

EXHIBIT 4

Initial Study & Mitigated Negative Declaration (Pismo Beach)

City of Pismo Beach
760 Mattie Road
Pismo Beach CA 93449

Community Development Department

805-773-4658 • 805-773-4684

Initial Study of Environmental Impact

I. ENVIRONMENTAL DETERMINATION FORM

- 1a. File No.: 01-0292
- 1b. Project Title: Dune Boardwalk / Promenade 3
2. Lead Agency Name and Address:
3. Contact Person and Phone Number:
David Foote, c/o *firma*, (805) 781-9800
4. Project Location:
Beginning at the west end of Addie Street the project runs east in the public right of way via Cypress Street and State Route 1 to the North Beach Campground (APN 005,241,015). The route continues south within the campground to the city limit. See Figure 1 attached.
5. Project Sponsor's Name and Address:
City of Pismo Beach (see Lead Agency)
6. General Plan Designation:
Public Right of Way and Open Space
7. Zoning:
Open Space
8. Description of the Project:
The project is a recreational trail that will consist of a concrete path within the rights of way of Addie Street, Cypress Street and State Route 1, and a decomposed granite path within the state park. The path will continue south into Grover Beach via state park lands in the rear dune area linking to the Grand Avenue Day Use Area in Grover Beach. A CEQA document was adopted by the City of Grover Beach in January 2001 for the portion of the path in Grover Beach. See Map 1 and project narrative attached.
9. Surrounding Land Uses and Setting:
Where the path is in the public right of way the surrounding uses are visitor serving and commercial. Within the state park, use are recreational.
10. Other Public Agencies Whose Approval is Required: None
11. Environmental Factors Potentially Affected:

Dune Boardwalk / Promenade 3
Date December 4, 2001

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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.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Hazards and Hazardous Materials	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Agriculture Resources	<input type="checkbox"/>	Hydrology and Water Quality	<input type="checkbox"/>	Recreation
<input type="checkbox"/>	Air Quality	<input type="checkbox"/>	Land Use and Planning	<input type="checkbox"/>	Transportation and Traffic
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Utilities and Service Systems
<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Noise	<input type="checkbox"/>	Mandatory Findings of Significance
<input type="checkbox"/>	Geology and Soils	<input type="checkbox"/>	Population and Housing		

There is no evidence before the Department that the project will have any potential adverse effects on fish and wildlife resources or the habitat upon which the wildlife depends. As such, the project qualifies for a de minimis waiver with regards to the filing of Fish and Game Fees.

The project has potential to impact fish and wildlife resources and shall be subject to the payment of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.

12. Determination: (To be completed by the Lead Agency)

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 revisions in the project have been made by or agreed to by the project applicant in the form of a MITIGATED NEGATIVE DECLARATION.

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 impact or potentially significant unless mitigated impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 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, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

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Signature R. Dennis Delzett

Date

12/20/01

Printed Name R. DENNIS DELZETT

For

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II. ENVIRONMENTAL CHECKLIST

	Sources	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?	3,4,7			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	3,4,7			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	3,8			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	2				X

Impact Discussion:

1a.-d The project would not alter the general visual character where it is constructed because the path is a typical urban feature and no substantial alterations to existing feature is proposed. No scenic or historic resources will be affected. In the campground the path will be similar in character to existing features. Existing *Myoporum* shrubs along the frontage of the campground will be removed and native shrubs and trees will be planted in that area. This will result in a temporary change in visual character that is less than significant. No lighting is proposed.

	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
2. AGRICULTURE 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. 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?	7				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	7				X

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- c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

7				X
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Impact Discussion:

2a-c No agricultural lands are involved.

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 which 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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
3				X
3				X
3				X
3				X
3				X

Impact Discussion:

3a.-e The project does not involve vehicular traffic and would not increase emissions. The project may reduce vehicular trips between visitor serving areas of Grover Beach and Pismo Beach.

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	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 Game or U.S. Fish and Wildlife Service?	1		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	1			X	
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?	1			X	
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 impede the use of native wildlife nursery sites?	1			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	1,7				X
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?	1,7				X

Impact Discussion:

4a. The project route will pass along side wetland areas within the campground. Mitigation measures, including pre-construction surveys and habitat, construction timing, use of hand tools, fencing and signage, will avoid or substantially reduce potential effects on Snowy Plover, California redlegged frog and Southwestern Pond Turtle habitat. No Snowy Plover nests are currently present within the dune/ beach area north of Grand Avenue to Pismo Creek, nor have individuals been sighted in recent years. CRLF was not present when surveyed. Southwestern Pond Turtle is likely to be present but was not observed in field surveys. No bats were present under the Cypress Street bridge, therefore repair work on the bridge will not adversely effect bats.

Construction will not alter any wetland or habitat that might potentially harbor California red legged frog (CRLF) or western pond turtle. Within the state park features have been incorporated into the design that will avoid or minimize potential short term and

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cumulative effects of sensitive species including: interpretive signage to warn users of sensitive habitats and avoidance of wetlands. Additional mitigation described below will reduce potential adverse effects to less than significant levels.

Mitigation Measure : • **Avoid Degradation of Suitable CRLF Habitat:** Although no CRLF were identified in the protocol survey, suitable habitat does exist in the project area and shall be avoided. (The project has been designed to avoid this habitat and all jurisdictional wetlands).

- **Conduct Pre-Construction Surveys for CRLF:** Conduct surveys for CRLF within the vicinity of the proposed route to determine if habitat is currently occupied and identify what protective measures should be implemented prior to construction.
- **Avoid Disturbance of CRLF Breeding Lifestage:** If CRLF are identified as present in the preconstruction survey, to avoid disturbance to the breeding lifestage of CRLF within the vicinity of the project site, restrict the timing of construction to the degree feasible to outside of the typical breeding period for this species (November through April 30).
- **Avoid Disturbance of CRLF During Construction Activities:** To avoid disturbance of individual CRLF occurring within the vicinity of the construction, exclude frogs from the construction area prior to and throughout the duration of the construction. This can be accomplished by installing exclusion netting around perimeter of construction at least one week prior to construction.

Mitigation Measure: The project segment along Meadow Creek could create a barrier to turtle movement which could be a direct impact.

- To mitigate potential impediments to turtle movement, the boardwalk path shall be constructed of a smooth surface such as decomposed granite.
- A pre-construction survey and fencing of habitat areas where construction work will occur shall be implemented to mitigate construction stage impacts.

- 4b. Proposed repair work on the Cypress Street bridge was determined to not have the potential to adversely effect Pismo Creek habitat for steelhead and tidewater goby because no work in the water or banks is proposed.
- 4c. Based on wetland delineations in the project area, no wetland areas are impacted by the project.
- 4d. Based on the biological survey no adverse effects are identified for fish or animal migration or breeding.
- 4e-f. The project is consistent with and implements local plans and policies.

	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
5. CULTURAL RESOURCES. Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	4				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	5				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	7				X
d) Disturb any human remains, including those interred outside of formal cemeteries?	5				X

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Impact Discussion:

- 5a. Based on the historic property survey no historic features will be affected by the project
- 5b. Based on the Phase 1 survey, no archaeological resources would be disturbed by the project because no digging or cutting of grades is proposed near SLO-988. Although SLO 988 does not contain intact cultural materials, it could contain human bone, therefore, the following standard mitigation measure shall be implemented:

Mitigation Measure: Any earth disturbing construction activities near SLO 988 shall be monitored by a qualified archaeologist and Native American observer. In the event human remains are encountered, California Health and Safety Code 7050.5 and section 5097.98 of the California Public Resources Code shall be followed. In the event cultural materials are uncovered during construction, work shall cease in that area until a qualified archaeologist can assess the unanticipated discovery and prescribe a course of action to mitigate potential impacts.

- 5c.-d. No paleontological or human remains are known to exist in the project area.

	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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:	7				X
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.	7				X
ii) Strong seismic ground shaking?	7				X
iii) Seismic-related ground failure, including liquefaction?	7				X
iv) Landslides?	7				X
b) Result in substantial soil erosion or the loss of topsoil?	7				X
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?	7				X
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?	7				X

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- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

7				X
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Impact Discussion:

- 6a.-e The project does not involve structures or locations that might be subject to substantial hazard or risks related to seismic events, slope failure or unstable soils.

	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
7. 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?					X
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?					X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?					X
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?					X
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 result in a safety hazard for people residing 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 residing or working in the project area?					

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- 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?

Impact Discussion:

- 7a.-g The project does not involve the unusual use or transport of hazardous materials. The project specifications include prohibitions on equipment refueling in the park or wetland areas. The project will maintain emergency vehicular access within the campground area.
- 7h. The project will not expose people or structures to wildland fire risk.

	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
8. HYDROLOGY AND WATER QUALITY. Would the project:					
a) Violate any water quality standards or waste discharge requirements?					X
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 pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?					X
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 erosion or siltation on- or off-site?	6			X	
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 which would result in flooding on- or off-site?	6			X	

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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?	6		X	
f) Otherwise substantially degrade water quality?			X	
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?	6		X	
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	6			X
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?	7			x
j) Inundation by seiche, tsunami, or mudflow?	7		x	

Impact Discussion:

8a.-b The project will not use water supplies or produce wastewater flows.

8c-l. Based on the hydraulic analysis for the project the project will not adversely effect drainage patterns, raise flood levels or place persons or structures at risk in a flood event. All improvements and stormwater conveyances in the public right of way will be designed to local or state standards. The project will not create an increase in storm flows or create erosive conditions that might lead to sedimentation of wetlands or waters.

8j. The project would be subject to tsunami events at the end of Addie Street and at the Cypress Street bridge. Given the type of use involved the risk to persons is considered low.

	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
9. LAND USE AND PLANNING. Would the project:					
a) Physically divide an established community?	7				X
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?	7				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	7				X

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Impact Discussion:

9a.-c The project is consistent with and implements the City General Plan / LCP Policy PR-5.

	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
10. 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?	7				X
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?	7				X

Impact Discussion:

10a.-b. The project will not effect mineral resources.

	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
11. 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?	7				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	7				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	7				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	7			X	

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- 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 residing or working in the project area to excessive noise levels?

7				X
7				X

Impact Discussion:

- 11a-c The project does not involve an increase in vehicular trips that could increase traffic noise. The project will not create permanent noise increase.
- 11d. The project will not increase ambient noise levels significantly because the boardwalk will be limited to pedestrians. Short-term noise will occur during construction. The use of motorized construction vehicles will be generally limited to deliveries and refuse transport. Power machinery will generally be limited to hand tools. Due to the low ambient noise levels present these temporary increases of sporadic duration would not cause the City day-night noise level standard or the stationary noise source standard to be exceeded. No significant effects are identified.
- 11e-f. There is no airport in the vicinity of the project.

12. 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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
7				X
7				X
7				X

Impact Discussion:

- 12a. The project will not involve any change in housing and is by nature not growth-unducing.

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13. PUBLIC SERVICES.

a) 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:

- Fire protection?
- Police protection?
- Schools?
- Parks?
- Other public facilities?

Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
7			X	
7			X	
7				X
7				X
7				X

Impact Discussion:

13a. Although the project could result in an increase in demand for police or paramedic services the increase would not result in a need for new or altered facilities which might create an impact on the environment.

14. 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 which might have an adverse physical effect on the environment?

Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
8				
8				

Impact Discussion:

14a. Based on analysis of potential effects on park land and consultation with the California Department of Parks and Recreation the project will increase recreational opportunities and will not add a substantial physical burden to existing facilities.

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15. TRANSPORTATION/TRAFFIC: Would the project:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	7			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	7			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	7				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	7			X	
e) Result in inadequate emergency access?	7			X	
f) Result in inadequate parking capacity?	7			X	
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	7				X

Impact Discussion:

15a.-g The project will be primarily accessed by users parking in the 160 space day use parking lot at Grand Avenue and the 106 space public parking lot at Addie Street. These lots serve as parking for beach access and, in Grover Beach, for the existing restaurant, as well as equestrian users. The project in itself will not generate significant new trips or impact local roads adversely. To the extent that the project provides an alternative way to get to the Butterfly trees, use of the day use parking lot could divert vehicles that now park unsafely at the Butterfly trees along SR1. This would be a beneficial effect. Portions of the project within the SR1 right of way shall be designed to Caltrans safety standards for elements such as trees, signs and other potential hazards to vehicles under an encroachment permit process, and no vehicular hazards are identified.

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16. UTILITIES AND SERVICE SYSTEMS. Would the project:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?					X
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?					X
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?					X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?					X
e) Result in a determination by the wastewater treatment provider which 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?					X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?					X
g) Comply with federal, state, and local statutes and regulations related to solid waste?					X

Impact Discussion:

16a.-g The project will not create new water or sewer facilities or significantly add to sewer demand, water demand or solid waste.

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17. 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?	1,2,4,5		X		
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)?	1,3,6,7,8			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	2,6,7			X	

Impact Discussion:

17a. A segment of the project will be constructed in close proximity to potential habitat for California Redlegged frog and southwestern pond turtle. Avoidance measures will ensure possible impacts are less than significant.

17b.-c No cumulative impacts are identified. The project would not have a substantial adverse effect on humans.

17. EARLIER ANALYSES.
Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one of more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063 (c) (3) (D). In this case a discussion should identify the following items:
a) Earlier analysis used. Mitigated Negative Declaration for the Grover Beach Dune Boardwalk, adopted by resolution 01-001, City of Grover Beach
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.) Parking and noise effects were addressed in previous analysis and found to be less than significant.

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

Mitigation measures to minimize or avoid impacts on CRLF and pond turtle described in the previous document and are applicable to the Pismo Beach segment of the project in the area at the city limit near meadow creek where these species may be present.

18. SOURCE REFERENCES.	
1.	Natural Environment Study for the Dune Boardwalk / Promenade 3 Project September 2001, LFR Levine Fricke
2.	Project Design Report Dune Boardwalk / Promenade 3, September 15, 2001, <i>firma</i>
3.	Visual Analysis Dune Boardwalk / Promenade 3, September 15, 2001, <i>firma</i>
4.	Negative Historic Property Survey Report, November 11, 2001, Bertrando and Bertrando
5.	Phase 1 Archaeological Surface Survey, September 10, 2001 Conejo Archaeological Consulting
6.	Location Hydraulic Study, September 27, 2001, Garing Taylor Associates
7.	General Plan and Local Coastal Plan, May 18, 1993, City of Pismo Beach
8.	Section 4(f) Evaluation, November 2001, <i>firma</i>

19. MITIGATION MEASURES/MONITORING PROGRAM.	
1.	<p>Mitigation Measure : • Avoid Degradation of Suitable CRLF Habitat: Although no CRLF were identified in the protocol survey, suitable habitat does exist in the project area and shall be avoided. (The project has been designed to avoid this habitat and all jurisdictional wetlands).</p> <ul style="list-style-type: none"> • Conduct Pre-Construction Surveys for CRLF: Conduct surveys for CRLF within the vicinity of the proposed route to determine if habitat is currently occupied and identify what protective measures should be implemented prior to construction. • Avoid Disturbance of CRLF Breeding Lifestage: If CRLF are identified as present in the preconstruction survey, to avoid disturbance to the breeding lifestage of CRLF within the vicinity of the project site, restrict the timing of construction to the degree feasible to outside of the typical breeding period for this species (November through April 30). • Avoid Disturbance of CRLF During Construction Activities: To avoid disturbance of individual CRLF occurring within the vicinity of the construction, exclude frogs from the construction area prior to and throughout the duration of the construction. This can be accomplished by installing exclusion netting around perimeter of construction at least one week prior to construction. <p>Monitoring: CDD to verify qualified biologist is retained for monitoring and compliance with pre-construction and construction-stage measures.</p>
2.	<p>Mitigation Measure: The project segment along Meadow Creek could create a barrier to turtle movement which could be a direct impact.</p> <ul style="list-style-type: none"> • To mitigate potential impediments to turtle movement, the boardwalk path shall be constructed of a smooth surface such as decomposed granite. A pre-construction survey and fencing of habitat areas where construction work will occur shall be implemented to mitigate construction stage impacts. <p>Monitoring: CDD to verify final plans include suitable turtle passage, and compliance with pre-construction stage survey and fencing requirements.</p>
3.	
4.	
5.	
6.	

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7.	
8.	

The above mitigation measures are included in the project to mitigate potential adverse environmental impacts. Section 15070(b)(1) of the California Administrative Code requires the applicant to agree to the above mitigation measures before the proposed Mitigated Negative Declaration is released for public review. I hereby agree to the mitigation measures and monitoring program outlined above.

R Dennis Delzeit
Applicant

12/20/01
Date

2A-24

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Dune Boardwalk / Promenade 3 Project

1.0 Purpose and Need for the Project

1.1 Introduction and Background

The Project is a recreational pedestrian path, which will link the existing day use recreation area at the end of Grand Avenue in Grover Beach to the planned pedestrian "promenade" boardwalk at Addie Street in Pismo Beach. The portion of the project within Grover Beach has received a Coastal Development permit and adopted Mitigated Negative Declaration in January 2001. In Grover Beach, the path is proposed to consist of a wood boardwalk traversing the sand dunes and an improved surface path through part of the rear dune area within Pismo State Beach. In Pismo Beach the project consists of an improved surface path in the North Beach Campground and sidewalk improvements along State Route 1 and Addie Street.

The Beach Boardwalk Feasibility Study prepared in 1997 by *firma* was reviewed by both the City of Pismo Beach and the City of Grover Beach and each City Council determined the "preferred Route" for the boardwalk. Alternative Routes were developed in consultation with the California Department of Parks and Recreation (CDPR), the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, the California Department of Fish and Game, Pismo Coast Village and the California Department of Transportation.

A range of alternative routes and path construction techniques were analyzed in 1997 as part of a feasibility study for the Project. These have been refined in consultation with various agencies and "stakeholders" and are described in detail in the Beach Boardwalk Design Report and Project Description Report prepared by *firma*, dated December 24, 1999 and subsequent plans and exhibits dated September 2001.

The proposed route has been developed in response to concerns from CDPR about the potential for increases in vandalism and theft if more non-campers are attracted to the dune area in front of the campground.

The cities secured local, state and federal grants to fund design engineering, environmental review, and construction of the Project. The San Luis Obispo Council of Governments and Caltrans administers the funds.

1.2 Purpose and Need

The purpose of this project is to provide a managed pedestrian recreational link between Grover Beach and Pismo Beach to allow an ocean / dunes experience for coastal users while protecting sensitive dune resources, minimizing direct and indirect impact to existing dune resources and campground, and restoring key areas of dune habitat.

Within Pismo Beach, the Proposed Project Route would be constructed on lands owned by the State of California within the North Beach Campground Beach and within the State Route

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1 right of way, and the Addie Street right of way to facilitate the link to the dune area in Grover Beach

Pismo Beach State Park has annual visitation of about 1.3 to 1.6 million persons including the North Beach and Oceano campgrounds. Pismo Coast Village has about 560,000 visitors annually. In addition, the beach and dune areas can be accessed from public parking lots at Addie Street and Grand Avenue. Many local residents use the existing dune trails and beach on a regular basis for recreational walking.

As evidenced by the criss-crossing of footpaths in the dunes and the multitude footprints in the sand at the beach on any given day, it is apparent that the entire open space in the beach and dunes is heavily used by pedestrians on a regular basis. It is clear that the scenic and recreational value of the area is high and is desirable for hiking, recreational walking, play and wildlife observation.

At the northern end, the route would link to a planned beachfront promenade in Pismo Beach, thus linking public recreation areas at the pier to day use areas and beach access at the Grand Avenue Day Use area in Grover Beach.

The Project also implements the City of Grover Beach Local Coastal Program (LCP) which calls for cooperation between the City and the California Department of Parks and Recreation to utilize all opportunities to provide additional public coastal access.

Likewise, the Project would implement the City of Pismo Beach LCP policy PR-7 calling for cooperation with State agencies to develop regional recreational trails adjoining or included in the city limits of Pismo Beach.

2.0 Description of Proposed Route

The following section includes a brief narrative description of the Project. Map 1 depicts the proposed route within Pismo Beach.

2.1 Proposed Route

Beginning at the city limit the route turns inland at the ditch known as "Carpenter Creek" and proceeds east to the "Butterfly Trees" eucalyptus grove. This entire segment would occur on the existing dirt trail and would be a stabilized decomposed granite surface. This area is already heavily used by people who park along SR 1 and walk through the eucalyptus grove to the dunes and beach.

The existing trail in this area is on an earth berm separating Meadow Creek from the salt grass meadow in the State Park. This berm turns north and runs along State Route 1. The proposal would be to utilize the berm for the path to avoid all nearby wetlands.

This route would necessitate removal of the existing Myoporum shrub hedge along the campground frontage. New native riparian planting along this frontage would be installed with the path.

This route would meet the State Route 1 right-of-way at the end of the campground property. Along the Pismo Coast Village frontage the path would occur in the highway right-of-way as

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both and attached curb, gutter and sidewalk and as a detached sidewalk with a planted parkway between the walk and the road edge.

The path would continue north over the existing Cypress Street bridge over Pismo Creek. The bridge requires some maintenance work including repaired railing and deck timbers, although it is safe and passable as it is currently.

Turning west on Addie Street the first several hundred feet of the path would be a concrete curb, gutter and sidewalk (imprinted) within the public right of way. A segment of existing sidewalk follows and then the existing street shoulder will be resurfaced and striped to the point it meets the Promenade 2 project.