

Mitigation Measures Summary

Air Quality

AQ-1: The following mitigation measures shall be implemented to reduce construction-generated fugitive dust. These measures shall be shown on grading and building plans.

- a. Reduce the amount of disturbed areas where possible.
- b. Use water trucks, SLOAPCD-approved dust suppressants (see Section 4.3 in the CEQA Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the District's limit of 20 percent opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where possible to reduce the amount of water used for dust control. For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook.
- c. All dirt stockpile areas should be sprayed daily or covered with tarps or other dust barriers as needed.
- d. 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.
- e. 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 the top of load and top of trailer) in accordance with California Vehicle Code (CVC) Section 23114.
- f. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the trackout prevention device may need to be modified.
- g. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.

AQ-2: The following measures shall be implemented to reduce construction emissions from on and off-road construction equipment (NOx, ROG, and DPM) and area sources. These measures shall be shown on grading and building plans:

- a. Maintain all construction equipment in proper tune according to manufacturer's specifications.
- b. Fuel all off-road and portable diesel-powered equipment with ARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- c. To the extent locally available, heavy-duty (50 horsepower or greater) diesel-fueled, off-road construction equipment shall meet Tier 4 emissions standards.
- d. When applicable, portable equipment, 50 horsepower (hp) or greater, used during construction activities shall be registered with the California statewide portable equipment registration program (issued by the California Air Resources Board) or be permitted by the APCD. Such equipment may include power screens, conveyors, internal combustion engines, crushers, portable generators, tub grinders, trammel screens, and portable plants (e.g. aggregate plant, asphalt plant, concrete plant). For more information, contact the SLOAPCD Engineering & Compliance Division at (805) 781-5912.
- e. Use on-road heavy-duty trucks that meet the ARB's 2010 or cleaner certification standard for onroad heavy-duty diesel engines, and comply with the State On-Road Regulation.

- f. All on and off-road diesel equipment shall not idle when not in use. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit.
- g. Construction equipment staging areas shall be located at the furthest distance possible from nearby residential land uses.
- h. To the extent locally available, electrified, or alternatively powered construction equipment shall be used.
- i. Substitute gasoline-powered in place of diesel-powered equipment, where possible; and,
- j. Use alternative-fueled construction equipment on-site where possible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.
- k. Construction of the proposed project shall use low-VOC content paints not exceeding 50 grams per liter.
- l. To the extent locally available, use prefinished building materials or materials that do not require the application of architectural coatings.
- m. Meet or exceed Cal Green Tier 2 standards for reducing cement use in concrete mix as allowed by local ordinance and conditions.

Biological Resources

BIO-1: Preconstruction Nesting Bird Surveys. Within one week of ground disturbance activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. A pre-construction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements. A map of the Project site and nest locations shall be included with the report. The Project biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.

BIO-2: Pre-Construction for American Badger. Within 15 days of starting any grading, grubbing, or oak tree removal, a preconstruction survey shall be conducted in the Study Area to locate occupied American badger dens within 100 feet of project areas. Highly visible fencing or rope barriers shall be installed under the direction of a project biologist in a manner sufficient to protect the dens from construction equipment. A buffer of 50 feet shall be used for occupied non-maternal dens. A buffer of 150 feet shall be installed if the den is determined to be a maternal pupping den. Construction activities shall not commence within the exclusion area until the badger has moved of its own accord. A preconstruction survey letter report shall be submitted to the lead agency for review within one week after completion of the survey.

BIO-3: Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following monitoring activities:

- a. Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction, the biologist shall conduct a pre-activity (i.e. preconstruction) survey for known or potential kit fox dens and submit a letter to the City reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days. Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site, or the qualified biologist recommends monitoring for some other reason. When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.
- c. Prior to or during project activities, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist

shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFW for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the USFWS determines it is appropriate to resume work. If incidental take of kit fox during project activities is possible, before project activities commence, the applicant must consult with the USFWS. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

- d. In addition, the qualified biologist shall implement the following measures:
 - a. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
 - i. Potential kit fox den: 50 feet
 - ii. Known or active kit fox den: 100 feet
 - iii. Kit fox pupping den: 150 feet
 - b. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
 - c. If kit foxes or known or potential kit fox dens are found on site, daily monitoring by a qualified biologist shall be required during ground disturbing activities.

BIO-4: Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate the following as a note on the project plans: "Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox". Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction.

BIO-5: During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the City, during which additional kit fox mitigation measures may be required.

BIO-6: Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the City, as well as any related biological report(s) prepared for the project. The applicant shall notify the City shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

BIO-7: During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavations, steep-walled holes and trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.

BIO-8 Prior to final inspection should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

1. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches.
2. If a more solid wire mesh fence is used, 8"x12" opening near the ground shall be provided every 100 yards.

Upon fence installation, the applicant shall notify the City to verify proper installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

BIO-9: During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved. If necessary, the pipe may be moved only once to remove it from the path of activity, until the kit fox has escaped.

BIO-10: During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of only in closed containers. These containers shall be regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.

BIO-11: Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, State and Federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.

BIO-12: During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFW by telephone. In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to CDFW for care, analysis, or disposition.

BR-13 Occupied burrows or nests of special status species shall be mapped using GPS or survey equipment. Work shall not be allowed within 100 foot buffer while nests are in use. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas.

BR-14 Occupied burrows or nests of special status bird species that are within 100 feet of project work areas shall be monitored at least every two weeks through the nesting season to document nest success and check for project compliance with buffer zones. Once burrows or nests are deemed inactive and/or chicks have fledged and are no longer dependent on the nest, work may commence in those areas.

BR-15 Silvery legless lizards, a special status species, could potentially be present in construction areas. Pre-construction surveys for silvery legless lizards shall be conducted prior to primary grubbing and other construction activities that affect undisturbed habitat. If no special status species are found, construction activities may begin immediately. If a silvery legless lizard is found, a qualified biologist shall move them to the nearest safe location. The biologist shall have the authority to stop work if special status species are found in the project area during construction.

Greenhouse Gases

GHG-1: The project shall include the following measures:

- a. CALGreen Tier 2 compliant electric vehicle (EV) charging stations shall be “EV Ready” as opposed to “EV Capable”.
- b. Install electrically powered appliances and building mechanical equipment in place of natural gas-fueled equipment. If natural gas equipment is to be installed, the following shall be implemented:
 - a. Install electrical service to the natural gas equipment location sufficient to allow for the future conversion from natural gas to electrical service;
 - b. A Greenhouse Gas (GHG) Reduction Plan shall be prepared for the proposed project. The GHG Reduction Plan shall include a menu of all possible onsite GHG reduction measures sufficient to offset operational natural-gas source emissions. In the event that the City of Paso Robles (City) adopts an updated Climate Action Plan or the San Luis Obispo County Air Pollution Control District (SLOAPCD) Air Quality & Greenhouse Gas Impact Assessment AMBIENT Air Quality & Noise Consulting Allegretto Resort Expansion Project March 2025 41 releases updated recommended GHG significance thresholds that address future-year GHG emissions reductions, the GHG-Reduction Plan may be evaluated in comparison to the GHG thresholds and reduction measures identified in the Climate Action Plan or those identified by the SLOAPCD and adjusted in order for the project to be in compliance with the Climate Action Plan. The GHG Reduction plan shall be approved by the City prior to issuance of building construction permits.
- c. Under California Environmental Quality Act Guidelines Section 15126.4(c)(3) and (c)(4), respectively, a project’s GHG emissions may also be reduced by offsite measures, including offsets that are not otherwise required by existing regulations and measures that sequester GHGs. In the event that feasible onsite GHG-reduction measures are insufficient to offset operational natural-gas source GHG emissions, offsite mitigation measures may be included to the extent feasible. Offsite mitigation measures may include “Direct Reduction Activities” located in the City of Paso Robles or the SLOAPCD jurisdictional areas. “Direct Reduction Activities” means undertaking or funding activities that will reduce or sequester GHG emissions. GHG reduction credits shall achieve GHG emission reductions that are real, permanent, quantifiable, verifiable, and enforceable. GHG reduction credits shall be undertaken for the specific purpose of reducing project-generated GHG emissions and shall not include reductions that would otherwise be required by law. All Direct Reduction Activities and associated reduction credits shall be confirmed by an independent, qualified third-party air consultant retained by the Applicant.

The project shall provide organic waste pick up and shall provide the appropriate on-site enclosures consistent with the provisions of the City of Paso Robles Development Standards for Solid Waste Services.