancho property was later sold to J.H. Henry and became part of the vast Henry Ranch.

American Period: 1865 - Present

Atascadero

Toward the end of the nineteenth century, J. H. Henry consolidated several tracts, including the original Rancho Atascadero, into one 23,000 acre property. After some lobbying by Henry, the ranch was used by the U.S. Army for a series of maneuvers from 1904 to 1910 . Up to 5,000 soldiers camped and trained on the Henry Ranch. These exercises were so successful that the army contemplated purchase of the ranch as a permanent training area (Lowe 2004). Before this occurred, however, a better offer came along.

On July 4,1913, tired of waiting for the U.S. government to make good on their offer of $500,000, J.H. Henry sold his ranch to the "Women's Republic", later the Colony

Holding Corporation. The Atascadero Colony was the dream of E. G. Lewis, a St. Louis businessman. Lewis envisioned a "colony that would provide the resident with the best of both urban and rural life, based upon the use of the automobile" (Lewis 1974: 3). He found the location he wanted at the Rancho Atascadero. The entire property was surveyed for subdivision, provisions made for residential, commercial, civic and orchard lots. Construction of civic buildings, roads and an extensive water system was begun immediately after the purchase of the ranch. By 1916, the new colony had an administration building, printshop, the first of the settlers homes, and 3,000 acres of orchards. A department store, inn, hospital and school soon followed (Travis 1916: 20). Many of the buildings were constructed of brick made at the colony's own brickyard.

The most ambitious of the roads constructed by the colony was the 17 mile "Butterfly Drive", later Morro Road. This road, the basis for the current Highway 41, linked the colony with a three mile strip of beach property in Morro Bay. The 3,000 acres was subdivided, and a hotel, cottages and golf course were built in 1919 (Lewis 1974: 15-17).

A number of economic factors led to the end of the utopian dream. Lewis was forced into bankruptcy in 1924 and growth was very slow in the community until construction of the State Mental Hospital in 1954. Poultry farms, orchards and other types of agriculture continue in the surrounding area, although the turn of the twenty-first century saw a steady increase in building of residences and commercial buildings. The combination of population pressures from north and south, and a shift to the burgeoning wine industry and tourism has led to a dramatic increase in local populations and further reduction of traditional agricultural industries.

SOURCES CONSULTED

Concurrent with the field survey, a records and literature search was conducted at the Central Coast Information Center, U.C. Santa Barbara, which is the State-designated regional clearinghouse for archaeological site information for San Luis Obispo County. This search also included inventories for the State Historic Property Files, National Register of Historic Places, National Register of Determined Eligible

Properties, California Historical Landmarks, and California Points of Historic Interest. The record search encompassed a five hundred foot buffer zone on each side of the proposed APE. The Central Coast Information Center reported four previously completed cultural resource surveys (Environmental and Energy Services Co., Inc. 1991, Singer 1996, Nelson 2000, Farrell 2005). Also reported was one previously recorded archaeological site which lies outside the boundaries of the APE, but within 300 feet southwest of the project area.

CA-SLO-517

CA-SLO-517 is situated southwest of the project area. It is comprised of seven bedrock mortars in a large sandstone outcrop located adjacent to Highway 41 and 70 meters southwest of San Gabriel Road. Earlier surveys had reported chipped stone artifacts in association with this outcrop (Dills 1969; Carpenter 1999; Mikkelsen 2000), however none were encountered during this survey. SLO-517 is approximately 300 feet outside the APE.

Summary of Native Americans Consulted

A letter was sent on January 7, 2014 to Dave Singleton, Project Analyst at the Native American Heritage Commission. The letter explained the proposed project and asked him to conduct a Sacred Lands Search and forward to CRMS any names and addresses of those who may have knowledge of cultural resources within the study area, or who would like to comment on the project.

On January 10, 2014, a letter was received from Dave Singleton, Project Analyst, indicating that the Sacred Lands Search conducted at the Native American Heritage Commission (NAHC) yielded no evidence of Sacred Lands within the project. A list of interested Native American individuals and groups was included. Letters dated January 10, 2014, explaining the project and soliciting comments were sent to each of the Native Americans and groups listed (Exhibit C). Three comments were received. Their responses are documented as the last item in Exhibit C attached. No other comments were received from any of the Native Americans to whom letters had been written. Other than the original letter written to the interested Native Americans, no follow up was initiated.

FIELD METHODS

This project in Atascadero runs essentially parallel to Atascadero Creek, from San Gabriel Road to Portola Road (Figure 3 and 4). The project area was subjected to visual inspection on January 14, 2014. Members of the reconnaissance team were Todd Hannahs, Ron Rose, and Allison Lober. Both Todd Hannahs and Ron Rose were members of the crew on the original survey of this project area in 2005. The surface survey was conducted in transects parallel to Atascadero Creek. These transects were spaced no more than three meters (9.8 feet) apart. During the majority of the survey the spacing was considerably tighter due to the constraints of topography. The vegetation cover was very thick throughout most of the project area, in some places the coverage approached 100%, and considerable portions of the project area are covered with paving, fill soils or other modern changes in the land form that obscure the underlying soil or the indications of historic or prehistoric activities. Consequently wherever the soil was visible, such as in rodent burrows, modern disturbance or stream erosion, more scrutiny was employed. Even though visibility was limited, there was good opportunity to examine open soil as it presented itself.

No other evidence of prehistoric or historic artifacts, features, or other indications of significant cultural resources were found during the reconnaissance.

Figure 8: Overview To Southwest

Figure 9: Overview To North Northeast

Figure 10: Overview To North Showing Dirtbike and Other Ground Disturbance

CONCLUSION AND RECOMMENDATIONS

Even though soil visibility overall was fair to poor, there was good opportunity to view a substantial portion of bare mineral soil. In addition, the same corridor has been subjected to a number of surveys with all being negative.

No evidence of significant prehistoric or historic artifacts, features or other indications of cultural resources were encountered during this investigation. No further archaeological investigation is recommended.

It is always possible, however, that significant cultural resources could lie buried below the surface. Therefore, if artifacts, burials, or other indicators of significant cultural resources are encountered during grading or other earth-moving construction activities, work should stop immediately and a qualified archaeologist should be called to the site to evaluate the find and suggest mitigation measures, if necessary.

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Singer, C and John Atwood
1988 *Cultural Resources Survey and Impact Assessment for the Proposed Lewis Avenue Bridges in Atascadero, San Luis Obispo County, CA.* Singer & Associates, Inc., Cambria.
1990 *Archaeological Testing at CA-SLO-993 in the City of Paso Robles, San Luis Obispo County, CA* [TPM PR89-005]

Singer, Clay, Robert O. Gibson and John Atwood
1989 *Cultural Resource Survey and Impact Assessment for the Proposed Shopping Center at Niblick Road and South River Road in the City of Paso Robles, San Luis Obispo County, California.*

Smith, C.
1980 State Highway 41 (12.9 -13.4).

Squibb, Paul
1984 *Captain Portola in San Luis Obispo County in 1769.* Tabula Rasa Press. Morro Bay, California.

Stevens, Nathan, Richard T. Fitzgerald, Nancy Farrell, Mark A. Giambastiani, Jennifer M. Farquhar, and Dayna Tinsley
2004 *Archaeological Test Excavations at Santa Ysabel Ranch, Paso Robles, San Luis Obispo County, California*. Report submitted to Weyrich Development Company, LLC. Cultural Resource Management Services, Paso Robles.

Upper Salinas-Las Tablas Resource Conservation District
2005 *Initial Study & Environmental Assessment for the Upper Salinas River Corridor Enhancement Project* {Draft, January 2005].

Waechter, Susan
2000 Site Record Update for CA-SLO-1373. Site record on file at the Central Coast Information Center. Prepared by Far Western Anthropological Research Group.

Waldron, Wendy
1985 Negative Archaeological Survey Report for Atascadero Mutual Water Company Property.
1987 Archaeological Survey Report for a New Alignment of Highway 41 through Atascadero. Caltrans District 5, San Luis Obispo.

EXHIBIT B

Records and Literature Search
Central Coast Information Center
University of California
Santa Barbara

California
Archaeological
Inventory

SAN LUIS OBISPO AND
SANTA BARBARA COUNTIES

Central Coast Information Center
Department of Anthropology
University of California, Santa Barbara
Santa Barbara, CA 93106-3210
(805) 893-2474
FAX (805) 893-8707
centralcoastinfo@gmail.com

January 8, 2014

Nancy Farrell
Cultural Resource Management Services
829 Paso Robles Street
Paso Robles, CA 93446

Dear Ms. Farrell,

Enclosed are the results of the record search you requested for the Highway 41 Bicycle and Walkway Path Improvement Project. Our records were searched for all archaeological sites, historical resources, and previous cultural resource surveys within a 500-foot radius of the project area.

In this search, one archaeological site(s), zero isolate(s), and four cultural resource survey(s) were found. The site and survey locations are mapped onto portions of the Atascadero quad(s). A bibliography of the surveys is included. A search of the inventories for the State Historic Property Data Files, National Register of Historic Places, National Register of Determined Eligible Properties, California Historical Landmarks, California Points of Historic Interest, California OHP Archaeological Determinations of Eligibility, and the Caltrans State and Local Bridge Surveys yielded zero property evaluation(s) within the search radius.

Please contact me if you have any questions about this search.

Sincerely,

Jessika L. Akmenkalns
Assistant Coordinator

EXHIBIT C

Letter to Native American Heritage Commission
Response from Native American Heritage Commission
Letter to Native Americans and Groups
List of Native Americans and Groups Contacted
Responses From Native Americans

Cultural Resource Management Services
829 Paso Robles Street
Paso Robles, CA 93446
Phone 805-237-3838
Fax 805-237-3849

Mr. Dave Singleton
Program Analyst
Native American Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

January 7, 2014

RE: City of Atascadero, SR 41 Walking and Bicycle Pathway Improvements
Sacred Lands Search, NW Side of SR 41 From San Gabriel Road to Portola Road

Dear Mr. Singleton:

The City of Atascadero (City) anticipates certain improvements to existing walking and bicycle pathways on the northwest side of SR 41 adjacent to Atascadero Creek, extending from San Gabriel Road to Portola Road. Cultural Resource Management Services (CRMS) has been retained by City to prepare a Phase I surface survey as well as consult with interested Native Americans and Native American groups relative to the proposed project.

Please review the sacred lands files for any Native American Sacred resources or sites that may be within or adjacent to the area of potential effect (APE). The project area is within the incorporated limits of Atascadero, County of San Luis Obispo, and the APE is identified on the attached portion of the USGS Atascadero 7.5' Quadrangle. Atascadero was part of a rancho, therefore, the APE has no section identification, however, on the Atascadero Quadrangle, it is within R12E and Twp 28S MDM. Include comments regarding whether of not any sacred sites appear within the APE.

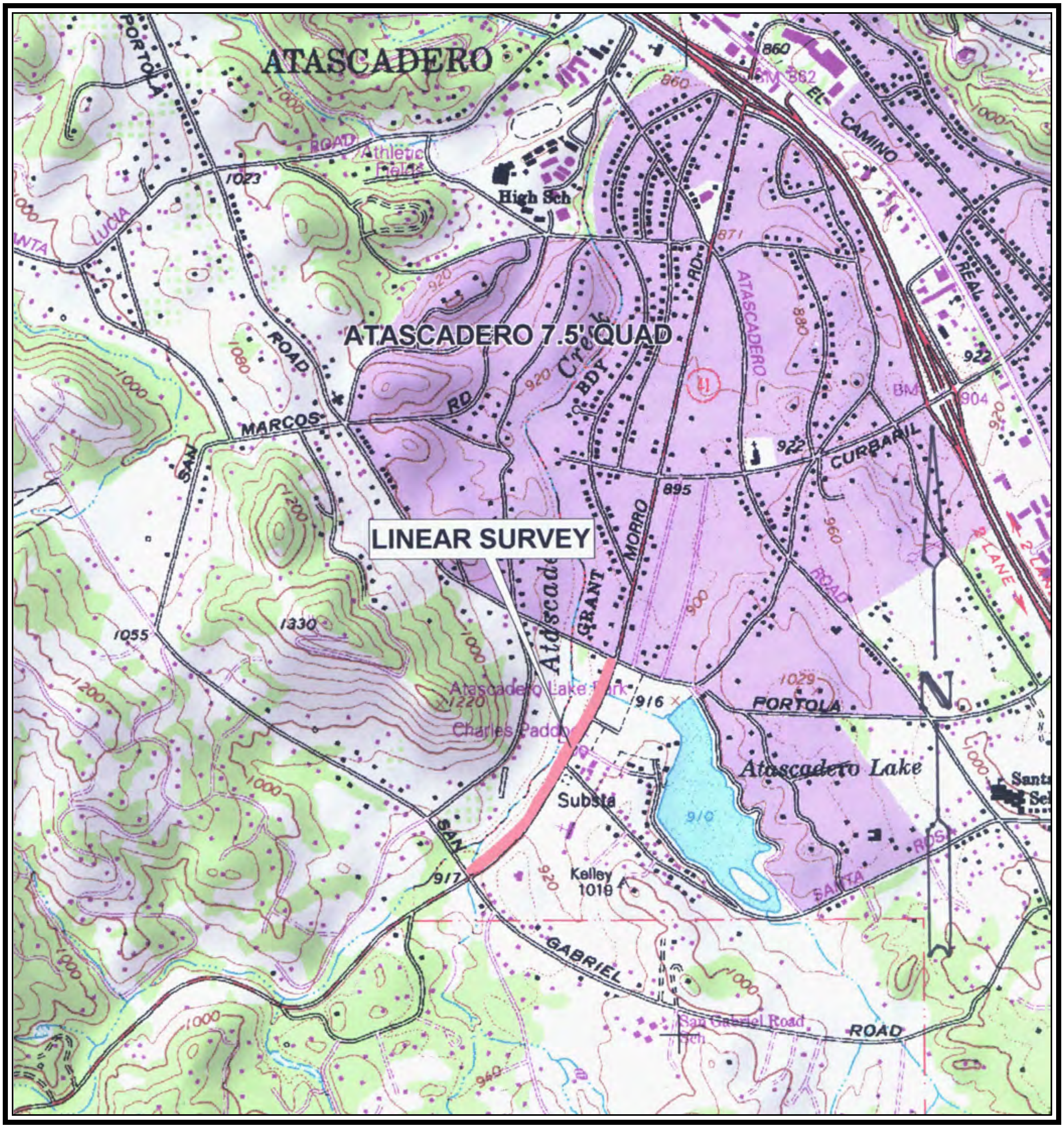
Also provide a list, including names and addresses, of Native American individuals and organizations who may have knowledge of cultural resources in the project area; or who may have a concern or wish to comment on the project.

If you have any questions contact me at the phone number or address shown, or by email ronrose@crms.com. We look forward to your reply.

Best regards,

Ron Rose
Vice President

Attach: USGS 7.5' Quadrangle, Atascadero, CA


ATASCADERO
ATASCADERO 7.5' QUAD
LINEAR SURVEY
High Sch
Athletic Fields
MARCOS
ROAD
RD
SAN
PORTOLA
MORRO
GRANT
CURBARIL
EL CAMINO REAL
Atascadero Lake
Atascadero Lake Park
Charles Paddock
Substa
Kelley 1019
GABRIEL
ROAD
San Gabriel Road Sch
N

STATE OF CALIFORNIA Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION
1550 Harbor Boulevard, Suite 100
West Sacramento, CA 95691
(916) 373-3715
Fax (916) 373-5471
Web Site www.nahc.ca.gov
Ds_nahc@pacbell.net

January 10, 2014

Mr. Ron Rose, Vice President
Cultural Resource management Services (CRMS)
829 Palo Robles Street
Paso Robles, CA 93446

Sent by FAX to: 805-237-3849
No. Pages: 6

RE: Sacred Lands File Search and Native American Contacts list for the **"City of Atascadero, SR 41 Walking and Bicycle Pathway Improvements Project Project;"** located in the City of Paso Robles; San Luis Obispo County, California.

Dear Mr. Rose:

A record search of the NAHC Sacred Lands File **failed to indicate** the presence of Native American traditional cultural places in the project site(s) submitted as defined by the USGS coordinates configuring the 'Area of Potential Effect' or APE. Furthermore, the absence of archaeological or other cultural resources does not preclude their existence at the subsurface level.

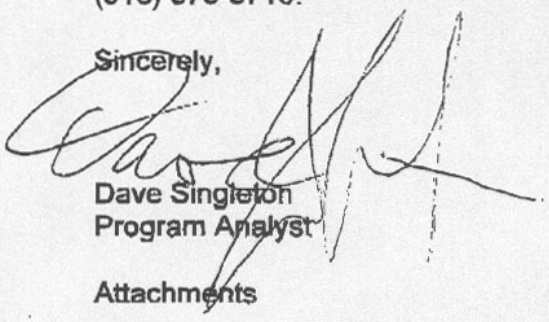
In the 1985 Appellate Court decision (170 Cal App 3rd 604), the Court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources impacted by proposed projects, including archaeological places of religious significance to Native Americans, and to Native American burial sites.

Attached is a list of Native American tribes, Native American individuals or organizations that may have knowledge of cultural resources in or near the project area (APE). As part of the consultation process the NAHC recommends that local government and project developers contact the tribal governments and individuals in order to determine the proposed action on any cultural places/sacred sites. If a response from those listed is not received in two weeks of notification, the NAHC requests that a follow-up telephone call be made to ensure the project information has been received.

California Government Code Section 65040.12(e) defines "environmental justice" to provide "fair treatment of People...with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies" and Executive Order B-10-11 requires consultation with Native American tribes their elected officials and other representatives of tribal governments to provide meaningful input into the development of legislation, regulations, rules, and policies on matters that may affect tribal communities.

If you have any questions or need additional information, please contact me at (916) 373-3715.

Sincerely,



Dave Singleton
Program Analyst

Attachments

Cultural Resource Management Services
829 Paso Robles Street
Paso Robles, CA 93446
Phone 805-237-3838
Fax 805-237-3849

January 10, 2014

XXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXX

RE: City of Atascadero, SR41 Bike and Walking Path Improvements
SR41 From San Gabriel Road to Portola Road, Atascadero, CA

Dear XXXXXXXXXX:

The City of Atascadero (COA) is proposing improvements to existing walking and bike paths on the North side of SR41 between San Gabriel Road and Portola Road.

Cultural Resource Management Services (CRMS) has been retained by COA and Althouse and Meade, Environmental Consultants, to prepare a Phase I surface survey as well as inform and request input from interested Native Americans and organizations relative to the proposed project. The project area is depicted on the attached portion of the Atascadero 7.5' quadrangle and is within Township 28 South, Range 12 East MDM on the Atascadero Quadrangle. A Sacred Lands Search with the Native American Heritage Commission revealed no Sacred Sites within the project area of potential effect (APE) nor in the vicinity.

Please contact me as soon as possible if you or your organization have any information about the study area, including any knowledge of the possible Sacred Site, or concerns about the anticipated project. You may phone me or write me at the numbers and address listed or email me at: ronrose@crms.com. Once again, if you wish to comment, respond as soon as possible.

Thanks for your help.

Best regards,

Ron Rose
Vice President

Encl: Atascadero 7.5' Quadrangle

The letter on the previous page, XXXX substituted for address and salutation, was sent to each of the individuals and groups shown below.

Native American Contacts
San Luis Obispo County California
January 10, 2014

Beverly Salazar Folkes
1931 Shadybrook Drive
Thousand Oaks, CA 91362
folkes9@msn.com
805 492-7255
(805) 558-1154 - cell
folkes9@msn.com
Chumash
Tataviam
Ferrnandeño

Judith Bomar Grindstaff
63161 Argyle Road
King City , CA 93930
(831) 385-3759-home
Salinan

Santa Ynez Band of Mission Indians
Vincent Armenta, Chairperson
P.O. Box 517
Santa Ynez , CA 93460
varmenta@santaynezchumash.
(805) 688-7997
(805) 686-9578 Fax
Chumash

San Luis Obispo County Chumash Council
Chief Mark Steven Vigil
1030 Ritchie Road
Grover Beach CA 93433
(805) 481-2461
(805) 474-4729 - Fax
Chumash

Barbareno/Ventureno Band of Mission Indians
Julie Lynn Tumamait-Stennslie, Chair
365 North Poli Ave
Ojai , CA 93023
jtumamait@sbcglobal.net
(805) 646-6214
Chumash

Peggy Odom
1339 24th Street
Oceano , 93445
(805) 489-5390
Chumash

Lei Lynn Odom
1339 24th Street
Oceano , CA 93445
(805) 489-5390
Chumash

Salinan Tribe of Monterey, San Luis Obispo Counties
John W. Burch, Traditional Chairperson
14650 Morro Road
Atascadero , CA 93422
salinantribe@aol.com
805-460-9202
805 235-2730 Cell
805-460-9204
Salinan
Chumash

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

his list s only applicable for contacting local Native Americans with regard to cultural resources for the proposed SR 41 Walking and Bicyle Pathway Improvements Project; located in the City of Atascadero; San Luis Obispo County, California for which a Sacred Lands File search and Native American Contacts list were requested.

Native American Contacts
San Luis Obispo County California
January 10, 2014

Santa Ynez Tribal Elders Council
Adelina Alva-Padilla, Chair Woman
P.O. Box 365 — Chumash
Santa Ynez , CA 93460
elders@santaynezchumash.org
(805) 688-8446
(805) 693-1768 FAX

Salinan Nation Cultural Preservation Association
Robert Duckworth, Environmental Coordinator
4777 Driver Rd. — Salinan
Valley Springs CA 95252
dlrobduck@thegrid.net
831-578-1852

Randy Guzman - Folkes
4676 Walnut Avenue — Chumash
Simi Valley , CA 93063 — Fernandeño
ndnRandy@yahoo.com — Tataviam
(805) 905-1675 - cell — Shoshone Paiute
(805) 520-5915-FAX — Yaqui

Coastal Band of the Chumash Nation
Michael Cordero, Chairperson
P.O. Box 4464 — Chumash
Santa Barbara CA 93140
CbcnTRIBALCHAIR@gmail.com

Xolon Salinan Tribe
Johnny R Eddy Jr, Chairperson
3179 Garrity Way #734 — Salinan
Richmond , CA 94806
831-210-9771

yak tityu tityu - Northern Chumash Tribe
Mona Olivas Tucker, Chairwoman
660 Camino Del Rey — Chumash
Arroyo Grande CA 93420
(805) 489-1052 Home
(805) 748-2121 Cell
olivas.mona@gmail.com

Salinan Nation Cultural Preservation Association
Doug Alger, Cultural Resources Coordinator
PO Box 56 — Salinan
Lockwood , CA 93932
fabbq2000@earthlink.net

Matthew Darian Goldman
495 Mentone — Chumash
Grover Beach CA 93433
805-748-6913

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Native American Contacts
San Luis Obispo County California
January 10, 2014

Santa Ynez Band of Mission Indians
Tribal Admin/Counsel Sam Cohen
P.O. Box 517 Chumash
Santa Ynez , CA 93460
info@santaynezchumash.org

(805) 688-7997
(805) 686-9578 Fax

Frank Arredondo
PO Box 161 Chumash
Santa Barbara CA 93102
ksen_sku_mu@yahoo.com

Salinan Nation Cultural Preservation Association
Gregg Castro, Administrator
5225 Roeder Road Salinan
San Jose , CA 95111
glcastro@pacbell.net
(408) 219-2754

Santa Ynez Tribal Elders Council
Freddie Romero, Cultural Preservation Consint
P.O. Box 365 Chumash
Santa Ynez , CA 93460
805-688-7997, Ext 37
freddyromero1959@yahoo.com

Salinan-Chumash Nation
Xielolixii
3901 Q Street, Suite 31B Salinan
Bakersfield , CA 93301 Chumash

408-966-8807 - cell

Barbareno/Ventureno Band of Mission Indians
Kathleen Pappo
2762 Vista Mesa Drive Chumash
Rancho Pales Verdes CA 90275
310-831-5295

Northern Chumash Tribal Council
Fred Collins, Spokesperson
67 South Street Chumash
San Luis Obispo CA 93401
fcollins@northernchumash.org
(805) 801-0347 (Cell)

Barbareno/Ventureno Band of Mission Indians
Raudel Joe Banuelos, Jr.
331 Mira Flores Court Chumash
Camarillo , CA 93012
805-987-5314

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Native American Contacts
San Luis Obispo County California
January 10, 2014

Coastal Band of the Chumash Nation
Janet Darlene Garcia
P.O. Box 4464 Chumash
Santa Barbara CA 93140
805-689-9528

Coastal Band of the Chumash Nation
Crystal Baker
P.O. Box 723 Chumash
Atascadero , CA 93423
805-466-8406

This list is current only as of the date of this document.

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NATIVE AMERICAN RESPONSES

January 8, 2014

Email and Phone
Freddie Romero

Wanted to confirm that the Native Americans and groups in San Luis Obispo County had been contacted. Since they had, and since project was outside their area, they would have no comment.

January 14, 2014

Phone
John Burch

John said he was familiar with both the Atascadero Lake project and the Hiway 41 Project areas. He had no concern about the improvements in Atascadero Lake Park. Also the SR41 project would have no impact on known cultural resources.

January 22, 2014

Email
Fred Collins

Fred suggested that a Native American be present during the field survey.

NOTE: As part of their response, Native Americans (terrain, conditions, and access permitting) can, on their own, request participation in the survey if they wish.

Attachment 11
Arborist Report
See Next Page

Oak Tree Protection Plan

Highway 41 Multi-Purpose Class 1 Path Project

Prepared By

Chip Tamagni
Certified Arborist #WE 6436-A
Certified Hazard Risk Assessor #1209

Steven Alvarez
Certified Arborist #WE 0511-A

P.O. Box 1311
Templeton, CA 93465
(805) 434-0131

A & T ARBORISTS
P.O. BOX 1311 TEMPLETON, CA 93465 (805) 434-0131

As consulting arborists, we have been hired to inform and educate how to protect trees both during the design phase and construction. Different species can adapt to more impacts than others just as young trees can sustain more root disturbance that older trees. All individuals and firms involved in the planning stages should be made completely aware of the limitations regarding setbacks from drip lines that are recommended to protect the trees. When we are given a plan, it should show **all** possible disturbances within the drip line areas. This includes all cuts, fills, over-excavation limits, building clearances, and all utilities. We will suggest changes if we feel the impacts are too great and it is up to the owner to follow our recommendations. If the plan we receive is not complete with potential impacts, we will fairly assume any additions will fall completely out of the drip line areas. It is the burden of the property owner to inform us of any changes, omissions, or deletions that may impact the drip line area of the trees in any way.

It is the responsibility of the **owner** to provide a copy of this tree protection plan to any and all contractors and subs that work within the drip line of any native tree. We recommend making it mandatory that the grading/trenching operator have all of his/her employees sign that they have read these plans. It is highly recommended that all other contractors sign and acknowledge this tree protection plan. In addition, each their respective employees shall be made aware of this tree plan.

This tree evaluation and protection plan is in regard to the expansion of the existing path between San Gabriel Road and Portola Road. The path was originally constructed by the Resource Conservation District several years ago. The plans are to widen and pave the path which should increase public usage. A & T Arborists produced the original tree plan for the Resource Conservation District. Some of the old tree tags were still in place and others had disappeared. We re-tagged some trees and added additional tags to comply with the Atascadero Native Tree Ordinance. Due to the widening of the path, we have determined 13 native trees will need to be removed. The proposed removals consist of 9 valley oaks (*Quercus lobata*) ranging in size from 2 to 26 inches for a total of 75 inches, three coast live oaks (*Quercus agrifolia*) with each being 4 inches for a total of 12 inches, and one black walnut (*Judlans californica*) with a diameter of 10 inches. All trees shall be removed by a trained arborist and not pushed over as they may damage other saved trees. Stumps should be ground rather than pulled to avoid root damage of other saved trees. A pre-construction walkthrough should be completed with the centerline staked that will allow correct identification of which trees need clearance pruning. All standard mitigations listed below requiring monitoring shall be followed.

Projects usually require an on-site pre-construction meeting with the city, owner, grading contractor and the arborist. Topics will include fencing, monitoring and requirements for a positive final occupancy letter. It is the owner's responsibility to adequately inform us prior to any meetings where we need to be present.

All trees potentially impacted by this project are numbered and identified on both the grading plan and the spreadsheet. Trees whose drip line edges are greater than 50 feet from site disturbance will generally not be tagged and inventoried. Trees that are inherently protected by other saved trees will also not be tagged. Trees are numbered on the grading plans and in the field with an aluminum tag. Tree protection fencing is shown on the grading plan. In the field, trees to be removed have red tape attached to the tag.

Tree Rating System

A rating system of 1-10 was used for visually establishing the overall condition of each tree on the spreadsheet.

Determining factors include:

- Previous impacts to tree root zone
- Observation of cavities, conks or other structurally limiting factors
- Pest, fungal, or bacterial disorders
- Past failures
- Current growth habit

The rating system is defined as follows:

Rating	Condition
0	Deceased
1	Evidence of massive past failures, extreme disease and is in severe decline.
2	May be saved with attention to class 4 pruning, insect/pest eradication and future monitoring.
3	Some past failures, some pests or structural defects that may be mitigated by class IV pruning.
4	May have had minor past failures, excessive deadwood or minor structural defects that can be mitigated with pruning.
5	Relatively healthy tree with little visual structural and or pest defects.
6	Healthy tree that probably can be left in its natural state. Future pruning may be required.
7-9	The tree has had proper arboricultural pruning and attention or have no apparent structural defects.
10	Specimen tree with perfect shape, structure and foliage in a protected setting (i.e. park, arboretum).

The following mitigation measures/methods must be fully understood and followed by anyone working within the drip line of any native tree. Any necessary clarification will be provided by us (the arborists) upon request.

Fencing: The proposed fencing shall be shown in orange ink on the grading plan. It must be a minimum of 4' high chain link, snow or safety fence staked at the edge of the drip line or line of encroachment for each tree or group of trees. The fence shall be up before any construction or earth moving begins. The owner or their designee shall be responsible for maintaining an erect fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval. If the orange plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. All efforts shall be made to maximize the distance from each saved tree. The fencing must be constructed prior to the city pre-construction meeting for inspection by the city and the arborists. Fence maintenance is an issue with many job sites. Windy conditions and other issues can cause the fence to sage and fall. Keeping it erect should be a part of any general contractor's bid for a project. Down fencing is one of the causes for a stop work notice to be placed on a project.

Soil Aeration Methods: Soils within the drip line that have been compacted by heavy equipment and/or construction activities must be returned to their original state before all work is completed. Methods include adding specialized soil conditioners, water jetting, adding organic matter, and boring small holes with an auger (18" deep, 2-3' apart with a 2-4" auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise.

Chip Mulch: All areas within the drip line of the trees that cannot be fenced shall receive a 4-6" layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction.

Trenching Within Drip Line: All trenching/excavation for foundations, pilings, and footings within the drip line of native trees shall be **hand dug or monitored**. All major roots shall be avoided whenever possible. All exposed roots larger than 1" in diameter shall be clean cut with sharp pruning tools and not left ragged. A **Mandatory** meeting between the arborists and grading/trenching contractor(s) shall take place prior to work start. This activity shall be monitored by the arborist(s) to insure proper root pruning is talking place. Any landscape architects and contractors involved shall not design any irrigation or other features within any drip line unless previously approved by the project arborist.

Grading Within The Drip Line: Grading shall not encroach within the drip line unless approved by the project arborist. Grading should not disrupt the normal drainage pattern around the trees. Fills should not create a ponding condition and excavations should not leave the tree on a rapidly draining mound.

Exposed Roots: Any exposed roots shall be re-covered the same day they were exposed. If they cannot, they must be covered with burlap or another suitable material and wetted down 2x per day until re-buried.

Paving Within The Drip Line: The preferred method on paving within the drip line consists of placing base material on existing grade. Any grade lowering removes important surface roots. Pavers can be used with limitations. The base material must be above natural grade and the curbing to retain the pavers shall not be trenched any deeper than six inches into the natural grade.

Equipment Operation: Vehicles and all heavy equipment shall not be driven under the trees, as this will contribute to soil compaction. Also there is to be no parking of equipment or personal vehicles in these areas. All areas behind fencing are off limits unless pre-approved by the arborist. All soil compaction within drip line areas shall be mitigated as described previously.

Existing Surfaces: The existing ground surface within the drip line of all native trees shall not be cut, filled, compacted or pared, unless shown on the grading plans **and** approved by the arborist.

Construction Materials And Waste: No liquid or solid construction waste shall be dumped on the ground within the drip line of any native tree. The drip line areas are not for storage of materials either. Any violations shall be remedied through proper cleanup approved by the project arborist at the expense of the owner.

Arborist Monitoring: An arborist shall be present for selected activities (trees identified on spreadsheet and items bulleted below). The monitoring does not necessarily have to be continuous but observational at times during these activities. It is the responsibility of the owner(s) or their designee to inform us prior to these events so we can make arrangements to be present. It is the responsibility of the owner to contract (prior to construction) a locally licensed and insured arborist that will document all monitoring activities.

- pre-construction fence placement
- any utility or drainage trenching within any drip line
- All grading and trenching near trees requiring monitoring on the spreadsheet

Pre-Construction Meeting: An on-site pre-construction meeting with the Arborist(s), Owner(s), Planning Staff, and all contractors and subs is highly recommended prior to the start of any work. At a minimum, the grading contractor shall be present. It is the sole responsibility of the owner that all topics covered during the preconstruction meeting are appropriately passed on to non-present contractors. Prior to final occupancy, a letter from the arborist(s) shall be required verifying the health and condition of all impacted trees and providing any recommendations for any additional mitigation. The letter shall verify that the arborist(s) were on site for all grading and/or trenching activity that encroached into the drip line of the selected native trees, and that all work done in these areas was completed to the standards set forth above.

Pruning: All native tree pruning shall be completed by a licensed and insured D49 tree trimming contractor that has a valid city business license. Class 4 pruning includes: Crown reduction pruning consisting of reduction of tops, sides or individual limbs. A trained arborist shall perform all pruning. No pruning shall take more than 25% of tbe live crown of any native tree. Any trees that may need pruning for road/home clearance shall be pruned **prior** to any grading activities to avoid any branch tearing.

Landscape: All landscape under the drip-line shall be drought tolerant or native varieties. Lawns shall be avoided. All irrigation trenching shall be routed around drip

lines; otherwise above ground drip-irrigation shall be used. It is the owner's responsibility to notify the landscape architect and contractor regarding this mitigation.

Utility Placement: All utilities and sewer/storm drains shall be placed down the roads/driveways and when possible outside of the drip lines. If roads exist between two trees, the utilities shall be routed down the middle of the road or completely hand dugThe arborist shall supervise trenching within the drip line. **All trenches in these areas shall be exposed by air spade or hand dug with utilities routed under/over the roots.** Roots greater than 2 inches in diameter shall **not** be cut.

Fertilization and Cultural Practices: As the project moves toward completion, the arborist(s) may suggest fertilization, insecticide, fungicide, soil amendments, and/or mycorrhiza applications that will benefit tree health.

The included spreadsheet includes trees listed by number, species and multiple stems if applicable, diameter and breast height (4.5'), condition (scale from poor to excellent), status (avoided, impacted, removed, exempt), percent of drip line impacted, mitigation required (fencing, root pruning, monitoring), construction impact (trenching, grading), recommended pruning and individual tree notes.

If **all** the above mitigation measures are followed, we feel there will be no additional long-term significant impacts to the remaining native trees.

A & T Arborists strongly suggests that the responsible party (owner of their designee) make copies of this report. Any reproduction by A & T Arborists or changes to this original report will require an additional charge.

Please let us know if we can be of any future assistance to you for this project.

Steven G. Alvarez
Certified Arborist #WC 0511

Chip Tamagni
Certified Arborist #WE 6436-A

TREE PROTECTION SPREAD SHEET - RCD 1

1	2	3	4	5	6	7	8	9	10	11
TREE #	TREE SPECIES	TRUNK DBH	TREE CONDITION	CONST STATUS	DRIP-LINE % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	FIELD NOTES
1	LO	10	4	A	0%	NONE		NO		
2	SYC	2X60	5	A	0%	NONE		NO	IV	
3	SYC	3X106	5	A	0%	NONE		N		cavity in north trunk
4	VO	22	4	I	35%	GR	F,RP,M	YES		
5	VO	15	4	I	35%	GR	F,RP,M	YES		
6	VO	13	4	I	45%	GR	F,RP,M	YES		
7	VO	50	4	I	15%	GR	F,RP,M	YES		
8	VO	17	3	I	10%	GR	F,RP,M	YES		suppressed
9	VO	30	4	I	25%	GR	F,RP,M	YES		
10	VO	48	3	I	15%	GR	F,RP,M	YES		
11	SYC	2X80	3	I	5%	GR	M	YES		cavities
12	LO	48	3	I	10%	GR	M	YES		
13	VO	60	1	I	10%	GR	M	YES		very very hazardous
14	VO	7	4	A	0%	NONE	M	YES		
15	VO	2	4	A	0%	NONE	M	YES		
16	VO	2	4	R	100%	GR				
17	VO	3	4	I	40%	GR	F,RP,M	YES		
18	VO	3	4	R	100%	GR				
19	VO	6	4	R	100%	GR				
20	VO	6	4	I	50%	GR	F,RP,M	YES		

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5 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL
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7 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING
8 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,
9 = ARBORIST MONITORING REQUIRED: YES/NO
10 = PERSCRIBED PRUNING: CLASS 1-4
11 = FIELD NOTES

TREE PROTECTION SPREAD SHEET - RCD 2

1	2	3	4	5	6	7	8	9	10	11
TREE #	TREE SPECIES	TRUNK DBH	TREE CONDITION	CONST STATUS	DRIP-LINE % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	FIELD NOTES
21	VO	3	3	I	15%	GR	F,RP,M	YES		suppressed
22	VO	2	3	R	100%	GR				
23	VO	2X6	4	I	5%	GR	F, M	YES		
24	VO	4	4	A	0%	NONE	F			
25	VO	9	3	I	30%	GR	F,RP,M	YES		deadwood
26	VO	17	4	I	10%	GR	F,RP,M	YES		
27	VO	8	4	I	10%	TR, GR	F,RP,M	YES		
28	LO	2X6	5	I	10%	TR, GR	F,RP,M	YES		
29	VO	2X24	4	I	5%	GR	F,RP,M	YES		excess deadwood
30	VO	32	4	A	0%	NONE	F		IV	trim weight over bridge
31	VO	24	4	A	0%	NONE	F		IV	trim weight over bridge
32	LO	3X10	4	A	0%		F			tag on branch
33	VO	11	4	A	0%		F			
34	SYC	3x106	4	I	<5%	GR	F,RP,M	YES		
35	LO	9	5	I	15%	GR	F,RP,M	YES		
36	SYC	3x130	5	A	0%		M	YES		tag on branch
37	VO	9	4	A	0%		M	YES		
38	VO	2x18	3	A	0%		M	YES		
39	VO	6	3	A	0%		M	YES		
40	VO	3x28	4	I	10%	GR	M	YES		

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8 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,
9 = ARBORIST MONITORING REQUIRED: YES/NO
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11 = FIELD NOTES

TREE PROTECTION SPREAD SHEET - RCD 3

1	2	3	4	5	6	7	8	9	10	11
TREE #	TREE SPECIES	TRUNK DBH	TREE CONDITION	CONST STATUS	DRIP-LINE % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	FIELD NOTES
41	VO	10	4	R	100%	GR				
42	VO	2X28	3	I	50%	GR	F,RP,M	YES		utility pruned
43	VO	6	4	I	10%	GR	F,RP,M	YES		
44	VO	2X26	3	R	100%	GR				utility pruned
45	VO	17	3	R	100%	GR				utility pruned
46	VO	4	3	A	0%	NONE	F			11' from #45
47	LO	2X9	4	A	0%	NONE	F			14' from #45
48	LO	4	3	A	0%	NONE	F			1' from #47
49	VO	19	4	A	0%	NONE	F			24' from #45
50	LO	11	4	A	0%	NONE	F			6' north of #48
51	LO	12	3	A	0%	NONE	F			very suppressed
52	VO	6	3	R	100%	GR				
53	VO	2X8	3	A	0%	NONE	F			
54	VO	2X5	3	A	0%	NONE	F			
55	VO	2	2	A	0%	NONE	F			
56	LO	20	4	I	50%	GR	F,RP,M	YES		
57	VO	21	4	I	10%	GR	F, M	YES		
58	VO	3	3	A	0%		F, M	YES		
59	LO	5	3	A	0%		F, M	YES		
60	VO	3	3	R	100%	GR				

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8 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,
9 = ARBORIST MONITORING REQUIRED: YES/NO
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11 = FIELD NOTES

TREE PROTECTION SPREAD SHEET RCD 4

1	2	3	4	5	6	7	8	9	10	11
TREE #	TREE SPECIES	TRUNK DBH	TREE CONDITION	CONST STATUS	DRIP-LINE % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	FIELD NOTES
61	VO	50	3	I	50%	GR	F,RP,M	YES		poor structured tree
62	BW	4X16	4	I	20%	GR	F,RP,M	YES		
63	BW	10	4	I	20%	GR	F,RP,M	YES		
64	LO	2X24	5	I	15%	GR	F,RP,M	YES		
65	VO	11	5	I	45%	GR	F,RP,M	YES		
66	LO	4	4	I	25%	GR	F,RP,M	YES		
67	VO	3	4	I	15%	GR	F,RP,M	YES		
68	BW	6	4	I	30%	GR	F,RP,M	YES		
69	BW	2X16	4	I	25%	GR	F,RP,M	YES		
70	VO	8	4	I	20%	GR	F,RP,M	YES		
71	VO	2	4	I	5%	GR	F,RP,M	YES		
72	LO	9	4	I	10%	GR	F,RP,M	YES	IV	minor clearance pruning
73	VO	18	5	I	30%	GR	F,RP,M	YES		
74	SYC	50	5	A	0%	NONE	F			
75	LO	10	5	A	0%	NONE	F			
76	BW	15	4	I	15%	GR	F,RP,M	YES		
77	VO	6	3	I	20%	GR	F,RP,M	YES		
78	LO	4	3	R	100%	GR				
79	LO	4	3	R	100%	GR				
80	BW	4X10	3	R	100%	GR				

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7 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING
8 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,
9 = ARBORIST MONITORING REQUIRED: YES/NO
10 = PERSCRIBED PRUNING: CLASS 1-4
11 = FIELD NOTES

TREE PROTECTION SPREAD SHEET RCD 5

1	2	3	4	5	6	7	8	9	10	11
TREE #	TREE SPECIES	TRUNK DBH	TREE CONDITION	CONST STATUS	DRIP-LINE % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	FIELD NOTES
81	LO	2X6	4	I	30%	GR	F,RP,M	YES		
82	LO	5	4	I	30%	GR	F,RP,M	YES		
83	LO	4	3	R	100%	GR				
84	LO	10	4	I	15%	GR	F,RP,M	YES		
85	LO	10	4	I	15%	GR	F,RP,M	YES		
86	VO	9	4	A	0%	NONE	F			

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8 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,
9 = ARBORIST MONITORING REQUIRED: YES/NO
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Exhibit A **Mitigation Monitoring Program** **PLN 2014-1497 / PPN 2014-0257** **Highway 41 / Morro Road Class 1 Multi-Use Trail**	**Timing** FM: Final Map GP: Grading Permit BP: Building Permit TO: Temporary Occupancy FI: Final inspection FO: Final Occupancy	**Responsibility /Monitoring** PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney AMWC: Water Comp.	**Mitigation Measure**
Mitigation Measure 1.b.c.1: Trimming and pruning of oak trees shall be kept to the minimum amount necessary to maintain visual character of the corridor.	**BP**	**BS/PS**	**1.b.c.1**
Mitigation Measure 1.b.c.2: Oak trees removed as part of the project shall be replaced in-kind at a minimum ratio of 3:1 for trees less than 24 inches diameter at breast height (dbh) and 10:1 for trees 24 inches or greater dbh, or in accordance with the City of Atascadero tree ordinance, whichever is stricter. All trees shall be maintained and monitored as required by the City of Atascadero tree ordinance.	**BP**	**BS/PS**	**1.b.c.2**
Mitigation Measure 3.b.1: 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 2 "Assessing and Mitigating Construction Impacts." 2.3.1 Standard Mitigation Measures for Construction Equipment • Maintain all construction equipment in proper tune according to manufacturer's specifications; • Fuel all off-road and portable diesel power equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road); • Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy duty diesel engines, and comply with State off-Road Regulations; • Use on-road heavy duty trucks that meet ARB's 2007 or cleaner certification standard for on-road heavy duty diesel engines, and comply with State On-Road Regulation; • Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NO_x exempt area fleets) may be eligible by proving alternative compliance; • All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit; • Diesel idling within 1,000 feet of sensitive receptors is not permitted; • Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors; • Electrify equipment when feasible; • Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and • Use alternatively fueled construction equipment on- site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propone or biodiesel.	**BP**	**BS/PS**	**3.b.1**

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2.3.2 Best Available Control Technology (BACT) for Construction Equipment • Further reducing emissions by expanding use of Tier 3 and Tier 4 off-road and 2010 on-road compliant engines; • Repowering equipment with the cleanest engines available; and • Installing California Verified Diesel Emissions Control Strategies. These strategies are listed at: http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm 2.3.3 Construction Activity Management Plan (CAMP) and Off-site Mitigation • A Dust Control Management Plan that encompasses all, but is not limited to, dust control measures that were listed in the "dust control" measures section in the SLO County APCD CEQA Air Quality Handbook • Tabulation of on and off-road construction equipment (age, horse-power and miles and/or hours of operation); • 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. 2.4 Fugitive Dust Mitigation Measures: Expanded List A. Reduce the amount of the disturbed areas 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 (non-potable) water should be used whenever possible; C. All dirt stock pile areas should be sprayed daily as needed; D. Permanent dust control measures identified in the approved project revegtaion and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities; E. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and water until vegetation is established; F. All disturbed soil area not subject to revegetation should be stabilized using approved chemical soil binder, 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			

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(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; L. All of these fugitive dust mitigation measures shall be shown on grading and building plans; M. The contractor or builder shall designate a person or person to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complains, reduce visible emission below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.			
Mitigation Measure 3.b.2: The project shall be conditioned to comply with all applicable APCD regulations pertaining to Naturally Occurring Asbestos (NOA). Prior to any grading activities a geologic evaluation should be conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, and exemptions request must be filed with the District. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety program for approval by the APCD. Technical Appendix 4.4 of the SLO County APCD CEQA Air Quality Handbook includes a map of zones throughout San Luis Obispo County where NOA has been found and geological evaluation is required prior to any grading.	**BP**	**PS**	**3.b.2**
Mitigation Measure 4.a.b.c.1: Retain existing riparian edge of canopy to the extent possible. Clearly delineate the edges of work limits where they occur adjacent to riparian habitat prior to start of work. Work will not be permitted within the riparian area.	**BP**	**PS**	**4.a.b.c.1**
Mitigation Measure 4.a.b.c.2: Staging and storage areas will be located away from the creek, on the highway side of the Project site where possible, and outside any tree canopies.	**BP**	**PS**	**4.a.b.c.2**
Mitigation Measure 4.a.b.c.3: Treat existing known patches of yellow star thistle within the Project site with a water-safe herbicide approved for use in aquatic habitats.	**BP**	**PS**	**4.a.b.c.3**
Mitigation Measure 4.a.b.c.4: To avoid the export of invasive plant species during construction, soil or plant material within the vicinity of yellow star thistle shall not be transported offsite. If such soil or plant material must be exported offsite, it shall be disposed of at a certified landfill.	**BP**	**PS**	**4.a.b.c.4**

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Mitigation Measure 4.a.b.c.5: Do not plant species known to invade wild lands as part of proposed landscape materials. Only use seeds that contain native and/or naturalized species appropriate for the Project site.	**BP**	**PS**	**4.a.b.c.5**
Mitigation Measure 4.d.1: If construction occurs during the normal bird nesting season of February 15 to August 1, surveys will be conducted for nesting birds within 300 feet of the Project before the onset of construction. When active, purple martin nesting site(s) will be identified and a minimum 300-foot buffer shall be established around the site(s) to avoid impacts to this species. If present, active raptor nests shall be also avoided by a 300-foot buffer to avoid project-related nest abandonment. All other active nests shall be avoided by a 250-foot buffer to avoid project-related nest abandonment. Construction activities may resume in buffered areas when it is determined that the nests are no longer active. Upon concurrence with applicable regulatory agencies, nest buffers may be reduced if a qualified ornithologist determines that a species (e.g., house finch) may not be adversely affected by construction activities	**BP**	**PS**	**4.d.1**
Mitigation Measure 4.d.2: A biological monitor will be on site as needed to monitor construction. The biological monitor shall have authority to stop project activities if necessary to protect nesting birds and other wildlife.	**BP**	**PS**	**4.d.2**
Mitigation Measure 4.e.1: Grading and excavation and grading work shall be consistent with the City of Atascadero Tree Ordinance. Special precautions when working around native trees include: 1. All existing trees outside of the limits of work shall remain. 2. Earthwork shall not exceed the limits of the project area. 3. Vehicles and stockpiled material shall be stored outside the drip line of all trees. 4. All trees within twenty feet of construction work shall be fenced for protection with 4-foot chain link, snow or safety fencing placed per the approved tree protection plan. Tree protection fencing shall be in place prior to any site excavation or grading. Fencing shall remain in place until completion of all construction activities. 5. Any roots that are encountered during excavation shall be clean cut by hand and sealed with an approved tree seal. 6. Any foundation or other structure that encroaches within the drip line of trees to be saved shall be dug by hand. At no time shall tree roots be ripped with construction equipment	**BP**	**PS**	**4.e.1**
Mitigation Measure 4.e.2: Trimming and pruning of oak trees shall be kept to the minimum amount necessary to meet Project goals.	**BP**	**PS**	**4.e.2**
Mitigation Measure 4.e.3: Erosion control hydro seed/slope stabilization shall consist of native species matching the existing plant species within the tributary stream if applicable. The seed and plant material shall not contain any introduced plant species. Seed mix is to be approved by project biologist prior to application.	**BP**	**PS**	**4.e.3**

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Mitigation Measure 4.e.4: Native trees removed as part of the project shall be replaced in-kind at a minimum ratio of 3:1 for trees less than 24 inches diameter at breast height (dbh) and 10:1 for trees 24 inches or greater dbh, or in accordance with the City of Atascadero tree ordinance, whichever is stricter. All trees shall be maintained and monitored as required by the City of Atascadero tree ordinance.	**BP**	**PS**	**4.e.4**
Mitigation 5.b.1: In the event that archaeological resources are discovered, all work on the project shall stop. When a project will impact an archeological site, the Atascadero Community Development Department shall first determine whether the site is a historical resource. If a lead agency determines that the archaeological site is an historical resource, it shall refer to the Public Resources Code Sections for guidance. If an archaeological resource is neither a unique archaeological nor an historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment.	**BP**	**BS/PS**	**5.b.1**
Mitigation 5.d.1: In the event that human remains are discovered on the property, all work on the project shall stop and the Atascadero Police Department and the County Coroner shall be contacted. The Atascadero Community Development Department shall be notified. If the human remains are identified as being Native American, the California Native American Heritage Commission (NAHC) shall be contacted at (916) 653-4082 within 24 hours. A representative from both the Chumash Tribe and the Salinan Tribe shall be notified and present during the excavation of any remains.	**BP**	**BS/PS**	**5.d.1**
Mitigation Measure 6.b.1: Grading permit application plans must include erosion control measures to prevent soil, dirt, and debris from entering the storm drain system during and after construction. A separate plan shall be submitted for this purpose and shall be subject to review and approval of the City Engineer at the time of Building Permit application.	**BP**	**BS/CE**	**6.b.1**
Mitigation Measure 6.b.2: All cut and fill slopes shall be hydro seeded with an appropriate erosion control method (erosion control blanket, hydro-mulch, or straw mulch appropriately anchored) immediately after completion of earthwork year round. All disturbed slopes shall have appropriate erosion control methods in place. Duration of the project: The contractor will be responsible for the clean-up of any mud or debris that is tracked onto public streets by construction vehicles.	**BP**	**BS/CE**	**6.b.2**
Mitigation Measure 6.b.3: A re-vegetation / landscaping plan shall be submitted with building permits. All disturbed cut and fill slopes shall be planted with a mixture of drought tolerant native plants and hydro seeded with a native seed mix. Affected areas that previously contained native shrubs and vegetation shall be replanted with similar plant species per the approved re-vegetation plan.	**BP**	**PS/CE**	**6.b.3**
Mitigation Measure 9.c.d.e.1: Grading on the site has the potential to alter the drainage pattern of the area. The City will utilize soil control measures,	**BP/GP**	**CE**	**9.c.d.e.1**

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landscaping, and native vegetation to minimize the impact of drainage on the area.			
Mitigation Measure 9.c.d.e.2: Sediment containment devices such as biodegradable fiber rolls will be installed between the Project boundary and Atascadero Creek in locations where sediment could leave the site and enter the creek. Sediment containment devices such as biodegradable fiber rolls will be installed between the Project boundary and Atascadero Creek in locations where sediment could leave the site and enter the creek.	**BP/GP**	**BS/CE**	**9.c.d.e.2**
Mitigation Measure 9.c.d.e.3: Upon completion of the project, all construction material and all nonpermanent non-biodegradable erosion control materials will be removed from the site and disturbed soil will be stabilized using native and/or naturalized seed species.	**FI**	**BS/CE**	**9.c.d.e.3**
Mitigation Measure 9.e.f.1: The City is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Failure to comply with the approved construction Best Management Practices will result in the issuance of correction notices, citations, or stop orders.	**BP**	**BS/CE**	**9.e.f.1**
Mitigation Measure 9.i.1: The City must install warning signage for trail users that the trail is "subject to flooding" and additional warning signage that the trail may have water on that path and that it may be impassable. This signage must be installed at both ends of the trail and other locations deemed necessary by the City Engineer.	**FI**	**PS/CE**	**9.i.1**
Mitigation Measure 12.d.1: All construction activities shall comply with the City of Atascadero Noise Ordinance for hours of operation.	**BP**	**PS**	**12.d.1**

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☒ Aesthetics	☐ Agriculture and Forest Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☒ Geology /Soils
☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials	☒ Hydrology / Water Quality
☐ Land Use / Planning	☐ Mineral Resources	☒ Noise
☐ Population / Housing	☐ Public Services	☐ Recreation
☐ Transportation/Traffic	☐ Utilities / Service Systems	☐ Mandatory Findings of Significance

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant effect" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project.

3/15/2014

Alfredo R. Castillo, AICP, Assistant Planner — Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.

   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

   a) the significance criteria or threshold, if any, used to evaluate each question; and

   b) the mitigation measure identified, if any, to reduce the impact to less than significance.

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1. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☒	☐	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

SOURCES: Project Description, Preliminary Construction documents, Site Visit.
DISCUSSION:
1.a. The proposed project does not obscure a designated scenic vista, as discussed in the certified final EIR for the City's General Plan 2025.
1.b. The project site is located adjacent to State Route 41 (Morro Road). This state route is eligible for as a State scenic highway according to the Department of Transportation, from Highway 101 interchange west to Morro Bay/Highway 1 termination. This section has not been officially designated as a scenic highway. The proposal will not substantially degrade the existing vista, however additional pavement may be visible from the roadway, as well as trees are proposed to be removed. Mitigation is proposed as to replant native trees that contribute to the vista along Atascadero Creek and Highway 41, creating a less than significant impact.
1.c. The project proposes a 10-foot concrete path with 2-foot shoulders on each side adjacent to a mature riparian corridor adjacent to Atascadero Creek. As a part of the project, oak tree, black-walnut and California Sycamore trees are proposed to be removed. Based on the attached biological report, mitigation is proposed for the native trees. This mitigation measures is included.
1.d. No new proposed light sources are included as a part of this proposed project.

Mitigation Measure 1.b.c.1: Trimming and pruning of oak trees shall be kept to the minimum amount necessary to maintain visual character of the corridor.

Mitigation Measure 1.b.c.2: Oak trees removed as part of the project shall be replaced in-kind at a minimum ratio of 3:1 for trees less than 24 inches diameter at breast height (dbh) and 10:1 for trees 24 inches or greater dbh, or in accordance with the City of Atascadero tree ordinance, whichever is stricter. All trees shall be maintained and monitored as required by the City of Atascadero tree ordinance.

2. AGRICULTURAL AND FOREST RESOURCES -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒

Initial Study 2014-0004 PLN 2014-1497 / PPN 2014-0257 / TRP 2014-0170 Highway 41 / Morro Road Class I Multi-Use Trail	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined in Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))??	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

SOURCES: Project Description, Site Visit, California Department of Conservation, City of Atascadero 2025 General Plan.

DISCUSSION

2.a. The proposed project area is not shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency as prime farmland.
2.b. The proposed project is not in an agricultural zone according the General Plan and is not mandated by the State of California under a Williamson Act contract.
2.c. The project does not involve rezoning of forest land or timberland. Proposed Class I multi-use trail is consistent with the underlying zoning.
2.d.e.. The project will not result in a loss of forest land and will not result in a conversion of forest land to non-forest use or farmland to non-agricultural uses.

3. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

SOURCES: Air Pollution Control District (APCD) CEQA Air Quality Handbook, 2012; Project Description

DISCUSSION:

3.a.c.) The proposed project consists of a new class I multi-use trail that will encourage alternative forms of transportation. The proposed project is not included in the GHG Bright Line threshold with air quality impacts and is considered to be less than significant.

3.b.) Construction activities, including minor site grading and basing, tree removals and other construction related project impacts have the potential to produce small quantities of air pollution that include dust and equipment exhaust. Air quality impacts from construction will be temporary and short term. The project shall be conditioned to comply with all applicable APCD regulations pertaining to the control of fugitive dust (PM-10) as showed in Section 2 "Assessing and Mitigating Construction Impacts" of the April 2012 CEQA Air Quality Handbook.

3.d.e) The construction of the proposed project will not concentrate pollutants or create objectionable odors.

Mitigation Measure 3.b.1: 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 2 "Assessing and Mitigating Construction Impacts."

2.3.1 Standard Mitigation Measures for Construction Equipment

- Maintain all construction equipment in proper tune according to manufacturer's specifications;
- Fuel all off-road and portable diesel power equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy duty diesel engines, and comply with State off-Road Regulations;
- Use on-road heavy duty trucks that meet ARB's 2007 or cleaner certification standard for on-road heavy duty diesel engines, and comply with State On-Road Regulation;
- Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NO_x exempt area fleets) may be eligible by proving alternative compliance;
- All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit;
- Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- Electrify equipment when feasible;
- Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and
- Use alternatively fueled construction equipment on- site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propone or biodiesel.

2.3.2 Best Available Control Technology (BACT) for Construction Equipment

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

2.3.3 Construction Activity Management Plan (CAMP) and Off-site Mitigation

- A Dust Control Management Plan that encompasses all, but is not limited to, dust control measures that were listed in the "dust control" measures section in the SLO County APCD CEQA Air Quality Handbook
- Tabulation of on and off-road construction equipment (age, horse-power and miles and/or hours of operation);
- 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.

2.4 Fugitive Dust Mitigation Measures: Expanded List

N. Reduce the amount of the disturbed areas where possible;
O. 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 (non-potable) water should be used whenever possible;
P. All dirt stock pile areas should be sprayed daily as needed;
Q. Permanent dust control measures identified in the approved project revegtaion and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;

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R. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and water until vegetation is established;
S. All disturbed soil area not subject to revegetation should be stabilized using approved chemical soil binder, jute netting, or other methods approved in advance by the APCD;
T. 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;
U. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
V. 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;
W. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
X. 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;
Y. All of these fugitive dust mitigation measures shall be shown on grading and building plans;
Z. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emission below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

Mitigation Measure 3.b.2: The project shall be conditioned to comply with all applicable APCD regulations pertaining to Naturally Occurring Asbestos (NOA). Prior to any grading activities a geologic evaluation should be conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, and exemptions request must be filed with the District. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety program for approval by the APCD. Technical Appendix 4.4 of the SLO County APCD CEQA Air Quality Handbook includes a map of zones throughout San Luis Obispo County where NOA has been found and geological evaluation is required prior to any grading.

4. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or	☐	☒	☐	☐

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impede the use of native wildlife nursery sites?				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

SOURCES: Site Plan, Biological Assessment, Atascadero 2025 General Plan EIR, Arborist Report

DISCUSSION:

4.a. The proposed project is adjacent to an existing riparian corridor and Atascadero Creek. A focused biological study was completed for the proposed project. The project is not proposing any construction in the riparian area, nor will it affect protected species. Mitigation measures have been included to protect potential habitat of these critical species in the riparian area, thus deeming the impact less than significant.

4.b. Construction will not occur within the riparian area, however tree trimming and minor tree removals are proposed. Based on the biological assessment included as an attachment, mitigation measures are included to protect the riparian area from development deeming the impact less than significant.

4.c. The latest National Wetland Inventory Map provided by the U.S. Fish and Wildlife Service indicated that there is a riverine (Atascadero Creek) and shrub wetlands present (riparian habitat). Construction will not be in the riverine and/or shrub wetland that has been designated by the US Fish and Wildlife service. Construction will be adjacent to it. As discussed in the biological report, mitigation measures will be included to reduce any impact that construction related activities may have on the adjacent riparian corridor.

4.d. Construction activities may interfere with migratory birds and nesting season as described in the attached biological assessment and mitigation measures are included to reduce potential impacts to a less than significant level with mitigation measures incorporated.

4.e. The construction of the proposed trail includes the proposal to remove nine (9) valley oaks ranging in size of 2-inches to 26-inches, totaling 75-inches; three (3) coast live oaks, each being 4-inches in DBH and totaling 12-inches; and one black walnut tree totaling 10-inches in size. The Arborist report contains mitigation measures to ensure the survival of the remaining native trees and methods of removal. The biological assessment contains mitigation measures for replacement of the proposed trees to be removed. With mitigation measures incorporated, impacts will be less than significant.

4.f. The proposed project is not located in an area that will conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Mitigation Measure 4.a.b.c.1: Retain existing riparian edge of canopy to the extent possible. Clearly delineate the edges of work limits where they occur adjacent to riparian habitat prior to start of work. Work will not be permitted within the riparian area.

Mitigation Measure 4.a.b.c.2: Staging and storage areas will be located away from the creek, on the highway side of the Project site where possible, and outside any tree canopies.

Mitigation Measure 4.a.b.c.3: Treat existing known patches of yellow star thistle within the Project site with a water-safe herbicide approved for use in aquatic habitats.

Mitigation Measure 4.a.b.c.4: To avoid the export of invasive plant species during construction, soil or plant material within the vicinity of yellow star thistle shall not be transported offsite. If such soil or plant material must be exported offsite, it shall be disposed of at a certified landfill.

Mitigation Measure 4.a.b.c.5: Do not plant species known to invade wild lands as part of proposed landscape materials. Only use seeds that contain native and/or naturalized species appropriate for the Project site.

Mitigation Measure 4.d.1: If construction occurs during the normal bird nesting season of February 15 to August 1, surveys will be conducted for nesting birds within 300 feet of the Project before the onset of construction. When active, purple martin nesting site(s) will be identified and a minimum 300-foot buffer shall be established around

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the site(s) to avoid impacts to this species. If present, active raptor nests shall be also avoided by a 300-foot buffer to avoid project-related nest abandonment. All other active nests shall be avoided by a 250-foot buffer to avoid project-related nest abandonment. Construction activities may resume in buffered areas when it is determined that the nests are no longer active. Upon concurrence with applicable regulatory agencies, nest buffers may be reduced if a qualified ornithologist determines that a species (e.g., house finch) may not be adversely affected by construction activities.

Mitigation Measure 4.d.2: A biological monitor will be on site as needed to monitor construction. The biological monitor shall have authority to stop project activities if necessary to protect nesting birds and other wildlife.

Mitigation Measure 4.e.1: Grading and excavation and grading work shall be consistent with the City of Atascadero Tree Ordinance. Special precautions when working around native trees include:

7. All existing trees outside of the limits of work shall remain.
8. Earthwork shall not exceed the limits of the project area.
9. Vehicles and stockpiled material shall be stored outside the drip line of all trees.
10. All trees within twenty feet of construction work shall be fenced for protection with 4-foot chain link, snow or safety fencing placed per the approved tree protection plan. Tree protection fencing shall be in place prior to any site excavation or grading. Fencing shall remain in place until completion of all construction activities.
11. Any roots that are encountered during excavation shall be clean cut by hand and sealed with an approved tree seal.
12. Any foundation or other structure that encroaches within the drip line of trees to be saved shall be dug by hand.
13. At no time shall tree roots be ripped with construction equipment.

Mitigation Measure 4.e.2: Trimming and pruning of oak trees shall be kept to the minimum amount necessary to meet Project goals.

Mitigation Measure 4.e.3: Erosion control hydro seed/slope stabilization shall consist of native species matching the existing plant species within the tributary stream if applicable. The seed and plant material shall not contain any introduced plant species. Seed mix is to be approved by project biologist prior to application.

Mitigation Measure 4.e.4: Native trees removed as part of the project shall be replaced in-kind at a minimum ratio of 3:1 for trees less than 24 inches diameter at breast height (dbh) and 10:1 for trees 24 inches or greater dbh, or in accordance with the City of Atascadero tree ordinance, whichever is stricter. All trees shall be maintained and monitored as required by the City of Atascadero tree ordinance.

5. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

SOURCES: Site Plan, Site Visit, Archeological Assessment.

DISCUSSION:

5.a. There are no known historic resources located on or adjacent to the site based on the provided archeological assessment.

5.b. There are no known archaeological resources located on or adjacent to the project site based on the archeological assessment completed for the project.

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5. c. Paleontological resources or unique geologic features are not known to be located on the project site.
5. d. No known human remains have been found or documented in the vicinity of the project.

Mitigation 5.b.1: In the event that archaeological resources are discovered, all work on the project shall stop. When a project will impact an archeological site, the Atascadero Community Development Department shall first determine whether the site is a historical resource. If a lead agency determines that the archaeological site is an historical resource, it shall refer to the Public Resources Code Sections for guidance. If an archaeological resource is neither a unique archaeological nor an historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment.

Mitigation 5.d.1: In the event that human remains are discovered on the property, all work on the project shall stop and the Atascadero Police Department and the County Coroner shall be contacted. The Atascadero Community Development Department shall be notified. If the human remains are identified as being Native American, the California Native American Heritage Commission (NAHC) shall be contacted at (916) 653-4082 within 24 hours. A representative from both the Chumash Tribe and the Salinan Tribe shall be notified and present during the excavation of any remains.

6. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

SOURCES: Project description; Conceptual Residence Plan, City of Atascadero GIS Data

DISCUSSION:
6.a. The City of Atascadero GIS Data shows that the project is not located on any known earthquake faults, and the

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property contains no unusual geological formations.
6.b. Construction activities on the site will be required to comply with sedimentation and erosion control measures prescribed by the City Engineer.
6.c.d.e Soil conditions will be reviewed as a part of the construction document phase. A soils report is not needed for construction of a Class I trail as no new structures are proposed.

Mitigation Measure 6.b.1: Grading permit application plans must include erosion control measures to prevent soil, dirt, and debris from entering the storm drain system during and after construction. A separate plan shall be submitted for this purpose and shall be subject to review and approval of the City Engineer at the time of Building Permit application.

Mitigation Measure 6.b.2: All cut and fill slopes shall be hydro seeded with an appropriate erosion control method (erosion control blanket, hydro-mulch, or straw mulch appropriately anchored) immediately after completion of earthwork year round. All disturbed slopes shall have appropriate erosion control methods in place. Duration of the project: The contractor will be responsible for the clean-up of any mud or debris that is tracked onto public streets by construction vehicles.

Mitigation Measure 6.b.3: A revegetation / landscaping plan shall be submitted with building permits. All disturbed cut and fill slopes shall be planted with a mixture of drought tolerant native plants and hydro seeded with a native seed mix. Affected areas that previously contained native shrubs and vegetation shall be replanted with similar plant species per the approved revegetation plan.

7. GREENHOUSE GAS EMISSIONS -- Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

SOURCES: Project description, Site Plan, San Luis Obispo County Air Pollution Control District (APCD) CEQA Air Quality Handbook, 2012

DISCUSSION:
7.a. The project will not generate greenhouse gas emissions directly or indirectly that will have a significant impact on the environment. Less than significant impacts are determined through compliance with a qualified GHG Reduction Strategy; or annual emission less than 1,150 metric tons per year (MY/yr) of CO_2e; or 4.9 MT CO_2e/service population (SP)/yr (residents + employees2).
7.b. The Zoning Ordinance and the General Plan identify the parcel area as Open Space (OS). The proposed Class 1 multi-purpose trail is consistent with the regional and City plan, polices, and regulations regarding the reduction of greenhouse gas emissions.

8. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely				

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hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people living or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people living or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

SOURCES: Project description; General Plan Land Use Element, Department of Toxic Substances Control: Envirostor

DISCUSSION

8a.b.c. The proposed project will not generate or involve use of significant amounts of hazardous materials. There are no known hazardous materials on the site or nearby according to Department of Toxic Substances Control: Envirostor.
8.d. The property is not a listed hazardous material site based on the Envirostor map.
8e.f. The property is not near an airport. The nearest airport is commercial airport is located in Paso Robles sixteen (16) miles away.
8g.h. The site is within the Fire Department's five minute or less response area. During building permit review, the fire department will verify appropriate fire hydrant locations and will require fire sprinklers.

9. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of previously-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial	☐	☐	☒	☐

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erosion or siltation on- or off-site?				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☐	☐	☒	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☒	☐	☐
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

SOURCES: Project description, Flood Insurance Rate Maps, Biological assessment

DISCUSSION:
9a. No sewer/septic system is proposed with the Class I trail project.
9b. No water connections are proposed for this Class I multi-use trail.
9c.d.e.f. Construction activities are subject to review for compliance with City drainage and grading regulations. Based on preliminary design of the proposed trail, drainage will be handled by sheeting storm water runoff into grassy swales adjacent to the trail, thus allowing for water to slowly percolate into the ground, consistent with low impact development standards. Minor grading may disturb soil. Mitigation measures have been proposed to restore minor graded areas with native vegetation and hydroseed mix, thus rendering the impact to less than significant.
9.g.h.i.j. Portions of the proposed trail are located within the 100 year flood plain and may be subject to flooding during major precipitation events. This poses a potentially significant hazard to trail users during such an event. While it is less likely that the trail would be used during major precipitation events, proposed mitigation measure to include prominent trail signage to warn trail users of possible hazards from storm runoff, flooding, or related trail obstructions would reduce a potentially significant impact to less than significant levels.

Mitigation Measure 9.c.d.e.1: Grading on the site has the potential to alter the drainage patter of the area. The City will utilize soil control measures, landscaping, and native vegetation to minimize the impact of drainage on the area.

Mitigation Measure 9.c.d.e.2: Sediment containment devices such as biodegradable fiber rolls will be installed between the Project boundary and Atascadero Creek in locations where sediment could leave the site and enter the creek. Sediment containment devices such as biodegradable fiber rolls will be installed between the Project boundary and Atascadero Creek in locations where sediment could leave the site and enter the creek.

Mitigation Measure 9.c.d.e.3: Upon completion of the project, all construction material and all nonpermanent non-biodegradable erosion control materials will be removed from the site and disturbed soil will be stabilized using native and/or naturalized seed species.

Mitigation Measure 9.e.f.1: The City is responsible for ensuring that all contractors are aware of all storm water

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quality measures and that such measures are implemented. Failure to comply with the approved construction Best Management Practices will result in the issuance of correction notices, citations, or stop orders.

Mitigation Measure 9.i.1: The City must install warning signage for trail users that the trail is "subject to flooding" and additional warning signage that the trail may have water on that path and that it may be impassable. This signage must be installed at both ends of the trail and other locations deemed necessary by the City Engineer.

10. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

SOURCES: Land Use Element; project description; site plan

DISCUSSION:
10.a. The project will not physically divide an established community. The proposed project is a Class I multi-use trail and is being installed for better connectivity between major focal points in the City..
10.b. The General Plan identifies the installation of a trail within the designated open space zone as consistent with the zoning ordinance and General Plan.
10.c. The project is consistent with the open space and conservation policies identified in the General Plan.

11. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

SOURCES: Project description; Planning staff site visit.

DISCUSSION:
11.a.b. No mining is proposed as a part of this project. No known mineral resources have been identified in the area.

12. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels				

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in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people living or working in the project area to excessive noise levels?	☐	☐	☐	☒

SOURCES: Project description; Noise Element; Noise Ordinance; Acoustical Design Manual.

DISCUSSION:
12a.b.c.d.) Construction is expected to involve some machinery and use of impact tools that make noise. Noise levels on the site are thus expected to be raised temporarily. The proposed trail is not expected to generate unacceptable levels of noise that is already present as a part of traffic noises created by the existing Highway 41/Morro Road right-of-way
12.e.f.) The project is not located within an airport land use plan or private airstrip.

Mitigation Measure 12.d.1: All construction activities shall comply with the City of Atascadero Noise Ordinance for hours of operation.

13. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

SOURCES: Project description; General Plan Land Use Element.

DISCUSSION:
13.a.) The proposed multi-use Class I trail will not induce substantial population growth. No new residential or commercial projects are proposed with the project.
13.b.c.) No housing or persons will be displaced.

14. PUBLIC SERVICES -- Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

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Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

SOURCES: Project description; Land Use Element EIR.

DISCUSSION:

The proposed Class I multi-use trail project will have no impact on fire, police, schools, parks, and other related public facilities. Additional calls to fire and police may be made to assist those injured or in need of police services, however the trail is already in the service area of the Atascadero Police and Fire Departments.

15. RECREATION --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒

SOURCES: Project description; Parks and Recreation Element.

DISCUSSION:
15.a.) The proposed Class I multi-use trail may increase the use of the City's most widely used park, Atascadero Lake Park and Zoo. The trail provides an alternative mode of transportation to access this park from Highway 41 / Morro Road from Portola Road that connects to Safe Route to School improvements on San Gabriel Road and other trails along Atascadero Lake Park.
15.b.) The project does not involve construction of recreational facilities but the Class I multi-use trail can be used for passive walking, biking and jogging.

Mitigation Measure: No applicable mitigation measures

16. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒

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b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

SOURCES: Land Use Element; Circulation Element; Project Description

DISCUSSION:
16a.b. The Class I trail will not be in conflict with level of service standards or trip generation. The proposed trail is an integral part of creating a complete streets system along Highway 41/ Morro Road.
16.c. No changes will occur to air traffic patterns.
16.d,e,f. No features in the proposed Class I trail that will increase a hazard, result in inadequate access or conflict with adopted policies and plans for public transit, bicycle and pedestrian facilities.

17. UTILITIES AND SERVICE SYSTEMS --Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒

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g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

SOURCES: Project description; Land Use Element;

DISCUSSION:
17.a.b.e. No sewer or septic system is proposed for the Class I trail.
17.c. The project will incorporate drainage mitigation measures to minimize the amount of runoff from the project site which include run-off into an existing grassy swale adjacent the project site.
17.d. No water service is proposed for the project.
17.f.g. No solid waste services are proposed as a part of this project.

18. MANDATORY FINDINGS OF SIGNIFICANCE --				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable") means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒
d) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long term environmental goals?	☐	☐	☐	☒

DISCUSSION: The proposed project is a Class I multi-use trail that totals 10-inches in width and two-foot shoulders and each side. The proposed project will connect a Portola Road and San Gabriel Road for a Safe Route to School for school aged children and parents at Santa Rosa Road school, as well as connect the trail to the Atascadero Lake Park. The proposed project is located adjacent to an existing riparian area and will not degrade the quality of the existing environment and habitat, no create impacts that are individually limited but cumulatively considerable. This project is consistent with the long term transportation goals of creating alternative methods of transportation to reduce air emissions and create a more connected community.

SOURCES:
General Plan Land Use Element, City of Atascadero, 2002
Zoning Ordinance, part of Municipal Code, City of Atascadero, as amended through October 2013.
CEQA Air Quality Handbook, Air Pollution Control District San Luis Obispo County, April 2012
Acoustical Design Manual, Brown-Buntin Associates, 2001
Flood Insurance Rate Map,
CEQA Guidelines, Sections 15060 to 15065
City of Atascadero, GIS Data
California Department of Toxic Substances Control: Envirostar
US Fish and Wildlife Wetland Mapping

PROJECT SOURCES:
Project Description
35% Construction Documents / Preliminary Design Schematic
Biological Assessment – Althouse and Mead
Archeological Assessment – CRMS
Arborist Report – A&T Arborist

Attachment 9
Biological Assessment
See Next Page

Natural Environment Study

(Minimal Impacts)

Highway 41 between Portola and San Gabriel Roads
State Route 41, Postmile (PM) 14.2 to 14.7
Atascadero, San Luis Obispo County, California
Federal Project Number RTSTPLE-5243 (028)

District 5

January 2014

STATE OF CALIFORNIA
Department of Transportation
City of Atascadero

Prepared By: Althouse and Meade, Inc. Date: January 24, 2014
Mike Hill, Biologist
805-237-9626
1602 Spring Street
Paso Robles, CA 93446

Recommended
for Approval By: _____ Date: January 24, 2014
David Athey, Deputy Director
805-470-3424
Department of Public Works
City of Atascadero

Approved By: _____ Date: _____
Randy LaVack, District Environmental Branch Chief:
805-594-6188
Environmental Stewardship Branch
Caltrans District 5

Caltrans
CALIFORNIA DEPARTMENT OF TRANSPORTATION

1.0 Summary

The City of Atascadero, located in north-central San Luis Obispo County, California, with funding from the Federal Highway Administration and oversight by the California Department of Transportation, plans to construct a Class 1 multipurpose path adjacent to State Route 41 between Portola and San Gabriel Roads. The path would connect Atascadero Lake Park with a recently completed Safe Routes to School Project and would provide pedestrians and cyclists with safe access along State Route 41. The path would primarily affect a portion of the southbound Highway 41 right of way and an adjacent ruderal upland area of open space between Highway 41 and Atascadero Creek. The path would not affect special status species or their habitats.

2.0 Introduction

The City of Atascadero proposes to create a multipurpose path along the southbound side of State Route 41 (SR41) between Portola Road and San Gabriel Road in the City of Atascadero, San Luis Obispo County (Figure 1). Currently, pedestrians and bicyclists must use the shoulder of SR51 when traveling between Portola Road and San Gabriel Road. The proposed project would construct a Class 1 multipurpose path along the westbound side of SR41, on City-owned property and Caltrans right of way, between the highway and Atascadero Creek. The concrete path would be approximately 10-feet wide with 24-inch shoulders on each side, and would extend approximately 2,710 feet from Portola Road west to San Gabriel Road (Postmile (PM) 14.2 to 14.7). These improvements would provide off highway pedestrian and bicycle access along SR41, and connect Lake Park with a recently completed Safe Routes to School Project. Funding for this project will be provided by the Federal Highway Administration.

The Area of Potential Impacts (API) is approximately 4 acres (ac) and includes the unpaved area between the edge of the traveled way on southbound SR41 and the edge of the riparian corridor along Atascadero Creek. The API would be directly affected by construction activities including excavation of the path site, construction of the path, construction access and staging, and installation of landscape materials on City-owned property. Project activities will not impact Atascadero Creek.

The Biological Study Area (BSA) for this Natural Environment Study (NES) consists of the upland area located between SR41 and Atascadero Creek from Portola Road to San Gabriel Road, including adjacent Atascadero Creek riparian habitat (Figure 2). Land use in the BSA includes portions of the Atascadero Creek riparian corridor to the northwest and commercial business and a suburban residential home to the southeast. Atascadero Creek flows roughly parallel to SR41 in this area. Work on the project is anticipated to begin in summer 2014 and is anticipated to take three to four months to complete. Althouse and Meade, Inc. biologists conducted a background review and field surveys for the Highway 41 Multipurpose Path

("Project") in January 2014. This Natural Environment Study ("NES") was prepared based on these surveys. All documents were prepared based on templates and guidelines provided by the California Department of Transportation ("Caltrans").

3.0 Study Methods

Prior to site visits, we reviewed information from available sources to determine biological and other resources that occur or could potentially occur in or near the Project site. The California Natural Diversity Database (CNDDB) and the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants were searched for occurrences of special status species in the six USGS 7.5-minute quadrangles within 5 miles surrounding Project site: Atascadero, Creston, Morro Bay North, Santa Margarita, Templeton, and York Mountain. An Official Species List was obtained from the Ventura office of the United States Fish and Wildlife Service (USFWS). During site visits conducted on January 8 and 9, 2014, the site was photographed and plant and animal species observed at the site were identified. Plant specimens were identified in the field or collected and returned to the lab for identification. The potential for special status species in the Project area was assessed based on the type and quality of habitat present and the proximity of the site to known occurrences of special status species. Botanical resources were investigated in January 2014. Focused botanical surveys were not required due to the highly disturbed, ruderal anthropic nature of the API.

4.0 Environmental Setting

The Project site is located on highly disturbed ground immediately northwest of SR 41. A restaurant and paved lot are located immediately north of the Project site. An unimproved dirt trail parallels SR41 through the ruderal upland area, and existing foot bridges pass over small ephemeral and highway drainages in the BSA. The ground is relatively level throughout the Project site and largely outside any tree canopies, though small stands of coast live oak (*Quercus agrifolia*) are located near the center of the Project site. Atascadero Creek is located to the northwest of the Project site and features a well-developed riparian corridor.

4.1 Description of the Existing Biological and Physical Conditions

Vegetation along the propose path consists primarily of non-native upland species such as wild oat (*Avena fatua*), rip-gut brome (*Bromus diandrus*), and mustard (*Brassica ssp*.). This upland ruderal vegetation is adjacent to the Atascadero Creek riparian corridor that includes trees such as California sycamore (*Platanus racemosa*), black cottonwood (*Populus trichocarpa*), and red willow (*Salix laevigata*). Riparian understory vegetation includes poison oak (*Toxicodendron diversilobum*), coffee berry (*Rhamnus californica*), and blue elderberry (*Sambucus cerulea*). A portion of the proposed Project alignment passes through a small stand of coast live oak

(*Quercus agrifolia*). The riparian area along Atascadero Creek provides habitat for raccoon (*Procyon lotor*), gray squirrel (*Sciurus griseus*), blacktail deer (*Odocoileus hemionus columbianus*), and other mammals, as well as nesting habitat for avian species.

4.2 Regional Species and Habitats of Concern

The CNDDB and CNPS records list 35 plant species, 28 animal species, and one plant community known from the vicinity of the Project site. The USFWS Ventura Field Office Official Species List contains 3 plant species and 6 animal species. A fourth plant species was added to the list for consideration based on CNDDB reports from the region.

Table 1 (next page) lists federally listed species that may be present at or near the Project site. Absent [A] means no further work needed. Present [P] means general habitat is present and species may be present, but does not necessarily mean the species is present. Critical Habitat [CH] means that the project footprint is located within a designated critical habitat unit, but does not necessarily mean that appropriate habitat is present.

The majority of the BSA is already heavily altered and used by joggers and others for recreation. Suitable habitat for listed species other than purple martin is not present within the BSA due to heavily disturbed conditions and lack of suitable vegetation and substrates.

Appendix 1 provides a complete list of special status species that occur within the six USGS 7.5-minute quadrangles surrounding the Project site. The CNDDB list and USFWS Official Species List are included in the Appendix.

TABLE 1. SPECIAL STATUS SPECIES THAT COULD OCCUR AT THE PROJECT SITE BASED ON THE USFWS OFFICIAL SPECIES LIST.

Common name	Scientific name	Special status	General Habitat type	Habitat Present/ Absent
Plants				
Chorro Creek bog thistle	*Cirsium fontinale var. obispoense*	E[1]	Serpentine soil outcrops	A
Marsh Sandwort	*Arenaria paludicola*	E	Freshwater marshes	A
Salt-Marsh Bird's Beak	*Cordylanthus maritimus ssp. maritimus*	E	Salt marsh	A
Spreading Navarretia	*Navarretia fossalis*	T	Vernal pools/wet areas	A
Wildlife				
Steelhead - South/Central ESU	*Oncorhynchus mykiss*	FT[2]	Coastal streams	CH
California Red-Legged Frog	*Rana draytonii*	FT	In or near sources of deep water with dense, shrubby or emergent riparian vegetation.	A
Vernal Pool Fairy Shrimp	*Branchinecta lynchi*	FT	Vernal pools/wet areas	A
California Condor	*Gymnogyps californianus*	E	Wide-ranging over Coast Ranges from Ventura to Big Sur.	A
Least Bell's Vireo	*Vireo bellii pusillus*	E	Riparian habitat, near water or dry streambed. Nests in willows, mesquite, Baccharis.	P
Southwestern willow flycatcher	*Empidonax traillii extimus*	FT	Riparian woodlands in Southern California.	P
Purple Martin	*Progne subis*	SSC[3]	In San Luis Obispo County, prefers nesting in Sycamore trees along riparian corridors.	P

4.3 Vegetation

The BSA consists primarily upland habitat ruderal species along the Project alignment as well as the Atascadero Creek riparian corridor to the west. Searches of the CNDDB, USFWS Official Species List, and CNPS Rare Plant Inventory showed four federally-listed plant species that should be evaluated for potential to occur at the project site. These are Chorro Creek bog-thistle

[1] E = Federally listed Endangered
[2] FT = Federally listed Threatened
[3] SSC = California Species of Special Concern

(*Cirsium fontinale var. obispoense*), Marsh sandwort (*Arenaria paludicola*), Salt Marsh bird's-beak (*Cordylanthus maritimus ssp. maritimus*), spreading Navarretia (*Navarretia fossalis*).

4.3.1 Chorro Creek bog-thistle

Chorro Creek bog thistle only occurs naturally in San Luis Obispo County and is restricted to open seep areas in serpentine soil outcrops. This very specific habitat is not found at the Project site, thus this species will not be affected by the Project.

4.3.2 Marsh sandwort

Marsh sandwort is listed as endangered under the Federal Endangered Species Act (FESA) and the California Endangered Species Act (CESA), and is on CRPR 1B.1. Marsh sandwort occurs in freshwater marshes with cattails and rushes, and suitable habitat does not exist on or near the Project site. This species will not be affected by the Project.

4.3.3 Salt Marsh bird's-beak

Salt Marsh bird's-beak is a federal and state listed endangered species that occurs in scattered salt marsh localities between San Luis Obispo County and San Diego County. Salt marsh habitat is not present at the Project site and this species will not be affected by the Project.

4.3.4 Spreading Navarretia

Spreading Navarretia is native to southern and Baja California and is found in habitats such as vernal pools, ditches, and other areas that are wet or flooded during the rainy season and dry the rest of the year. The closest known location is approximately 10 miles northeast of the Project site near Creston. Vernal pools and similar habitat are not present at the Project site and this species will not be affected by the Project.

4.4 Animals

The CNDDB, USFWS Official Species List, and CNPS website showed six federally-listed wildlife species that should be evaluated for potential to occur at the project site. These include vernal pool fairy shrimp (*Branchinecta lynchi*), southwestern willow flycatcher (*Empidonax traillii extimus*), California condor (*Gymnogyps californianus*), South-Central Coast steelhead trout (*Oncorhynchus mykiss*), California red-legged frog (*Rana draytonii*), and least Bell's vireo (*Vireo bellii pusillus*).

4.4.1 Southern steelhead trout

The South-Central California Coast steelhead Distinct Population Segment (DPS) extends from the Pajaro River and its watershed at the north, south to but excluding the Santa Maria River. In this DPS, steelhead is a federally threatened species and Atascadero Creek is designated as critical habitat for South-Central Coast steelhead trout. However, the Project site is situated

away from Atascadero Creek and its associated riparian habitat. No work will occur in Atascadero Creek and the Project will not affect water quality. Therefore, the project will not affect steelhead trout.

4.4.2 California red-legged frog

California red-legged frogs are federally listed as threatened. This species is found in or near sources of deep water with overhanging or emergent riparian vegetation. California red-legged frogs and suitable habitat for this species were not detected during field surveys. This section of Atascadero Creek does not feature perennial water and the API and adjacent riparian corridor do not provide suitable habitat for California red-legged frogs. Therefore, this species will not be affected by the project.

4.4.3 Vernal pool fairy shrimp

Vernal pool fairy shrimp is a federally listed threatened species that occurs in vernal pools and other ephemeral pools where water accumulates for more than three weeks during the rainy season. The closest reported occurrence is from 9.75 miles northeast of the project site, on the south edge of Highway 41 (CNDDB #382). Depressions and vernal pools are not found on the project site, and vernal pool fairy shrimp will not be affected by the project.

4.4.4 California condor

California condors are federally and State-listed as endangered and require vast expanses of open savannah, grasslands, and foothill chaparral in mountain ranges of moderate altitude. Deep canyons containing clefts in rocky walls provide nesting sites. The California condor may forage up to 100 miles from its roosting site. There are no adequate roosting sites in the vicinity of the project site. Vast open areas for foraging are not present in the project vicinity. The Project area does not offer suitable habitat for California condor, and this species will not be affected by the Project.

4.4.5 Purple martin

Purple martin (*Progne subis*) is a California Special Concern species with a limited range and low abundance in California. Purple martins prefer to nest colonially in abandoned woodpecker and natural cavities in trees, especially California sycamore, and typically return to the same site year after year. There are two nesting localities documented in San Luis Obispo County in the CNDDB. Occurrence #26 is located at the south end of the project site. Occurrence #15 is from approximately 6.5 miles south of the property, on the Santa Margarita Ranch. Purple martins are likely to nest in the sycamore grove at the south end of the project site.

4.4.6 Southwestern willow flycatcher

Southwestern willow flycatcher is a federally threatened species that nests in dense riparian woodlands of Southern California, dominated by dense growths of willows (*Salix* sp.), seepwillow (*Baccharis* sp.), or other shrubs or trees. Southwestern willow flycatchers are not known to occur near the project site, as the closest reported observances are over 50 miles south in central Santa Barbara County. Southwestern willow flycatchers will not be affected by the Project.

4.4.7 Least Bell's vireo

Least Bell's vireo is listed as endangered under both the California and Federal Endangered Species Acts. This vireo nests in low riparian vegetation from Central to Southern California, preferring to place its nest on low branches of willows (*Salix* spp.), mule fat (*Baccharis salicifolia*), and mesquite bushes (*Prosopis* spp.) that extend into pathways. The Project will not remove riparian vegetation, and riparian vegetation adjacent to the Project site is less dense than typically preferred by least Bell's vireo. Nesting least Bell's vireos were found in the Salinas River north of the City of Paso Robles in 2005 (CNDDB #323). This occurrence is approximately 13 miles north of the Project site and is the only occurrence listed in the CNDDB. Least Bell's vireo will not be affected by the Project.

4.4.8 Nesting birds

Many species of nesting birds utilize riparian corridors for nesting and rearing young. In addition to purple martins, red-tailed hawks (*Buteo jamaicensis*) as well as many other raptors and songbirds are known to nest in the Atascadero Creek riparian corridor. Nesting birds are protected by both

5.0 Applicable Federal Laws, Acts, and Orders

5.1 Federal Endangered Species Act

The Federal Endangered Species Act (FESA) prohibits take of endangered or threatened species. "Take" under FESA includes harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting wildlife species or any attempt to engage in those activities. Substantially modifying or degrading habitat of listed species is also considered to be a form of "take." While the Project is adjacent to critical habitat for federally-listed steelhead trout, the project limits are outside steelhead habitat and steelhead will not be affected.

Caltrans, as part of its NEPA assignment of federal responsibilities by the FHWA, effective October 1, 2012 and pursuant to 23 USC 326, will act as the lead federal agency for Section 7 of the Federal Endangered Species Act.

5.2 Migratory Bird Treaty Act

Nesting birds are protected from disturbance by The Migratory Bird Treaty Act of 1918, as regulated by the United States Fish and Wildlife Service. Where feasible, vegetation removal and construction near natural vegetation would be conducted outside the general February 15 to August 1 bird nesting season. Trees with suitable raptor habitat would not be removed. If construction occurs during the nesting season, the Project would implement pre-construction nesting surveys, and active bird nests would be avoided and protected with buffers as described in Section 6.

5.3 Fish and Game Code, Section 3503

The California Fish and Game Code, Section 3503, states "It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto." This includes species that are not specifically protected by the Migratory Bird Treaty Act. If construction occurs during the nesting season, the Project would implement pre-construction nesting surveys, and active bird nests would be avoided and protected with buffers as described in Section 6.

5.4 Executive Order 11990 – Protection of Wetlands

Wetland habitat does not exist in the Project API. The proposed project would not impact wetlands or waters under the jurisdiction of the federal government.

5.5 Executive Order 11988 – Floodplain Management

The Project site is partially within the 100-year floodplain. This segment is approximately 200 feet long and primarily consists of the path's southbound shoulder. However, the project would not substantially alter floodplain elevation or function, as proposed improvements would be installed consistent with existing grades. The Project includes the following floodplain protection measures including avoiding changes to floodplain elevation or function, avoiding locations of ordinary high water flows, removing weeds, and minimizing tree removal.

5.6 Clean Water Act

The proposed project would not impact wetlands or waters under the jurisdiction of the federal government. These resources have been avoided in design of the proposed project. Implementation of standard erosion and sediment control best management practices will minimize indirect impacts due to stormwater runoff.

5.7 Executive Order 13112 – Invasive Species

Yellow starthistle (*Centaurea solstitialis*) is present in the Project site. Measures are provided in Section 6 to control the growth and spread of this species. Seed mixes used for erosion and

sediment control will contain native and naturalized species suitable for upland areas and will not include noxious or invasive species.

5.8 Laws, Orders, and Acts that do not apply

The following laws, acts, and orders do not apply to this project because the resources they govern are not in the Project area and are not affected by the proposed Project: Rivers and Harbors Act, National Wild and Scenic Rivers Act, Essential Fish Habitat, and Marine Mammal Protection Act.

6.0 Avoidance and Minimization Measures

6.1 Protection of adjacent habitats

Riparian habitat is present along Atascadero Creek. The proposed Project would be extremely unlikely to affect riparian habitat provided the following measures are implemented.

BR-1. Retain existing riparian edge of canopy to the extent possible. Clearly delineate the edges of work limits where they occur adjacent to riparian habitat prior to start of work. Work will not be permitted within the riparian area.

BR-2. Staging and storage areas will be located away from the creek, on the highway side of the Project site where possible, and outside any tree canopies.

6.2 Nesting birds

Appropriate habitat for nesting birds is present south of the BSA, although nesting habitat is limited within the BSA. The proposed project would be extremely unlikely to affect nesting birds provided the following measures are implemented.

BR-3. If construction occurs during the normal bird nesting season of February 15 to August 1, surveys will be conducted for nesting birds within 300 feet of the Project before the onset of construction. When active, purple martin nesting site(s) will be identified and a minimum 300-foot buffer shall be established around the site(s) to avoid impacts to this species. If present, active raptor nests shall be also avoided by a 300-foot buffer to avoid project-related nest abandonment. All other active nests shall be avoided by a 250-foot buffer to avoid project-related nest abandonment. Construction activities may resume in buffered areas when it is determined that the nests are no longer active. Upon concurrence with applicable regulatory agencies, nest buffers may be reduced if a qualified ornithologist determines that a species (e.g., house finch) may not be adversely affected by construction activities.

BR-4. A biological monitor will be on site as needed to monitor construction. The biological monitor shall have authority to stop project activities if necessary to protect nesting birds and other wildlife.

6.3 Tree removal

Approximately two oak trees would be removed to accommodate the proposed Path alignment. The proposed project would be extremely unlikely to affect oak trees provided the following measures are implemented.

BR-5. Trimming and pruning of oak trees shall be kept to the minimum amount necessary to meet Project goals.

BR-6. Oak trees removed as part of the project shall be replaced in-kind at a minimum ratio of 3:1 for trees less than 24 inches diameter at breast height (dbh) and 10:1 for trees 24 inches or greater dbh, or in accordance with the City of Atascadero tree ordinance, whichever is stricter. All trees shall be maintained and monitored as required by the City of Atascadero tree ordinance.

6.4 Invasive species

Implementation of the following measures would reduce invasive species presence in the vicinity of the proposed project:

BR-7. Treat existing known patches of yellow starthistle within the Project site with a water-safe herbicide approved for use in aquatic habitats.

BR-8. To avoid the export of invasive plant species during construction, soil or plant material within the vicinity of yellow starthistle shall not be transported offsite. If such soil or plant material must be exported offsite, it shall be disposed of at a certified landfill.

BR-9. Do not plant species known to invade wildlands as part of proposed landscape materials. Only use seeds that contain native and/or naturalized species appropriate for the Project site.

6.5 Water Quality

The proposed project would be extremely unlikely to affect water quality provided the following measures are implemented.

BR-10. Sediment containment devices such as biodegradable fiber rolls will be installed between the Project boundary and Atascadero Creek in locations where sediment could leave the site and enter the creek.

BR-11. Upon completion of the project, all construction material and all nonpermanent nonbiodegradable erosion control materials will be removed from the site and disturbed soil will be stabilized using native and/or naturalized seed species.

7.0 Project Impacts

The Project area consists of the highly disturbed, ruderal upland open space bordered by SR41 to the west and the Atascadero Creek riparian corridor to the east, between Portola Road and San Gabriel Road. This Project has been determined not likely to affect sensitive species or critical habitat adjacent to the Project site. The Project will not affect Atascadero Creek or the riparian area, aquatic species that may occur within Atascadero Creek, or critical habitat for southern steelhead. Approximately two oak trees are expected to be removed but will be replaced at appropriate ratios. No rare or sensitive plant species are present or will be affected. Best management practices will be implemented to prevent erosion and sediment loss and to protect water quality. Noise will be restricted to daytime equipment operations such as grading and paving.

8.0 Permits Required

The Project site was evaluated to determine if any portion of the project site could be subject to regulatory jurisdiction of the California Department of Fish and Wildlife (CDFW) under Sections 1600 – 1616 of the Fish and Game Code; United States Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act; or California Regional Water Quality Control Board (RWQCB) under Section 401 of the Clean Water Act.

8.1 Fish and Game Code, Section 1600 - 1616

Fish and Game Code, Section 1602, provides that an entity may not "...substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake ..." unless that entity provides written notification to the CDFW. The term "stream" is not defined in the Fish and Game Code; however, the California Fish and Game Commission (Commission) defines "stream" (which includes lakes and rivers) as "... a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having a surface or subsurface flow that supports or has supported riparian vegetation."

Atascadero Creek meets the Commission's definition of a stream. While the Project would be constructed to avoid impacting Atascadero Creek, vegetation along the edge of the associated

riparian corridor may need to be trimmed. A Lake or Streambed Alteration Agreement (LSAA) may be required for this Project.

8.2 USACE Section 404 Permit

The USACE has jurisdiction over waters of the United States within the "Ordinary High Water Mark" (OHWM). For Clean Water Act jurisdiction, the USACE defines OHWM (33 CFR 328.3[e]) as follows:

> "The term ordinary high water mark means that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas."

The Project would not encroach upon or affect areas within the OHWM of Atascadero Creek, and fill material would not be placed within Atascadero Creek. Therefore, a permit from the USACE is not required for this Project.

8.3 RWQCB Section 401 Permit

The RWQCB has jurisdiction over waters of the State. A Water Quality Certification under Section 401 of the Clean Water Act is required for projects involving discharges of dredged or fill material to waters of the United States including wetlands and other water bodies. Such discharges may result from navigational dredging, flood control channelization, levee construction, channel clearing, fill of wetlands for development, or other activities.

The Project would not result in discharges of dredged or fill material to waters or wetlands of the United States. Therefore, a permit from the RWQCB is not required for this Project.

8.4 Caltrans encroachment permit

A Caltrans encroachment permit must be obtained for any activity related to placement of encroachments within, under, or over State highway rights-of-way. Because the Project would encroach upon Caltrans' right-of-way, an encroachment permit will be required.

9.0 References

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10.0 Appendix

- Project BSA photos
- Figures 1 and 2
- CNDDB List: Species reported from Atascadero, Creston, Morro Bay North, Santa Margarita, Templeton, and York Mountain Quadrangles
- Official Species List: USFWS Ventura Field Office.

1. Upland area between SR 41 to left and riparian area of Atascadero Creek to right. View south. Photo taken 1/09/2014.

2. Upland area between riparian area of Atascadero Creek to left and SR 41 to right. View north. Photo taken 1/09/2014.

3. Upland area between Atascadero Creek and SR 41, near northern end of Project limits. View north. Photo taken 1/09/2014.

4. Upland area between SR 41 and Atascadero Creek. View south. Photo taken 12/16/2013.

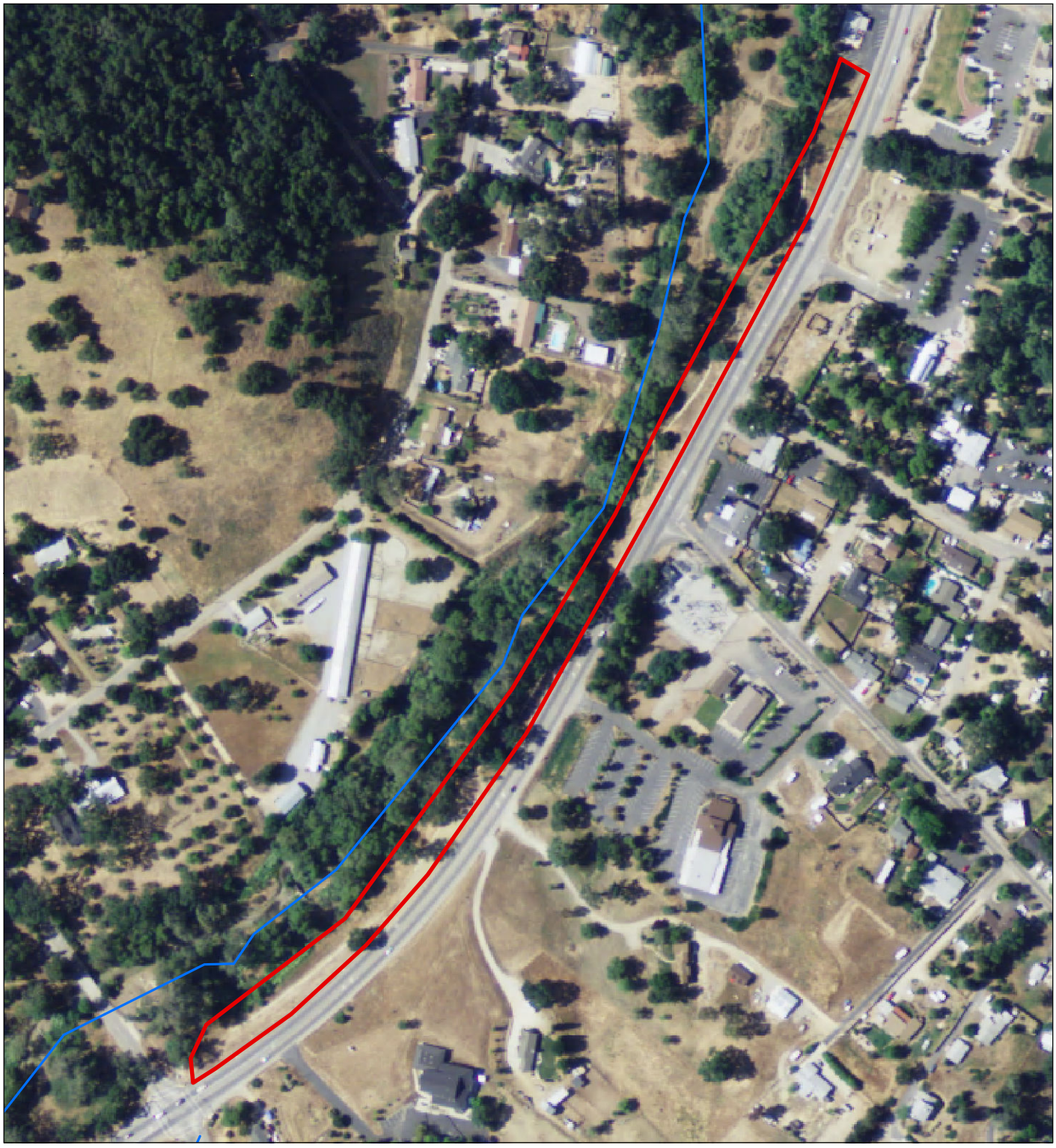
Figure 1. General Location

Hwy 41
Multipurpose Trail

National Geographic Basemap
Map Updated: January 10, 2014, 01:51 PM

Althouse and Meade, Inc.
1602 Spring Street
Paso Robles, CA 93446

Figure 2. Aerial Photograph



Hwy 41
Multipurpose Trail

2012 San Luis Obispo County
NAIP Aerial Imagery
Map Updated: January 13, 2014, 01:49 PM

Althouse and Meade, Inc.
1602 Spring Street
Paso Robles, CA 93446

California Department of Fish and Game
Natural Diversity Database
Highway 41 Multipurpose Trail Project
All species for Atascadero, Creston, Morro Bay North, Santa Margarita, Templeton, and Creston quads.

	Scientific Name/Common Name	Element Code	Federal Status	State Status	GRank	SRank	CDFG or CNPS
1	Ammodramus savannarum grasshopper sparrow	ABPBXA0020			G5	S2	SC
2	Anniella pulchra pulchra silvery legless lizard	ARACC01012			G3G4T3T4Q	S3	SC
3	Antrozous pallidus pallid bat	AMACC10010			G5	S3	SC
4	Aquila chrysaetos golden eagle	ABNKC22010			G5	S3	
5	Arctostaphylos pilosula Santa Margarita manzanita	PDERI04160			G3	S3	1B.2
6	Astragalus didymocarpus var. milesianus Miles' milk-vetch	PDFAB0F2X3			G5T2	S2	1B.2
7	Atriplex joaquinana San Joaquin spearscale	PDCHE041F3			G2	S2	1B.2
8	Branchinecta lynchi vernal pool fairy shrimp	ICBRA03030	Threatened		G3	S2S3	
9	Buteo regalis ferruginous hawk	ABNKC19120			G4	S3S4	
10	California macrophylla round-leaved filaree	PDGER01070			G2	S2	1B.1
11	Calochortus obispoensis San Luis mariposa-lily	PMLIL0D110			G2	S2.1	1B.2
12	Calochortus simulans La Panza mariposa-lily	PMLIL0D170			G2	S2	1B.3
13	Calycadenia villosa dwarf calycadenia	PDAST1P0B0			G2	S2	1B.1
14	Camissoniopsis hardhamiae Hardham's evening-primrose	PDONA030N0			G1Q	S1	1B.2
15	Carex obispoensis San Luis Obispo sedge	PMCYP039J0			G2	S2.2	1B.2
16	Castilleja densiflora var. obispoensis San Luis Obispo owl's-clover	PDSCR0D453			G5T2	S2.2	1B.2
17	Caulanthus lemmonii Lemmon's jewelflower	PDBRA0M0E0			G3	S3	1B.2
18	Charadrius alexandrinus nivosus western snowy plover	ABNNB03031	Threatened		G3T3	S2	SC
19	Chorizanthe breweri Brewer's spineflower	PDPGN04050			G2	S2.2	1B.3
20	Chorizanthe rectispina straight-awned spineflower	PDPGN040N0			G1	S1	1B.3
21	Cicindela hirticollis gravida sandy beach tiger beetle	IICOL02101			G5T2	S1	
22	Cirsium fontinale var. obispoense San Luis Obispo fountain thistle	PDAST2E162	Endangered	Endangered	G2T2	S2	1B.2
23	Cirsium occidentale var. lucianum Cuesta Ridge thistle	PDAST2E1Z6			G3G4T2	S2	1B.2

	Scientific Name/Common Name	Element Code	Federal Status	State Status	GRank	SRank	CDFG or CNPS
24	Coelus globosus globose dune beetle	IICOL4A010			G1	S1	
25	Corynorhinus townsendii Townsend's big-eared bat	AMACC08010		Candidate Threatened	G3G4	S2S3	SC
26	Danaus plexippus monarch butterfly	IILEPP2010			G5	S3	
27	Delphinium parryi ssp. eastwoodiae Eastwood's larkspur	PDRAN0B1B2			G4T2	S2	1B.2
28	Dudleya abramsii ssp. bettinae Betty's dudleya	PDCRA04011			G3T1	S1	1B.2
29	Dudleya blochmaniae ssp. blochmaniae Blochman's dudleya	PDCRA04051			G2T2	S2.1	1B.1
30	Elanus leucurus white-tailed kite	ABNKC06010			G5	S3	
31	Emys marmorata western pond turtle	ARAAD02030			G3G4	S3	SC
32	Eriastrum luteum yellow-flowered eriastrum	PDPLM03080			G2	S2.2	1B.2
33	Erigeron blochmaniae Blochman's leafy daisy	PDAST3M5J0			G2	S2.2	1B.2
34	Eucyclogobius newberryi tidewater goby	AFCQN04010	Endangered		G3	S2S3	SC
35	Fritillaria viridea San Benito fritillary	PMLIL0V0L0			G2	S2	1B.2
36	Helminthoglypta walkeriana Morro shoulderband (=banded dune) snail	IMGASC2510	Endangered		G1	S1	
37	Horkelia cuneata var. puberula mesa horkelia	PDROS0W045			G4T2	S2.1	1B.1
38	Juncus luciensis Santa Lucia dwarf rush	PMJUN013J0			G2G3	S2S3	1B.2
39	Layia heterotricha pale-yellow layia	PDAST5N070			G2	S2	1B.1
40	Layia jonesii Jones' layia	PDAST5N090			G1	S1	1B.2
41	Linderiella occidentalis California linderiella	ICBRA06010			G3	S2S3	
42	Malacothamnus palmeri var. involucratus Carmel Valley bush-mallow	PDMAL0Q0B1			G3T2Q	S2.2	1B.2
43	Malacothamnus palmeri var. palmeri Santa Lucia bush-mallow	PDMAL0Q0B5			G3T2Q	S2.2	1B.2
44	Monardella palmeri Palmer's monardella	PDLAM180H0			G2	S2.2	1B.2
45	Navarretia fossalis spreading navarretia	PDPLM0C080	Threatened		G1	S1	1B.1
46	Navarretia nigelliformis ssp. radians shining navarretia	PDPLM0C0J2			G4T2	S2	1B.2

	Scientific Name/Common Name	Element Code	Federal Status	State Status	GRank	SRank	CDFG or CNPS
47	Northern Interior Cypress Forest	CTT83220CA			G2	S2.2	
48	Oncorhynchus mykiss irideus steelhead - south/central California coast DPS	AFCHA0209H	Threatened		G5T2Q	S2	SC
49	Phrynosoma blainvillii coast horned lizard	ARACF12100			G3G4	S3S4	SC
50	Plagiobothrys uncinatus hooked popcornflower	PDBOR0V170			G2	S2	1B.2
51	Plebejus icarioides moroensis Morro Bay blue butterfly	IILEPG801B			G5T1T3	S1S3	
52	Polyphylla nubila Atascadero June beetle	IICOL68040			G1	S1	
53	Progne subis purple martin	ABPAU01010			G5	S3	SC
54	Pyrgulopsis taylori San Luis Obispo pyrg	IMGASJ0A50			G1	S1	
55	Rana boylii foothill yellow-legged frog	AAABH01050			G3	S2S3	SC
56	Rana draytonii California red-legged frog	AAABH01022	Threatened		G2G3	S2S3	SC
57	Sidalcea hickmanii ssp. anomala Cuesta Pass checkerbloom	PDMAL110A1		Rare	G3T1	S1	1B.2
58	Spea hammondii western spadefoot	AAABF02020			G3	S3	SC
59	Streptanthus albidus ssp. peramoenus most beautiful jewelflower	PDBRA2G012			G2T2	S2.2	1B.2
60	Suaeda californica California seablite	PDCHE0P020	Endangered		G1	S1	1B.1
61	Taricha torosa Coast Range newt	AAAAF02032			G4	S4	SC
62	Taxidea taxus American badger	AMAJF04010			G5	S4	SC
63	Trimerotropis occulens Lompoc grasshopper	IIORT36310			GH	SH	
64	Vulpes macrotis mutica San Joaquin kit fox	AMAJA03041	Endangered	Threatened	G4T2T3	S2S3	

United States Department of the Interior

FISH AND WILDLIFE SERVICE
VENTURA FISH AND WILDLIFE OFFICE
2493 PORTOLA ROAD, SUITE B
VENTURA, CA 93003
PHONE: (805)644-1766 FAX: (805)644-3958

Consultation Tracking Number: 08EVEN00-2014-SLI-0099 January 10, 2014
Project Name: Atascadero Multipurpose Trail

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project.

To Whom It May Concern:

The enclosed list identifies species listed as threatened and endangered, species proposed for listing as threatened or endangered, designated and proposed critical habitat, and species that are candidates for listing that may occur within the boundary of the area you have indicated using the U.S. Fish and Wildlife Service's (Service) Information Planning and Conservation System (IPaC). The species list fulfills the requirements under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.). Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the species list should be verified after 90 days. We recommend that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists following the same process you used to receive the enclosed list. Please include the Consultation Tracking Number in the header of this letter with any correspondence about the species list.

Due to staff shortages and excessive workload, we are unable to provide an official list more specific to your area. Numerous other sources of information are available for you to narrow the list to the habitats and conditions of the site in which you are interested. For example, we recommend conducting a biological site assessment or surveys for plants and animals that could help refine the list.

If a Federal agency is involved in the project, that agency has the responsibility to review its proposed activities and determine whether any listed species may be affected. If the project is a major construction project*, the Federal agency has the responsibility to prepare a biological assessment to make a determination of the effects of the action on the listed species or critical habitat. If the Federal agency determines that a listed species or critical habitat is likely to be adversely affected, it should request, in writing through our office, formal consultation pursuant to section 7 of the Act. Informal consultation may be used to exchange information and resolve conflicts with respect to threatened or endangered species or their critical habitat prior to a

written request for formal consultation. During this review process, the Federal agency may engage in planning efforts but may not make any irreversible commitment of resources. Such a commitment could constitute a violation of section 7(d) of the Act.

Federal agencies are required to confer with the Service, pursuant to section 7(a)(4) of the Act, when an agency action is likely to jeopardize the continued existence of any proposed species or result in the destruction or adverse modification of proposed critical habitat (50 CFR 402.10(a)). A request for formal conference must be in writing and should include the same information that would be provided for a request for formal consultation. Conferences can also include discussions between the Service and the Federal agency to identify and resolve potential conflicts between an action and proposed species or proposed critical habitat early in the decision-making process. The Service recommends ways to minimize or avoid adverse effects of the action. These recommendations are advisory because the jeopardy prohibition of section 7(a)(2) of the Act does not apply until the species is listed or the proposed critical habitat is designated. The conference process fulfills the need to inform Federal agencies of possible steps that an agency might take at an early stage to adjust its actions to avoid jeopardizing a proposed species.

When a proposed species or proposed critical habitat may be affected by an action, the lead Federal agency may elect to enter into formal conference with the Service even if the action is not likely to jeopardize or result in the destruction or adverse modification of proposed critical habitat. If the proposed species is listed or the proposed critical habitat is designated after completion of the conference, the Federal agency may ask the Service, in writing, to confirm the conference as a formal consultation. If the Service reviews the proposed action and finds that no significant changes in the action as planned or in the information used during the conference have occurred, the Service will confirm the conference as a formal consultation on the project and no further section 7 consultation will be necessary. Use of the formal conference process in this manner can prevent delays in the event the proposed species is listed or the proposed critical habitat is designated during project development or implementation.

Candidate species are those species presently under review by the Service for consideration for Federal listing. Candidate species should be considered in the planning process because they may become listed or proposed for listing prior to project completion. Preparation of a biological assessment, as described in section 7(c) of the Act, is not required for candidate species. If early evaluation of your project indicates that it is likely to affect a candidate species, you may wish to request technical assistance from this office.

Only listed species receive protection under the Act. However, sensitive species should be considered in the planning process in the event they become listed or proposed for listing prior to project completion. We recommend that you review information in the California Department of Fish and Wildlife's Natural Diversity Data Base. You can contact the California Department of Fish and Wildlife at (916) 324-3812 for information on other sensitive species that may occur in this area.

[*A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.]

Attachment

United States Department of Interior
Fish and Wildlife Service

Project name: Atascadero Multipurpose Trail

Official Species List

Provided by:

VENTURA FISH AND WILDLIFE OFFICE
2493 PORTOLA ROAD, SUITE B
VENTURA, CA 93003
(805) 644-1766

Non-participating U.S. Fish and Wildlife Service office(s):

The following office(s) have jurisdictions that overlap your project area, but do not provide automatically generated Species list documents. Please contact them directly to request a Species list document. Do this by visiting their website, if it is provided below. If a website is not provided, contact the office(s) by mail or phone.

SACRAMENTO FISH AND WILDLIFE OFFICE
FEDERAL BUILDING
2800 COTTAGE WAY, ROOM W-2605
SACRAMENTO, CA 95825
(916) 414-6600

Consultation Tracking Number: 08EVEN00-2014-SLI-0099
Project Type: Recreation Construction / Maintenance
Project Description: Multiuse path along west side of State Route 41 between Portola Road and San Gabriel Road. Concrete path would be 10 feet wide with 2-foot shoulders on each side, approximately 2,710 ft (0.52 mi). Path would be between SR 41 and Atascadero Creek, would not encroach into the creek.

Project Location Map:

Project Location Measurements: Area : 9.0 ac., Length : 1.1 mi.

Project Coordinates: MULTIPOLYGON (((-120.6699715 35.4689018, -120.6701319 35.4684567, -120.6706904 35.467443, -120.6728367 35.4644371, -120.6737266 35.4635458, -120.6742845 35.4631613, -120.6749819 35.4628205, -120.6751428 35.4630564, -120.6745528 35.463406, -120.6744884 35.4636332, -120.6738983 35.463974, -120.672761 35.4650488, -120.6725786 35.4652585, -120.6724714 35.4654595, -120.6720312 35.4659309, -120.6718595 35.4661931, -120.6715162 35.4669882, -120.6706792 35.4692327, -120.6699496 35.4689531, -120.6699715 35.4689018)))

Project Counties: San Luis Obispo, CA

Endangered Species Act Species List

There are a total of 9 threatened, endangered, or candidate species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed on the **Has Critical Habitat** lines may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

California condor *(Gymnogyps californianus)*

Population: Entire, except where listed as an experimental population below

Listing Status: Endangered

Has Critical Habitat: Final designated

California red-legged frog *(Rana draytonii)*

Population: Entire

Listing Status: Threatened

Has Critical Habitat: Final designated

Chorro Creek Bog thistle *(Cirsium fontinale var. obispoense)*

Listing Status: Endangered

Least Bell's vireo *(Vireo bellii pusillus)*

Population: Entire

Listing Status: Endangered

Has Critical Habitat: Final designated

Marsh Sandwort *(Arenaria paludicola)*

Listing Status: Endangered

Salt Marsh bird's-beak *(Cordylanthus maritimus ssp. maritimus)*

Listing Status: Endangered

Southwestern Willow flycatcher *(Empidonax traillii extimus)*

Population: Entire

Listing Status: Endangered

Has Critical Habitat: Final designated

Spreading navarretia *(Navarretia fossalis)*

Listing Status: Threatened

Has Critical Habitat: Final designated, Proposed

Vernal Pool fairy shrimp *(Branchinecta lynchi)*

Population: Entire

Listing Status: Threatened

Has Critical Habitat: Final designated

Critical habitats that lie within your project area

There are no critical habitats within your project area.

Attachment 10
Archeological Assessment
See Next Page

CALIFORNIA DEPARTMENT OF TRANSPORTATION

HISTORIC PROPERTY SURVEY REPORT
FOR THE HIGHWAY 41 BICYCLE AND WALKWAY MULTI-PURPOSE PATH IMPROVEMENT PROJECT, ATASCADERO, SAN LUIS OBISPO COUNTY, CALIFORNIA

USGS 7.5' Quadrangle, Atascadero, CA

District: 5
County: San Luis Obispo
Local Agency: City of Atascadero
Project Number: 05-SLO-41
Federal Aid Project Number: RPSTPLE-5243 (028)

Prepared for:

Althouse and Meade, Inc.
1602 Spring Street
Paso Robles, CA 93446

and

The City of Atascadero

Prepared by:

Allison Lober, Staff Archaeologist
and
Todd Hannahs, Senior Staff Archaeologist
Cultural Resource Management Services
829 Paso Robles Street
Paso Robles, CA 93446

February, 2014

CRMS
CULTURAL RESOURCE MANAGEMENT SERVICES

CRMS Project No.: 48-833

State of California Transportation Agency Department of Transportation

HISTORIC PROPERTY SURVEY REPORT

1. UNDERTAKING DESCRIPTION AND LOCATION

District	County	Route	Post Miles	Unit	E-FIS Project Number	Phase

District	*County*	*Federal Project. Number. (Prefix, Agency Code, Project No.)*	*Location*
5	SLO	FHWA RPSTPLE-5243 (028)	SR 41 Atascadero, CA

For Local Assistance projects off the highway system, use headers in italics

Project Description:

The City of Atascadero (City) with funding from the Federal Highway Administration (FHWA), proposes to improve the existing bicycle and walkway located along the northwest side of SR41 between San Gabriel Road and Portola Road. The area identified on the Area of Potential Effect (APE) map (Attachment D) identifies the area adjacent to SR41 and Atascadero Creek in the City where the improvements will be located (Attachment A, B, and C).

Within the APE, the project proposes a multi-purpose pathway which will be Americans With Disabilities (ADA) compliant. It will be a concrete paved pathway ten feed wide with two foot sloped shoulders on each side, and extending for 2,710 feet within the area described above.

2. AREA OF POTENTIAL EFFECTS

The Area of Potential Effects (APE) for the project was established in consultation with Krista Kiaha, Principal Investigator-Prehistoric Archaeology, and Tammy Mar, Project Manager/Local Assistance Engineer, on January 21, 2014. The APE maps are located in Attachment D of this Historic Property Survey Report.

The APE was established by utilizing the overall path presently traversed by the existing multipurpose path on the northwest right of way of SF41 between San Gabriel Road and Portola Road to the southwest and northeast and the banks of Atascadero Creek to the northwest.

3. CONSULTING PARTIES / PUBLIC PARTICIPATION

(For the following, check the appropriate line, list names, dates, and locations and results of contacts, as appropriate. List organizations/persons contacted and attach correspondence and summarize verbal comments received as appropriate. ***Delete this instruction line and statements below that are not applicable.****)*

X Local Government

- City of Atascadero, Department of Public Works

X Native American Tribes, Groups and Individuals

- On January 10, 2014, twenty six Native Americans and/or groups were contacted. Responses were received from three of the Native Americans contacted. One only wanted to verify that the Native Americans and groups in San Luis Obispo County had been contacted. Since they had, he said he would have no comments since the project was outside his area. One verified that the APE was not in conflict with any Sacred or

religious sites, and that the project should not adversely impact any cultural resources. One indicated that a Native American should accompany the survey team on the survey.

X Native American Heritage Commission

- Mr. Dave Singleton, Program Analyst, was contacted on January 7, 2014. The details of response are within the Archaeological Survey Report (ASR). The ASR is identified as Exhibit A, and is part of this report. He did indicate, however, that there were no Sacred or religious sites within the APE.

X Other

- Records and Literature Search conducted at the Central Coast Information Center at the University of California, Santa Barbara. CCIC responded with their report on January 8, 2014

4. SUMMARY OF IDENTIFICATION EFFORTS

X National Register of Historic Places
X California Register of Historical Resources
X California Inventory of Historic Resources
X California Historical Landmarks
X California Points of Historical Interest
X California Historical Resources Information System (CHRIS)
X Caltrans Historic Highway Bridge Inventory

X Native American Heritage Commission

X **Results:** *(Provide a brief summary and research results, as well as inventory findings.)*

- The records and literature search conducted at the Central Coast Information Center, showed no cultural resources on the reviewed historic databases and no cultural resources within the APE, however, four previous archaeological studies had been completed previously within a 500 foot radius of the APE. One of the studies covered all the area identified in this APE. The search revealed on recorded archaeological site, CA-SLO-517. SLO-517 is identified as a Bedrock Mortar and is located 200-300 feet outside the APE, and will not be impacted by this project.
- The Sacred Lands Search conducted at the Native American Heritage Commission (NAHC) showed that there were no Sacred or religious Native American resources within the APE or anywhere in the vicinity. The NAHC responded on January 10, 2014.

5. PROPERTIES IDENTIFIED

X **No cultural resources** are present within the APE.

6. HPSR to District File

X Caltrans, in accordance with Section 106 Programmatic Agreement Stipulation VIII, has determined that there are no cultural resources present in the APE and/or there are properties within the APE that **are exempt from evaluation;** see Section 5.

7. HPSR to SHPO

X Not applicable.

8. HPSR to CSO

X Not applicable.

9. Findings for State-Owned Properties

X Not applicable; project does not involve Caltrans right-of-way or Caltrans-owned property.

10. CEQA Considerations

X Not applicable; Caltrans is not the lead agency under CEQA.

11. List of Attached Documentation

X Project Vicinity, Location, and APE Maps (Attachment A, B, C and D)

X Archaeological Survey Report (ASR)

X Other

- The ASR was written by Staff Archaeologist, Allison Lober, and was reviewed for technical issues, format and general observations regarding a complete presentation by Todd S. Hannahs MS, RPA, Senior Staff Archaeologist. The ASR was completed and reviewed on February 6, 2014.

12. HPSR Preparation and Caltrans Approval

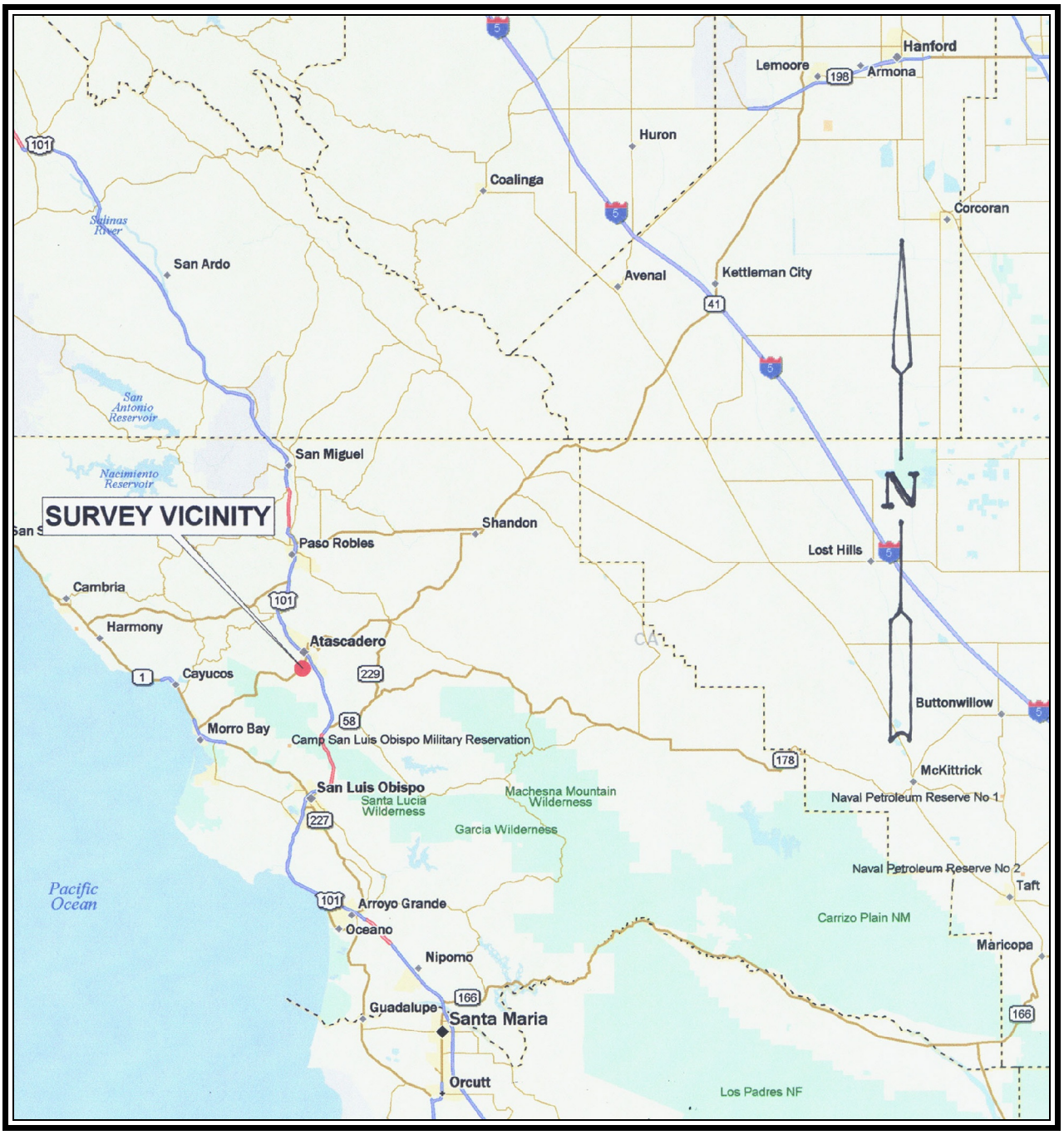
Prepared by:	Todd Hannahs	February 14, 2014
Consultant / discipline:	Todd S. Hannahs, MS, RPA	Date
Affiliation	Cultural Resource Management Services 829 Paso Robles St. Paso Robles, CA 93446	
Reviewed for approval by: *(sign on line)*		
District 5 Caltrans	Principal Investigator-Prehistoric Archaeology	Date
Approved by: *(sign on line)*		
District 5 ESB:	Environmental Stewardship Branch	Date

ATTACHMENT A
Regional Vicinity Map

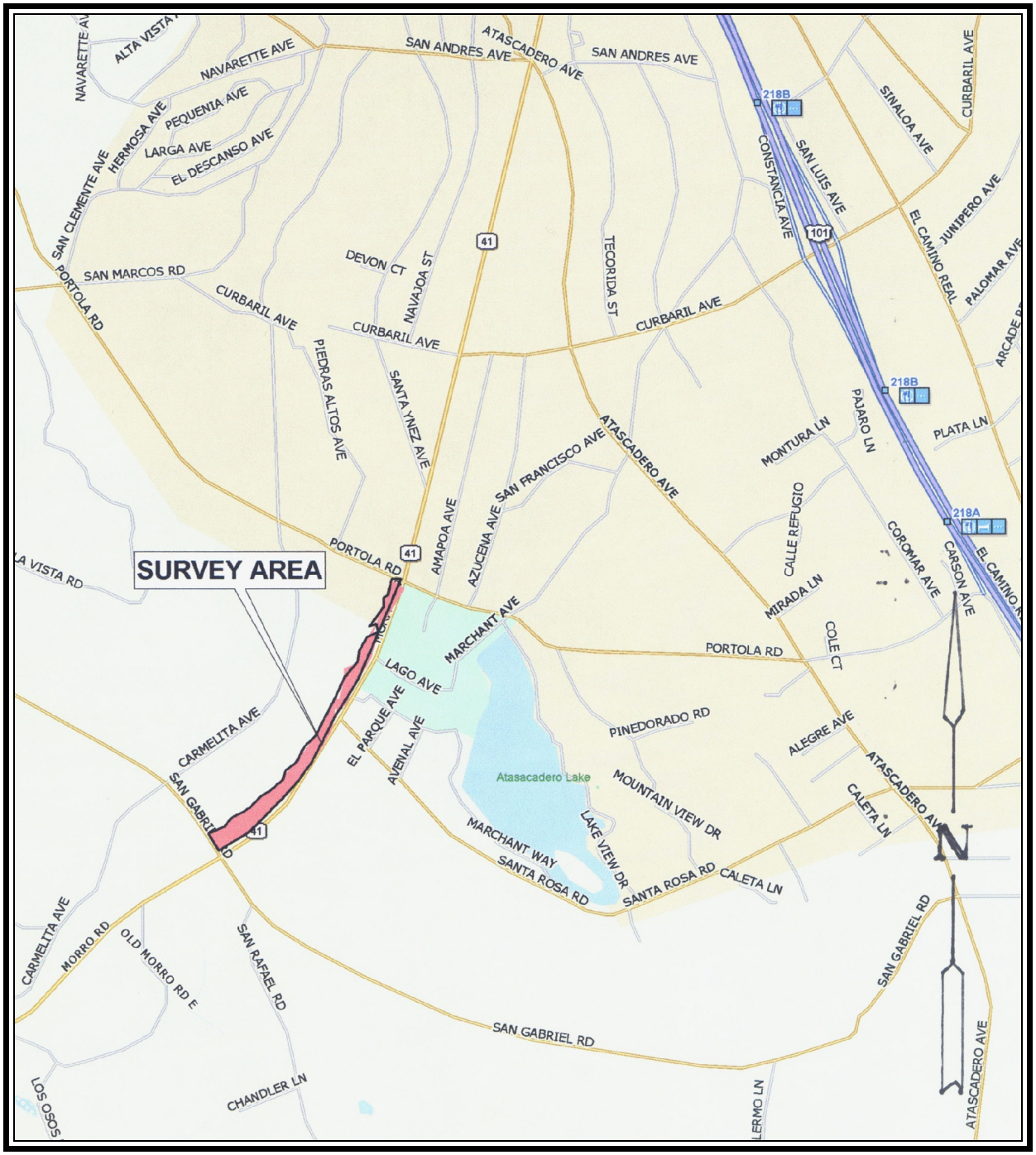
ATTACHMENT B
Local Vicinity Map

ATTACHMENT C
USGS 7.5' Quadrangle, Atascadero, CA

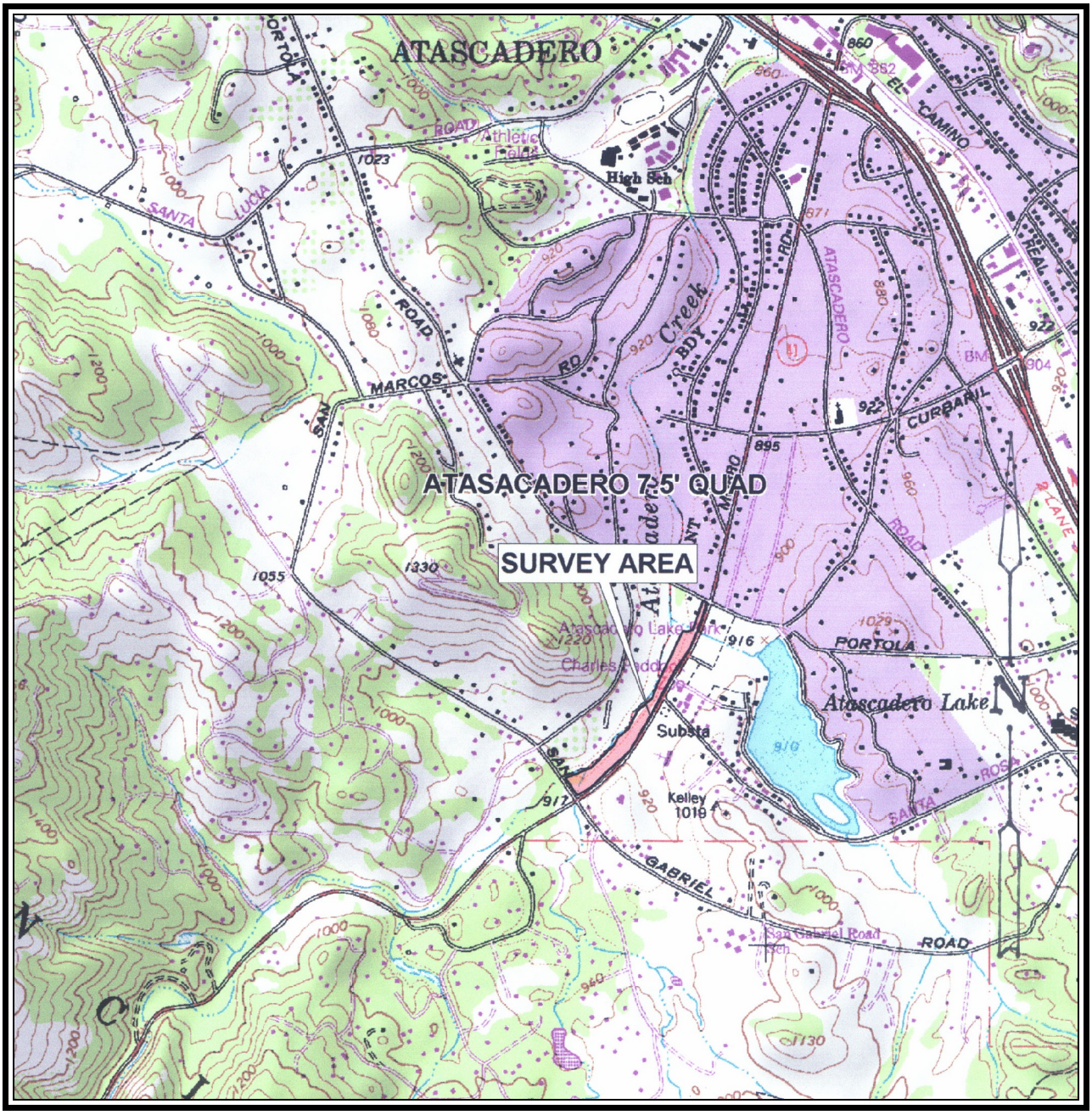
ATTACHMENT D
Area of Potential Effect (APE) Map



Attachment A: Regional Vicinity Map (No Scale)



Attachment B: Local Vicinity Map (No Scale)



Attachment C: Portion USGS 7.5' Quadrangle, Atascadero, CA

Area of Potential Effect (APE)

Hwy 41
Multipurpose Trail

2012 San Luis Obispo County
NAIP Aerial Imagery
Map Updated: January 20, 2014, 12:28 PM

Althouse and Meade, Inc.
1602 Spring Street
Paso Robles, CA 93446

Attachment D: Area of Potential Effect Map

EXHIBIT A

CALIFORNIA DEPARTMENT OF TRANSPORTATION

ARCHAEOLOGICAL SURVEY REPORT

(ASR)

ARCHAEOLOGICAL SURVEY FOR THE HIGHWAY 41 BICYCLE AND WALKWAY MULTI-PURPOSE PATH IMPROVEMENT PROJECT, ATASCADERO, SAN LUIS OBISPO COUNTY, CALIFORNIA

USGS 7.5' Quadrangle, Atascadero, CA

Prepared for:

Althouse and Meade, Inc.
1602 Spring Street
Paso Robles, CA 93446

Prepared by:

Allison Lober
and
Todd Hannahs
Cultural Resource Management Services
829 Paso Robles Street
Paso Robles, California 93446

February, 2014

CRMS
CULTURAL RESOURCE MANAGEMENT SERVICES

CRMS Project No. 48-832

ABSTRACT

On January 14, 2014, an archaeological inventory was conducted on the north side of SR 41 between San Gabriel Road and Portola Road in the City of Atascadero.

The survey area was between San Gabriel Road and Portola Road, and from the edge of pavement of SR41 to the banks of Atascadero Creek. The surveyors included Todd Hannahs, Allison Lober, and Ron Rose of Cultural Resource Management Services (CRMS).

Improvements to the existing multi-purpose trail system are planned. The new trail will be a ten foot wide, concrete paved corridor, and will be compliant with the Americans With Disabilities Act. Funding for this project is from the Federal Highway Administration (FHWA). No evidence of cultural resources was observed within the area of potential effect. No further investigation is necessary before the initiation of any construction.

This study included a record search at the Central Coast Information center at the University of California, Santa Barbara, and a Sacred Land/Sites search at the Native American Heritage Commission together with information letters to the listed Native Americans and groups.

Todd Hannahs holds a Master's Degree in Historic Preservation from the University of Vermont, is a Registered Professional Archaeologist (RPA), and has worked as Senior Archaeologist with CRMS since 2003. Allison Lober received her Bachelor's Degree in Anthropology and Art History from the University of Minnesota, and has worked as Staff Archaeologist with CRMS since 1996.

TABLE OF CONTENTS

FIGURES

INTRODUCTION

This report details the results of a literature and records search and field reconnaissance conducted by Cultural Resource Management Services (CRMS) for Althouse and Meade, Inc., and the City of Atascadero. The study area comprises one segment of a multi-purpose trail to be improved upon in the community of Atascadero, San Luis Obispo County (Figures 1, 2, 3, 4, 5, 6 and 7).

The purpose of this investigation was to identify significant prehistoric or historic archaeological resources that may be affected by proposed improvements to the existing trail system. This work is being done in compliance with the National Environmental Protection Act (NEPA) and is being conducted in accordance with the First Amended Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding compliance with Section 106 of the National Historic Preservation Act, As It Pertains to the Administration of the Federal-Aid Highway Program in California (PA), and with the requirements of the City of Atascadero, and guidelines for implementation of the California Environmental Quality Act (CEQA).

PROJECT LOCATION AND DESCRIPTION

The City of Atascadero plans to construct a Class 1 multipurpose path adjacent to State Route 41 to connect Atascadero Lake Park with a recently completed Safe Routes to School Project and provide pedestrians and cyclists with safe access along State Route 41. The ADA- compliant concrete path would be approximately 10 feet wide with 24-inch shoulders on each side, and would extend approximately 2,710 feet from Portola Road west to San Gabriel Road. The path would be located between the edge of the traveled way on southbound Highway 41 and the riparian corridor of Atascadero Creek.

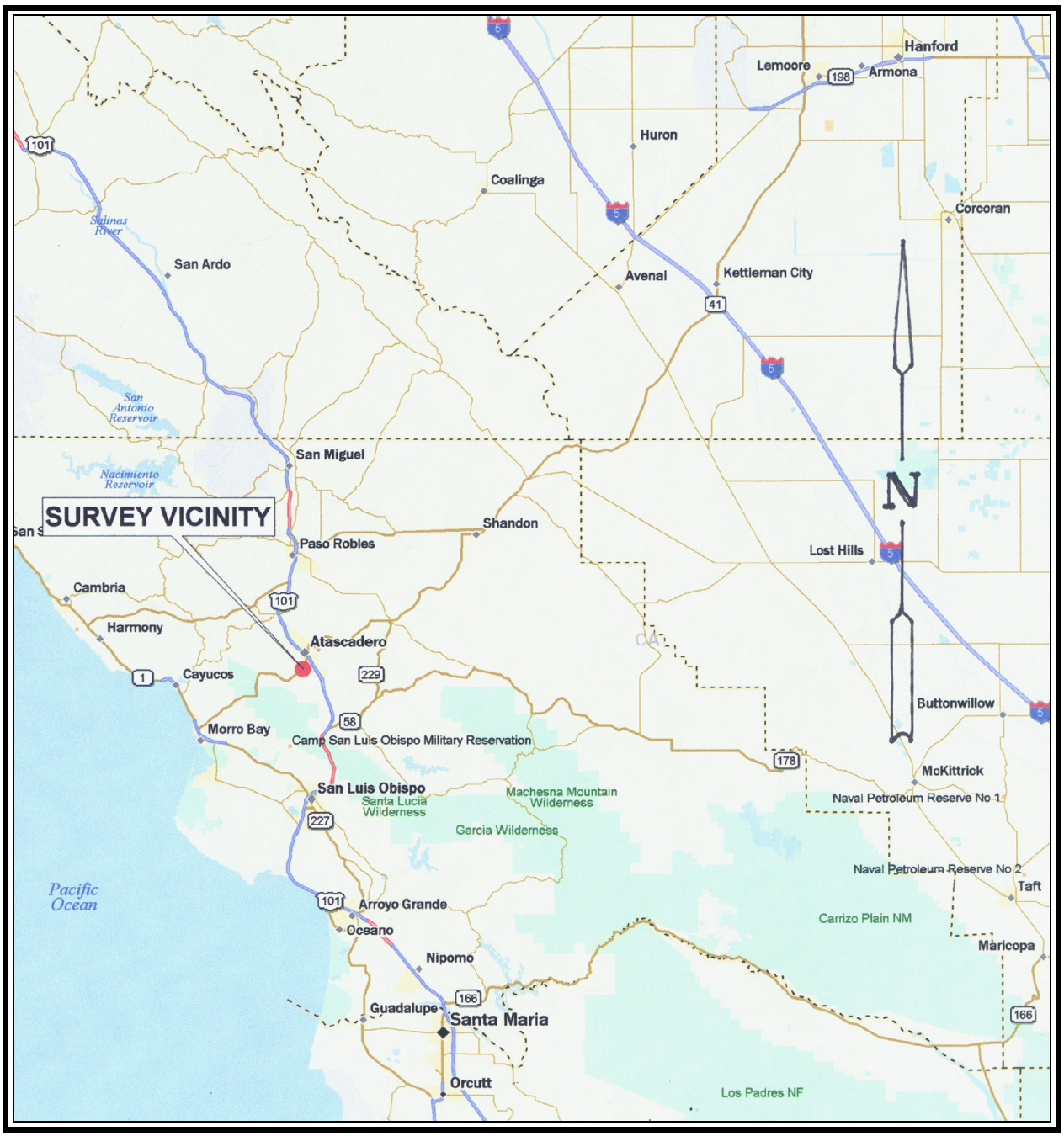


Figure 1: Regional Vicinity Map (No Scale)

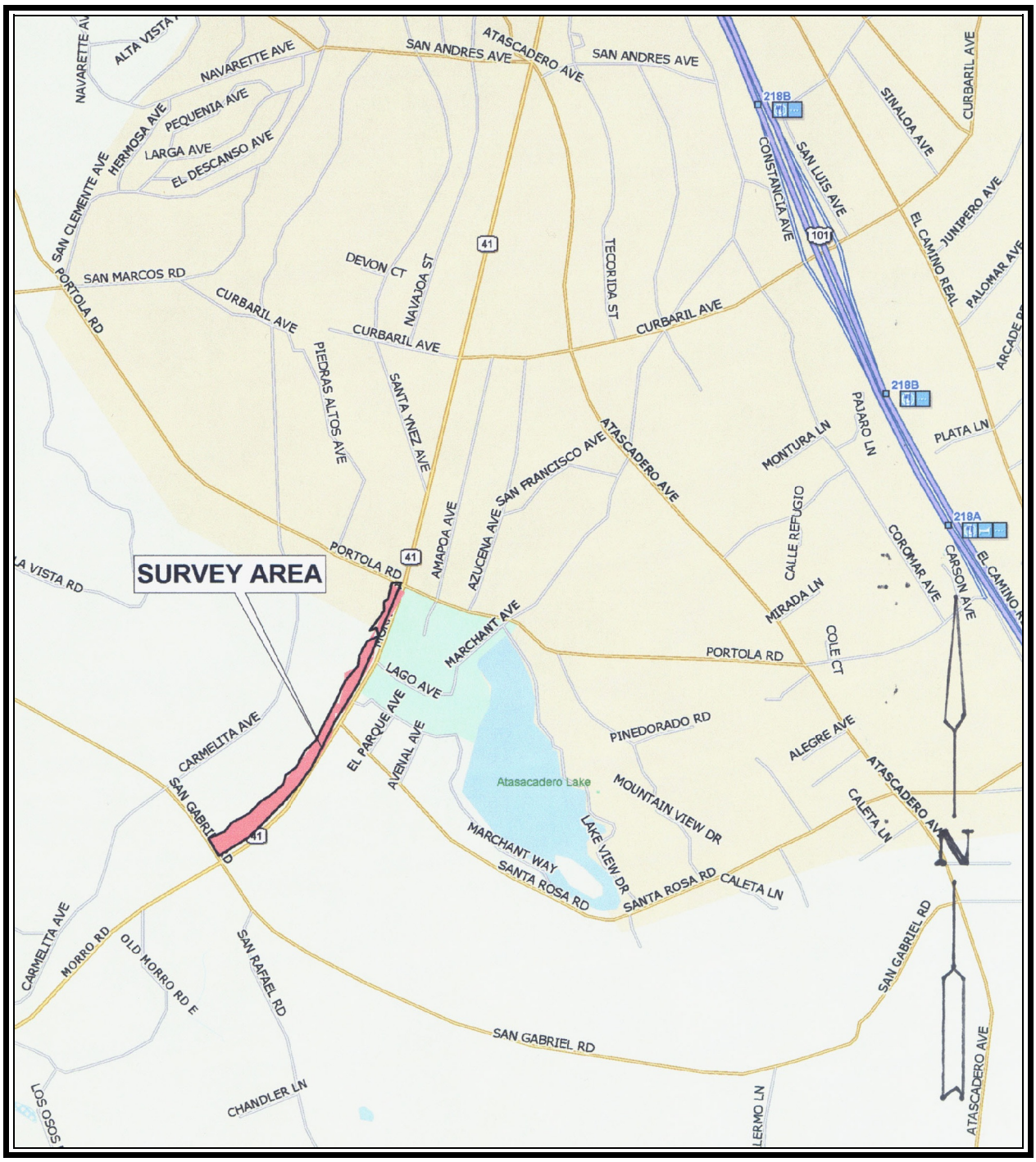


Figure 2: Local Vicinity Map (No Scale)

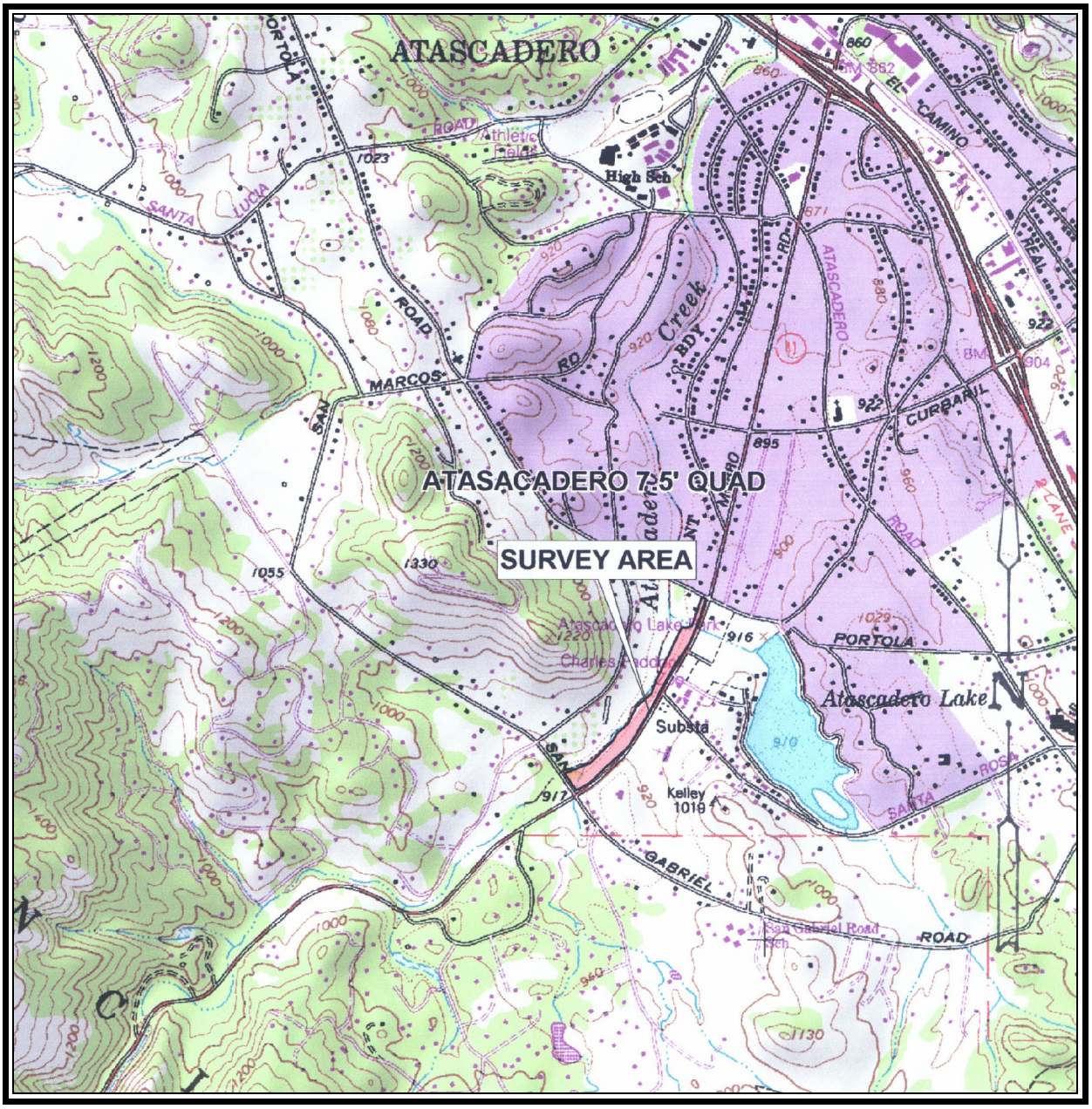


Figure 3: USGS 7.5' Quadrangle, Atascadero

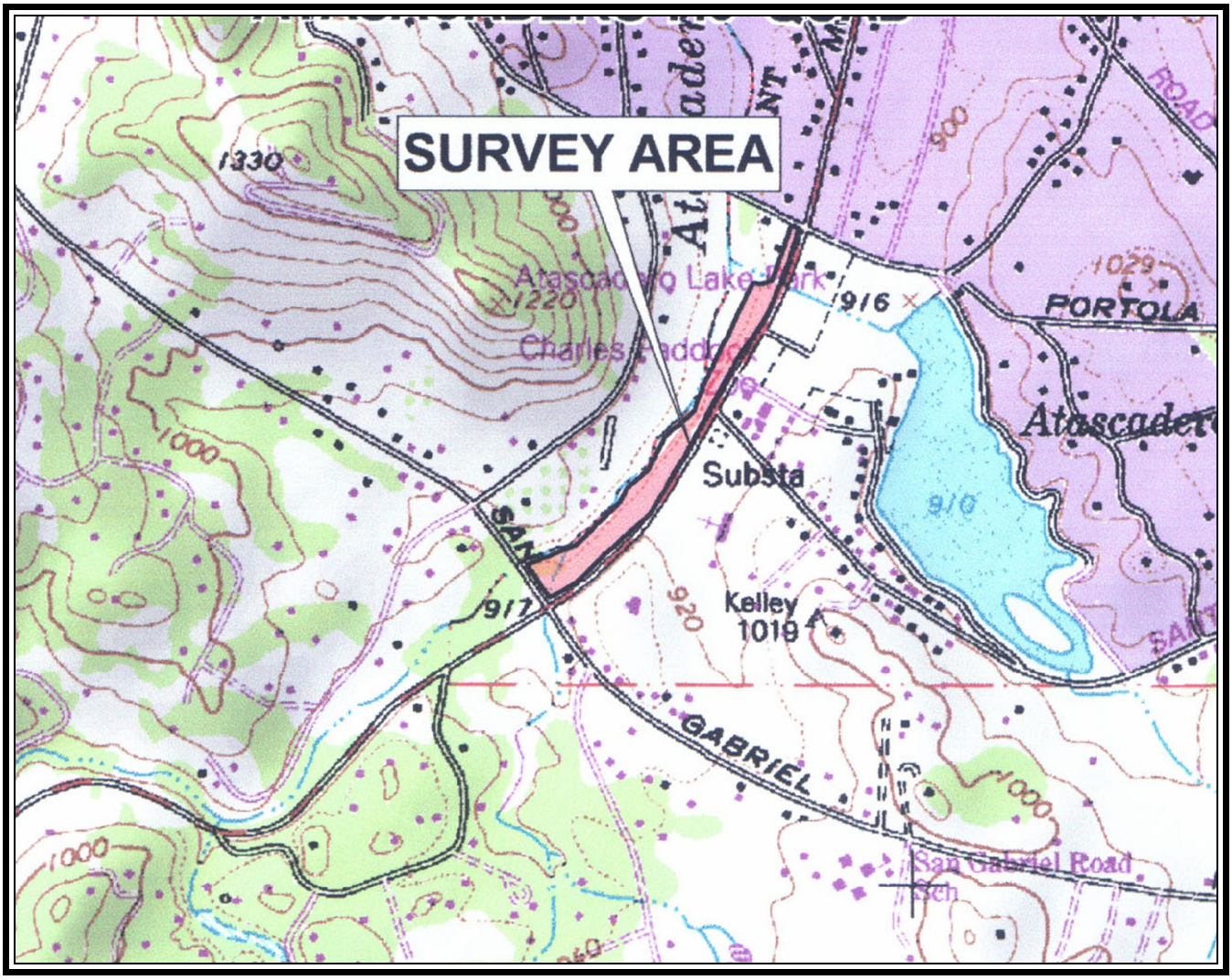


Figure 4: Survey Area (No Scale)

Figure 5: Overview To West Southwest

Figure 6: Overview To North Northeast

Figure 7: Overview To North Northeast

ENVIRONMENTAL SETTING

The study area is located in the upper Salinas River Valley in northern San Luis Obispo County about 20 miles northeast of Estero Bay and the Pacific Ocean (Figure 1 and Figure 2). To the west lies the Santa Lucia range, to the east broad plains and gently rolling hills. A number of tributaries flow into the upper Salinas, among them Santa Margarita Creek, Atascadero Creek, Graves Creek and Paso Robles Creek.

Geology and Pedology

The Atascadero area presents a complex picture. Cenozoic Monterey Shale and Miocene Santa Margarita Sandstone formations are dominant (Chipping 1987:VIII-7).

Sandstones, siltstone, diatomite and conglomerates are characteristic rocks of the Santa Margarita Formation. Beds of fossil Pecten and oyster shells are also present (ibid: III-8).

The soils encountered within the boundaries of the proposed project are found along the banks of Atascadero Creek and are primarily Quaternary alluvial deposits. They are subject to periodic flooding and disturbance due to human activities and the majority of the soils are level to gently sloped, to more moderately and steeply sloped. The soils encountered fall into four categories:

Elder loam is found on nearly level ground with a slope of 5% or less. The soil is moderately permeable and subject to periodic flooding. The surface layer is approximately two feet thick and varies from dark gray to dark gray brown sandy loam. Millsholm-Dibble Clay loam, with a 15-30% slope, and Millsholm-Dibble Clay loam with 30-50% slope, are both well-drained, shallow soils with a pale brown clay loam surface layer and light yellowish brown subsoil. Both have a high erosion hazard, which can be controlled by establishing permanent plant cover on the slopes. Still Clay loam, with 0-2% slope, has a surface layer of about 25 inches and is dark gray-brown clay loam. It has just slight hazard of erosion, and is a very productive soil suitable for cultivated crops and building sites, and roads.

Climate

Little evidence exists to claim that the local climate has undergone much change over the most recent few thousand years. The weather pattern is characterized by hot, dry summers and cold, moist winters. Every several years, extreme frosts occur during winter months, but generally the area experiences 300 to 325 frost-free days per year. Such a setting is eminently suitable for ancient as well as present-day human habitation.

Water Sources

Annual rainfall ranges from 245 mm to 515 mm (6 to 20 inches). Today, the Salinas River flows at the surface only during seasons of heavy rainfall, but the river flow was more abundant and regular during the time of prehistoric human occupation of the area. The surface flow has been reduced to a minimum in recent years by the

many municipal and private wells which draw water from the river for residential and agricultural use, as well as the construction of the Santa Margarita Dam in the early 1940s. Atascadero Creek has substantial flow in the winter and spring rainfall season with the flow diminishing through the summer and fall to intermittent pools.

Vegetation

The natural vegetation of the immediate area around Atascadero is oak savanna dominated by blue oak (*Quercus douglasii*) live oak, (*Q. agrifolia*) and/or valley oak *(Q. lobata*), interspersed with Oak woodlands and Chaparral, with chamise (*Adenostoma fasciculatum*) being a primary component. Along the proposed trail, however, the vegetation is primarily riparian. Dominant species in this narrow zone include oaks, sycamore (*Platanus racemosa*), elderberry (*Sambucus mexicana*), cottonwood (*Populous Fremontii*), willow *(Salix* spp.), poison oak (*Toxicodendron diversilobum*), and wild blackberry (*Rubus ursinus*). A variety of shrubs , forbs and grasses are also present.

Fauna

Fauna commonly occurring in the surrounding area include black-tailed deer (*Odocoileus hemionus columbianus*), coyote (*Canis latrans*), black-tailed jackrabbit (*Lepus californicus*), cottontail rabbit (*Sylvilagus* spp.), black bear (*Ursus americanus*) and historically, grizzly bear (*Ursus horribilis*) and tule elk (*Cervus elaphus nannoides*). A number of ground squirrels (*Spermophilus* spp.), the western gray squirrel (*Sciurus griseus*), gophers (*Thomomys* spp.), mice (*Microtus* spp. and *Peromyscus* spp.), and a variety of reptiles and amphibians are also present. Historically, the Southern Steelhead (*Oncorhynchus mykiss irideus*) and Chinook salmon migrated into the Salinas River and Atascadero Creek in the early spring to reach their spawning areas. A few Steelhead still manage to find their way to Atascadero Creek some years.

CULTURAL SETTING

Prehistoric Overview

Archaeological evidence indicates that San Luis Obispo County was occupied as early as 9000 years ago, as indicated by dates from excavations at Diablo Canyon (Greenwood 1972) and Edna Valley (Fitzgerald 2000). Because relatively few subsurface archaeological investigations have been carried out in the interior south coast ranges, a definitive cultural historical sequence has not yet been constructed for this region.

The most relevant local culture historical sequence to the study area is that used by Mikkelsen, Hildebrandt, and Jones (1998) when investigating site CA-SLO-165 at Morro Bay. This series of time periods was based on work by King (1990), Jones (1993), and Jones *et al.* (1994). The major temporal periods now generally recognized in this region are:

Paleoindian Period	11000 - 8500 Years Before Present (B.P.)
Millingstone Period	8500 - 5500 B.P.
Early Period	5500 - 2600 B.P.
Middle Period	2600 - 1000 B.P.
Middle/Late Transition	1000 - 700 B.P.
Late Period	700 B.P. - 450 B.P. or historic contact
Protohistoric Period	450 -150 B.P. [proposed by Jones and Waugh 1995]

Evidence for Millingstone period occupations in this region is sparse, amounting to materials recovered from two widely-separated sites. The first of these sites is the Grayson site (MER-94) in the San Luis Reservoir area (Olsen and Payen 1969). In the deepest levels of this multi-component deposit was a suite of artifacts including millingstones, handstones, small shaped mortars and pestles, simple flaked stone tools, perforated stone pendants, and beads made of whole *Olivella* shells. The second site with a possible Millingstone period occupation in the interior south coast ranges is the Salinas River Crossing Site (SLO-1756) reported by Fitzgerald (1997). Although the

association between artifacts and dates at this site is not straightforward, it also yielded an artifact assemblage similar to Millingstone Horizon sites in southern California and produced a date of 7000 B.P. Other important Millingstone period sites are found nearer the coast in the Edna Valley south of San Luis Obispo (Fitzgerald 2000), and at Diablo Canyon (Greenwood 1972).

Along the coast and in interior areas, the Early period is marked by the appearance of mortars and pestles and contracting-stemmed projectile points (Olsen and Payen 1969; Jones 1993). Other artifacts found with Early period occupations are also found in Millingstone period sites including *Olivella* class L beads, large side-notched projectile points, and millingslabs and handstones. Greater numbers of sites are known from the Early period, possibly signaling a population increase.

The Middle period is well represented at sites along the central coast and increasingly in interior regions as well. The types of artifacts found in Middle period occupations are similar to those from the Early period although a larger number of bone implements and bead types are known (Olsen and Payen 1969; Jones and Waugh 1995). Projectile points tend to be contracting-stemmed types with large side-notched and square-stemmed points apparently no longer used. Excavations at Fort Hunter Liggett have shown that Middle period occupations in that area resemble those found along the coast (Jones and Haney 1997).

Late period assemblages from the interior south coast ranges are distinguished by a suite of new bead types, small side-notched and triangular arrow points, and hopper mortars as well as many artifact types found in earlier periods (Olsen and Payen 1969). At Fort Hunter Liggett, Late period occupations also included small arrow points, new bead types, as well as bedrock mortars and unshaped pestles (Jones 2000; Haney et al. 2002). On the whole, the Late period assemblages from a wide area of the central coast and interior regions appear superficially similar, but this was probably a time of continued cultural differentiation due to higher population densities.

There is clearly still a great deal to learn about the prehistory of the interior south coast ranges, but comparisons between findings in coastal areas and the small

amount of work conducted locally show that a similar set of cultural changes probably occurred in both areas. What is not well understood at this point is how people living in the interior interacted with those living along the coast. Also, it is not known how the development of complex societies further south in the Santa Barbara Channel area may have affected groups living to the north. The presence of marine shell beads in interior areas and obsidian obtained from the desert east in coastal areas is testimony to the wide-ranging trade and social networks that existed from an early date. Future work may yet uncover archaeological evidence necessary to understand these and other important issues that have only recently begun to be explored in this region.

Ethnographic Overview

At the time of European contact, the Atascadero region was primarily occupied by a branch of the northern-most Chumash, the Obispeño, of the Hokan linguistic group (Gibson 1982). This group inhabited coastal and inland areas between Malibu and the vicinity of San Simeon (Kroeber 1925; Gibson 1982). Also present in the region historically were the Migueleño Salinan (Greenwood 1978). The Salinan were bordered by the Esselen and Costanoan to the north, Yokuts to the east and the Chumash to the south. Examination of mission records reveals that members of the Salinan Nation inter-married into the northern portion of San Luis Obispo County. The exact boundary of these two groups has not been well established and is the subject of continuing research on the part of ethno-historians, archaeologists, and some Salinan and Chumash descendants.

The economies of the Salinan and the Chumash, observed at the time of European contact, was based upon an annual cycle of gathering and hunting. Vegetal foods, especially acorns, provided the bulk of the diet. Acorns were stored in large willow-twig granaries until needed, then ground in a stone mortar. The tannic acid present in the acorn meal was leached out with water, and the result was cooked into a gruel. Other important plant foods included wild grass and other hard seeds, roots and corms, and various fruits and berries. Major animal foods included a diverse assortment of terrestrial mammals, marine and freshwater fish, shellfish, birds, as well as reptiles and insects. It is unclear to what extent people living inland ventured to the coast and vice versa, but it is likely that people were mobile enough to take advantage of plant and

animal foods when and where they occurred. If this were the case, then diets probably varied from season to season, and from year to year, depending on what was available at any one time.

Hunting of animals and birds was accomplished with snares, traps, spears, and the bow and arrow. Stone, bone, wood and shell all provided materials for the production of tools. Flaked stone tools included projectile points, knives, scrapers, choppers, and awls. Pecked and ground stone objects included bowl mortars, pestles, metates, basket mortars, stone bowls, notched pebble net sinkers, and steatite arrow shaft straighteners. Bone and shell tools were also manufactured; especially bone awls and C-shaped fishhooks. Containers were made primarily from basketry, although shells and stone were also used. Ornaments are made of steatite, serpentine, bone, shell and feathers. Stone tools and containers and the debris from their manufacture and maintenance are the most likely remains to be found in an archaeological context.

Historic Overview

European contact in the San Luis Obispo County region may have begun as early as 1587 with the visit of Pedro de Unamuno to Morro Bay, although some scholars have questioned this based on the ambiguity of Unamuno's descriptions (Mathes 1968). A visit in 1595 by Sebastian Rodriguez Cermeño is better documented (Jones *et al.* 1994:11). The earliest well-documented descriptions come from accounts by members of Gaspar de Portola's land expedition, which passed through the region in 1769 (Squibb 1984). No large villages, such as those seen along the Santa Barbara channel, were reported by early travelers in the San Luis Obispo region.

Mission Period 1769 - 1830 A.D.

Permanent Spanish settlement of the region began with the founding of Mission San Antonio de Padua (near King City) in 1771 and San Luis Obispo de Tolosa (in San Luis Obispo) in 1772. Twenty-five years later, Mission San Miguel Archangel (in San Miguel) was founded in the heart of southern Salinan territory. The mission properties were extensive and included an outlying rancho station near present day Paso Robles, a

sheep farm at Santa Ysabel on the east side of the Salinas, an adobe on grazing lands near Atascadero, and an adobe and granary near a spring at La Asuncion.

Colonization brought about major and devastating changes in the native society. As elsewhere, induction into the missions had a drastic effect on the local inhabitants, requiring them to live and work at the mission and abandon their former lifeways. Under the guidance of the mission fathers, the natives were instructed in farming methods, including the production of wheat, beans and various kinds of fruit. The earliest farming was intended to foster independence; thus making the import of supplies up from Mexico unnecessary.

The native population, however, was reluctant to adopt this new culture. The reason cited by Fr. Francisco Palóu, the acting Superior of the Missions, was that the subsistence strategies practiced by the local Chumash provided for all their material wants with very little effort. This state of affairs did not persist. By 1804 the Mission at San Luis Obispo supported 832 neophytes and by year's end 2,074 baptisms had been performed (Englehardt 1933). By 1805, most native villages had been abandoned, and the populace had either fled or moved into the mission system (Gibson 1983). By 1820 the Mission San Luis Obispo, while recording 2,537 baptisms also recorded 1,890 deaths and a neophyte population of 504, a decline of 40% from 1804 (ibid.). The overall high mortality rate of the natives during this time period can be explained primarily by the introduction of European diseases, and the pressure of overwhelming social change.

Rancho Period 1830 - 1865 A. D.

In 1822, Mexico attained independence of Spain and California became a Mexican territory. The Secularization Act, passed by the Mexican congress in 1833, provided for the immediate break-up of the missions and the transfer of mission lands to settlers and Indians. Work toward this end began in 1834 under Governor Figueroa. Grants were made to individuals by the governor on the recommendation of the local *alcalde* of the Mission. In 1848, at the end of the Mexican war, California was ceded to the United States, and admitted to the Union in 1850. A commission was set up to settle private land claims in the new state. These legal proceedings often took years and were a financial burden to most of the original grantees. Two ranchos in particular, figure prominently in the history of the study area.

Rancho Atascadero

In 1842, the Rancho Atascadero (meaning muddy or miry place) of one league was granted to Trifón García. Garcia had trouble developing his property, and sold the entire 4348.23 acres for 500 pesos to William Breck. He in turn sold to the Haight brothers in 1847 (Cowan 1977: 17). The rancho was patented by Henry Haight in 1860, although he had sold to Joaquin Estrada in 1857. After additional real estate transactions (cf. Ohles 1997: 123-125) the majority of the original grant came to be held in two parcels: the Jason H Henry Ranch headquarters was located in today's Atascadero, the Eagle Ranch lay to the south of the present city center. (Ohles 1997: 125)

Rancho La Asuncion

Lying to the south of Ranchos Paso Robles and Santa Ysabel and west and south of Rancho Atascadero, this 39,225 acre property was granted to Pedro Estrada in 1845. Señor Estrada moved into the adobe that had been built on the ranch by the Mission San Miguel in 1812 (Ohles 1997: 122). Much of the rancho property was later sold to J.H. Henry and became part of the vast Henry Ranch.

American Period: 1865 - Present

Atascadero

Toward the end of the nineteenth century, J. H. Henry consolidated several tracts, including the original Rancho Atascadero, into one 23,000 acre property. After some lobbying by Henry, the ranch was used by the U.S. Army for a series of maneuvers from 1904 to 1910 . Up to 5,000 soldiers camped and trained on the Henry Ranch. These exercises were so successful that the army contemplated purchase of the ranch as a permanent training area (Lowe 2004). Before this occurred, however, a better offer came along.

On July 4,1913, tired of waiting for the U.S. government to make good on their offer of $500,000, J.H. Henry sold his ranch to the "Women's Republic", later the Colony

Holding Corporation. The Atascadero Colony was the dream of E. G. Lewis, a St. Louis businessman. Lewis envisioned a "colony that would provide the resident with the best of both urban and rural life, based upon the use of the automobile" (Lewis 1974: 3). He found the location he wanted at the Rancho Atascadero. The entire property was surveyed for subdivision, provisions made for residential, commercial, civic and orchard lots. Construction of civic buildings, roads and an extensive water system was begun immediately after the purchase of the ranch. By 1916, the new colony had an administration building, printshop, the first of the settlers homes, and 3,000 acres of orchards. A department store, inn, hospital and school soon followed (Travis 1916: 20). Many of the buildings were constructed of brick made at the colony's own brickyard.

The most ambitious of the roads constructed by the colony was the 17 mile "Butterfly Drive", later Morro Road. This road, the basis for the current Highway 41, linked the colony with a three mile strip of beach property in Morro Bay. The 3,000 acres was subdivided, and a hotel, cottages and golf course were built in 1919 (Lewis 1974: 15-17).

A number of economic factors led to the end of the utopian dream. Lewis was forced into bankruptcy in 1924 and growth was very slow in the community until construction of the State Mental Hospital in 1954. Poultry farms, orchards and other types of agriculture continue in the surrounding area, although the turn of the twenty-first century saw a steady increase in building of residences and commercial buildings. The combination of population pressures from north and south, and a shift to the burgeoning wine industry and tourism has led to a dramatic increase in local populations and further reduction of traditional agricultural industries.

SOURCES CONSULTED

Concurrent with the field survey, a records and literature search was conducted at the Central Coast Information Center, U.C. Santa Barbara, which is the State-designated regional clearinghouse for archaeological site information for San Luis Obispo County. This search also included inventories for the State Historic Property Files, National Register of Historic Places, National Register of Determined Eligible

Properties, California Historical Landmarks, and California Points of Historic Interest. The record search encompassed a five hundred foot buffer zone on each side of the proposed APE. The Central Coast Information Center reported four previously completed cultural resource surveys (Environmental and Energy Services Co., Inc. 1991, Singer 1996, Nelson 2000, Farrell 2005). Also reported was one previously recorded archaeological site which lies outside the boundaries of the APE, but within 300 feet southwest of the project area.

CA-SLO-517

CA-SLO-517 is situated southwest of the project area. It is comprised of seven bedrock mortars in a large sandstone outcrop located adjacent to Highway 41 and 70 meters southwest of San Gabriel Road. Earlier surveys had reported chipped stone artifacts in association with this outcrop (Dills 1969; Carpenter 1999; Mikkelsen 2000), however none were encountered during this survey. SLO-517 is approximately 300 feet outside the APE.

Summary of Native Americans Consulted

A letter was sent on January 7, 2014 to Dave Singleton, Project Analyst at the Native American Heritage Commission. The letter explained the proposed project and asked him to conduct a Sacred Lands Search and forward to CRMS any names and addresses of those who may have knowledge of cultural resources within the study area, or who would like to comment on the project.

On January 10, 2014, a letter was received from Dave Singleton, Project Analyst, indicating that the Sacred Lands Search conducted at the Native American Heritage Commission (NAHC) yielded no evidence of Sacred Lands within the project. A list of interested Native American individuals and groups was included. Letters dated January 10, 2014, explaining the project and soliciting comments were sent to each of the Native Americans and groups listed (Exhibit C). Three comments were received. Their responses are documented as the last item in Exhibit C attached. No other comments were received from any of the Native Americans to whom letters had been written. Other than the original letter written to the interested Native Americans, no follow up was initiated.

FIELD METHODS

This project in Atascadero runs essentially parallel to Atascadero Creek, from San Gabriel Road to Portola Road (Figure 3 and 4). The project area was subjected to visual inspection on January 14, 2014. Members of the reconnaissance team were Todd Hannahs, Ron Rose, and Allison Lober. Both Todd Hannahs and Ron Rose were members of the crew on the original survey of this project area in 2005. The surface survey was conducted in transects parallel to Atascadero Creek. These transects were spaced no more than three meters (9.8 feet) apart. During the majority of the survey the spacing was considerably tighter due to the constraints of topography. The vegetation cover was very thick throughout most of the project area, in some places the coverage approached 100%, and considerable portions of the project area are covered with paving, fill soils or other modern changes in the land form that obscure the underlying soil or the indications of historic or prehistoric activities. Consequently wherever the soil was visible, such as in rodent burrows, modern disturbance or stream erosion, more scrutiny was employed. Even though visibility was limited, there was good opportunity to examine open soil as it presented itself.

No other evidence of prehistoric or historic artifacts, features, or other indications of significant cultural resources were found during the reconnaissance.

Figure 8: Overview To Southwest

Figure 9: Overview To North Northeast

Figure 10: Overview To North Showing Dirtbike and Other Ground Disturbance

CONCLUSION AND RECOMMENDATIONS

Even though soil visibility overall was fair to poor, there was good opportunity to view a substantial portion of bare mineral soil. In addition, the same corridor has been subjected to a number of surveys with all being negative.

No evidence of significant prehistoric or historic artifacts, features or other indications of cultural resources were encountered during this investigation. No further archaeological investigation is recommended.

It is always possible, however, that significant cultural resources could lie buried below the surface. Therefore, if artifacts, burials, or other indicators of significant cultural resources are encountered during grading or other earth-moving construction activities, work should stop immediately and a qualified archaeologist should be called to the site to evaluate the find and suggest mitigation measures, if necessary.

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EXHIBIT B

Records and Literature Search
Central Coast Information Center
University of California
Santa Barbara

California
Archaeological
Inventory

SAN LUIS OBISPO AND
SANTA BARBARA COUNTIES

Central Coast Information Center
Department of Anthropology
University of California, Santa Barbara
Santa Barbara, CA 93106-3210
(805) 893-2474
FAX (805) 893-8707
centralcoastinfo@gmail.com

January 8, 2014

Nancy Farrell
Cultural Resource Management Services
829 Paso Robles Street
Paso Robles, CA 93446

Dear Ms. Farrell,

Enclosed are the results of the record search you requested for the Highway 41 Bicycle and Walkway Path Improvement Project. Our records were searched for all archaeological sites, historical resources, and previous cultural resource surveys within a 500-foot radius of the project area.

In this search, one archaeological site(s), zero isolate(s), and four cultural resource survey(s) were found. The site and survey locations are mapped onto portions of the Atascadero quad(s). A bibliography of the surveys is included. A search of the inventories for the State Historic Property Data Files, National Register of Historic Places, National Register of Determined Eligible Properties, California Historical Landmarks, California Points of Historic Interest, California OHP Archaeological Determinations of Eligibility, and the Caltrans State and Local Bridge Surveys yielded zero property evaluation(s) within the search radius.

Please contact me if you have any questions about this search.

Sincerely,

Jessika L. Akmenkalns
Assistant Coordinator

EXHIBIT C

Letter to Native American Heritage Commission
Response from Native American Heritage Commission
Letter to Native Americans and Groups
List of Native Americans and Groups Contacted
Responses From Native Americans

Cultural Resource Management Services
829 Paso Robles Street
Paso Robles, CA 93446
Phone 805-237-3838
Fax 805-237-3849

Mr. Dave Singleton
Program Analyst
Native American Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

January 7, 2014

RE: City of Atascadero, SR 41 Walking and Bicycle Pathway Improvements
Sacred Lands Search, NW Side of SR 41 From San Gabriel Road to Portola Road

Dear Mr. Singleton:

The City of Atascadero (City) anticipates certain improvements to existing walking and bicycle pathways on the northwest side of SR 41 adjacent to Atascadero Creek, extending from San Gabriel Road to Portola Road. Cultural Resource Management Services (CRMS) has been retained by City to prepare a Phase I surface survey as well as consult with interested Native Americans and Native American groups relative to the proposed project.

Please review the sacred lands files for any Native American Sacred resources or sites that may be within or adjacent to the area of potential effect (APE). The project area is within the incorporated limits of Atascadero, County of San Luis Obispo, and the APE is identified on the attached portion of the USGS Atascadero 7.5' Quadrangle. Atascadero was part of a rancho, therefore, the APE has no section identification, however, on the Atascadero Quadrangle, it is within R12E and Twp 28S MDM. Include comments regarding whether of not any sacred sites appear within the APE.

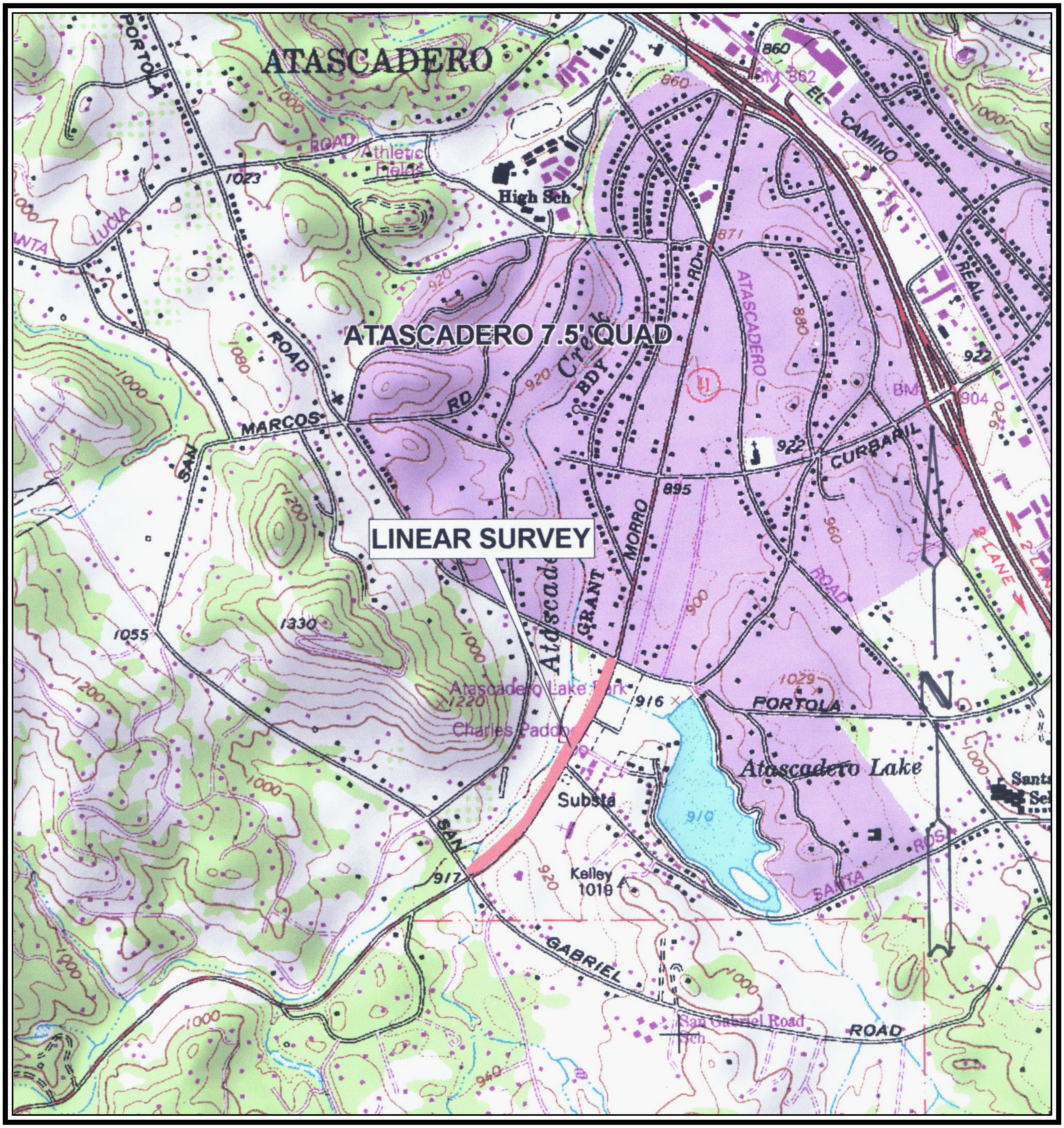
Also provide a list, including names and addresses, of Native American individuals and organizations who may have knowledge of cultural resources in the project area; or who may have a concern or wish to comment on the project.

If you have any questions contact me at the phone number or address shown, or by email ronrose@crms.com. We look forward to your reply.

Best regards,

Ron Rose
Vice President

Attach: USGS 7.5' Quadrangle, Atascadero, CA


ATASCADERO
ATASCADERO 7.5' QUAD
LINEAR SURVEY
High Sch
Athletic Fields
MARCOS
PORTOLA
CURBARIL
MORRO
GRANT
Atascadero Lake
Atascadero Lake Park
Charles Paddock
Substa
Kelley 1019
SAN GABRIEL ROAD
San Gabriel Road Sch
EL CAMINO REAL
SANTA ROSA
N

STATE OF CALIFORNIA Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION
1550 Harbor Boulevard, Suite 100
West Sacramento, CA 95691
(916) 373-3715
Fax (916) 373-5471
Web Site www.nahc.ca.gov
Ds_nahc@pacbell.net

January 10, 2014

Mr. Ron Rose, Vice President
Cultural Resource management Services (CRMS)
829 Palo Robles Street
Paso Robles, CA 93446

Sent by FAX to: 805-237-3849
No. Pages: 6

RE: Sacred Lands File Search and Native American Contacts list for the **"City of Atascadero, SR 41 Walking and Bicycle Pathway Improvements Project Project;"** located in the City of Paso Robles; San Luis Obispo County, California.

Dear Mr. Rose:

A record search of the NAHC Sacred Lands File **failed to indicate** the presence of Native American traditional cultural places in the project site(s) submitted as defined by the USGS coordinates configuring the 'Area of Potential Effect' or APE. Furthermore, the absence of archaeological or other cultural resources does not preclude their existence at the subsurface level.

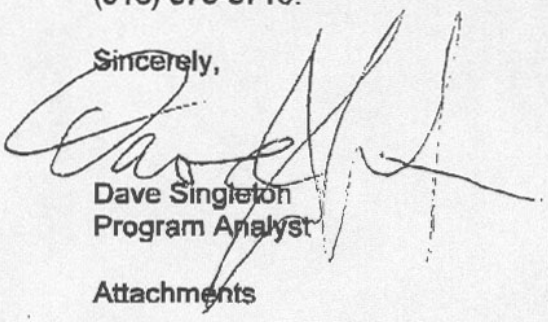
In the 1985 Appellate Court decision (170 Cal App 3rd 604), the Court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources impacted by proposed projects, including archaeological places of religious significance to Native Americans, and to Native American burial sites.

Attached is a list of Native American tribes, Native American individuals or organizations that may have knowledge of cultural resources in or near the project area (APE). As part of the consultation process the NAHC recommends that local government and project developers contact the tribal governments and individuals in order to determine the proposed action on any cultural places/sacred sites. If a response from those listed is not received in two weeks of notification, the NAHC requests that a follow-up telephone call be made to ensure the project information has been received.

California Government Code Section 65040.12(e) defines "environmental justice" to provide "fair treatment of People...with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies" and Executive Order B-10-11 requires consultation with Native American tribes their elected officials and other representatives of tribal governments to provide meaningful input into the development of legislation, regulations, rules, and policies on matters that may affect tribal communities.

If you have any questions or need additional information, please contact me at (916) 373-3715.

Sincerely,



Dave Singleton
Program Analyst

Attachments

CRMS
CULTURAL RESOURCE MANAGEMENT SERVICES

Cultural Resource Management Services
829 Paso Robles Street
Paso Robles, CA 93446
Phone 805-237-3838
Fax 805-237-3849

January 10, 2014

XXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXX

RE: City of Atascadero, SR41 Bike and Walking Path Improvements
SR41 From San Gabriel Road to Portola Road, Atascadero, CA

Dear XXXXXXXXXX:

The City of Atascadero (COA) is proposing improvements to existing walking and bike paths on the North side of SR41 between San Gabriel Road and Portola Road.

Cultural Resource Management Services (CRMS) has been retained by COA and Althouse and Meade, Environmental Consultants, to prepare a Phase I surface survey as well as inform and request input from interested Native Americans and organizations relative to the proposed project. The project area is depicted on the attached portion of the Atascadero 7.5' quadrangle and is within Township 28 South, Range 12 East MDM on the Atascadero Quadrangle. A Sacred Lands Search with the Native American Heritage Commission revealed no Sacred Sites within the project area of potential effect (APE) nor in the vicinity.

Please contact me as soon as possible if you or your organization have any information about the study area, including any knowledge of the possible Sacred Site, or concerns about the anticipated project. You may phone me or write me at the numbers and address listed or email me at: ronrose@crms.com. Once again, if you wish to comment, respond as soon as possible.

Thanks for your help.

Best regards,

Ron Rose
Vice President

Encl: Atascadero 7.5' Quadrangle

The letter on the previous page, XXXX substituted for address and salutation, was sent to each of the individuals and groups shown below.

Native American Contacts
San Luis Obispo County California
January 10, 2014

Beverly Salazar Folkes
1931 Shadybrook Drive
Thousand Oaks, CA 91362
folkes9@msn.com
805 492-7255
(805) 558-1154 - cell
folkes9@msn.com
Chumash
Tataviam
Ferrnandeño

Judith Bomar Grindstaff
63161 Argyle Road
King City , CA 93930
(831) 385-3759-home
Salinan

Santa Ynez Band of Mission Indians
Vincent Armenta, Chairperson
P.O. Box 517
Santa Ynez , CA 93460
varmenta@santaynezchumash.
(805) 688-7997
(805) 686-9578 Fax
Chumash

San Luis Obispo County Chumash Council
Chief Mark Steven Vigil
1030 Ritchie Road
Grover Beach CA 93433
(805) 481-2461
(805) 474-4729 - Fax
Chumash

Barbareno/Ventureno Band of Mission Indians
Julie Lynn Tumamait-Stennslie, Chair
365 North Poli Ave
Ojai , CA 93023
jtumamait@sbcglobal.net
(805) 646-6214
Chumash

Peggy Odom
1339 24th Street
Oceano , 93445
(805) 489-5390
Chumash

Lei Lynn Odom
1339 24th Street
Oceano , CA 93445
(805) 489-5390
Chumash

Salinan Tribe of Monterey, San Luis Obispo Counties
John W. Burch, Traditional Chairperson
14650 Morro Road
Atascadero , CA 93422
salinantribe@aol.com
805-460-9202
805 235-2730 Cell
805-460-9204
Salinan
Chumash

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

his list s only applicable for contacting local Native Americans with regard to cultural resources for the proposed SR 41 Walking and Bicyle Pathway Improvements Project; located in the City of Atascadero; San Luis Obispo County, California for which a Sacred Lands File search and Native American Contacts list were requested.

Native American Contacts
San Luis Obispo County California
January 10, 2014

Santa Ynez Tribal Elders Council
Adelina Alva-Padilla, Chair Woman
P.O. Box 365 — Chumash
Santa Ynez , CA 93460
elders@santaynezchumash.org
(805) 688-8446
(805) 693-1768 FAX

Salinan Nation Cultural Preservation Association
Robert Duckworth, Environmental Coordinator
4777 Driver Rd. — Salinan
Valley Springs CA 95252
dlrobduck@thegrid.net
831-578-1852

Randy Guzman - Folkes
4676 Walnut Avenue — Chumash
Simi Valley , CA 93063 — Fernandeño
ndnRandy@yahoo.com — Tataviam
(805) 905-1675 - cell — Shoshone Paiute
(805) 520-5915-FAX — Yaqui

Coastal Band of the Chumash Nation
Michael Cordero, Chairperson
P.O. Box 4464 — Chumash
Santa Barbara CA 93140
CbcnTRIBALCHAIR@gmail.com

Xolon Salinan Tribe
Johnny R Eddy Jr, Chairperson
3179 Garrity Way #734 — Salinan
Richmond , CA 94806
831-210-9771

yak tityu tityu - Northern Chumash Tribe
Mona Olivas Tucker, Chairwoman
660 Camino Del Rey — Chumash
Arroyo Grande CA 93420
(805) 489-1052 Home
(805) 748-2121 Cell
olivas.mona@gmail.com

Salinan Nation Cultural Preservation Association
Doug Alger, Cultural Resources Coordinator
PO Box 56 — Salinan
Lockwood , CA 93932
fabbq2000@earthlink.net

Matthew Darian Goldman
495 Mentone — Chumash
Grover Beach CA 93433
805-748-6913

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Native American Contacts
San Luis Obispo County California
January 10, 2014

Santa Ynez Band of Mission Indians
Tribal Admin/Counsel Sam Cohen
P.O. Box 517 Chumash
Santa Ynez , CA 93460
info@santaynezchumash.org

(805) 688-7997
(805) 686-9578 Fax

Frank Arredondo
PO Box 161 Chumash
Santa Barbara CA 93102
ksen_sku_mu@yahoo.com

Salinan Nation Cultural Preservation Association
Gregg Castro, Administrator
5225 Roeder Road Salinan
San Jose , CA 95111
glcastro@pacbell.net
(408) 219-2754

Santa Ynez Tribal Elders Council
Freddie Romero, Cultural Preservation Consint
P.O. Box 365 Chumash
Santa Ynez , CA 93460
805-688-7997, Ext 37
freddyromero1959@yahoo.com

Salinan-Chumash Nation
Xielolixii
3901 Q Street, Suite 31B Salinan
Bakersfield , CA 93301 Chumash

408-966-8807 - cell

Barbareno/Ventureno Band of Mission Indians
Kathleen Pappo
2762 Vista Mesa Drive Chumash
Rancho Pales Verdes CA 90275
310-831-5295

Northern Chumash Tribal Council
Fred Collins, Spokesperson
67 South Street Chumash
San Luis Obispo CA 93401
fcollins@northernchumash.org
(805) 801-0347 (Cell)

Barbareno/Ventureno Band of Mission Indians
Raudel Joe Banuelos, Jr.
331 Mira Flores Court Chumash
Camarillo , CA 93012
805-987-5314

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Native American Contacts
San Luis Obispo County California
January 10, 2014

Coastal Band of the Chumash Nation
Janet Darlene Garcia
P.O. Box 4464 Chumash
Santa Barbara CA 93140
805-689-9528

Coastal Band of the Chumash Nation
Crystal Baker
P.O. Box 723 Chumash
Atascadero , CA 93423
805-466-8406

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NATIVE AMERICAN RESPONSES

January 8, 2014

Email and Phone
Freddie Romero

Wanted to confirm that the Native Americans and groups in San Luis Obispo County had been contacted. Since they had, and since project was outside their area, they would have no comment.

January 14, 2014

Phone
John Burch

John said he was familiar with both the Atascadero Lake project and the Hiway 41 Project areas. He had no concern about the improvements in Atascadero Lake Park. Also the SR41 project would have no impact on known cultural resources.

January 22, 2014

Email
Fred Collins

Fred suggested that a Native American be present during the field survey.

NOTE: As part of their response, Native Americans (terrain, conditions, and access permitting) can, on their own, request participation in the survey if they wish.

Attachment 11
Arborist Report
See Next Page

Oak Tree Protection Plan

Highway 41 Multi-Purpose Class 1 Path Project

Prepared By

Chip Tamagni
Certified Arborist #WE 6436-A
Certified Hazard Risk Assessor #1209

Steven Alvarez
Certified Arborist #WE 0511-A

P.O. Box 1311
Templeton, CA 93465
(805) 434-0131

A & T ARBORISTS

P.O. BOX 1311 TEMPLETON, CA 93465 (805) 434-0131

As consulting arborists, we have been hired to inform and educate how to protect trees both during the design phase and construction. Different species can adapt to more impacts than others just as young trees can sustain more root disturbance that older trees. All individuals and firms involved in the planning stages should be made completely aware of the limitations regarding setbacks from drip lines that are recommended to protect the trees. When we are given a plan, it should show **all** possible disturbances within the drip line areas. This includes all cuts, fills, over-excavation limits, building clearances, and all utilities. We will suggest changes if we feel the impacts are too great and it is up to the owner to follow our recommendations. If the plan we receive is not complete with potential impacts, we will fairly assume any additions will fall completely out of the drip line areas. It is the burden of the property owner to inform us of any changes, omissions, or deletions that may impact the drip line area of the trees in any way.

It is the responsibility of the **owner** to provide a copy of this tree protection plan to any and all contractors and subs that work within the drip line of any native tree. We recommend making it mandatory that the grading/trenching operator have all of his/her employees sign that they have read these plans. It is highly recommended that all other contractors sign and acknowledge this tree protection plan. In addition, each their respective employees shall be made aware of this tree plan.

This tree evaluation and protection plan is in regard to the expansion of the existing path between San Gabriel Road and Portola Road. The path was originally constructed by the Resource Conservation District several years ago. The plans are to widen and pave the path which should increase public usage. A & T Arborists produced the original tree plan for the Resource Conservation District. Some of the old tree tags were still in place and others had disappeared. We re-tagged some trees and added additional tags to comply with the Atascadero Native Tree Ordinance. Due to the widening of the path, we have determined 13 native trees will need to be removed. The proposed removals consist of 9 valley oaks (*Quercus lobata*) ranging in size from 2 to 26 inches for a total of 75 inches, three coast live oaks (*Quercus agrifolia*) with each being 4 inches for a total of 12 inches, and one black walnut (*Judlans californica*) with a diameter of 10 inches. All trees shall be removed by a trained arborist and not pushed over as they may damage other saved trees. Stumps should be ground rather than pulled to avoid root damage of other saved trees. A pre-construction walkthrough should be completed with the centerline staked that will allow correct identification of which trees need clearance pruning. All standard mitigations listed below requiring monitoring shall be followed.

Projects usually require an on-site pre-construction meeting with the city, owner, grading contractor and the arborist. Topics will include fencing, monitoring and requirements for a positive final occupancy letter. It is the owner's responsibility to adequately inform us prior to any meetings where we need to be present.

All trees potentially impacted by this project are numbered and identified on both the grading plan and the spreadsheet. Trees whose drip line edges are greater than 50 feet from site disturbance will generally not be tagged and inventoried. Trees that are inherently protected by other saved trees will also not be tagged. Trees are numbered on the grading plans and in the field with an aluminum tag. Tree protection fencing is shown on the grading plan. In the field, trees to be removed have red tape attached to the tag.

Tree Rating System

A rating system of 1-10 was used for visually establishing the overall condition of each tree on the spreadsheet.

Determining factors include:

- Previous impacts to tree root zone
- Observation of cavities, conks or other structurally limiting factors
- Pest, fungal, or bacterial disorders
- Past failures
- Current growth habit

The rating system is defined as follows:

Rating	Condition
0	Deceased
1	Evidence of massive past failures, extreme disease and is in severe decline.
2	May be saved with attention to class 4 pruning, insect/pest eradication and future monitoring.
3	Some past failures, some pests or structural defects that may be mitigated by class IV pruning.
4	May have had minor past failures, excessive deadwood or minor structural defects that can be mitigated with pruning.
5	Relatively healthy tree with little visual structural and or pest defects.
6	Healthy tree that probably can be left in its natural state. Future pruning may be required.
7-9	The tree has had proper arboricultural pruning and attention or have no apparent structural defects.
10	Specimen tree with perfect shape, structure and foliage in a protected setting (i.e. park, arboretum).

The following mitigation measures/methods must be fully understood and followed by anyone working within the drip line of any native tree. Any necessary clarification will be provided by us (the arborists) upon request.

Fencing: The proposed fencing shall be shown in orange ink on the grading plan. It must be a minimum of 4' high chain link, snow or safety fence staked at the edge of the drip line or line of encroachment for each tree or group of trees. The fence shall be up before any construction or earth moving begins. The owner or their designee shall be responsible for maintaining an erect fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval. If the orange plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. All efforts shall be made to maximize the distance from each saved tree. The fencing must be constructed prior to the city pre-construction meeting for inspection by the city and the arborists. Fence maintenance is an issue with many job sites. Windy conditions and other issues can cause the fence to sage and fall. Keeping it erect should be a part of any general contractor's bid for a project. Down fencing is one of the causes for a stop work notice to be placed on a project.

Soil Aeration Methods: Soils within the drip line that have been compacted by heavy equipment and/or construction activities must be returned to their original state before all work is completed. Methods include adding specialized soil conditioners, water jetting, adding organic matter, and boring small holes with an auger (18" deep, 2-3' apart with a 2-4" auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise.

Chip Mulch: All areas within the drip line of the trees that cannot be fenced shall receive a 4-6" layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction.

Trenching Within Drip Line: All trenching/excavation for foundations, pilings, and footings within the drip line of native trees shall be **hand dug or monitored**. All major roots shall be avoided whenever possible. All exposed roots larger than 1" in diameter shall be clean cut with sharp pruning tools and not left ragged. A **Mandatory** meeting between the arborists and grading/trenching contractor(s) shall take place prior to work start. This activity shall be monitored by the arborist(s) to insure proper root pruning is talking place. Any landscape architects and contractors involved shall not design any irrigation or other features within any drip line unless previously approved by the project arborist.

Grading Within The Drip Line: Grading shall not encroach within the drip line unless approved by the project arborist. Grading should not disrupt the normal drainage pattern around the trees. Fills should not create a ponding condition and excavations should not leave the tree on a rapidly draining mound.

Exposed Roots: Any exposed roots shall be re-covered the same day they were exposed. If they cannot, they must be covered with burlap or another suitable material and wetted down 2x per day until re-buried.

Paving Within The Drip Line: The preferred method on paving within the drip line consists of placing base material on existing grade. Any grade lowering removes important surface roots. Pavers can be used with limitations. The base material must be above natural grade and the curbing to retain the pavers shall not be trenched any deeper than six inches into the natural grade.

Equipment Operation: Vehicles and all heavy equipment shall not be driven under the trees, as this will contribute to soil compaction. Also there is to be no parking of equipment or personal vehicles in these areas. All areas behind fencing are off limits unless pre-approved by the arborist. All soil compaction within drip line areas shall be mitigated as described previously.

Existing Surfaces: The existing ground surface within the drip line of all native trees shall not be cut, filled, compacted or pared, unless shown on the grading plans **and** approved by the arborist.

Construction Materials And Waste: No liquid or solid construction waste shall be dumped on the ground within the drip line of any native tree. The drip line areas are not for storage of materials either. Any violations shall be remedied through proper cleanup approved by the project arborist at the expense of the owner.

Arborist Monitoring: An arborist shall be present for selected activities (trees identified on spreadsheet and items bulleted below). The monitoring does not necessarily have to be continuous but observational at times during these activities. It is the responsibility of the owner(s) or their designee to inform us prior to these events so we can make arrangements to be present. It is the responsibility of the owner to contract (prior to construction) a locally licensed and insured arborist that will document all monitoring activities.

- pre-construction fence placement
- any utility or drainage trenching within any drip line
- All grading and trenching near trees requiring monitoring on the spreadsheet

Pre-Construction Meeting: An on-site pre-construction meeting with the Arborist(s), Owner(s), Planning Staff, and all contractors and subs is highly recommended prior to the start of any work. At a minimum, the grading contractor shall be present. It is the sole responsibility of the owner that all topics covered during the preconstruction meeting are appropriately passed on to non-present contractors. Prior to final occupancy, a letter from the arborist(s) shall be required verifying the health and condition of all impacted trees and providing any recommendations for any additional mitigation. The letter shall verify that the arborist(s) were on site for all grading and/or trenching activity that encroached into the drip line of the selected native trees, and that all work done in these areas was completed to the standards set forth above.

Pruning: All native tree pruning shall be completed by a licensed and insured D49 tree trimming contractor that has a valid city business license. Class 4 pruning includes: Crown reduction pruning consisting of reduction of tops, sides or individual limbs. A trained arborist shall perform all pruning. No pruning shall take more than 25% of the live crown of any native tree. Any trees that may need pruning for road/home clearance shall be pruned **prior** to any grading activities to avoid any branch tearing.

Landscape: All landscape under the drip-line shall be drought tolerant or native varieties. Lawns shall be avoided. All irrigation trenching shall be routed around drip

lines; otherwise above ground drip-irrigation shall be used. It is the owner's responsibility to notify the landscape architect and contractor regarding this mitigation.

Utility Placement: All utilities and sewer/storm drains shall be placed down the roads/driveways and when possible outside of the drip lines. If roads exist between two trees, the utilities shall be routed down the middle of the road or completely hand dugThe arborist shall supervise trenching within the drip line. **All trenches in these areas shall be exposed by air spade or hand dug with utilities routed under/over the roots**. Roots greater than 2 inches in diameter shall **not** be cut.

Fertilization and Cultural Practices: As the project moves toward completion, the arborist(s) may suggest fertilization, insecticide, fungicide, soil amendments, and/or mycorrhiza applications that will benefit tree health.

The included spreadsheet includes trees listed by number, species and multiple stems if applicable, diameter and breast height (4.5'), condition (scale from poor to excellent), status (avoided, impacted, removed, exempt), percent of drip line impacted, mitigation required (fencing, root pruning, monitoring), construction impact (trenching, grading), recommended pruning and individual tree notes.

If **all** the above mitigation measures are followed, we feel there will be no additional long-term significant impacts to the remaining native trees.

A & T Arborists strongly suggests that the responsible party (owner of their designee) make copies of this report. Any reproduction by A & T Arborists or changes to this original report will require an additional charge.

Please let us know if we can be of any future assistance to you for this project.

Steven G. Alvarez
Certified Arborist #WC 0511

Chip Tamagni
Certified Arborist #WE 6436-A

TREE PROTECTION SPREAD SHEET - RCD 1

1	2	3	4	5	6	7	8	9	10	11
TREE #	TREE SPECIES	TRUNK DBH	TREE CONDITION	CONST STATUS	DRIP-LINE % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	FIELD NOTES
1	LO	10	4	A	0%	NONE		NO		
2	SYC	2X60	5	A	0%	NONE		NO	IV	
3	SYC	3X106	5	A	0%	NONE		N		cavity in north trunk
4	VO	22	4	I	35%	GR	F,RP,M	YES		
5	VO	15	4	I	35%	GR	F,RP,M	YES		
6	VO	13	4	I	45%	GR	F,RP,M	YES		
7	VO	50	4	I	15%	GR	F,RP,M	YES		
8	VO	17	3	I	10%	GR	F,RP,M	YES		suppressed
9	VO	30	4	I	25%	GR	F,RP,M	YES		
10	VO	48	3	I	15%	GR	F,RP,M	YES		
11	SYC	2X80	3	I	5%	GR	M	YES		cavities
12	LO	48	3	I	10%	GR	M	YES		
13	VO	60	1	I	10%	GR	M	YES		very very hazardous
14	VO	7	4	A	0%	NONE	M	YES		
15	VO	2	4	A	0%	NONE	M	YES		
16	VO	2	4	R	100%	GR				
17	VO	3	4	I	40%	GR	F,RP,M	YES		
18	VO	3	4	R	100%	GR				
19	VO	6	4	R	100%	GR				
20	VO	6	4	I	50%	GR	F,RP,M	YES		

1 = TREE #: MOSTLY CLOCKWISE FROM DUE NORTH
2 = TREE TYPE: COMMON NAME IE.W.O.= WHITE OAK
3 = TRUNK DIAMETER @ 4'6"
4 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT
5 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL
6 = DRIP-LINE: PERCENT OF IMPACTED DRIP-LINE
7 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING
8 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,
9 = ARBORIST MONITORING REQUIRED: YES/NO
10 = PERSCRIBED PRUNING: CLASS 1-4
11 = FIELD NOTES

2/28/2014

TREE PROTECTION SPREAD SHEET - RCD 2

1	2	3	4	5	6	7	8	9	10	11
TREE #	TREE SPECIES	TRUNK DBH	TREE CONDITION	CONST STATUS	DRIP-LINE % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	FIELD NOTES
21	VO	3	3	I	15%	GR	F,RP,M	YES		suppressed
22	VO	2	3	R	100%	GR				
23	VO	2X6	4	I	5%	GR	F, M	YES		
24	VO	4	4	A	0%	NONE	F			
25	VO	9	3	I	30%	GR	F,RP,M	YES		deadwood
26	VO	17	4	I	10%	GR	F,RP,M	YES		
27	VO	8	4	I	10%	TR, GR	F,RP,M	YES		
28	LO	2X6	5	I	10%	TR, GR	F,RP,M	YES		
29	VO	2X24	4	I	5%	GR	F,RP,M	YES		excess deadwood
30	VO	32	4	A	0%	NONE	F		IV	trim weight over bridge
31	VO	24	4	A	0%	NONE	F		IV	trim weight over bridge
32	LO	3X10	4	A	0%		F			tag on branch
33	VO	11	4	A	0%		F			
34	SYC	3x106	4	I	<5%	GR	F,RP,M	YES		
35	LO	9	5	I	15%	GR	F,RP,M	YES		
36	SYC	3x130	5	A	0%		M	YES		tag on branch
37	VO	9	4	A	0%		M	YES		
38	VO	2x18	3	A	0%		M	YES		
39	VO	6	3	A	0%		M	YES		
40	VO	3x28	4	I	10%	GR	M	YES		

1 = TREE #: MOSTLY CLOCKWISE FROM DUE NORTH
2 = TREE TYPE: COMMON NAME IE.W.O.= WHITE OAK
3 = TRUNK DIAMETER @ 4'6"
4 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT
5 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL
6 = DRIP-LINE: PERCENT OF IMPACTED DRIP-LINE
7 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING
8 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,
9 = ARBORIST MONITORING REQUIRED: YES/NO
10 = PERSCRIBED PRUNING: CLASS 1-4
11 = FIELD NOTES

TREE PROTECTION SPREAD SHEET - RCD 3

1	2	3	4	5	6	7	8	9	10	11
TREE #	TREE SPECIES	TRUNK DBH	TREE CONDITION	CONST STATUS	DRIP-LINE % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	FIELD NOTES
41	VO	10	4	R	100%	GR				
42	VO	2X28	3	I	50%	GR	F,RP,M	YES		utility pruned
43	VO	6	4	I	10%	GR	F,RP,M	YES		
44	VO	2X26	3	R	100%	GR				utility pruned
45	VO	17	3	R	100%	GR				utility pruned
46	VO	4	3	A	0%	NONE	F			11' from #45
47	LO	2X9	4	A	0%	NONE	F			14' from #45
48	LO	4	3	A	0%	NONE	F			1' from #47
49	VO	19	4	A	0%	NONE	F			24' from #45
50	LO	11	4	A	0%	NONE	F			6' north of #48
51	LO	12	3	A	0%	NONE	F			very suppressed
52	VO	6	3	R	100%	GR				
53	VO	2X8	3	A	0%	NONE	F			
54	VO	2X5	3	A	0%	NONE	F			
55	VO	2	2	A	0%	NONE	F			
56	LO	20	4	I	50%	GR	F,RP,M	YES		
57	VO	21	4	I	10%	GR	F, M	YES		
58	VO	3	3	A	0%		F, M	YES		
59	LO	5	3	A	0%		F, M	YES		
60	VO	3	3	R	100%	GR				

1 = TREE #: MOSTLY CLOCKWISE FROM DUE NORTH
2 = TREE TYPE: COMMON NAME IE.W.O.= WHITE OAK
3 = TRUNK DIAMETER @ 4'6"
4 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT
5 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL
6 = DRIP-LINE: PERCENT OF IMPACTED DRIP-LINE
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8 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,
9 = ARBORIST MONITORING REQUIRED: YES/NO
10 = PERSCRIBED PRUNING: CLASS 1-4
11 = FIELD NOTES

2/28/2014

TREE PROTECTION SPREAD SHEET RCD 4

1	2	3	4	5	6	7	8	9	10	11
TREE #	TREE SPECIES	TRUNK DBH	TREE CONDITION	CONST STATUS	DRIP-LINE % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	FIELD NOTES
61	VO	50	3	I	50%	GR	F,RP,M	YES		poor structured tree
62	BW	4X16	4	I	20%	GR	F,RP,M	YES		
63	BW	10	4	I	20%	GR	F,RP,M	YES		
64	LO	2X24	5	I	15%	GR	F,RP,M	YES		
65	VO	11	5	I	45%	GR	F,RP,M	YES		
66	LO	4	4	I	25%	GR	F,RP,M	YES		
67	VO	3	4	I	15%	GR	F,RP,M	YES		
68	BW	6	4	I	30%	GR	F,RP,M	YES		
69	BW	2X16	4	I	25%	GR	F,RP,M	YES		
70	VO	8	4	I	20%	GR	F,RP,M	YES		
71	VO	2	4	I	5%	GR	F,RP,M	YES		
72	LO	9	4	I	10%	GR	F,RP,M	YES	IV	minor clearance pruning
73	VO	18	5	I	30%	GR	F,RP,M	YES		
74	SYC	50	5	A	0%	NONE	F			
75	LO	10	5	A	0%	NONE	F			
76	BW	15	4	I	15%	GR	F,RP,M	YES		
77	VO	6	3	I	20%	GR	F,RP,M	YES		
78	LO	4	3	R	100%	GR				
79	LO	4	3	R	100%	GR				
80	BW	4X10	3	R	100%	GR				

1 = TREE #: MOSTLY CLOCKWISE FROM DUE NORTH
2 = TREE TYPE: COMMON NAME IE.W.O.= WHITE OAK
3 = TRUNK DIAMETER @ 4'6"
4 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT
5 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL
6 = DRIP-LINE: PERCENT OF IMPACTED DRIP-LINE
7 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING
8 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,
9 = ARBORIST MONITORING REQUIRED: YES/NO
10 = PERSCRIBED PRUNING: CLASS 1-4
11 = FIELD NOTES

TREE PROTECTION SPREAD SHEET RCD 5

1	2	3	4	5	6	7	8	9	10	11
TREE #	TREE SPECIES	TRUNK DBH	TREE CONDITION	CONST STATUS	DRIP-LINE % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	FIELD NOTES
81	LO	2X6	4	I	30%	GR	F,RP,M	YES		
82	LO	5	4	I	30%	GR	F,RP,M	YES		
83	LO	4	3	R	100%	GR				
84	LO	10	4	I	15%	GR	F,RP,M	YES		
85	LO	10	4	I	15%	GR	F,RP,M	YES		
86	VO	9	4	A	0%	NONE	F			

1 = TREE #: MOSTLY CLOCKWISE FROM DUE NORTH
2 = TREE TYPE: COMMON NAME IE.W.O.= WHITE OAK
3 = TRUNK DIAMETER @ 4'6"
4 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT
5 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL
6 = DRIP-LINE: PERCENT OF IMPACTED DRIP-LINE
7 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING
8 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,
9 = ARBORIST MONITORING REQUIRED: YES/NO
10 = PERSCRIBED PRUNING: CLASS 1-4
11 = FIELD NOTES

INFORMATION PROVIDED IS PUBLIC RECORD

City of Atascadero
Planning Division
Application Form

SECTION 11.05 B.5

Payment methods accepted: Cash or Check

OWNER 1: City of Atascadero	APPLICANT
ADDRESS:	ADDRESS:
PHONE #:	PHONE #:
FAX #:	FAX #:

OWNER 2:	CERTIFIED ARBORIST: Chip Tomeoni
ADDRESS:	ADDRESS: PO Box 1311
	Templeton, CA 93465
PHONE #:	PHONE #: 431-2602
FAX #:	FAX #: 466-1528
	CERTIFICATION #: WE6436-A

Site Address: _____

Site APN: _____

Reason for Removal: _____

List all trees to be removed:

SPECIES	SIZE (dbh)	NUMBER TO BE REMOVED	CONDITION OF TREE
1. Q. Lobata	2, 3, 6, 2, 10, 26, 17, 6, 3	9	3-5/10
2. Q. agrifolia	4, 4, 4	3	4/10
3. Juglans Cali	10	1	3/10

Property owner certifies that they have read and understood Atascadero Municipal Code Section 9-11.105. Tree removal is not to facilitate future development.

A plot plan shall be included showing all proposed improvements on the property, trees to be removed, and trees to remain. The trees shall correspond with the numbers above.

_____ _____

Owner Sign and Print **Date**

_____ _____

Owner Sign and Print **Date**

Chip Tomeoni 3/3/14

Certified Arborist Sign and Print **Date**

T:\FORMS\PLANNING\APPLICATIONS\Tree Removal App.doc

For staff use only
Fee to be determined at time of intake meeting
Total Due: $_____
Receipt #:_____

Exhibit A **Mitigation Monitoring Program** **PLN 2014-1497 / PPN 2014-0257** **Highway 41 / Morro Road Class 1 Multi-Use Trail**	**Timing** FM: Final Map GP: Grading Permit BP: Building Permit TO: Temporary Occupancy FI: Final inspection FO: Final Occupancy	**Responsibility /Monitoring** PS: Planning Services BS: Building Services FD: Fire Department PD: Police Department CE: City Engineer WW: Wastewater CA: City Attorney AMWC: Water Comp.	**Mitigation Measure**
Mitigation Measure 1.b.c.1: Trimming and pruning of oak trees shall be kept to the minimum amount necessary to maintain visual character of the corridor.	**BP**	**BS/PS**	**1.b.c.1**
Mitigation Measure 1.b.c.2: Oak trees removed as part of the project shall be replaced in-kind at a minimum ratio of 3:1 for trees less than 24 inches diameter at breast height (dbh) and 10:1 for trees 24 inches or greater dbh, or in accordance with the City of Atascadero tree ordinance, whichever is stricter. All trees shall be maintained and monitored as required by the City of Atascadero tree ordinance.	**BP**	**BS/PS**	**1.b.c.2**
Mitigation Measure 3.b.1: 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 2 "Assessing and Mitigating Construction Impacts." 2.3.1 Standard Mitigation Measures for Construction Equipment • Maintain all construction equipment in proper tune according to manufacturer's specifications; • Fuel all off-road and portable diesel power equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road); • Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy duty diesel engines, and comply with State off-Road Regulations; • Use on-road heavy duty trucks that meet ARB's 2007 or cleaner certification standard for on-road heavy duty diesel engines, and comply with State On-Road Regulation; • Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NO_x exempt area fleets) may be eligible by proving alternative compliance; • All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit; • Diesel idling within 1,000 feet of sensitive receptors is not permitted; • Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors; • Electrify equipment when feasible;	**BP**	**BS/PS**	**3.b.1**

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• Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and • Use alternatively fueled construction equipment on- site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propone or biodiesel. <u>2.3.2 Best Available Control Technology (BACT) for Construction Equipment</u> • Further reducing emissions by expanding use of Tier 3 and Tier 4 off-road and 2010 on-road compliant engines; • Repowering equipment with the cleanest engines available; and • Installing California Verified Diesel Emissions Control Strategies. These strategies are listed at: http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm <u>2.3.3 Construction Activity Management Plan (CAMP) and Off-site Mitigation</u> • A Dust Control Management Plan that encompasses all, but is not limited to, dust control measures that were listed in the “dust control” measures section in the SLO County APCD CEQA Air Quality Handbook • Tabulation of on and off-road construction equipment (age, horse-power and miles and/or hours of operation); • 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. <u>2.4 Fugitive Dust Mitigation Measures: Expanded List</u> A. Reduce the amount of the disturbed areas 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 (non-potable) water should be used whenever possible; C. All dirt stock pile areas should be sprayed daily as needed; D. Permanent dust control measures identified in the approved project revegtaion and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities; E. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and water until vegetation is established; F. All disturbed soil area not subject to revegetation should be stabilized using approved chemical soil binder, jute netting, or other methods approved in advance by the APCD; G. All roadways, driveways, sidewalks, etc. to be paved should be			

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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; L. All of these fugitive dust mitigation measures shall be shown on grading and building plans; M. The contractor or builder shall designate a person or person to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complains, reduce visible emission below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.			
Mitigation Measure 3.b.2: The project shall be conditioned to comply with all applicable APCD regulations pertaining to Naturally Occurring Asbestos (NOA). Prior to any grading activities a geologic evaluation should be conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, and exemptions request must be filed with the District. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety program for approval by the APCD. Technical Appendix 4.4 of the SLO County APCD CEQA Air Quality Handbook includes a map of zones throughout San Luis Obispo County where NOA has been found and geological evaluation is required prior to any grading.	**BP**	**PS**	**3.b.2**
Mitigation Measure 4.a.b.c.1: Retain existing riparian edge of canopy to the extent possible. Clearly delineate the edges of work limits where they occur adjacent to riparian habitat prior to start of work. Work will not be permitted within the riparian area.	**BP**	**PS**	**4.a.b.c.1**
Mitigation Measure 4.a.b.c.2: Staging and storage areas will be located away from the creek, on the highway side of the Project site where possible, and outside any tree canopies.	**BP**	**PS**	**4.a.b.c.2**

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Mitigation Measure 4.a.b.c.3: Treat existing known patches of yellow star thistle within the Project site with a water-safe herbicide approved for use in aquatic habitats.	**BP**	**PS**	**4.a.b.c.3**
Mitigation Measure 4.a.b.c.4: To avoid the export of invasive plant species during construction, soil or plant material within the vicinity of yellow star thistle shall not be transported offsite. If such soil or plant material must be exported offsite, it shall be disposed of at a certified landfill.	**BP**	**PS**	**4.a.b.c.4**
Mitigation Measure 4.a.b.c.5: Do not plant species known to invade wild lands as part of proposed landscape materials. Only use seeds that contain native and/or naturalized species appropriate for the Project site.	**BP**	**PS**	**4.a.b.c.5**
Mitigation Measure 4.d.1: If construction occurs during the normal bird nesting season of February 15 to August 1, surveys will be conducted for nesting birds within 300 feet of the Project before the onset of construction. When active, purple martin nesting site(s) will be identified and a minimum 300-foot buffer shall be established around the site(s) to avoid impacts to this species. If present, active raptor nests shall be also avoided by a 300-foot buffer to avoid project-related nest abandonment. All other active nests shall be avoided by a 250-foot buffer to avoid project-related nest abandonment. Construction activities may resume in buffered areas when it is determined that the nests are no longer active. Upon concurrence with applicable regulatory agencies, nest buffers may be reduced if a qualified ornithologist determines that a species (e.g., house finch) may not be adversely affected by construction activities	**BP**	**PS**	**4.d.1**
Mitigation Measure 4.d.2: A biological monitor will be on site as needed to monitor construction. The biological monitor shall have authority to stop project activities if necessary to protect nesting birds and other wildlife.	**BP**	**PS**	**4.d.2**
Mitigation Measure 4.e.1: Grading and excavation and grading work shall be consistent with the City of Atascadero Tree Ordinance. Special precautions when working around native trees include: 1. All existing trees outside of the limits of work shall remain. 2. Earthwork shall not exceed the limits of the project area. 3. Vehicles and stockpiled material shall be stored outside the drip line of all trees. 4. All trees within twenty feet of construction work shall be fenced for protection with 4-foot chain link, snow or safety fencing placed per the approved tree protection plan. Tree protection fencing shall be in place prior to any site excavation or grading. Fencing shall remain in place until completion of all construction activities. 5. Any roots that are encountered during excavation shall be clean cut by hand and sealed with an approved tree seal. 6. Any foundation or other structure that encroaches within the drip line of trees to be saved shall be dug by hand. At no time shall tree roots be ripped with construction equipment	**BP**	**PS**	**4.e.1**
Mitigation Measure 4.e.2: Trimming and pruning of oak trees shall be kept to the minimum amount necessary to meet Project goals.	**BP**	**PS**	**4.e.2**

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Mitigation Measure 4.e.3: Erosion control hydro seed/slope stabilization shall consist of native species matching the existing plant species within the tributary stream if applicable. The seed and plant material shall not contain any introduced plant species. Seed mix is to be approved by project biologist prior to application.	**BP**	**PS**	**4.e.3**
Mitigation Measure 4.e.4: Native trees removed as part of the project shall be replaced in-kind at a minimum ratio of 3:1 for trees less than 24 inches diameter at breast height (dbh) and 10:1 for trees 24 inches or greater dbh, or in accordance with the City of Atascadero tree ordinance, whichever is stricter. All trees shall be maintained and monitored as required by the City of Atascadero tree ordinance.	**BP**	**PS**	**4.e.4**
Mitigation 5.b.1: In the event that archaeological resources are discovered, all work on the project shall stop. When a project will impact an archeological site, the Atascadero Community Development Department shall first determine whether the site is a historical resource. If a lead agency determines that the archaeological site is an historical resource, it shall refer to the Public Resources Code Sections for guidance. If an archaeological resource is neither a unique archaeological nor an historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment.	**BP**	**BS/PS**	**5.b.1**
Mitigation 5.d.1: In the event that human remains are discovered on the property, all work on the project shall stop and the Atascadero Police Department and the County Coroner shall be contacted. The Atascadero Community Development Department shall be notified. If the human remains are identified as being Native American, the California Native American Heritage Commission (NAHC) shall be contacted at (916) 653-4082 within 24 hours. A representative from both the Chumash Tribe and the Salinan Tribe shall be notified and present during the excavation of any remains.	**BP**	**BS/PS**	**5.d.1**
Mitigation Measure 6.b.1: Grading permit application plans must include erosion control measures to prevent soil, dirt, and debris from entering the storm drain system during and after construction. A separate plan shall be submitted for this purpose and shall be subject to review and approval of the City Engineer at the time of Building Permit application.	**BP**	**BS/CE**	**6.b.1**
Mitigation Measure 6.b.2: All cut and fill slopes shall be hydro seeded with an appropriate erosion control method (erosion control blanket, hydro-mulch, or straw mulch appropriately anchored) immediately after completion of earthwork year round. All disturbed slopes shall have appropriate erosion control methods in place. Duration of the project: The contractor will be responsible for the clean-up of any mud or debris that is tracked onto public streets by construction vehicles.	**BP**	**BS/CE**	**6.b.2**

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Mitigation Measure 6.b.3: A re-vegetation / landscaping plan shall be submitted with building permits. All disturbed cut and fill slopes shall be planted with a mixture of drought tolerant native plants and hydro seeded with a native seed mix. Affected areas that previously contained native shrubs and vegetation shall be replanted with similar plant species per the approved re-vegetation plan.	**BP**	**PS/CE**	**6.b.3**
Mitigation Measure 9.c.d.e.1: Grading on the site has the potential to alter the drainage pattern of the area. The City will utilize soil control measures, landscaping, and native vegetation to minimize the impact of drainage on the area.	**BP/GP**	**CE**	**9.c.d.e.1**
Mitigation Measure 9.c.d.e.2: Sediment containment devices such as biodegradable fiber rolls will be installed between the Project boundary and Atascadero Creek in locations where sediment could leave the site and enter the creek. Sediment containment devices such as biodegradable fiber rolls will be installed between the Project boundary and Atascadero Creek in locations where sediment could leave the site and enter the creek.	**BP/GP**	**BS/CE**	**9.c.d.e.2**
Mitigation Measure 9.c.d.e.3: Upon completion of the project, all construction material and all nonpermanent non-biodegradable erosion control materials will be removed from the site and disturbed soil will be stabilized using native and/or naturalized seed species.	**FI**	**BS/CE**	**9.c.d.e.3**
Mitigation Measure 9.e.f.1: The City is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Failure to comply with the approved construction Best Management Practices will result in the issuance of correction notices, citations, or stop orders.	**BP**	**BS/CE**	**9.e.f.1**
Mitigation Measure 9.i.1: The City must install warning signage for trail users that the trail is "subject to flooding" and additional warning signage that the trail may have water on that path and that it may be impassable. This signage must be installed at both ends of the trail and other locations deemed necessary by the City Engineer.	**FI**	**PS/CE**	**9.i.1**
Mitigation Measure 12.d.1: All construction activities shall comply with the City of Atascadero Noise Ordinance for hours of operation.	**BP**	**PS**	**12.d.1**

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☒ Aesthetics	☐ Agriculture and Forest Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☒ Geology /Soils
☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials	☒ Hydrology / Water Quality
☐ Land Use / Planning	☐ Mineral Resources	☒ Noise
☐ Population / Housing	☐ Public Services	☐ Recreation
☐ Transportation/Traffic	☐ Utilities / Service Systems	☐ Mandatory Findings of Significance

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant effect" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project.

3/15/2014

Alfredo R. Castillo, AICP,
Assistant Planner

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.

   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

   a) the significance criteria or threshold, if any, used to evaluate each question; and

   b) the mitigation measure identified, if any, to reduce the impact to less than significance.

Initial Study 2014-0004 PLN 2014-1497 / PPN 2014-0257 / TRP 2014-0170 Highway 41 / Morro Road Class I Multi-Use Trail	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
1. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☒	☐	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

SOURCES: Project Description, Preliminary Construction documents, Site Visit.
DISCUSSION:
1.a. The proposed project does not obscure a designated scenic vista, as discussed in the certified final EIR for the City's General Plan 2025.
1.b. The project site is located adjacent to State Route 41 (Morro Road). This state route is eligible for as a State scenic highway according to the Department of Transportation, from Highway 101 interchange west to Morro Bay/Highway 1 termination. This section has not been officially designated as a scenic highway. The proposal will not substantially degrade the existing vista, however additional pavement may be visible from the roadway, as well as trees are proposed to be removed. Mitigation is proposed as to replant native trees that contribute to the vista along Atascadero Creek and Highway 41, creating a less than significant impact.
1.c. The project proposes a 10-foot concrete path with 2-foot shoulders on each side adjacent to a mature riparian corridor adjacent to Atascadero Creek. As a part of the project, oak tree, black-walnut and California Sycamore trees are proposed to be removed. Based on the attached biological report, mitigation is proposed for the native trees. This mitigation measures is included.
1.d. No new proposed light sources are included as a part of this proposed project.

Mitigation Measure 1.b.c.1: Trimming and pruning of oak trees shall be kept to the minimum amount necessary to maintain visual character of the corridor.

Mitigation Measure 1.b.c.2: Oak trees removed as part of the project shall be replaced in-kind at a minimum ratio of 3:1 for trees less than 24 inches diameter at breast height (dbh) and 10:1 for trees 24 inches or greater dbh, or in accordance with the City of Atascadero tree ordinance, whichever is stricter. All trees shall be maintained and monitored as required by the City of Atascadero tree ordinance.

2. AGRICULTURAL AND FOREST RESOURCES -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒

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b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined in Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))??	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

SOURCES: Project Description, Site Visit, California Department of Conservation, City of Atascadero 2025 General Plan.

DISCUSSION

2.a. The proposed project area is not shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency as prime farmland.
2.b. The proposed project is not in an agricultural zone according the General Plan and is not mandated by the State of California under a Williamson Act contract.
2.c. The project does not involve rezoning of forest land or timberland. Proposed Class I multi-use trail is consistent with the underlying zoning.
2.d.e.. The project will not result in a loss of forest land and will not result in a conversion of forest land to non-forest use or farmland to non-agricultural uses.

3. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

SOURCES: Air Pollution Control District (APCD) CEQA Air Quality Handbook, 2012; Project Description

DISCUSSION:

3.a.c.) The proposed project consists of a new class I multi-use trail that will encourage alternative forms of transportation. The proposed project is not included in the GHG Bright Line threshold with air quality impacts and is considered to be less than significant.

3.b.) Construction activities, including minor site grading and basing, tree removals and other construction related project impacts have the potential to produce small quantities of air pollution that include dust and equipment exhaust. Air quality impacts from construction will be temporary and short term. The project shall be conditioned to comply with all applicable APCD regulations pertaining to the control of fugitive dust (PM-10) as showed in Section 2 "Assessing and Mitigating Construction Impacts" of the April 2012 CEQA Air Quality Handbook.

3.d.e) The construction of the proposed project will not concentrate pollutants or create objectionable odors.

Mitigation Measure 3.b.1: 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 2 "Assessing and Mitigating Construction Impacts."

2.3.1 Standard Mitigation Measures for Construction Equipment

- Maintain all construction equipment in proper tune according to manufacturer's specifications;
- Fuel all off-road and portable diesel power equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy duty diesel engines, and comply with State off-Road Regulations;
- Use on-road heavy duty trucks that meet ARB's 2007 or cleaner certification standard for on-road heavy duty diesel engines, and comply with State On-Road Regulation;
- Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NO_x exempt area fleets) may be eligible by proving alternative compliance;
- All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit;
- Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- Electrify equipment when feasible;
- Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and
- Use alternatively fueled construction equipment on- site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propone or biodiesel.

2.3.2 Best Available Control Technology (BACT) for Construction Equipment

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

2.3.3 Construction Activity Management Plan (CAMP) and Off-site Mitigation

- A Dust Control Management Plan that encompasses all, but is not limited to, dust control measures that were listed in the "dust control" measures section in the SLO County APCD CEQA Air Quality Handbook
- Tabulation of on and off-road construction equipment (age, horse-power and miles and/or hours of operation);
- 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.

2.4 Fugitive Dust Mitigation Measures: Expanded List

N. Reduce the amount of the disturbed areas where possible;
O. 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 (non-potable) water should be used whenever possible;
P. All dirt stock pile areas should be sprayed daily as needed;
Q. Permanent dust control measures identified in the approved project revegtaion and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;

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R. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and water until vegetation is established;
S. All disturbed soil area not subject to revegetation should be stabilized using approved chemical soil binder, jute netting, or other methods approved in advance by the APCD;
T. 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;
U. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
V. 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;
W. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
X. 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;
Y. All of these fugitive dust mitigation measures shall be shown on grading and building plans;
Z. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emission below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

Mitigation Measure 3.b.2: The project shall be conditioned to comply with all applicable APCD regulations pertaining to Naturally Occurring Asbestos (NOA). Prior to any grading activities a geologic evaluation should be conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, and exemptions request must be filed with the District. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety program for approval by the APCD. Technical Appendix 4.4 of the SLO County APCD CEQA Air Quality Handbook includes a map of zones throughout San Luis Obispo County where NOA has been found and geological evaluation is required prior to any grading.

4. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or	☐	☒	☐	☐

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impede the use of native wildlife nursery sites?				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

SOURCES: Site Plan, Biological Assessment, Atascadero 2025 General Plan EIR, Arborist Report

DISCUSSION:

4.a. The proposed project is adjacent to an existing riparian corridor and Atascadero Creek. A focused biological study was completed for the proposed project. The project is not proposing any construction in the riparian area, nor will it affect protected species. Mitigation measures have been included to protect potential habitat of these critical species in the riparian area, thus deeming the impact less than significant.

4.b. Construction will not occur within the riparian area, however tree trimming and minor tree removals are proposed. Based on the biological assessment included as an attachment, mitigation measures are included to protect the riparian area from development deeming the impact less than significant.

4.c. The latest National Wetland Inventory Map provided by the U.S. Fish and Wildlife Service indicated that there is a riverine (Atascadero Creek) and shrub wetlands present (riparian habitat). Construction will not be in the riverine and/or shrub wetland that has been designated by the US Fish and Wildlife service. Construction will be adjacent to it. As discussed in the biological report, mitigation measures will be included to reduce any impact that construction related activities may have on the adjacent riparian corridor.

4.d. Construction activities may interfere with migratory birds and nesting season as described in the attached biological assessment and mitigation measures are included to reduce potential impacts to a less than significant level with mitigation measures incorporated.

4.e. The construction of the proposed trail includes the proposal to remove nine (9) valley oaks ranging in size of 2-inches to 26-inches, totaling 75-inches; three (3) coast live oaks, each being 4-inches in DBH and totaling 12-inches; and one black walnut tree totaling 10-inches in size. The Arborist report contains mitigation measures to ensure the survival of the remaining native trees and methods of removal. The biological assessment contains mitigation measures for replacement of the proposed trees to be removed. With mitigation measures incorporated, impacts will be less than significant.

4.f. The proposed project is not located in an area that will conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Mitigation Measure 4.a.b.c.1: Retain existing riparian edge of canopy to the extent possible. Clearly delineate the edges of work limits where they occur adjacent to riparian habitat prior to start of work. Work will not be permitted within the riparian area.

Mitigation Measure 4.a.b.c.2: Staging and storage areas will be located away from the creek, on the highway side of the Project site where possible, and outside any tree canopies.

Mitigation Measure 4.a.b.c.3: Treat existing known patches of yellow star thistle within the Project site with a water-safe herbicide approved for use in aquatic habitats.

Mitigation Measure 4.a.b.c.4: To avoid the export of invasive plant species during construction, soil or plant material within the vicinity of yellow star thistle shall not be transported offsite. If such soil or plant material must be exported offsite, it shall be disposed of at a certified landfill.

Mitigation Measure 4.a.b.c.5: Do not plant species known to invade wild lands as part of proposed landscape materials. Only use seeds that contain native and/or naturalized species appropriate for the Project site.

Mitigation Measure 4.d.1: If construction occurs during the normal bird nesting season of February 15 to August 1, surveys will be conducted for nesting birds within 300 feet of the Project before the onset of construction. When active, purple martin nesting site(s) will be identified and a minimum 300-foot buffer shall be established around

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the site(s) to avoid impacts to this species. If present, active raptor nests shall be also avoided by a 300-foot buffer to avoid project-related nest abandonment. All other active nests shall be avoided by a 250-foot buffer to avoid project-related nest abandonment. Construction activities may resume in buffered areas when it is determined that the nests are no longer active. Upon concurrence with applicable regulatory agencies, nest buffers may be reduced if a qualified ornithologist determines that a species (e.g., house finch) may not be adversely affected by construction activities.

Mitigation Measure 4.d.2: A biological monitor will be on site as needed to monitor construction. The biological monitor shall have authority to stop project activities if necessary to protect nesting birds and other wildlife.

Mitigation Measure 4.e.1: Grading and excavation and grading work shall be consistent with the City of Atascadero Tree Ordinance. Special precautions when working around native trees include:

7. All existing trees outside of the limits of work shall remain.
8. Earthwork shall not exceed the limits of the project area.
9. Vehicles and stockpiled material shall be stored outside the drip line of all trees.
10. All trees within twenty feet of construction work shall be fenced for protection with 4-foot chain link, snow or safety fencing placed per the approved tree protection plan. Tree protection fencing shall be in place prior to any site excavation or grading. Fencing shall remain in place until completion of all construction activities.
11. Any roots that are encountered during excavation shall be clean cut by hand and sealed with an approved tree seal.
12. Any foundation or other structure that encroaches within the drip line of trees to be saved shall be dug by hand.
13. At no time shall tree roots be ripped with construction equipment.

Mitigation Measure 4.e.2: Trimming and pruning of oak trees shall be kept to the minimum amount necessary to meet Project goals.

Mitigation Measure 4.e.3: Erosion control hydro seed/slope stabilization shall consist of native species matching the existing plant species within the tributary stream if applicable. The seed and plant material shall not contain any introduced plant species. Seed mix is to be approved by project biologist prior to application.

Mitigation Measure 4.e.4: Native trees removed as part of the project shall be replaced in-kind at a minimum ratio of 3:1 for trees less than 24 inches diameter at breast height (dbh) and 10:1 for trees 24 inches or greater dbh, or in accordance with the City of Atascadero tree ordinance, whichever is stricter. All trees shall be maintained and monitored as required by the City of Atascadero tree ordinance.

5. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

SOURCES: Site Plan, Site Visit, Archeological Assessment.

DISCUSSION:

5.a. There are no known historic resources located on or adjacent to the site based on the provided archeological assessment.

5.b. There are no known archaeological resources located on or adjacent to the project site based on the archeological assessment completed for the project.

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5. c. Paleontological resources or unique geologic features are not known to be located on the project site.
5. d. No known human remains have been found or documented in the vicinity of the project.

Mitigation 5.b.1: In the event that archaeological resources are discovered, all work on the project shall stop. When a project will impact an archeological site, the Atascadero Community Development Department shall first determine whether the site is a historical resource. If a lead agency determines that the archaeological site is an historical resource, it shall refer to the Public Resources Code Sections for guidance. If an archaeological resource is neither a unique archaeological nor an historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment.

Mitigation 5.d.1: In the event that human remains are discovered on the property, all work on the project shall stop and the Atascadero Police Department and the County Coroner shall be contacted. The Atascadero Community Development Department shall be notified. If the human remains are identified as being Native American, the California Native American Heritage Commission (NAHC) shall be contacted at (916) 653-4082 within 24 hours. A representative from both the Chumash Tribe and the Salinan Tribe shall be notified and present during the excavation of any remains.

6. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

SOURCES: Project description; Conceptual Residence Plan, City of Atascadero GIS Data

DISCUSSION:
6.a. The City of Atascadero GIS Data shows that the project is not located on any known earthquake faults, and the

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property contains no unusual geological formations.
6.b. Construction activities on the site will be required to comply with sedimentation and erosion control measures prescribed by the City Engineer.
6.c.d.e Soil conditions will be reviewed as a part of the construction document phase. A soils report is not needed for construction of a Class I trail as no new structures are proposed.

Mitigation Measure 6.b.1: Grading permit application plans must include erosion control measures to prevent soil, dirt, and debris from entering the storm drain system during and after construction. A separate plan shall be submitted for this purpose and shall be subject to review and approval of the City Engineer at the time of Building Permit application.

Mitigation Measure 6.b.2: All cut and fill slopes shall be hydro seeded with an appropriate erosion control method (erosion control blanket, hydro-mulch, or straw mulch appropriately anchored) immediately after completion of earthwork year round. All disturbed slopes shall have appropriate erosion control methods in place. Duration of the project: The contractor will be responsible for the clean-up of any mud or debris that is tracked onto public streets by construction vehicles.

Mitigation Measure 6.b.3: A revegetation / landscaping plan shall be submitted with building permits. All disturbed cut and fill slopes shall be planted with a mixture of drought tolerant native plants and hydro seeded with a native seed mix. Affected areas that previously contained native shrubs and vegetation shall be replanted with similar plant species per the approved revegetation plan.

7. GREENHOUSE GAS EMISSIONS -- Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

SOURCES: Project description, Site Plan, San Luis Obispo County Air Pollution Control District (APCD) CEQA Air Quality Handbook, 2012

DISCUSSION:
7.a. The project will not generate greenhouse gas emissions directly or indirectly that will have a significant impact on the environment. Less than significant impacts are determined through compliance with a qualified GHG Reduction Strategy; or annual emission less than 1,150 metric tons per year (MY/yr) of CO_2e; or 4.9 MT CO_2e/service population (SP)/yr (residents + employees2).
7.b. The Zoning Ordinance and the General Plan identify the parcel area as Open Space (OS). The proposed Class 1 multi-purpose trail is consistent with the regional and City plan, polices, and regulations regarding the reduction of greenhouse gas emissions.

8. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely				

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hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people living or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people living or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

SOURCES: Project description; General Plan Land Use Element, Department of Toxic Substances Control: Envirostor

DISCUSSION

8a.b.c. The proposed project will not generate or involve use of significant amounts of hazardous materials. There are no known hazardous materials on the site or nearby according to Department of Toxic Substances Control: Envirostor.
8.d. The property is not a listed hazardous material site based on the Envirostor map.
8e.f. The property is not near an airport. The nearest airport is commercial airport is located in Paso Robles sixteen (16) miles away.
8g.h. The site is within the Fire Department's five minute or less response area. During building permit review, the fire department will verify appropriate fire hydrant locations and will require fire sprinklers.

9. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of previously-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial	☐	☐	☒	☐

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erosion or siltation on- or off-site?				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☐	☐	☒	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☒	☐	☐
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

SOURCES: Project description, Flood Insurance Rate Maps, Biological assessment

DISCUSSION:

9a. No sewer/septic system is proposed with the Class I trail project.
9b. No water connections are proposed for this Class I multi-use trail.
9c.d.e.f. Construction activities are subject to review for compliance with City drainage and grading regulations. Based on preliminary design of the proposed trail, drainage will be handled by sheeting storm water runoff into grassy swales adjacent to the trail, thus allowing for water to slowly percolate into the ground, consistent with low impact development standards. Minor grading may disturb soil. Mitigation measures have been proposed to restore minor graded areas with native vegetation and hydroseed mix, thus rendering the impact to less than significant.
9.g.h.i.j. Portions of the proposed trail are located within the 100 year flood plain and may be subject to flooding during major precipitation events. This poses a potentially significant hazard to trail users during such an event. While it is less likely that the trail would be used during major precipitation events, proposed mitigation measure to include prominent trail signage to warn trail users of possible hazards from storm runoff, flooding, or related trail obstructions would reduce a potentially significant impact to less than significant levels.

Mitigation Measure 9.c.d.e.1: Grading on the site has the potential to alter the drainage patter of the area. The City will utilize soil control measures, landscaping, and native vegetation to minimize the impact of drainage on the area.

Mitigation Measure 9.c.d.e.2: Sediment containment devices such as biodegradable fiber rolls will be installed between the Project boundary and Atascadero Creek in locations where sediment could leave the site and enter the creek. Sediment containment devices such as biodegradable fiber rolls will be installed between the Project boundary and Atascadero Creek in locations where sediment could leave the site and enter the creek.

Mitigation Measure 9.c.d.e.3: Upon completion of the project, all construction material and all nonpermanent non-biodegradable erosion control materials will be removed from the site and disturbed soil will be stabilized using native and/or naturalized seed species.

Mitigation Measure 9.e.f.1: The City is responsible for ensuring that all contractors are aware of all storm water

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quality measures and that such measures are implemented. Failure to comply with the approved construction Best Management Practices will result in the issuance of correction notices, citations, or stop orders.

Mitigation Measure 9.i.1: The City must install warning signage for trail users that the trail is "subject to flooding" and additional warning signage that the trail may have water on that path and that it may be impassable. This signage must be installed at both ends of the trail and other locations deemed necessary by the City Engineer.

10. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

SOURCES: Land Use Element; project description; site plan

DISCUSSION:
10.a. The project will not physically divide an established community. The proposed project is a Class I multi-use trail and is being installed for better connectivity between major focal points in the City..
10.b. The General Plan identifies the installation of a trail within the designated open space zone as consistent with the zoning ordinance and General Plan.
10.c. The project is consistent with the open space and conservation policies identified in the General Plan.

11. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

SOURCES: Project description; Planning staff site visit.

DISCUSSION:
11.a.b. No mining is proposed as a part of this project. No known mineral resources have been identified in the area.

12. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels				

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in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people living or working in the project area to excessive noise levels?	☐	☐	☐	☒

SOURCES: Project description; Noise Element; Noise Ordinance; Acoustical Design Manual.

DISCUSSION:
12a.b.c.d.) Construction is expected to involve some machinery and use of impact tools that make noise. Noise levels on the site are thus expected to be raised temporarily. The proposed trail is not expected to generate unacceptable levels of noise that is already present as a part of traffic noises created by the existing Highway 41/Morro Road right-of-way
12.e.f.) The project is not located within an airport land use plan or private airstrip.

Mitigation Measure 12.d.1: All construction activities shall comply with the City of Atascadero Noise Ordinance for hours of operation.

13. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

SOURCES: Project description; General Plan Land Use Element.

DISCUSSION:
13.a.) The proposed multi-use Class I trail will not induce substantial population growth. No new residential or commercial projects are proposed with the project.
13.b.c.) No housing or persons will be displaced.

14. PUBLIC SERVICES -- Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

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Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

SOURCES: Project description; Land Use Element EIR.

DISCUSSION:

The proposed Class I multi-use trail project will have no impact on fire, police, schools, parks, and other related public facilities. Additional calls to fire and police may be made to assist those injured or in need of police services, however the trail is already in the service area of the Atascadero Police and Fire Departments.

15. RECREATION --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒

SOURCES: Project description; Parks and Recreation Element.

DISCUSSION:
15.a.) The proposed Class I multi-use trail may increase the use of the City's most widely used park, Atascadero Lake Park and Zoo. The trail provides an alternative mode of transportation to access this park from Highway 41 / Morro Road from Portola Road that connects to Safe Route to School improvements on San Gabriel Road and other trails along Atascadero Lake Park.
15.b.) The project does not involve construction of recreational facilities but the Class I multi-use trail can be used for passive walking, biking and jogging.

Mitigation Measure: No applicable mitigation measures

16. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒

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b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

SOURCES: Land Use Element; Circulation Element; Project Description

DISCUSSION:
16a.b. The Class I trail will not be in conflict with level of service standards or trip generation. The proposed trail is an integral part of creating a complete streets system along Highway 41/ Morro Road.
16.c. No changes will occur to air traffic patterns.
16.d,e,f. No features in the proposed Class I trail that will increase a hazard, result in inadequate access or conflict with adopted policies and plans for public transit, bicycle and pedestrian facilities.

17. UTILITIES AND SERVICE SYSTEMS --Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒

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g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

SOURCES: Project description; Land Use Element;

DISCUSSION:
17.a.b.e. No sewer or septic system is proposed for the Class I trail.
17.c. The project will incorporate drainage mitigation measures to minimize the amount of runoff from the project site which include run-off into an existing grassy swale adjacent the project site.
17.d. No water service is proposed for the project.
17.f.g. No solid waste services are proposed as a part of this project.

18. MANDATORY FINDINGS OF SIGNIFICANCE --				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable") means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒
d) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long term environmental goals?	☐	☐	☐	☒

DISCUSSION: The proposed project is a Class I multi-use trail that totals 10-inches in width and two-foot shoulders and each side. The proposed project will connect a Portola Road and San Gabriel Road for a Safe Route to School for school aged children and parents at Santa Rosa Road school, as well as connect the trail to the Atascadero Lake Park. The proposed project is located adjacent to an existing riparian area and will not degrade the quality of the existing environment and habitat, no create impacts that are individually limited but cumulatively considerable. This project is consistent with the long term transportation goals of creating alternative methods of transportation to reduce air emissions and create a more connected community.

SOURCES:
General Plan Land Use Element, City of Atascadero, 2002
Zoning Ordinance, part of Municipal Code, City of Atascadero, as amended through October 2013.
CEQA Air Quality Handbook, Air Pollution Control District San Luis Obispo County, April 2012
Acoustical Design Manual, Brown-Buntin Associates, 2001
Flood Insurance Rate Map,
CEQA Guidelines, Sections 15060 to 15065
City of Atascadero, GIS Data
California Department of Toxic Substances Control: Envirostar
US Fish and Wildlife Wetland Mapping

PROJECT SOURCES:

Project Description
35% Construction Documents / Preliminary Design Schematic
Biological Assessment – Althouse and Mead
Archeological Assessment – CRMS
Arborist Report – A&T Arborist