

Memorandum

To: CHAIR AND COMMISSIONERS

Date: August 17, 2009

From: BIMLA G. RHINEHART
Executive Director

File: Book Item 2.2c (7)
Action

Ref: Mitigated Negative Declaration for the Promenade IV, Project 03-0116
(Resolution E-09-71)

ISSUE: Should the Commission, as a Responsible Agency, accept the Mitigated Negative Declaration (MND) for the Promenade IV, Project 03-0116 (project) in the City of Pismo Beach and approve the project for future consideration of funding?

RECOMMENDATION: Staff recommends that the Commission accept the MND and approve the project for future consideration of funding.

BACKGROUND: The City of Pismo Beach (City) was the CEQA lead agency for the environmental document prepared in support of the project. The project includes construction of a new public promenade consisting of a wooden boardwalk with connections to the Pismo Pier Plaza and the public right of way at Main Street, a wooden stairway down to the beach, eight deck extensions, thirteen wooden benches, shielded lighting within the interior side walls, installation of two water main pipelines for fire suppression, and construction of a new pedestrian drop-off and retaining wall at the terminus of Main Street.

The City approved the MND on November 8, 2004. On August 21, 2009, the City provided assurance that nothing has changed in the environment or the project that would alter the scope or validity of the original MND. The City found that the project would not have a significant impact on the environment after mitigation for impacts related to air quality; biological resources; cultural resources; geology and soils; hydrology and water quality; and noise. Mitigation measures included, but were not limited to, implementation of mitigation measures during construction to minimize air quality impacts; hiring a qualified biologist to conduct pre-construction surveys for evidence of nesting western snowy plovers and other habitats; consultation with the US Fish and Wildlife Service if required; preparation of a Pollution Prevention Program for implementation during construction; adherence to City procedures in the event archaeological resources are unearthed or discovered during construction; implementation of all recommendations listed in the Geotechnical Engineering Report prepared by a registered engineering geologist; and adherence to the City Noise Control Ordinance during construction.

The project is estimated to cost \$1,500,000. The project is programmed for funding with STIP TE (\$400,000) and Federal ARRA (\$1,100,000) funds. Construction is estimated to begin in fiscal year 2009/10.

Attachments

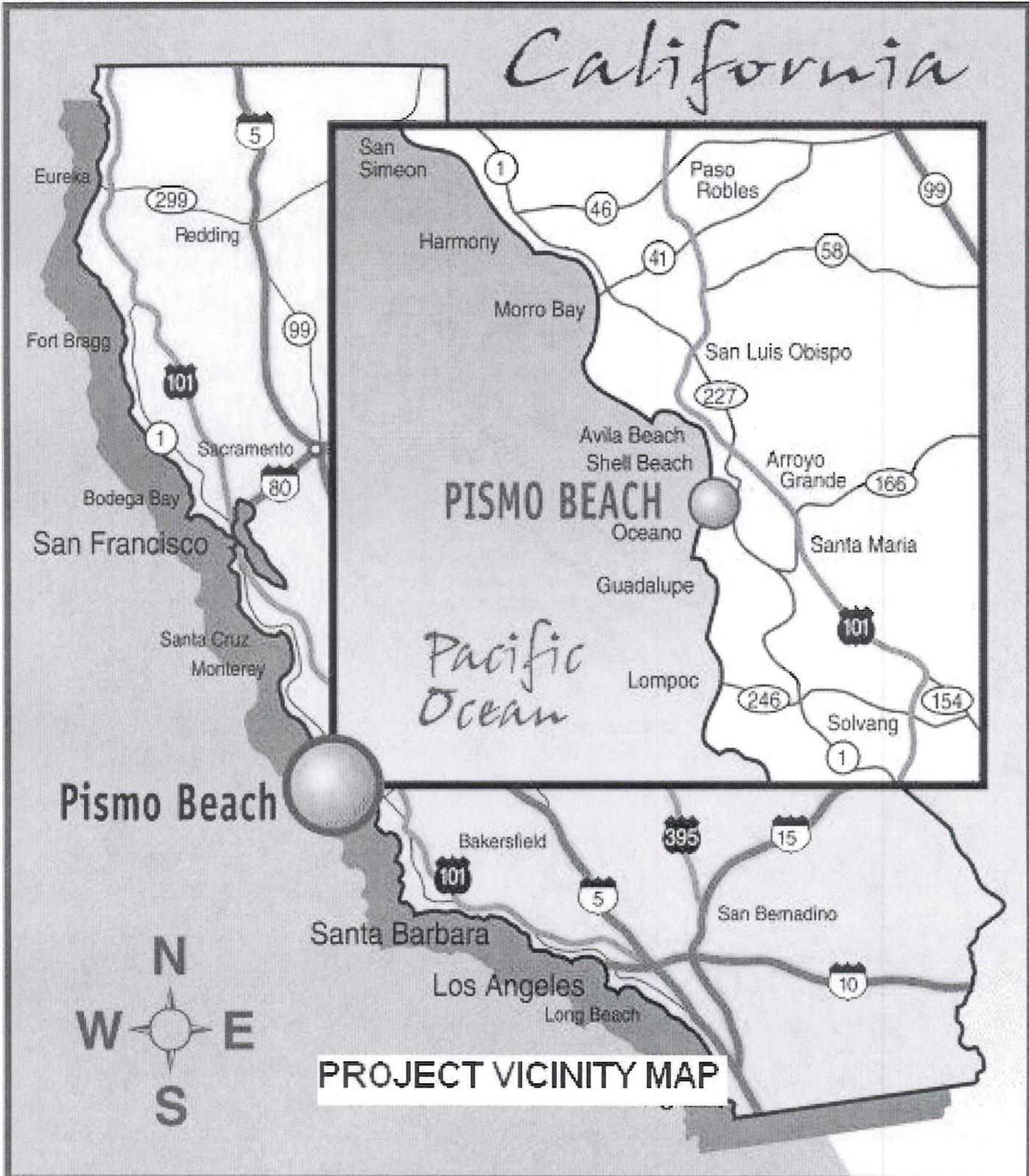
- Resolution E-09-71
- Project Location

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Future Consideration of Funding 05-San Luis Obispo Resolution E-09-71

- 1.1 **WHEREAS**, the City of Pismo Beach (City) has completed a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
 - Promenade IV, Project 03-0116
- 1.2 **WHEREAS**, the City has certified that the Mitigated Negative Declaration has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3 **WHEREAS**, the project would construct a new promenade consisting of a wooden boardwalk with connections to the Pismo Pier Plaza and the public right of way at Main Street; and
- 1.4 **WHEREAS**, the California Transportation Commission, as a Responsible Agency, has considered the information contained in the Mitigated Negative Declaration; and
- 1.5 **WHEREAS**, the City found that all significant or potentially significant impacts can be reduced by mitigation measures to a less than significant level; and
- 1.6 **WHEREAS**, the City adopted a Mitigation, Monitoring and Reporting Plan for the project.
- 2.1 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby accept the Mitigated Negative Declaration and approve the above referenced project to allow for future consideration of funding.

California



PISMO BEACH

Pacific Ocean

Pismo Beach

PROJECT VICINITY MAP