

STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 82-36

IN THE MATTER OF THE PETITION FOR RECONSIDERATION OF RESOLUTION NO. 82-27, CERTIFICATION THAT THE FINAL STAGED ENVIRONMENTAL IMPACT REPORT, HEARST RANCH VISITOR SERVICES DEVELOPMENT PLAN, WATER SUPPLY PROJECT, APPLICATION 25881 TO APPROPRIATE UNAPPROPRIATED WATER, HAS BEEN COMPLETED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, THE STATE EIR GUIDELINES, AND THE BOARD'S REGULATIONS

WHEREAS:

1. A Petition for Reconsideration has been received from the applicant regarding whether the Board had made available to the applicant a complete draft of Resolution No. 82-27 including Section B of Appendix B "Findings: Potential Environmental Impacts and Issues, Hearst Ranch Development Plan, Sections 1 through 7" prior to the Board meeting on May 20, 1982; and
2. An error was made in Resolution 82-27 in Section A of Appendix B, Finding No. 8 B. Finding B supports Term M. This term was adopted by the Board requiring an annual determination by the Board that the monitoring program demonstrate that resuming pumping after the stream falls ten percent below the critical level will not cause an adverse impact upon the fishery. The intent of the Board was that this annual determination should be made from the beginning of the applicant's project.

THEREFORE BE IT RESOLVED:

1. That Appendix B, Section B. "Findings: Potential Environmental Impacts and Issues, Hearst Ranch Development Plan, Sections 1 through 7" of Resolution No. 82-27 was adopted by the Board on May 20, 1982 as follows:
  - B. Findings: Potential Environmental Impacts and Issues, Hearst Ranch Development Plan

The Board finds that the following environmental issues and potential impacts were identified to the extent possible at this stage of the proposal in the Staged EIR and further finds that it will not be possible to evaluate these impacts fully until second stage EIR's are completed which set forth the specific locations,

designs and other detailed aspects of the project. San Luis Obispo County will be the lead agency for subsequent projects.

1. Development of the overall project will affect land use changes in the coastal region of the State. The use of land in this coastal area is subject to regulation by the California Coastal Commission and the County of San Luis Obispo. Changes in land use as proposed in the overall project are within the responsibility and jurisdiction of these public agencies and not within the jurisdiction of the Board. Any water diverted under a permit issued by the Board does not authorize development requiring approvals from other agencies.
2. Development of the overall project may significantly affect traffic volumes in the area. The Staged EIR contained information developed in traffic generation studies. These studies, based on recent trends and conditions, indicated that traffic generated by the project would not exceed the capacity of Highway 1, although intersection improvements at the Hearst Castle and San Simeon interchange might need improvements. However, future environmental analysis should contain additional traffic generation studies to analyze trends and conditions affecting traffic at those future times.
3. Development of the overall project will change the visual characteristics of the area. A determination of whether the change in visual characteristics is a significant adverse impact should not be made at this time. The Staged EIR discussed the potential impacts of a conceptual plan. Alternatives concerning different locations or designs of the proposal were not presented, and mitigation measures were not explored in detail. Alternative locations and designs, and detailed mitigation measures should be considered in future environmental documents to be prepared for site-specific proposals. In these environmental review processes, the determination should be made as to whether the change in visual characteristics is a significant adverse impact.
4. Development of the overall project will generate the need for additional public services. This matter will be analyzed by San Luis Obispo County as applications for development permits are filed for each phase of the project. Additional environmental analyses can and should be required by the County.

The applicant intends to provide most utilities services on-site. However, additional public services will be needed. The project is currently consistent with the County of San Luis Obispo General Plan, although, the Local Coastal Plan has not been certified by the Coastal Commission. The County should review the growth inducement aspects of the project in subsequent environmental review procedures.

5. Construction of each phase of the project could adversely impact known or unknown archeological sites. Site specific surveys and mitigation should be required as other agencies perform environmental assessments.
  6. Construction of each phase of the project could adversely impact rare and endangered plants and animals, and will remove other plants and displace animals. Site specific surveys and mitigation should be required as other agencies perform environmental assessments.
  7. Development of each phase of the project will generate municipal wastewater and alter runoff patterns which could significantly impact water quality. The Regional Water Quality Control Board will issue waste discharge requirements for wastewater disposal and review runoff alterations as site specific projects are reviewed and applications for waste discharge permits are filed.
2. Finding No. 8 B of Section A of Appendix B is corrected to read:
- B. In addition, because of the concerns expressed and the lack of evidence at present regarding the possible impacts of that portion of Term M which permits pumping of water to be resumed when the flows of the Arroyo de la Cruz reach 10 percent below the critical level, it is appropriate for the Board to require an affirmative showing by the applicant and the above portion of Term M shall not go into effect unless and until the monitoring program demonstrates that such pumping will not cause a significant adverse impact on the fishery.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board on July 15, 1982.



Clint Whitney  
Executive Director