9.0 Vertical Coastal Access Assessment

The Vertical Coastal Access (Coastal Access Project) assessment includes various coastal access options through the Santa Maria Refinery (SMR) site to the California Department of Parks and Recreation Oceano Dunes State Vehicular Recreation Area (ODSVRA). The location of the vertical coastal access is shown in Figure 9-1.

Consistent with the California Constitution and the California Coastal Act, the County's Coastal Zone Land Use Ordinance (CZLUO) protects public access to the coast by requiring development occurring between the first public road and the tidelands to provide coastal access to the public. (23.04.420) Vertical access (following vertically from the first public road to the tidelands) is required of new development in rural areas where no dedicated public access exists within one mile or if the site has more than one mile of coastal frontage (23.04.420.d.ii.).

As a condition of approval of the Phillips 66 Throughput Increase Project (approved by the County Board of Supervisors in February 2013), the permit conditions require Phillips 66 to provide vertical public access from State Route 1 to their western property line to comply with the coastal access provisions of the CZLUO consistent with the standards of Section 23.04.420 of the Coastal Zone Land Use Ordinance, including provisions that a vertical right of access be provided for each mile of coastal frontage, unless that access would be inconsistent with public safety, military security needs or the protection of fragile coastal resources.

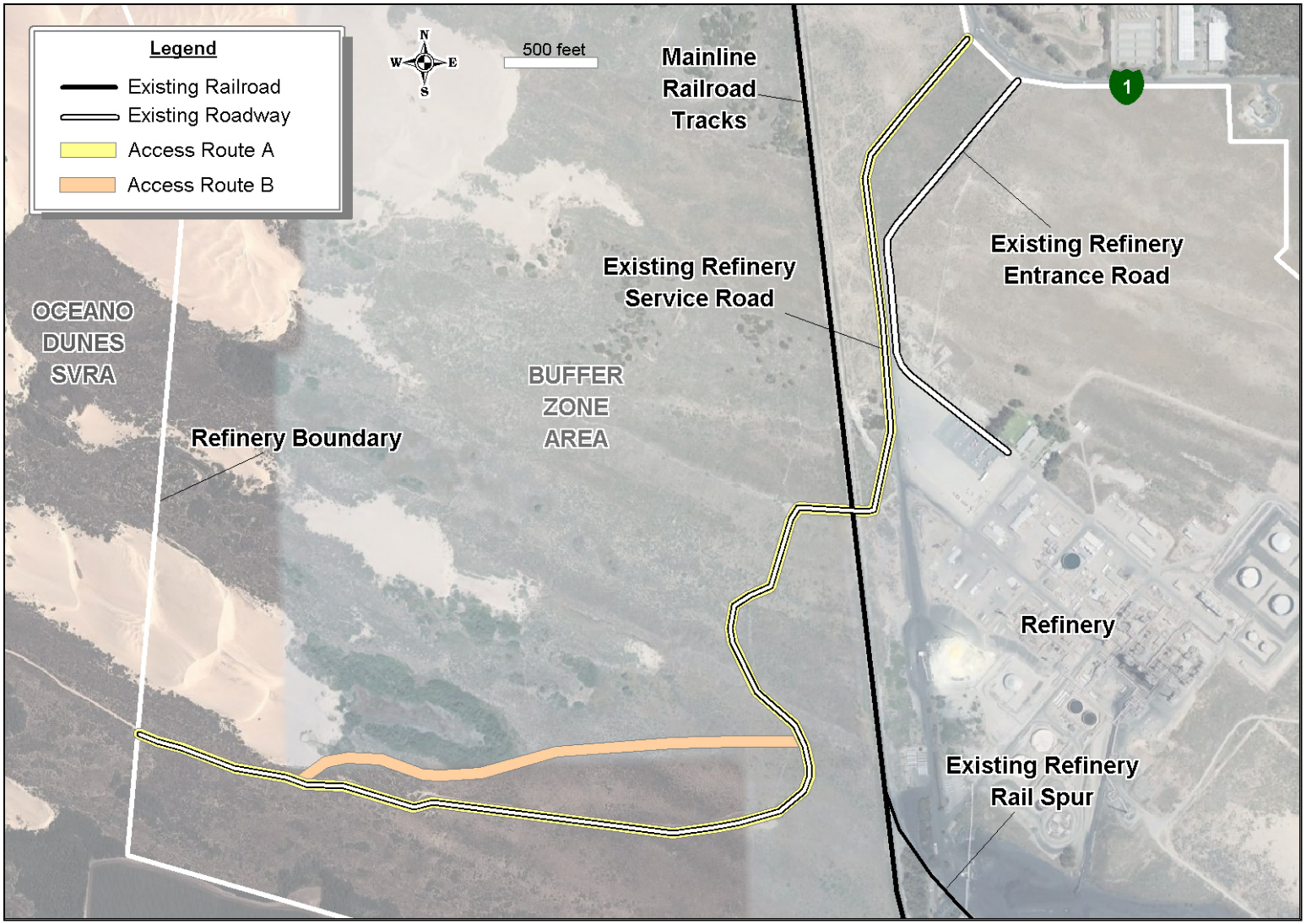
In March 2015 the County issued a final notice to proceed for the Throughput Project. As part of the requirements for a notice to proceed, Phillips 66 provided to the County an Irrevocable Offer to Dedicate Vertical Public Access Easement.

As discussed in during the Planning Commission Hearing on December 13, 2012, the steps for implementing the coastal access condition (Condition 17) would involve Phillips 66 submitting an offer to dedicate prior to notice to proceed for the Throughput Increase Project. In addition, Phillips 66 could submit documentation demonstrating that coastal access at the SMR is inconsistent with the requirements of Section 23.04.420 of the Coastal Zone Land Use Ordinance.

Phillips 66 submitted to the County a report that claimed coastal access at the SMR site was inconsistent with the requirements of Section 23.04.420 of the Coastal Zone Land Use Ordinance. Although the provision of coastal access is not integral to, and has independent utility from, the Rail Spur Project, the County determined that it was appropriate to include an independent analysis of the potential environmental impacts of the accessway to assist in determining if a vertical coastal accessway at the SMR would be consistent with the requirements of Section 23.04.420 of the Coastal Zone Land Use Ordinance.

The County determined that a programmatic assessment of various access options was the best way to provide information that would assist in making the determination of whether coastal access at the SMR site is consistent with the provision of Section 23.04.420 of the Coastal Zone Land Use Ordinance.

Figure 9-1 Possible Locations for Coastal Access Routes at the SMR Property



Source: Adapted from Arcadis 2013

This chapter of the EIR contains a programmatic assessment of the potential environmental impacts of various coastal access options for the SMR site, whether required by conditions of approval of the Throughput Project or the Rail Spur Project. This assessment will be used by the County to assist in determining:

1. Whether coastal access is appropriate for the SMR site consistent with the standards of Section 23.04.420 of the Coastal Zone Land Use Ordinance; and
2. What intensity and type of coastal access is appropriate at the SMR site.

If the County finds that coastal access for this location is consistent with the requirements of Section 23.04.420 of the Coastal Zone Land Use Ordinance, then a formal application would need to be submitted that details the type and design of the proposed access. This application would be subject to additional environmental review and an appropriate environmental determination would be required prior to final approval. An additional Coastal Development Permit would also be required based on the location of coastal access and resources found in the vicinity of the final proposed alignment.

The Coastal Zone Land Use Ordinance requires "vertical" access, defined as access from the first public road to the shore, or perpendicular to the shore. The first public road in the vicinity of the SMR site is State Route 1. The SMR property extends west from State Route 1 to the western property line shared with the ODSVRA. In addition coastal access would have to cross the Union Pacific Railroad (UPRR) Right-of-Way. In order to gain coastal access from the SMR property, access would also be required across the UPRR property as well as California Department of Parks and Recreation property.

As discussed above, the purpose of this analysis is to assist the County in determining whether coastal access is appropriate for the SMR site consistent with the standards of Section 23.04.420 of the Coastal Zone Land Use Ordinance, and if so, then what intensity and type of coastal access is appropriate at the SMR site. The purpose of this section is not to determine the appropriate location for a permanent ODSVRA access point. Existing or future ODSVRA access points are an issue for the California Department of Parks and Recreation (CDPR) and are specifically addressed in their Coastal Development Permit (CDP) issued by the California Coastal Commission (CCC) in 1982. As such, there is no connection between CDPR's CDP and the coastal access requirements associated with this project; therefore, this section only addresses the impacts associated with various options for coastal access from the SMR property. The assessment does not address any of the environmental impacts or benefits that might be associated with a separate governmental agency (CDPR) relocating the existing ODSVRA access point (under yet a separate land use permit (i.e., the 1982 CDP)) to the SMR property or to some other location at some point in the future.

9.1 Coastal Access Regulatory Background

The majority of the SMR property occurs within the Coastal Zone and is subject to the California Coastal Act and the County's Coastal Zone Land Use Ordinance enacted to ensure compliance with the California Coastal Act. The land use ordinance comprises Title 23 of the County Code.

Within the ordinance, Section 23.04.420 addresses the requirement for certain projects and project sites to provide public coastal access.

Subsection 23.04.420(c) addresses when new access is required, and specifies that public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

1. Access would be inconsistent with public safety, military security needs or the protection of fragile coastal resources; or
2. The site already satisfies the provisions of subsection d of the section; or
3. Agriculture would be adversely affected; or
4. The proposed new development is any of the following:
   i. Replacement of any structure pursuant to the provisions of Section 30610(g) of the Coastal Act; or
   ii. The demolition and reconstruction of a single family residence; or
   iii. Improvements to any structure that do not change the intensity of its use, or increase either the floor area, height or bulk of the structure by more than 10 percent, which do not block or impede public access and do not result in additional seaward encroachment by the structure; or
   iv. The reconstruction or repair of any seawall; or
   v. Any repair or maintenance activity excluded from obtaining a land use permit.

Subsection d(1)(ii) specifies that vertical access (access between the first public road to the shore, or perpendicular to the shore) is required in rural areas where no dedicated or public access exists within one mile, or if the site has more than one mile of coastal frontage, an accessway shall be provided for each mile of frontage.

Subsection d(2) specifies that vertical access dedication shall be a minimum width of five feet in urban areas and 10 feet in rural areas.

The recently approved Throughput Increase Project at the SMR included a site-specific Condition of Approval (COA) addressing coastal access. Development Plan/Coastal Development Permit DRC2008-00146 (Throughput) includes the following condition of approval (COA #17):

"Prior to issuance of the Notice to Proceed authorizing an increase in Refinery throughput, the applicant shall comply with Section 23.04.420 – Coastal Access Required. Construction of improvements associated with vertical public access (if required) shall occur within 10 years of the effective date of this permit (including any required Coastal Development Permit to authorize such construction) or at the time of any subsequent use permit approved at the project site, whichever occurs first. The approximate location of the vertical access required by this condition of approval shall be located within or immediately adjacent to the existing maintenance road as shown in Exhibit D – Project Graphic (Coastal Access Location Map 1 and 2)."

9.2 Existing Coastal Access in the Vicinity of the Proposed Project

Figure 9-2 shows current public access routes to the beach in the vicinity of the SMR property. The nearest access is the Oso Flaco Lake Natural Area located approximately 0.73 miles south of the SMR property.

This area is part of the ODSVRA. There are at least four formal public coastal access points in the immediate SMR area listed below (in order of distance from the SMR property):

- Oso Flaco Lake Natural Area – Approximately 0.73 miles (South)
- Pier Avenue – Approximately 3.5 miles (North)
- Grand Avenue – Approximately 4.5 miles (North)
- Rancho Guadalupe Dunes County Park – Approximately 5.5 miles (South)

9.3 Coastal Access Project Description

The coastal access would be located in the southwestern corner of San Luis Obispo County, approximately one mile southwest of State Route 1, and approximately 3.5 miles west of the community of Nipomo, in the South County Coastal planning area.

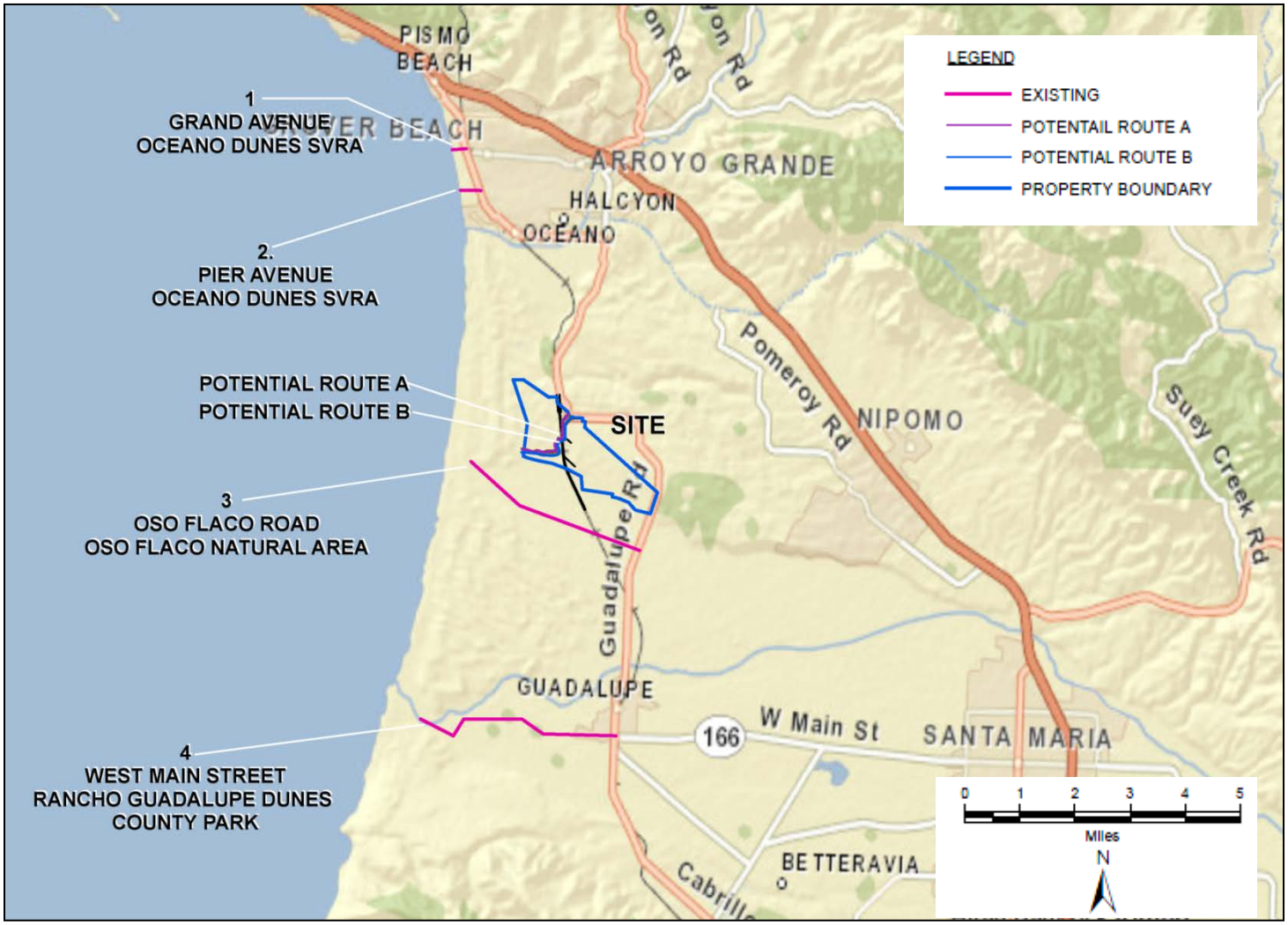
The recently approved Throughput Increase Project at the SMR included a site-specific COA that required that the coastal access "*be located within or immediately adjacent to the existing maintenance road*". This access route alignment would follow an existing refinery truck entrance road from State Route 1 to a service road that is used by Phillips 66 to maintain an outfall pipeline.

This is a practical alignment in that it follows the dune contours to provide a relatively gently sloping route, generally avoiding the steep unstable dune faces and the low-lying surface water features (e.g., Jack Lake, Lettuce Lake) and wetlands (dune slacks) throughout the area. This alignment would be approximately 2 miles in length from State Route 1 to the western SMR property line shared with the ODSVRA. The location of the existing refinery service road is shown in Figure 9-1.

At the outlet of the route alignment across the SMR property, the public users would reach the ODSVRA, and would be approximately 1.5 miles from the ocean. It is assumed that users would continue to follow the existing service road to the beach and not short-cut through the vegetated dune areas and the large dune wetland area immediately west of the SMR property. The location and design of the access across ODSVRA would ultimately have to be determined by the California Department of Parks and Recreation.

No formal design for coastal access has been developed by Phillips 66 or the County. As such, the EIR had to develop conceptual designs for various coastal access options that have been used to assess the range of environmental impacts that could occur with development of coastal access at the SMR.

Figure 9-2 Locations of Existing Coastal Access Points Near Project Site



Source: Arcadis 2013

If and when a final design is developed for a coastal access additional environmental review may be required depending upon the type of access, and the extent of improvements that would be required.

Three possible options for use of this service road and the adjacent area were identified, which included the following:

- Bicycle and Pedestrian Access,
- Motor Vehicle, Bicycle, and Pedestrian Access, and
- Docent Led Access for Pedestrians Only.

These three options were chosen since they represent the full range of intensity for the coastal access. A general description of each of these access options is provided below.

9.3.1 Bicycle and Pedestrian Access

The location of the coastal access route would be an existing refinery service road (see Figure 9-2). The first 2,300 feet of the service road is paved. The remainder of the service road is dirt. The paved portion of the service road is used for trucks entering and exiting the SMR, including the hauling of coke in trucks from the refinery. The dirt portion of the service road is used for inspection and maintenance of the refinery ocean outfall. As a result, the refinery service road requires continual maintenance to deal with blowing sand and other natural conditions that degrade road quality. The road is regularly scraped and graded to maintain its functionality. The paved portion of the service road passes along the western edge of large parking/equipment storage area just before it turns to cross the Union Pacific mainline railroad tracks. Currently there is no separation of the road from the large parking/equipment storage area.

For public safety reasons, it may be prudent to separate the existing refinery service road from the public coastal access bicycle and pedestrian path. This would help to protect the public from potential safety issues associated with encountering refinery equipment using the road (e.g., trucks, excavators, etc.) In addition, sharing of the refinery service road could raise liability issues associated with accidents between refinery vehicles and the public, and could hinder the ability of a public agency or private association to accept liability resulting from public use of the accessway (CZLUO Section 23.04.420 (e)(3). This provision of the CZLUO requires a public agency or private association, approved by the County, to agree to accept responsibility for maintenance of the accessway and any liability resulting from public use of the accessway prior to opening the access for public use.

The conceptual design for the bicycle and pedestrian access would provide for separate public and refinery service road access. The alignment of a potential bicycle and pedestrian access could follow the existing refinery service road, but would be separated by a K-rail, or some other separating structure, to limit interaction between the public and refinery traffic on the service road. With this conceptual design a new disturbance/construction corridor would be needed to accommodate the bicycle and pedestrian path. In addition fencing would need to be installed

along the portion of the service road where it passes through the large parking/equipment storage area to separate the public access from the refinery operations.

The route for the bicycle and pedestrian path would require users to cross the active main (Class I) railroad lines. The current refinery service road has an “at-grade” crossing of the railroad tracks, and is classified as a private crossing. The rail road right-of-way is owned by Union Pacific Railroad (UPRR), and an agreement with UPRR would be needed to cross their property.

The California Public Utilities Commission (CPUC) has exclusive jurisdiction over railroad crossings in California (Public Utilities Code §§1201-1202). If a bicycle and pedestrian path was to use this railroad crossing, the classification of the crossing would change from private to public, and a permit would be required from the CPUC.

UPRR has stated that they would oppose any application to the CPUC that would change the existing at-grade crossing from private to public (see NOP letter from Randolph, Creger & Chalfant LLP in Appendix H). The CPUC Policies and Procedures require that public railroad crossings use a separated grade, unless it can be shown why a separation of grades is not practicable (CPUC Policies and Procedures, Rule 3.7). In discussion with CPUC staff, they have stated that any railroad crossings that changes from private to public use must have a separation of grade (Personnel Communication with CPUC staff 2013).

Therefore, it is likely that bicycle and pedestrian path at this location would require grade separation for the crossing of the Class I railroad tracks. This would likely require the construction of an elevated crossing over the railroad tracks for bicycles and pedestrians or an under-pass. Construction of an under-pass would require a substantial amount of grading area in the vicinity of the railroad crossing for excavating and shoring up the under-pass. There would also be safety issues associated with constructing an underpass beneath the active rail lines. The larger construction footprint for the underpass would result in increased impacts to ESHA habitat. For these reasons, the use of an underpass has been dropped from further consideration as part of this programmatic assessment.

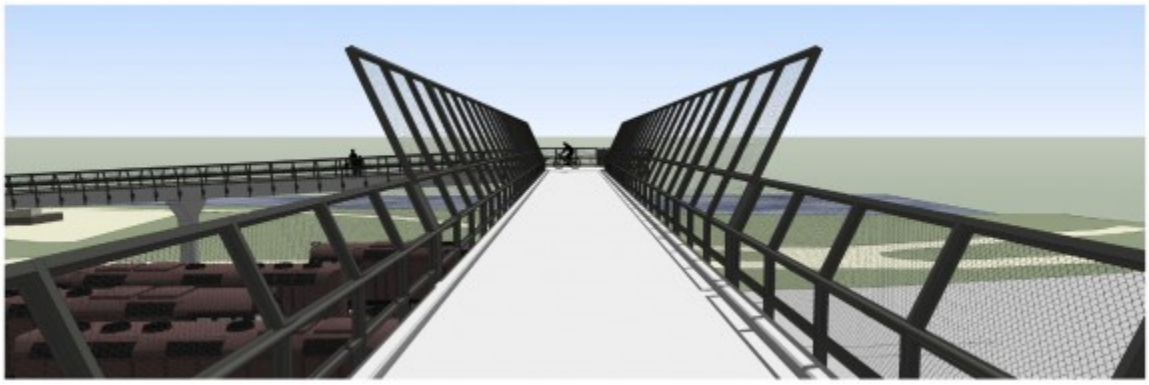
Given the likely requirement of a grade separated crossing of the railroad tracks, this assessment has evaluated the impacts of an elevated walkway over the railroad tracks for bicycles and pedestrians. The current refinery service road could retain the at-grade crossing since it would remain a private crossing. It is possible that gates would need to be installed on either side of the service road crossing to prevent the public from using the private crossing.

The conceptual route for a bicycle and pedestrian path is shown in Figure 9-2. The route would follow the existing refinery service road, with a possible alternative alignment for a small portion of the route. The conceptual route would be approximately two miles in length. The access would include a paved pedestrian and bicycle path that would be about 14 feet wide, and would include two bike lanes plus a pedestrian lane. The current refinery service road is 10 to 12 feet wide. Together, the public access path and the refiner service road would be about 30 feet wide. The fourteen foot width was based upon the American Association of State Highway and Transportation Officials (AASHTO) Guidelines for shared multi-use paths in high use areas.

The elevated walkway over the railroad tracks would have to meet the BNSF Railway/Union Pacific Railroad Guidelines for Railroad Grade Separation Projects. The elevated crossing would have to be about 25-feet high to meet the 23'-4" height above the top of rail specified in the Union Pacific Guidelines. Figure 9-3 shows a picture of a public bike and pedestrian crossing that meets these guidelines. The elevated walkway would be 14-feet wide to match the ground level bicycle and pedestrian path width. This is the AASHTO Bicycle Facilities Guide recommended width for overpasses where bicycle use is anticipated.

The only current parking area along the service road is at the far southern edge of road about one-mile along the service road from State Route 1, west of the railroad tracks. This dirt pad is used by the refinery to store tractors and trailers used for road maintenance. Use of this area for parking would not be feasible with the bicycle and pedestrian option since cars would not be able to access this existing dirt lot since it is west of the railroad tracks. Therefore, a parking lot would need to be built near the intersection of the refinery service road and State Route 1 on refinery property. One acre would be needed to accommodate 75 to 100 parking spaces. It is assumed that the parking lot would be paved and fenced to prevent access to the refinery property. Construction of the coastal access trail, railroad overpass, and the parking lot would be expected to take three to four months to complete.

Figure 9-3 Picture of Separated Grade Bicycle and Pedestrian Crossing



Source: Pedestrian and bicycle overpass over Elliott Avenue West and the Burlington Northern Santa Fe (BNSF) railroad tracks at West Thomas Street (Seattle Department of Transportation).

9.3.2 Motor Vehicle, Bicycle and Pedestrian Access

Construction of a motor vehicle, bicycle and pedestrian access would allow for access to the ODSVRA. The question of the best manner and location for access and staging for ODSVRA has not been completely resolved. It is a complicated question, and one that is informed by a long and involved permitting history and its related requirements. The question of access to ODSVRA may be resolved in the relatively near future (including in relation to an upcoming Habitat Conservation Plan for ODSVRA, ongoing Californian Coastal Commission (CCC) condition compliance and review efforts pursuant to CSPR CDP 4-82-300, and State Parks' current CDP application associated with dust control) (CCC 2013). Until the CDPR resolves the long standing issues associated with access and staging for the ODSVRA, the usefulness of this

option would be uncertain. Figure 9-4 shows the where the SMR coastal access route would enter the ODSVRA.

This coastal access option would involve the construction of an access road for motor vehicles, bicycles, and pedestrians. This option and route was addressed in the 2006 Condor Study prepared for the California Department of Parks and Recreation. The Condor study evaluated alternative access routes for the ODSVRA. The basic design of the road from the Condor Study has been used in this analysis.

With this option the existing refinery service road would be used as the coastal access (see Figure 9-2). The service road is paved up to the area just before it crosses the Union Pacific mainline railroad tracks. The remainder of the existing road is dirt. The road would be widened to about 32-feet to accommodate vehicle traffic in both directions as well as a walking path.

Figure 9-5 shows the road layout for this access option. Fencing would need to be installed along the portion of the service road where it passes through the large parking/equipment storage area to separate the public access from the refinery operations.

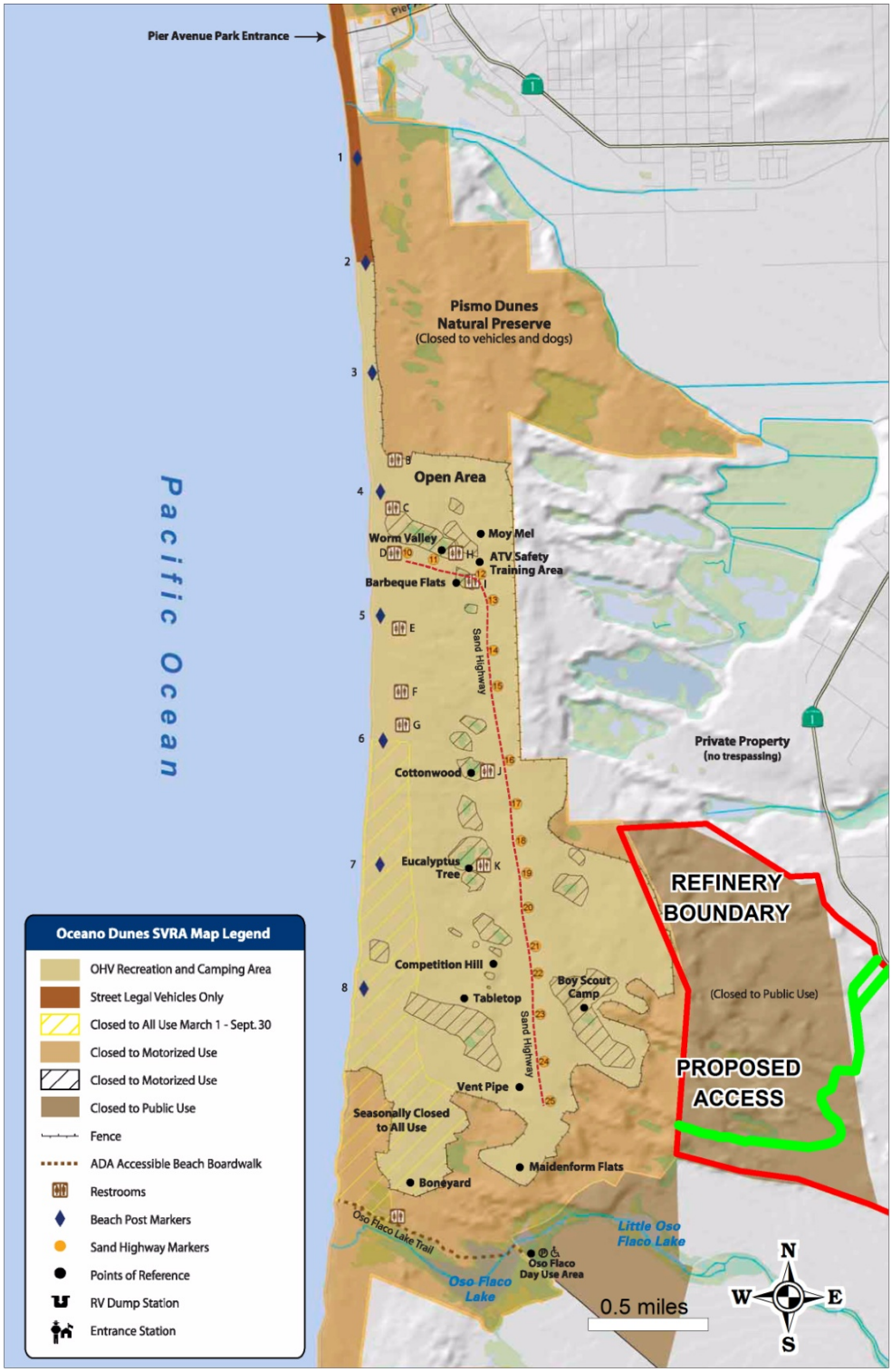
As discussed for the bicycle and pedestrian option, a grade-separated crossing of the railroad tracks would likely be needed. The current refinery service road has an “at-grade” crossing of the railroad tracks, and is classified as a private crossing.

The California Public Utilities Commission (CPUC) has exclusive jurisdiction over railroad crossings in California (Public Utilities Code §§1201-1202). If this railroad crossing was to be used for public vehicle access, the classification of the crossing would change from private to public, and a permit would be required from the CPUC. The railroad right-of-way is owned by Union Pacific Railroad (UPRR), and an agreement with UPRR would be needed to cross their property.

It is likely this option would require the construction of an over-pass or under-pass of the railroad right-of-way. Any crossing would have to meet the BNSF Railway/Union Pacific Railroad Guidelines for Railroad Grade Separation Projects. An elevated crossing would have to be about 25-feet high to meet the 23’-4” height above the top of rail specified in the Union Pacific Guidelines. Construction of an under-pass would require a substantial amount of grading area in the vicinity of the railroad crossing for excavating and shoring up the under-pass. There would also be safety issues associated with constructing an underpass beneath the active rail lines. The larger construction footprint for the underpass would result in increase impacts to ESHA habitat. For these reasons, the use of an underpass has been dropped from further consideration as part of this programmatic assessment.

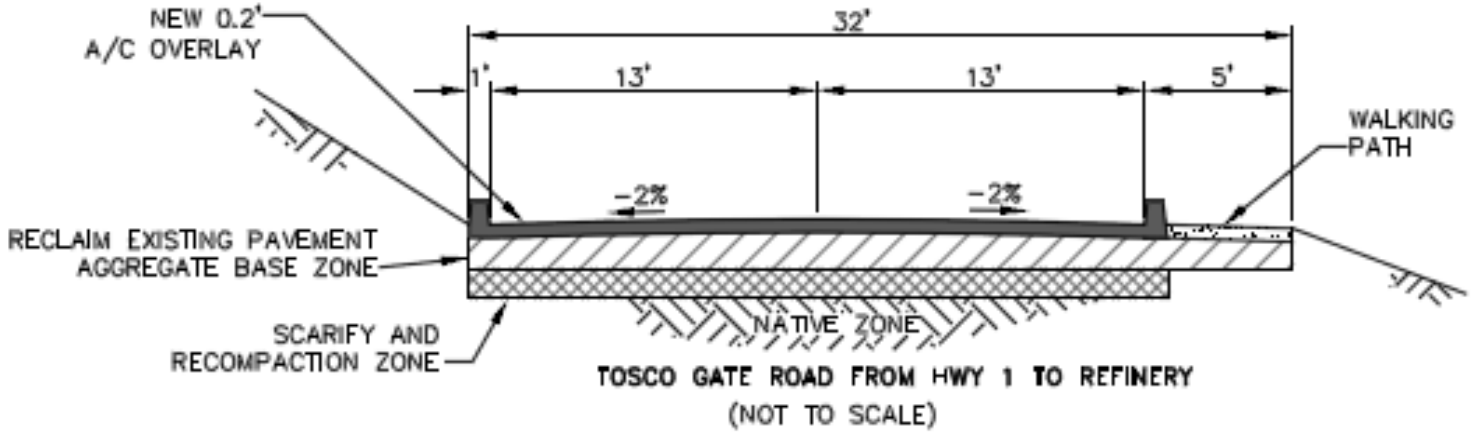
The width of the elevated crossing would need to be a minimum of 32-feet to accommodate vehicles and pedestrians. The Condor Study assumed an at-grade crossing for the rail road tracks, but based upon recent discussions with the CPUC and UPRR this is likely not a feasible option. The need for an elevated or below ground crossing of the railroad tracks would likely make vehicle access via this route infeasible due to the costs of constructing a grade separated vehicle crossing. The San Luis Obispo Coastal Plan Policies, Appendix F, identifies the construction of an overpass as a disadvantage of this location for accessing the ODSVRA.

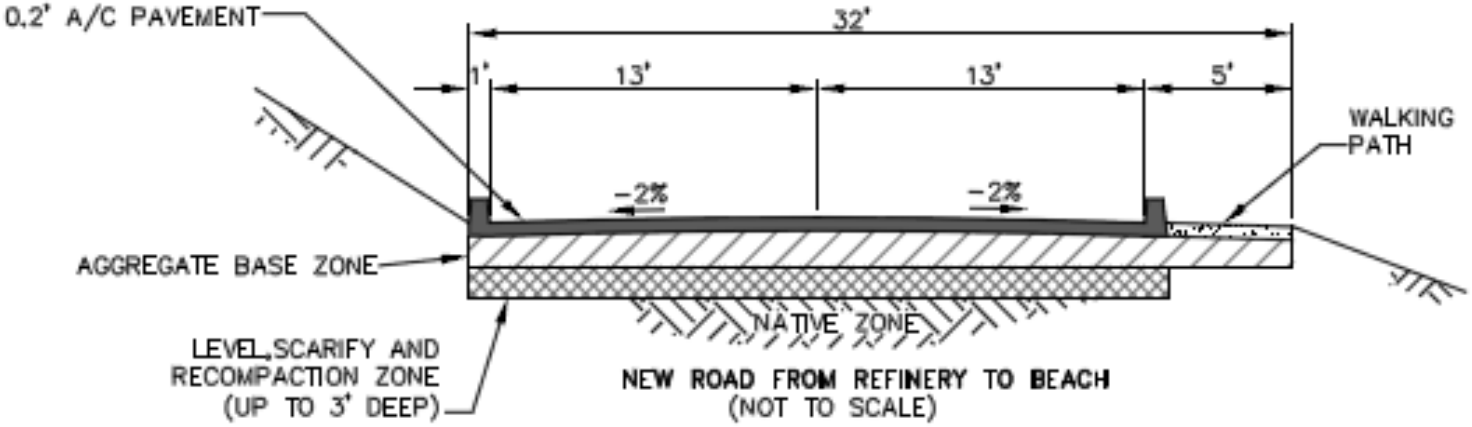
Figure 9-4 Location of SMR Coastal Access Route Relative to ODSVRA Site



Source: Adapted from CDPR ODSVRA Park Map 2013.

Figure 9-5 Road Layout for Vehicle Access Option





Source: Condor 2006.

This document estimates the costs of the overpass at over one million dollars (SLO Coastal Plan Policies, Appendix F revised 2007).

The paved road would end at the top of the dunes on ODSVRA property, where a 25,000 square foot parking lot would be constructed. To reach the beach, people would need to drive vehicles capable of driving on steep unvegetated dunes, or walk. The distance to the beach from the parking lot was estimated to be about 7,500 feet (Condor 2006).

The existing refinery service road is used for ongoing refinery operations. The paved section of the road is used for trucks entering and exiting the SMR. This option would not provide a separate access road for refinery operations.

The use of this road for public access could result in conflicts with refinery operations, which could have potential safety issues associated with encountering refinery equipment using the public access road (e.g., trucks, excavators, etc.). Therefore, there is the potential that when the road is needed to be used for refinery operations the road would have to be closed to public access.

Sharing of the public access road with refinery operations could raise liability issues associated with accidents between refinery vehicles and the public, and could hinder the ability of a public agency or private association to accept liability resulting from public use of the accessway (CZLUO Section 23.04.420 (e)(3). This provision of the CZLUO requires a public agency or private association, approved by the County, to agree to accept responsibility for maintenance of the accessway and any liability resulting from public use of the accessway prior to opening the access for public use. The option of vehicle access may also require an amend to the South County Coastal Area Plan, which limits traffic on the current access road to only authorized vehicles use for maintenance purposes, except for special off-road, which may be permitted if the lease between State Parks and Phillips 66 is renegotiated.

Construction of the coastal access road, railroad overpass, and the parking lot would be expected to take six to 12 months to complete.

9.3.3 Docent-Led Access

This option would involve limited public access via docent-led access (i.e., supervised access). This type of public access is in use at a number of areas including property owned by Pacific Gas & Electric (PG&E) at the Diablo Canyon property, and University of San Cruz Younger Lagoon Reserve Beach. The extent of docent-led access would need to be established but could range from weekly to monthly, and could include both pedestrian and bicycle led access.

The docent-led access would use the existing SMR service road to access the ODSVRA property. The docent-led access would still need to cross the UPRR mainline tracks. It is uncertain whether docent-led access would constitute a change in the classification of the railroad crossing from private to public, and if a grade-separated crossing would be needed for this level of access. If the public access was owned, maintained, and operated by a governmental

agency or another private third party other than Phillips 66, then it is likely that the crossing classification would be changed to public.

The California Public Utilities Commission (CPUC) has exclusive jurisdiction over railroad crossings in California (Public Utilities Code §§1201-1202). If this railroad crossing was to be used for docent-led access the classification of the crossing may change from private to public, and a permit could be required from the CPUC. The CPUC Policies and Procedures require that public railroad crossings use a separated grade, unless it can be shown why a separation of grades is not practicable (CPUC Policies and Procedures, Rule 3.7). The rail road right-of-way is owned by Union Pacific Railroad (UPRR), and an agreement with UPRR would be needed to cross their property with docent-led access.

For the purposes of this analysis it has been assumed that a grade-separated crossing would not be needed for docent-led access, but that the railroad crossing would be upgraded to include automatic signals and gates to project the docent-led groups from crossing the tracks when a train is approaching. Other than the installation of automatic signal and gates, no improvements would be needed to the dirt portion of the SMR service road. This assumption was made due to the fact that this would be a limited form of access that would be controlled by a docent. However, it is uncertain if a grade-separated crossing of the Union Pacific railroad tracks would be needed for this level of access. If the CPUC considers the docent-led access to be a public crossing, then it is possible that a grade-separated crossing could be required.

Given the limited amount of public access with docent-led access, it may be possible for Phillip 66 to provide a limited number of parking spots in the large equipment storage/parking area adjacent to the start of the dirt portion of the service road, located east of the railroad tracks. This would allow the scheduled guests for the docent-led access to drive and park on SMR property. If this area is not a feasible location for parking, then a small parking area (one-quarter of an acre) would need to be built at the end of the service road near State Route 1, and a pedestrian trail would need to be constructed adjacent to the existing paved refinery service road and a k-rail would need to be installed to spate the road from the pedestrian trail. This pedestrian trail would be separated from the service road by a K-rail or some other type of barrier, to protect pedestrians and bicyclists from refinery traffic.

Docent-Led access could be scheduled around refinery maintenance activities that require the use of the service road. This would eliminate any conflicts between the access and refinery operations.

About one to two months would be needed to construct the parking lot, access trail along the paved portion of the SMR service road, and install the automatic signals and gates at the rail road crossing.

9.4 Programmatic Environmental Assessment

This section provides a programmatic level environmental assessment of each of the coastal access options discussed above. The assessment discusses the potential impacts in key issues areas that could occur with the construction and operation of the various coastal access options discussed above. The environmental assessment will be used by the County of San Luis Obispo

to determine if a coastal accessway at this site is consistent with the requirements of CZLUO Section 23.04.420, and what type and level of intensity of access is appropriate for this specific location. In assessing the potential significance of impacts the threshold provided in Chapter 4 of the EIR have been used.

Since no formal design for the coastal access route has been developed the impacts discussed in this section are preliminary and could change once a final design has been developed.

9.4.1 Aesthetic and Visual Resources

9.4.1.1 Environmental Setting

The visual context for the coastal access project is generally the same as that for the Rail Spur Project in terms of the diversity of uses in the viewshed (see Section 4.1.1 for environmental setting discussion of Rail Spur Project). The scenic quality of the area is due to the natural coastal resources such as the dunes, native vegetative landcover, the Pacific Ocean, and the coastline. The miles of agricultural fields to the south add to the visual quality. At the same time, the visual character of the area is influenced by industrial uses such as the SMR, which dominates certain views, as well as the less intensive industrial businesses between the SMR and State Route 1.

The proposed coastal access alignments would traverse the dune scrub "buffer zone" between the refinery and the ODSVRA (see Figure 9-6).

Figure 9-6 Looking west from the refinery entrance road toward the potential coastal access area in the distance

Source: Carr 2013

By design, this open space has no development other than an unpaved service road used for access to the SMR outfall pipeline to the west. Portions of the SMR can be seen throughout much of the buffer zone and the coastal access project site. However the visual quality of the area remains very high, due the undulating topography, natural vegetative patterns and the abundance of coastal-specific natural resources. Currently, no public access is allowed in the buffer zone and the coastal access project site.

Two potential coastal access alignments are proposed from State Route 1 to the ODSVRA (see Figure 9-2). Both of these access routes would generally follow the existing refinery truck entrance road from State Route 1, cross the Union Pacific mainline railroad tracks, and then follow the existing outfall service road. The alignment of the access routes would be located within or immediately adjacent to the existing maintenance road. This existing road alignment is generally sympathetic to the dune landforms, avoiding the steeper dune faces and the surface water features nearby. Route A would closely follow the service road while Route B would shift to the north for a short segment to avoid sensitive plant species. Both access routes would be approximately 2 miles in length and would connect to the eastern perimeter of the ODSVRA approximately 1.5 miles from the shore.

9.4.1.2 Coastal Access Project Impacts

Consideration of the Coastal Access Project options reveals several issues related to the visual quality of the site and surroundings. In general, the project would provide increased public access to high quality scenic coastal resources. Meandering through the back dunes and coastal scrub, then arriving to sweeping vistas of the coastline and Pacific Ocean would be a memorable experience. Because the access route would generally follow the existing road along the lower areas between the dunes, visibility from off-site locations to the route would be minimal. Impacts associated with each of the coastal access options are discussed below.

Bicycle and Pedestrian Access Option

A new pedestrian bridge would be required over the UPRR tracks. This structure would be seen in the industrial context of the SMR, truck entrance road and railroad tracks. As a result, if designed to complement the coastal setting, a pedestrian/bicycle bridge would not look out of place at this location.

The appropriate visual scale, form, materials, colors and finishes of all project features would have an effect on visual quality and compatibility. In order to minimize impacts, the ultimate design would require a careful response to the sensitivity of this unique setting, in terms of visual quality and other valuable resources.

In addition, project elements which may result in the greatest potential for adverse visual impacts would likely be:

- The public parking area at the access ‘trailhead” near State Route 1.
- The design of the pedestrian bridge over the railroad tracks.
- Visible grading to accommodate a widened service road.

- Visible grading for Route B where it diverges from the existing service road.
- Possible fencing or other built elements required to separate the public from the service road and other SMR operations.
- Security fencing associated with the SMR and the railroad tracks.

In order to ensure compatibility of the bicycle/pedestrian coastal access option with the visual context and to reduce negative visual effects, the following measures are recommended:

V-1 *As part of coastal access route option selection, preliminary and final design should be based on recommendations of a multi-disciplinary team, representing expertise in all applicable resource areas, including visual quality. A qualified landscape architect should be a member of the multi-disciplinary team.*

V-2 *A Visual Impact Assessment should be prepared as part of the environmental review for the subsequent capital coastal access project, and completed prior to final design.*

V-3 *The aesthetic implications of all subsequent project features and program elements should be considered and addressed, including but not limited to fencing, structures, parking areas, signage, lighting, surfaces, etc.*

V-4 *All newly disturbed areas should be graded to mimic the adjacent natural dune landform.*

V-5 *All newly disturbed areas should be revegetated to match the adjacent natural landcover.*

Because specific design information is not available, post-mitigation residual impacts can't be defined. The mitigation measures above, if implemented would substantially reduce the potential for adverse visual impacts of the bicycle/pedestrian coastal access option on the proposed alignments. However, some of the measures listed above rely on a collaborative process which would attempt to balance the protection of numerous sensitive resources. As a result, it is not possible at this time to determine what the outcome of that collaborative process or the resulting proposed design might be. Subsequent assessment of a proposed design would identify any potential visual impacts and would verify which, if any of the mitigation measures recommended in this report could be implemented.

Motor Vehicle, Bicycle and Pedestrian Access

The impacts for this option would be similar to that described above for the bicycle/pedestrian option. All of the impacts and suggested mitigation measures for the bicycle/pedestrian option would apply to this option.

This option would require that a new motor vehicle bridge be constructed over the UPRR tracks. This would be a large overpass, similar to other road overpasses over railroad tracks. While this structure would be seen in the industrial context of the SMR, it would affect the overall visual quality of the area due to the size of the structure. It is likely that this type of structure could not be designed to complement the coastal setting, and would look out of place at this location, and would be considered significant visual impact. In addition, project elements unique to this option which may result in the greatest potential for adverse visual impacts would include the public

parking area at the top of the dunes on the ODSVRA property, and vehicles traveling along the new access road.

Because specific design information is not available, post-mitigation residual impacts can't be defined. However, it is likely that the new overpass of the railroad tracks would be a significant visual impact. The mitigation measures identified for the bicycle/pedestrian option, if implemented, would reduce the severity of the visual impacts of the motor vehicle coastal access option on the proposed alignments. However, some of the measures listed above rely on a collaborative process which would attempt to balance the protection of numerous sensitive resources. As a result, it is not possible at this time to determine what the outcome of that collaborative process or the resulting proposed design might be. Subsequent assessment of a proposed design would identify any potential visual impacts and would verify which, if any of the mitigation measures recommended in this report could be implemented.

Docent-Led Option

This option would have minimal impacts to visual quality and character since minimal improvements to the existing service road would be required. The installation of the automatic signals and gates at the railroad crossing would not be visible to the surrounding areas. If a new parking lot needed to be installed at the access trail head near State Route 1, this could change the visual quality of this area. However, this could be mitigated via appropriate landscaping. If parking were available at the SMR for the docent-led access then this option would have no impacts to visual quality and character of the surrounding areas.

9.4.2 Agricultural Resources

9.4.2.1 Environmental Setting

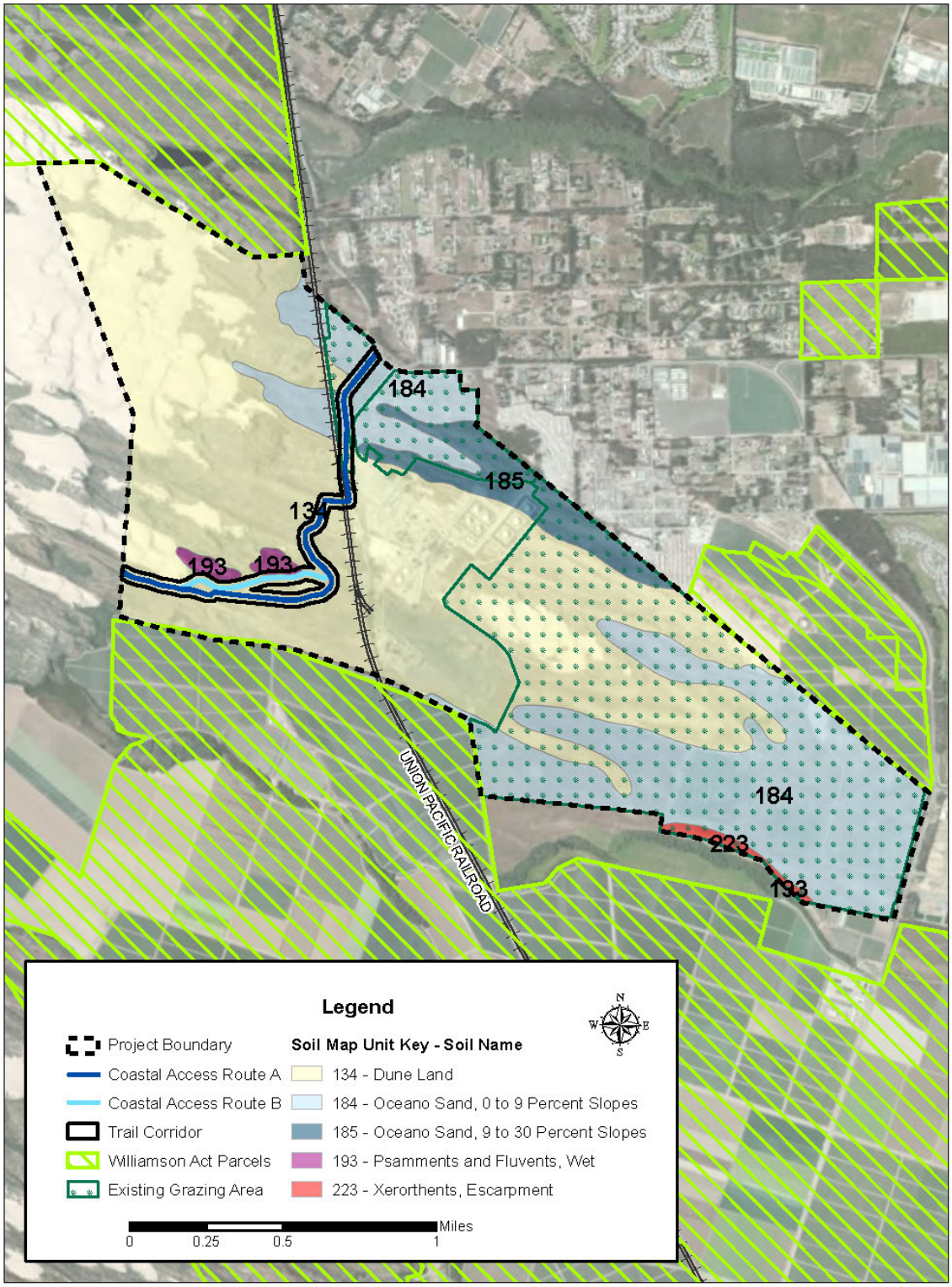
The Coastal Access Project would extend through Phillips 66 property on both sides of the UPRR. The property east of the UPRR currently supports limited grazing activities as described in Section 4.2.1.2. The areas west of the UPRR are undeveloped Open Space and does not support any agricultural activities. No portion of the Coastal Access Project Site is under a Williamson Act contract or agricultural preserve. However, adjacent properties to the north and south are both within Williamson Act contracts and used for intensive agricultural production (refer to Figure 9-7, below).

On-site Soils

Soils within the Coastal Access Project Site include predominantly Dune Land and Oceano Sand, 0 to 9 percent slopes, which make up over 97 percent of soils within the area of the proposed access easement. The Coastal Access Project Site includes both potential routes under consideration as well as an approximately 100-foot buffer on both sides of the route, which is intended to encompass areas that may be directly or indirectly affected by its development and use (refer to Figure 9-7 below). The only other soil unit present within the corridor is Psamments and Fluvents, Wet, and this soil is associated with dune lake areas west of the UPRR.

Soil characteristics and soil rating and classification systems are discussed in Sections 4.2.1.3 through 4.2.1.6. On-site soils within the Coastal Access Project corridor are shown in Figure 9-7, below and summarized in Table 9.1.

Figure 9-7 Agricultural Setting – Coastal Access Project



Source: SLOCo_NRCS_Soils. U.S. Department of Agriculture, Natural Resource Conservation Service, Soil Survey Geographic (SSURGO) Database for San Luis Obispo County. October 17, 2005.

Table 9.1 Summary of On-Site Soils – Coastal Access Project Corridor

Soil Unit	Area (acres)	Area (%)	LCC		Revised Storie Index Rating	COSE Important Agricultural Soils Classification
			irrigated	non-irrigated		
134 - Dune Land	45.5	82.1	VIIIe	VIIIe	Non-agricultural	n/a
184 - Oceano Sand (0-9% slopes)	8.3	15.0	IVe-1	VIe	Fair	Statewide Importance
193 - Psamments and Fluvents, Wet	1.6	2.9	n/a	VIw	Non-agricultural	Other Productive Soils

Source: USDA *Soil Survey of San Luis Obispo County, Coastal Part* (1984); San Luis Obispo County Conservation and Open Space Element (2010).

Farmland Classifications

The Coastal Access Project Site is predominantly comprised of Other Land per FMMP classifications. The area also includes Farmland of Local Potential near the entrance to the refinery and Urban and Build-Up Land associated with the industrial areas east of the UPRR.

According to the soil classifications in the COSE, the Coastal Access Project Site includes areas designated as Farmland of Statewide Importance near the entrance to the refinery and Other Productive Soils associated with the dune lake areas west of the UPRR. The location of FMMP- and COSE-designated farmlands is shown in Figures 9-8 and 9-9, below.

9.4.2.2 Coastal Access Impacts

Based on the NRCS Web Soil Survey, soils in the vicinity of the Coastal Access Project have the following farmland classifications.

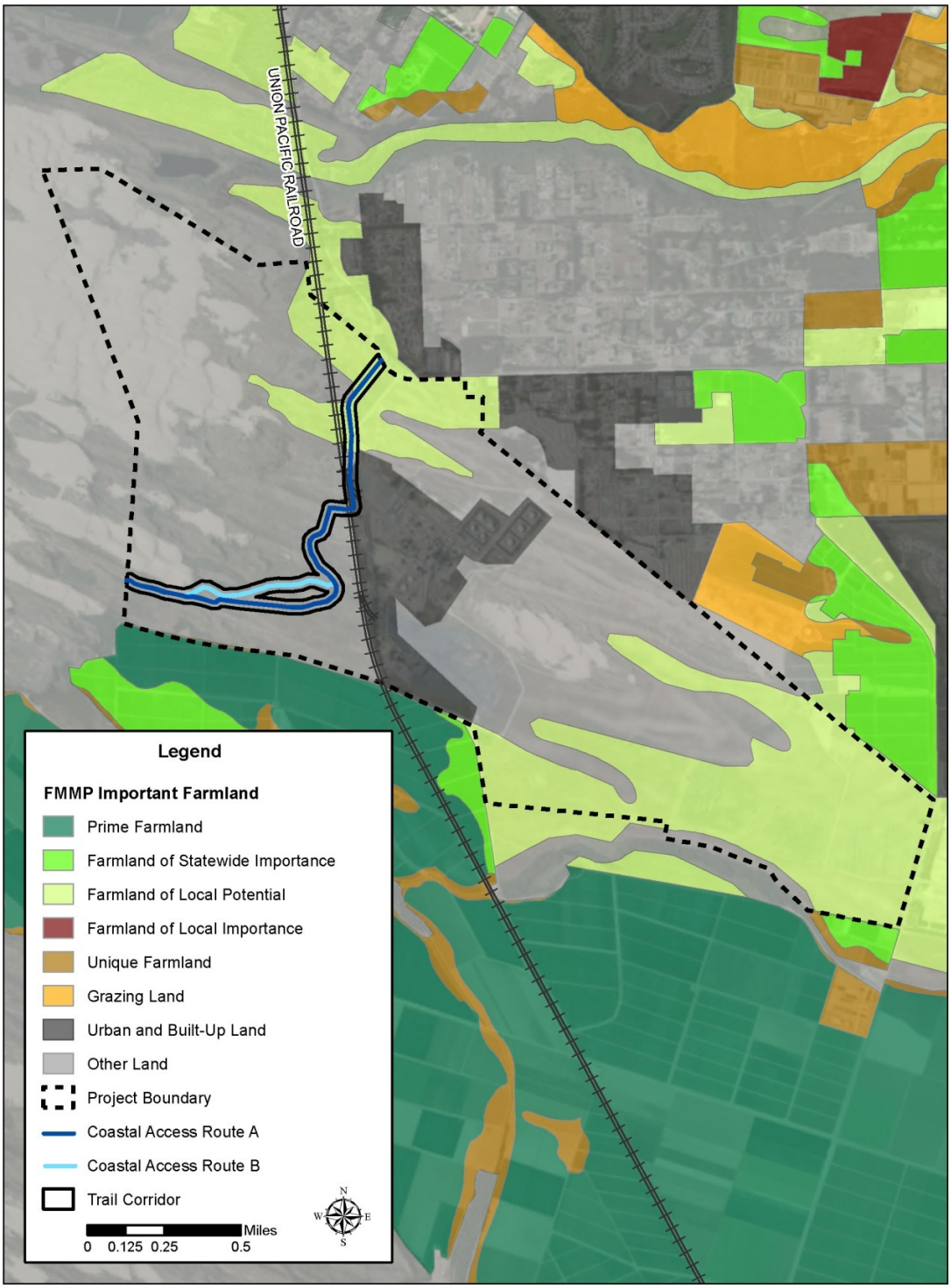
Table 9.2 NRCS Soil Classifications

Soil Unit	Farmland Classification
134 – Dune Land	Not prime farmland
184 – Oceano Sand (0-9% slopes)	Farmland of statewide importance
193 – Psamments and Fluvents, Wet	Not prime farmland

Source: USDA NRCS Web Soil Survey; http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm

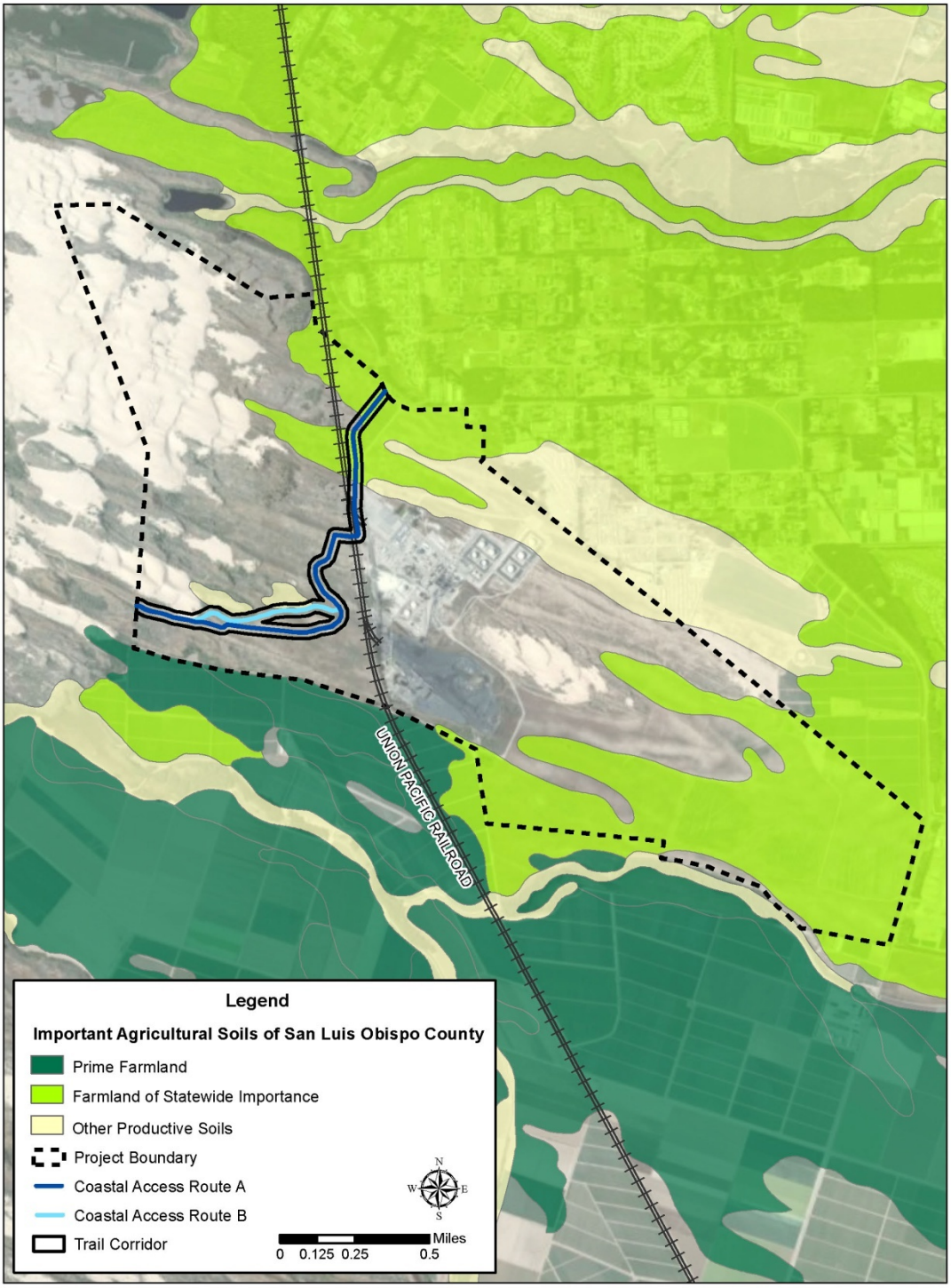
None of the soils in the vicinity of the Coastal Access Project are considered prime agricultural land per NRCS classifications. The closest prime agricultural soil, Camarillo Sandy Loam (prime if irrigated), is located over 600 feet away from both coastal access route alignments.

Figure 9-8 Important Farmland Map – FMMP Classifications



Source: Sanluisobispo2008.Department of Conservation, Farmland Mapping and Monitoring Program, 1984-2008; SLOCo_NRCS_Soils. U.S. Department of Agriculture, Natural Resources Conservation Service, Soil Survey Geographic (SSURGO).

Figure 9-9 Important Agricultural Soils Map – COSE Classifications



Source: Sanluisobispo2008.Department of Conservation, Farmland Mapping and Monitoring Program, 1984-2008; SLOCo_NRCS_Soils. U.S. Department of Agriculture, Natural Resources Conservation Service, Soil Survey Geographic (SSURGO) Database for San Luis Obispo County. October 17, 2005; County of San Luis Obispo, COSE, 2010.

Therefore, no conversion of prime agricultural land to non-agricultural use would occur with any of the coastal access options.

No Prime or Unique Farmland is located in the vicinity of the proposed Coastal Access Project. However, the Coastal Access Project would pass through areas designated in the COSE as Farmland of Statewide Importance as well as Other Productive Soils in the area of Jack Lake. The Farmlands of Statewide Importance are in the area of the refinery entrance, where both proposed route alignments follow the existing paved refinery access roads.

Bicycle and Pedestrian Access Option

The need to provide an elevated crossing over the UPRR may require the disturbance and/or use of additional areas between the UPRR and State Route 1 (outside of the existing paved roadways) to accommodate an alignment and above-grade crossing that meets UPRR design, transportation and safety standards.

Therefore, there is the potential for a conversion of Farmlands of Statewide Importance to occur in this area, depending on the final design, alignment. The construction of a parking lot near State Route 1 could also result in conversion of Farmlands of Statewide Importance.

These areas adjacent to the refinery entrance currently support limited grazing activities, and a conversion of any area outside of the existing roadway would also convert land used for that purpose. However, the low intensity of existing grazing activities could easily be continued on the remaining undeveloped portions of the SMR property even with the Rail Spur Project, and use of the coastal access route would not otherwise result in a significant interference with the limited adjacent grazing activities.

Assuming a conversion of these farmlands would occur the conversion would not result in a significant environmental impact for reasons similar to those identified in Section 4.2.4 related to the conversion of Farmlands of Statewide Importance as a result of the Rail Spur Project. These farmlands are not currently used for intensive agricultural production and such use is not likely due to zoning and historical use of the property.

The area that would potentially be converted as a result of the Coastal Access Project is further unsuited to substantial agricultural production because the area is split up and divided by existing roadways and the railroad tracks. Designated farmlands west of the UPRR are even less likely to be utilized for agricultural uses due to the Open Space land use designation, sensitive dune habitat, and LCP policies directed at protecting this area for open space, recreational and/or sensitive habitat uses.

Construction of the bicycle/pedestrian coastal access option has the potential to generate dust and other air emissions, create hazardous materials contamination, spread noxious weeds, increase water demands, and result in other effects with the potential to adversely affect adjacent agricultural areas. Long-term use of the access route would mean increased human presence in the area, and would cause an increased risk of trespass and littering or other contamination issues that may impact agricultural uses.

The nearest intensive agricultural operations are located south of the Coastal Access Project Site, and would be separated from all areas of disturbance by 600 feet or more. Water demands would likely be limited to construction activities, and no significant or long-term demand on water resources would result that could potentially reduce water supplies available for agricultural uses. The risk of users straying from the designated path is a significant one; however, it is unlikely that the trespass would extend 600 feet or more from the designated route to an area of agricultural activity. Trespassers would be more likely to explore nearby dune formations, or conduct unauthorized off-highway vehicle activity in dune areas not designated for this use. Therefore, potential impacts to adjacent agricultural uses would be less than significant.

Motor Vehicle, Bicycle and Pedestrian Access

The need to provide a large elevated crossing over the UPRR would require the disturbance and/or use of additional areas between the UPRR and State Route 1 (outside of the existing paved roadways) to accommodate an alignment and above-grade crossing that meets BNSF Railway/Union Pacific Railroad Guidelines as well as Caltrans design, transportation and safety standards for an overpass. Therefore, conversion of Farmlands of Statewide Importance would likely occur in this area.

These areas adjacent to the refinery entrance currently support limited grazing activities, and a conversion of any area outside of the existing roadway would also convert land used for that purpose. However, the low intensity of existing grazing activities could easily be continued on the remaining undeveloped portions of the SMR property even with the Rail Spur Project, and use of the coastal access route would not otherwise result in a significant interference with the limited adjacent grazing activities. This conversion would not result in a significant environmental impact for reasons similar to those identified in Section 4.2.4 related to the conversion of Farmlands of Statewide Importance as a result of the Rail Spur Project. These farmlands are not currently used for intensive agricultural production and such use is not likely due to zoning and historical use of the property.

Construction of the motor vehicle, bicycle and pedestrian coastal access option would generate dust and other air emissions, create hazardous materials contamination, spread noxious weeds, increase water demands, and result in other effects with the potential to adversely affect adjacent agricultural areas. Long-term use of the access route would mean increased human presence in the area, along with increased motor vehicle traffic and would cause an increased risk of trespass and littering or other contamination issues that may impact agricultural uses. With motor vehicle access there is the potential for increased dust generation along the road as well as at the southern end of the ODSVRA. Opening up a new motor vehicle access to ODSVRA at the southern end of the recreational area would likely increase fugitive dust emissions from sand in this area. This potentially could be a significant impact on agricultural resources in this area.

The nearest intensive agricultural operations are located south of the Coastal Access Project Site, and would be separated from all areas of disturbance by 600 feet or more. Water demands would likely be limited to construction activities, and no significant or long-term demand on water resources would result that could potentially reduce water supplies available for agricultural uses. The risk of users straying from the designated path is a significant one; however, it is unlikely that the trespass would extend 600 feet or more from the designated route to an area of agricultural activity. Trespassers would be more likely to explore nearby dune formations, or

conduct unauthorized off-highway vehicle activity in dune areas not designated for this use. This type of unauthorized activity could increase fugitive dust from the dunes that could impact agricultural activities.

Docent-Led Access

This option would have minimal impacts to agricultural resources since minimal improvements to the existing service road would be required. The installation of the automatic signals and gates at the railroad crossing would not impact agricultural lands. If a new parking lot is needed to be installed at the access trail head near State Route 1, this could result in the conversion of Farmlands of Statewide Importance, but would be less than significant as discussed above for the bicycle/pedestrian option. Agricultural impacts due to construction would not be an issue since no construction along the service road would be needed. The risk of users straying from the designated path would be unlikely since this option would involve managed access. Therefore, the impacts on agricultural resources from docent-led access would be less than significant.

9.4.3 Air Quality

9.4.3.1 Environmental Setting

The air quality setting for the coastal access project is generally the same as that for the rail spur project in terms of baseline air quality (see Section 4.3.1). The Coastal Access Project is located in an area that has historically been subject to poor air quality conditions (e.g., exceeds the state PM_{10} standard over 70 times per year) due to high northwesterly winds and blowing sand and dust across the Oceano Dunes. A study performed by the SLOCAPCD, the South County Phase 2 Particulate Study, evaluated whether impacts from off-road vehicle activities at the Oceano Dunes State Vehicle Recreational Area (ODSVRA), the Phillips Refinery coke piles, and adjacent agricultural fields were contributing to the particulate problems on the Nipomo Mesa (SLOC APCD 2010). As the ODSVRA is upwind of the Nipomo Mesa; the study data indicates that the ODSVRA in the area is the major source of particulates on the Nipomo Mesa. Average weekend and weekday particulate measurements taken on the Nipomo Mesa over the past 12 years were analyzed to determine whether there were higher PM levels on the weekends, which would be relevant to the typically higher weekend off-road vehicle activity at the ODSVRA. The analysis found higher weekend concentrations at one monitoring station but the data were not conclusive. The Phase 2 portion of the study concluded that off-road vehicle activity in the ODSVRA is a major contributing factor to the PM concentrations observed on the Nipomo Mesa and that neither the petroleum coke piles at the Phillips facility, nor agricultural fields, or activities in and around the area are a significant source of ambient PM on the Nipomo Mesa.

The study indicates that off road vehicle activity on the dunes is known to cause de-vegetation, destabilization of dune structure, and destruction of the natural crust on the dune surface. All of these increase the ability of winds to entrain sand particles from the dunes and carry them to the Nipomo Mesa, representing an indirect emissions impact from the vehicles. The study concluded that off-road vehicle activity is the primary cause of the high PM levels measured on the Nipomo Mesa during episode days.

The study documents the frequent occurrence of unhealthful particulate levels on the Nipomo Mesa. Even though the composition of the particulates is predominately natural crustal particles, the health implications are not lessened. All fine airborne particulate matter, regardless of composition, can cause respiratory distress when inhaled, especially to the very young, the elderly, and those with compromised respiratory systems. In addition, sand particles from the Oceano Dunes are high in crystalline silica, a known carcinogen. The studies provided a comprehensive picture of the characteristics of a typical dust event.

In November 2011, the SLO County APCD adopted Rule 1001, Coastal Dunes Dust Control Requirements, which requires the operator of a coastal dune vehicle activity area (CDVAA) greater than 100 acres in size to prepare and implement a Particulate Matter Reduction Plan (PMRP) to minimize emissions of PM_{10} from the area under its control. Rule 1001 defines the term CDVAA as "any area within 1.5 miles of the mean high tide line where public access to coastal dunes is allowed for vehicle activity."

As a result of this rule the Off-Highway Motor Vehicle Recreation (OHMVR) Division of the California Department of Parks and Recreation (CDPR) proposes to install, operate, and maintain meteorological, sand flux (i.e., sand movement), and particulate matter monitoring equipment and dust and track-out control measures primarily in and within the vicinity of Pismo State Beach and ODSVRA in San Luis Obispo (SLO) County. The proposed equipment and control measures are intended to provide information on the dynamics of dust generation at Pismo State Beach and ODSVRA, to help limit high levels of suspended particulate matter (PM) with an aerodynamic diameter of 10 micrometers or less (PM_{10}) on the Nipomo Mesa, in SLO County, and also to comply with SLO County Air Pollution Control District Rule 1001. The OHMVR Division is currently preparing an EIR for the PMRP.

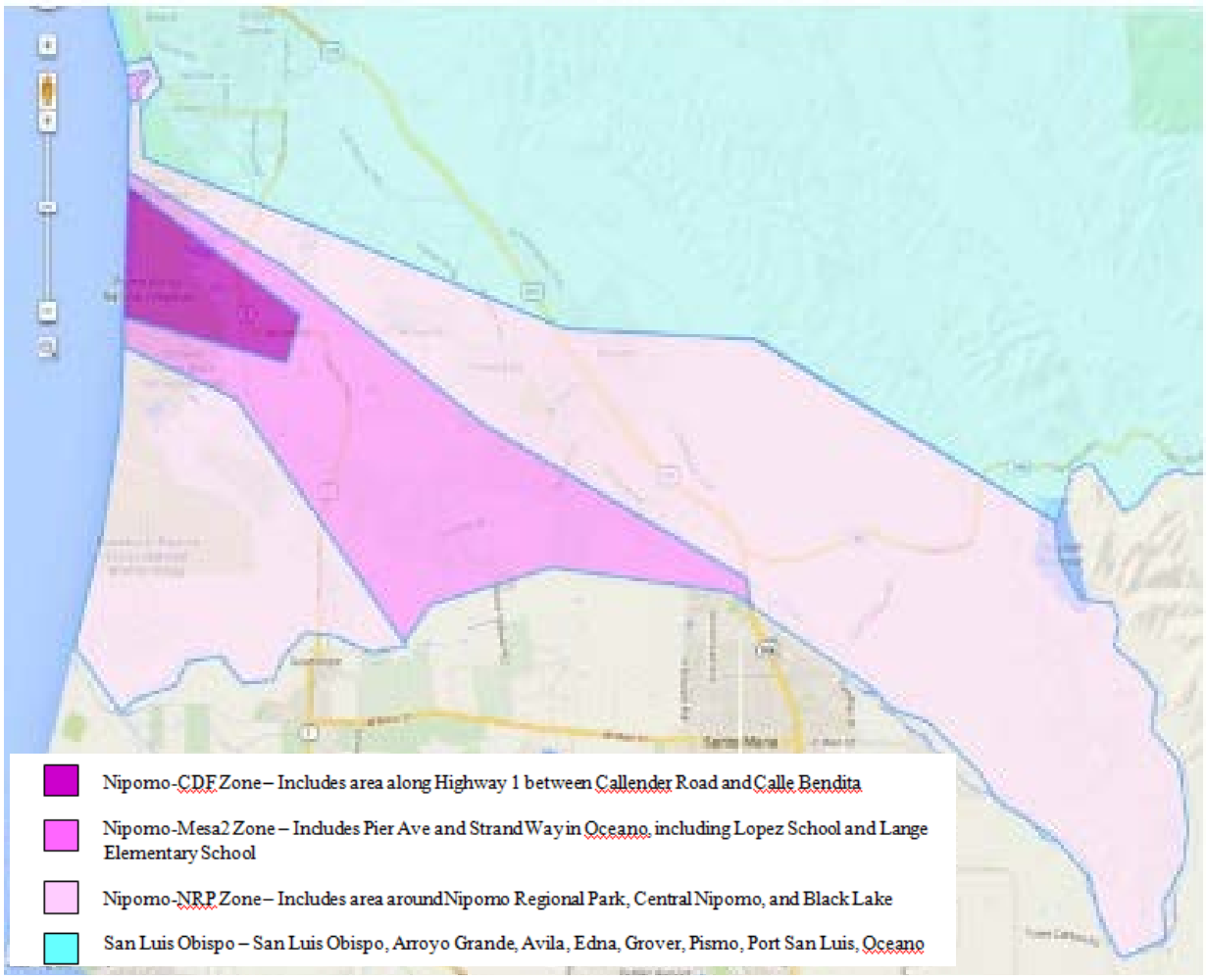
To keep the public informed of periods of deteriorating air quality, the APCD provides a daily air quality forecast for SLO County. SLO County is partitioned into nine air quality forecast zones, and an air quality forecast for a six-day period is provided for each zone. In the Nipomo Mesa area, there are four forecast zones as shown in the Figure 9-10.

The darker colors (purple/pink) in the map signify the location of the greatest dust impacts during a typical blowing dust event. The public can experience adverse health impacts in areas with blowing dust. The blue color represents the SLO forecast area, which in most cases is not impacted by the dust plume.

Children and individuals with compromised cardiac and respiratory systems or related health problems are called sensitive receptors. Sensitive receptors can experience greater health impacts than the general population during blowing dust events. Sensitive receptor locations include schools, residential dwellings, parks, day care centers, nursing homes, and hospitals.

The blowing dust events are typically most frequent in the spring; however, dust events can occur at any time of the year. The greatest impacts occur when the strong winds blow from the northwest which directs the dust plume inland over the Nipomo Mesa (as shown in the map above) where it can impact residents. A typical event tends to start around noon and end by the early evening, with peak impacts between 1:00 PM to 5:00 PM. The strongest events can result in blowing dust from 9:00 AM to 7:00 PM, with peak impacts between noon and 6:00 PM.

Figure 9-10 Nipomo Air Quality Zones



Source: SLOCAPCD http://www.slocleanair.org/air/socoaqphp.php

9.4.3.2 Coastal Access Impacts

The Coastal Access Project is conceptual at this time and therefore impact assessment of these options focus on identifying what potential impacts may occur based on information known to date. The assessment identifies what additional information would be needed in order to analyze the project upon application for permits or entitlements. Identified impacts represent a reasonable worst case scenario based on the provided conceptual projects discussed in Section 9.3.

Bicycle and Pedestrian Access Option

Construction

This option would require the construction of an approximately 30-foot wide access corridor, the construction of a bicycle/pedestrian overpass, and a parking lot near the intersection of the access

corridor with State Route 1. The access corridor and parking lot would have to be graded and paved. Table 9.3 provides an estimate of the construction emissions for this option. Without actual designs for the coastal access, some assumptions had to be made for estimating the emissions.

It was assumed that grading would take 10 days, construction and paving 20 days, and final painting of the bridge about 10 days. The total disturbed area was assumed to be about 10 acres, based upon two-miles of 35 foot wide grading and 0.5-acres needed for bridge construction, plus one-acre for the parking area.

Table 9.3 Bicycle/Pedestrian Coastal Access Construction Emissions

Pollutant	APCD Thresholds			Project Daily, pounds	Project Quarterly, tons
	Daily	Quarterly Tier 1	Quarterly Tier 2		
ROG + NO_x	137 pounds	2.5 tons	6.3 tons	62.2	0.83
Diesel Particulate Matter	7 pounds	0.13 tons	0.32 tons	2.3	0.03
Fugitive Dust Particulate Matter (PM_{10})	-	2.5 tons	-	-	0.02

Notes: Source is CalEEMod.

These emissions also include hauling of material to the site including road base, asphalt, the section of the bridge, and k-rails. The estimated construction emissions would be less than the APCD thresholds so construction impacts would be less than significant. Given that this area already exceeds PM_{10} air quality standards, the following mitigation measure would reduce the PM_{10} emissions associated with construction.

AQ-1 Prior to issuance of applicable grading permit, the fugitive dust requirements in the SLOCAPCD CEQA Handbook should be incorporated into the construction plans.

AQ-2 Construction activities that would generate dust should be limited to periods when good air quality is forecasted.

AQ-3 A geological evaluation should be conducted prior to construction to determine if the area disturbed has naturally occurring asbestos. If naturally occurring asbestos is found than the ARB Air Toxic Control Measures for Construction, Grading, Quarrying, and Surface Mining Operations shall be implemented.

Operation

The only air emission from the bicycle/pedestrian option would be associated with vehicles traveling to and from the access trail head. The peak number of vehicles associated with this option has been estimated to be 100 to 300 vehicles per day. It is not expected that these would be new trips to the ODSVRA, but rather a shift in the existing trips to the ODSVRA from other entrance locations. Therefore, there would be no new operational air emissions. Mitigation measures that should be included for air quality include the following.

AQ-4 On-site informational kiosk should be placed at the entrance to the coastal access that discusses air quality issues in the area and how to obtain daily air quality conditions and forecasts.

AQ-5 Informational component on the coastal access website that informs users of the Nipomo area air quality forecast and information about how to protect your health during periods of deteriorating air quality.

AQ-6 On-site real-time air quality display such as a solar powered sign should be installed at the entrance to the coastal access that displays the current air quality data and air quality forecast

Motor Vehicle, Bicycle and Pedestrian Access

Construction

This option would require the construction of an approximately 32-foot wide access corridor, the construction of a vehicle overpass, and a parking area on ODSVRA property. The access corridor would have to be graded and paved. Construction of the access corridor would be similar to the construction emissions provide above for the bicycle/pedestrian option. Given that detailed designs for the vehicle overpass are not available, it is not possible to estimate the construction emissions for this portion of the construction, but they would be substantially greater than that estimated for the bicycle/pedestrian overpass. Depending upon the emissions associated with the construction of the overpass, it is possible that the air emissions could be significant, but could be mitigated through the implementation of SLOCAPCD approved mitigation measures. The mitigation measures discussed above would apply for this option.

Operation

Air emissions associated with this option would result from motor vehicles using the coastal access road. Air emissions from vehicles are difficult to estimate since it would depend upon what would happen with the two existing ODSVRA main entrances. In the 2006 Condor Study, it was assumed that that both current entrances would remain open but that crossing the Arroyo Grande Creek to get to the off-road vehicle (ORV)[1] area would be prohibited. Therefore, all visitors wishing to access the riding area would have to use the SMR access point and there would be no increase on the overall vehicles using the ODSVRA. The Condor Study assumed that 90% of the vehicles using the Pier Avenue entrance would use the new SMR entrance, but that there would be no net increase in the overall vehicle traffic to the ODSVRA. The Condor Study estimated that a peak of 3,579 vehicles per day would use the new SMR access point (Condor 2006).

The park has a 1,000 vehicle per night camping limit, and a day use limit of 4,300 vehicles. These limits were established through a 1982 Coastal Development Permit and four subsequent Permit Amendments to operate the park in the Coastal Zone.

[1]ORV is interchangeable with off-highway vehicle (OHV).

Based upon the assumptions in the Condor Study, there would be no net increase in air emissions from the vehicles using the SMR coastal access road. The existing emissions would just be shifted south from the Pier Avenue entrance to the new SMR coastal access road. This shift in vehicles to the south could increase the level of ORV activity in the southern part of the ODSVRA thereby increasing PM_{10} emissions in this part of the ODSVRA. PM_{10} emissions could also be increase from travel of the new coastal access road. While the road would be paved, sand tracked onto the road could increase the level of PM_{10} emissions in the area around the refinery. As discussed above, PM_{10} emissions are a significant issue in this area. With a shift in traffic from the Pier Avenue entrance to the SMR entrance there could be a reduction in PM_{10} emissions from the ODSVRA since vehicles would not have to travel the five or so miles to get to the off-road vehicle recreation area. A conservative assumption would be that the overall level of PM_{10} emissions from the area around the ODSVRA would not be expected to increase over the current levels based upon the assumptions discussed above. However, there is the potential for an increase in localized impacts in the area of the SMR. Implementation of the PMRP that the State is currently preparing for the ODSVRA might reduce this localized impact. Given that the PMRP has not been fully developed and implemented, this localized impact could be potentially significant. Also, the addition of a new access point to the ODSVRA might require modifications to the PMRP that is currently being prepared by the State. The mitigation measures discussed above would apply for this option.

Docent-Led Access

Construction

This option would have minimal impacts to air quality since minimal improvements to the existing service road would be required. The installation of the automatic signals and gates at the railroad crossing would result in minimal air emissions. If a new parking lot is needed to be installed at the access trail head near State Route 1, this could result in some air emissions, but would be less than significant as discussed above for the bicycle/pedestrian option. Therefore, the air emissions associated with construction of the docent-led access option would be less than significant. The mitigation measures discussed above would apply for this option.

Operation

The only air emission from this option would be associated with vehicles traveling to and from the access trail head. The peak number of vehicles associated with this option has been estimated to be 10 vehicles per docent-led access, with tours occurring once a week or one every month. This small amount of vehicles would not generate significant air emissions. Therefore, the air emission impacts would be less than significant. The mitigation measures discussed above would apply for this option.

9.4.4 Biological Resources

The following section describes biological resources found within the Coastal Access Project area that have the potential to be impacted by the construction and operation of the various coastal access options. The analysis identifies potential constraints associated with biological resources, as the proposed alignments are conceptual at this time. Recommendations have been provided in order to avoid or minimize impacts to biological resources in the area.

Information for this section utilizes the resources and studies cited within Section 4.4 (Biological Resources) of this EIR, in addition to the Coastal Access Feasibility Review prepared by Arcadis (2013) and the Oceano Dunes Alternative Access Study, prepared by Condor Environmental in 2006. Impact analysis of biological resources within the Coastal Access Project Site utilizes previous discussions from Section 4.4 where applicable.

9.4.4.1 Environmental Setting

Upland Communities

The Coastal Access Project would extend through the SMR property on both sides of the UPRR. The approximate 630-acre natural dune area of the SMR property west of the UPRR provides an important buffer zone between the ODSVRA and the active portion of the SMR. Uncontrolled public off-road vehicle (ORV) use had historically had a significant impact on the area's sensitive ecological resources. Prior to 1997, an extensive trail network and associated erosion, dune destabilization, and weed dispersal was occurring in the vegetated dune areas on the SMR property. Around 1998, this area of the SMR was fenced to prevent uncontrolled access and has been managed through an agreement with CSPR to exclude general public use. Through the efforts of CSPR and the Land Conservancy of San Luis Obispo County, with the support of Phillips 66, invasive plant species have been reduced in the buffer zone area, and native plant communities and native dune stabilization have been enhanced. The area still has some level of Purple Veldt Grass (Ehrharta calycina), but a lot of this has been removed as part of restoration activities.

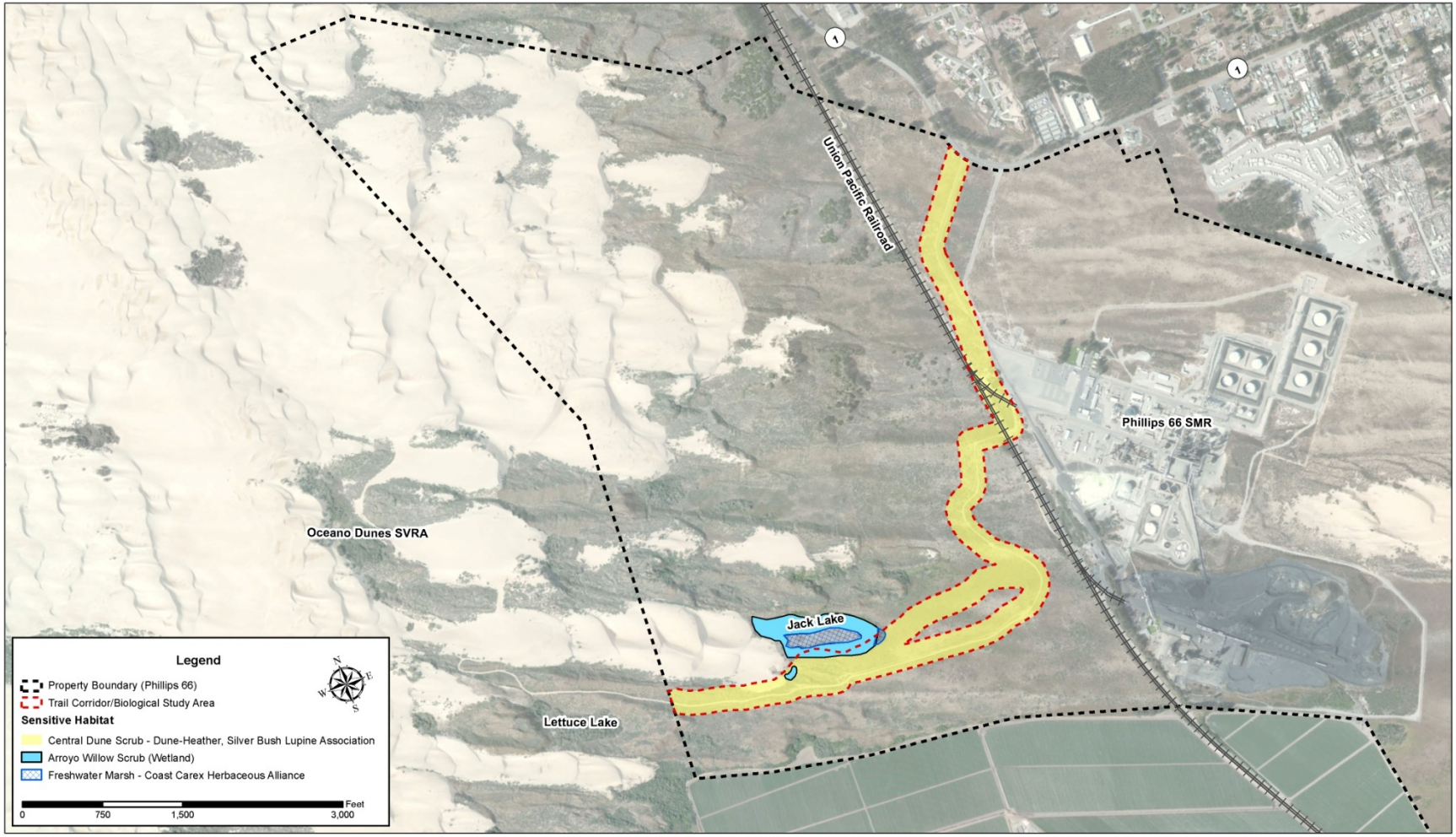
As shown in Figure 9-11, both proposed Coastal Access Project routes transect Central Dune Scrub habitat (described within Section 4.4.1.1). The vegetation within route A is dominated by the Dune-Heather - Silver Dune Lupine Alliance, which has a sensitive plant ranking of S3 in the CNDDB (CDFW 2013). Route B would traverse the same upland communities as Route A. However, Route B occurs immediately adjacent to the southern margins of Jack Lake and within 100 feet of arroyo willow (*Salix lasiolepis*) thickets and a freshwater marsh dominated by slough sedge (*Carex obnupta*). Further discussion of these wetland habitats is provided below.

Sensitive plant species observed along the Coastal Access Project Site include Blochman's leafy daisy (*Erigeron blochmaniae*), crisp monardella (*Monardella undulate* subsp. *crispa*), Blochman's groundsel (*Senecio blochmaniae*) and sand almond (*Prunus fasciculata* var. *punctata*). In addition to these species identified above, route A would be located immediately adjacent to a mapped colony of Nipomo Mesa lupine. Based on input from John Chesnut, a local species expert, large populations of this species occur along the existing service road within the Coastal Access Project Site, which is utilized by Phillips 66 to maintain and inspect the existing outfall pipeline. This service road is periodically graded, which presumably encourages germination of this species (personal communication, John Chesnut, 2013).

Wetland Communities

Freshwater marsh and arroyo willow habitat are present within Jack Lake, which is located within the property boundaries of the SMR and within the vicinity of both Coastal Access Project routes (refer to Figure 9-11 Sensitive Habitat Map).

Figure 9-11 Sensitive Habitat Map



Jack Lake is known to support suitable habitat for the federally-listed threatened California red-legged frog (*Rana draytonii*). In addition, Jack Lake provides habitat for two federal- and state-listed endangered plant species: marsh sandwort (*Arenaria paludiola*) and La Graciosa thistle. A formal wetland delineation of this area has not been conducted; however, as shown in Section 9.4.8 Land Use, Figure 9-15 Combining Designations Map, Jack Lake is a mapped Wetland (ESHA), pursuant to the South County Coastal LCP. (Figure 9-15 shows the location of mapped ESHA areas in the vicinity of the coastal access route.)

Sensitive Biological Resources

In addition to the mapped Wetland, the entire area located west of the UPRR tracks is within the Terrestrial Habitat ESHA designation, pursuant to the LCP (see Figure 9-15 Combining Designations Map in Section 9.4.8 Land Use). The following is a discussion of those sensitive biological resources that were either not previously discussed in Section 4.4.1.3 of the EIR, or warrant additional discussion due to the potential impacts that may result from the proposed Coastal Access Project. Central Dune Scrub habitat is the only sensitive plant community that is located within the Coastal Access Project Site. A discussion of this habitat type is provided in Section 4.4.1.1. In addition to Central Dune Scrub, the Coastal Access Project Site is located within Critical Habitat for La Graciosa thistle.

Sensitive Plant Species

Of the 46 sensitive plant species that are known to occur within a 10-mile vicinity of the Coastal Access Project Site, seven of these species have been recorded directly within the Biological Study Area for the Coastal Access Project routes, including:

- La Graciosa thistle (*Cisium scariosum* var. *loncholepis*)
- Blochman's leafy daisy (*Erigeron blochmaniae)*
- Nipomo Mesa lupine (*Lupinus nipomensis)*
- crisp monardella *(Monardella undulata* subsp. *crispa)*
- California spineflower (*Mucronea californica)*
- Blochman's groundsel *(Senecio blochmaniae)*
- sand almond (*Prunus fasciculata* var. *punctate)*

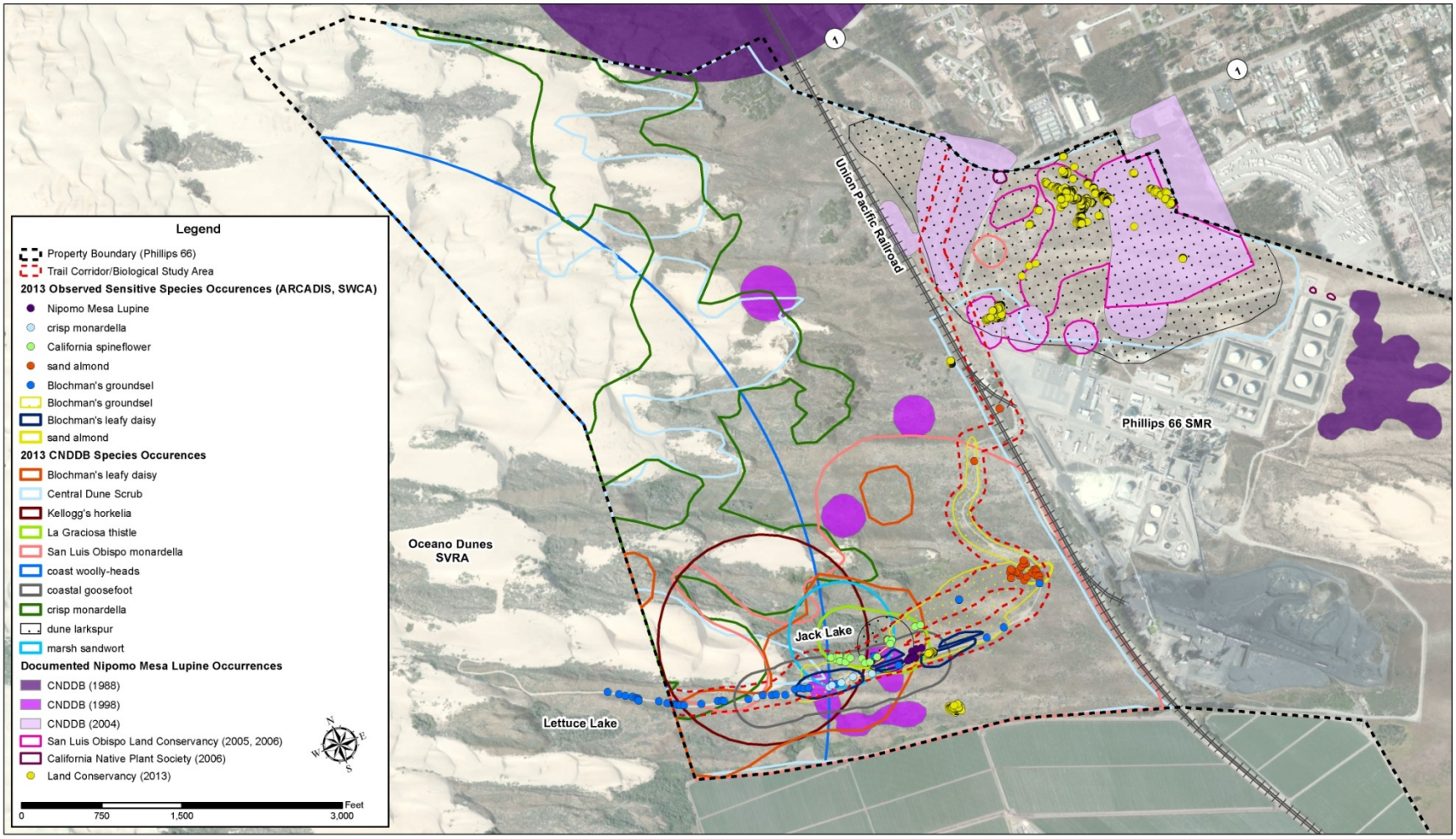
The location of these plant species are shown in Figure 9-12, Sensitive Plant Species. Further discussion of each of these species and their potential to occur, or known presence, onsite is included in Appendix C.

Sensitive Animal Species

Of the 39 animal species that are known to occur within a 10-mile vicinity of the Coastal Access Project, the following species have either been recorded adjacent to the Coastal Access Project Site or have the potential to occur due to previous observations and the presence of suitable habitat. These species include:

- California red-legged frog (*Rana draytonii*)
- Pacific pond turtle (*Actinemys marmorata*)
- Cooper's hawk (*Accipiter cooperii*)
- Bell's sage sparrow (*Amphispiza belli*)

Figure 9-12 Sensitive Plant Species



- western burrowing owl (*Athene cunicularia*)
- ferruginous hawk (*Buteo regalis*)
- northern harrier (*Circus cyaneus*)
- loggerhead shrike (*Lanius ludovicianus*)
- coast horned lizard (*Phrynosoma coronatum*)
- silvery legless lizard (*Anniella pulchra pulchra*)
- Monarch butterfly (*Danaus plexippus*)
- Migratory bird species Class Aves

The location of these species is shown in Figure 9-13, Sensitive Animal Species. Further discussion of each of these species and their potential to occur, or known presence, onsite is included in Appendix C.

9.4.4.2 Coastal Access Impacts

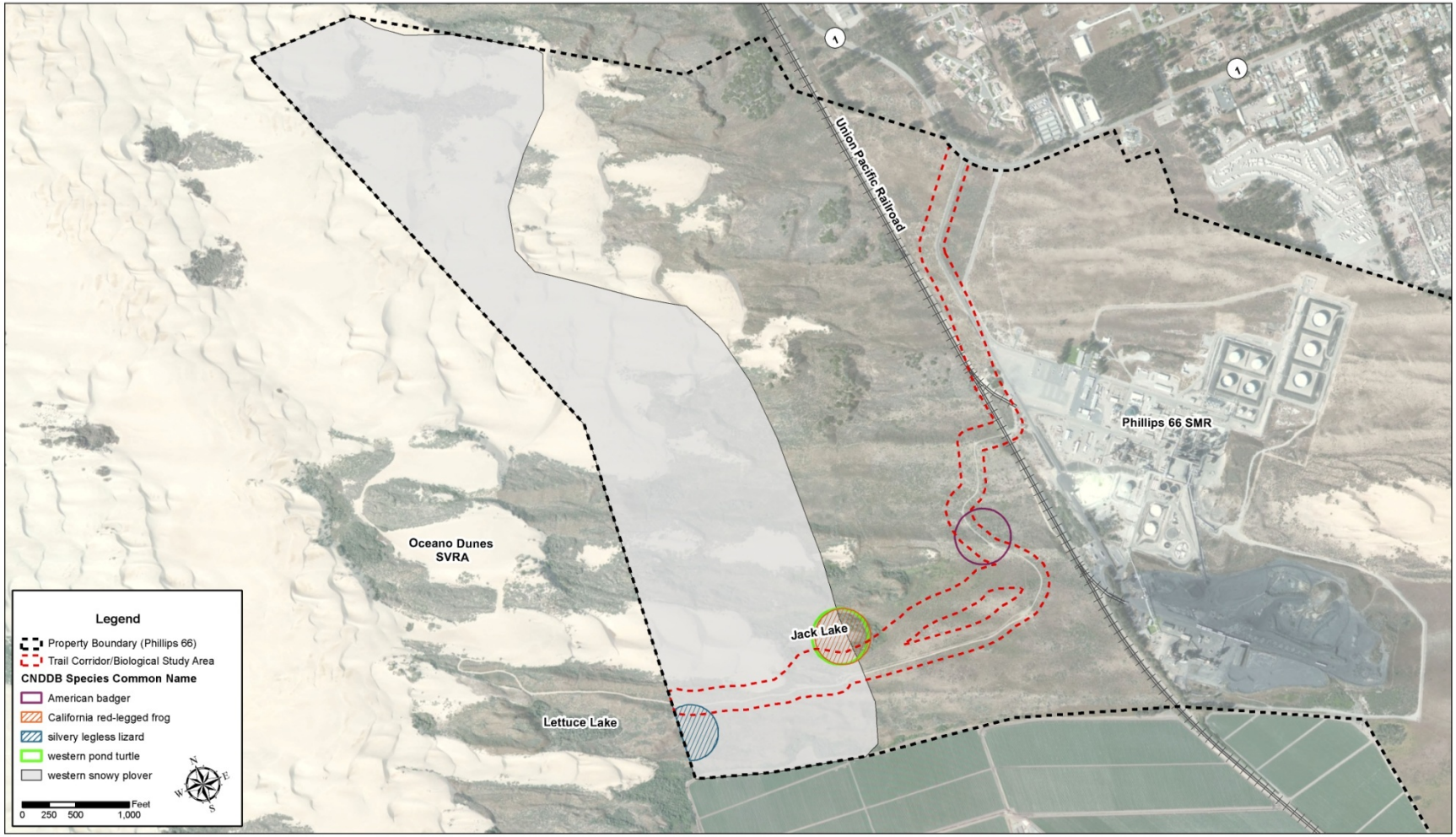
Methodologies used to conduct impact analysis for the Coastal Access options follows the methodologies outlined within Section 4.4.4 of this EIR. SWCA conducted a review of applicant prepared biological studies, including a Coastal Access Feasibility Review prepared by Arcadis in August 2013. SWCA also acquired additional data from The Land Conservancy, documenting the results of recent Nipomo Mesa lupine surveys within this portion of the SMR site. Following a review of the CNDDB, applicant prepared reports, and other existing data/reports, SWCA biologists conducted a reconnaissance field survey. This survey area reviewed by SWCA included a study corridor of 100-feet on each side of the coastal access routes, consistent with the studies conducted by the Arcadis in 2013. The reconnaissance survey evaluated the accuracy of the applicant-prepared data as it is related to existing conditions and sensitive biological resources (e.g., regulated habitats, special-status species, and sensitive habitats) that could be affected by the Coastal Access Project.

The coastal access options have the potential to impact a variety of biological resources within and adjacent to the alignment. In general, the construction of either proposed route would have the potential to directly impact natural plant communities and sensitive plant and animal species. The severity of potential impacts would vary depending on the type of access that would be constructed.

An access option that would not require construction, and would be docent-led would have fewer potential adverse impacts than the construction of an improved access road accessible to motor vehicles.

Aquatic and semi-aquatic resources associated with Jack Lake could also be directly and indirectly impacted. Wildlife may be adversely affected by vegetation removal, increased human presence, and increased storm water runoff containing pollutants from vehicles that may utilize this access route. Such pollutants may include residual hydrocarbons, and other chemicals that may be commonly used by coastal access users.

Figure 9-13 Sensitive Animal Species



The Coastal Access Project is conceptual at this time and therefore impact assessment of these options focus on identifying what potential impacts may occur based on information known to date. The assessment identifies what additional information would be needed in order to analyze the project upon application for permits or entitlements.

Identified impacts represent a reasonable worst case scenario based on the provided conceptual projects discussed in Section 9.3. As part of this EIR, impacts and mitigation measures have been previously identified as part of the Rail Spur Project and would overlap with any proposed action within the Coastal Access Project. These impacts and mitigations are referenced and incorporated below, and additional discussion is provided for those impacts that have not been previously addressed or provided mitigation measures.

Bicycle and Pedestrian Access Option

Sensitive Plant Species

Construction of this option would result in impacts to seven sensitive plant species: California spineflower (*Mucronea californica*), sand almond (*Prunus fasciculata* var. *punctate*), Blochman's groundsel (*Senecio blochmaniae*), and Blochman's leafy daisy (*Erigeron blochmaniae*), Nipomo Mesa lupine (*Lupins nipomensis*), La Graciosa thistle (*Cirsium scariosum* var. *loncholepis*) and marsh sandwort (*Arenaria paludicola*). Direct impacts would result from loss of habitat due to access trail, overpass, and parking lot construction. Inadvertent direct impacts would also likely occur as a result of increased human presence. Construction of the parking lot near State Route 1 could also in direct impacts of some of these species.

Development of the bicycle/pedestrian option would result in impacts to California spineflower, sand almond, Blochman's groundsel, Blochman's leafy daisy, and Nipomo Mesa lupine. Impacts to these species would be considered significant without implementation of mitigation measures, which are described below.

La Graciosa thistle (*Cirsium scariosum* var. *loncholepis*) and marsh sandwort (*Arenaria paludicola*) are also located with the Coastal Access Project Site. La Graciosa thistle is a federally endangered and state threatened plant species that has been documented as occurring west of the UPPR within the coastal access site (CNDDB 2013). Likewise, Marsh sandwort is only found west of the UPPR on the SMR property and is considered both state and federally endangered. Both of these species have been documented within the Jack Lake area, adjacent to the coastal access routes. These species were not identified during the botanical survey conducted by Arcadis in 2013. However, the botanical surveys were conducted during a drought year, and due to their documented presence in the area, there is a potential for this species to be present. Therefore, development of either coastal access route for the bicycle/pedestrian option may have direct impacts to these species and would be considered significant. It is expected that implementation of the mitigation measures listed below could reduce the severity of the impact, but depending upon the final design, impacts could remain significant.

BIO-1 *Prior to application for permits or entitlements for the Coastal Access Project, a focused survey should be conducted during a normal rainfall season to determine presence/absence of Nipomo Mesa lupine within the Project Site. The results of this survey should be submitted to the County and USFWS and CDFW within 30 days of*

completing the survey. If the results of this survey effort determine that Nipomo Mesa lupine is absent from the Disturbance Area, no further mitigation for this species should be required. If the results of this survey effort determine that Nipomo Mesa lupine is present within the Disturbance Area then the applicant should coordinate with the County and CDFW to acquire a 2081 Incidental Take Permit for this species and comply with any conditions imposed by that permit. At a minimum, the applicant should implement a Dune Habitat Restoration Plan and include Conservation Measures to establish and monitor Nipomo Mesa lupine population(s) within the identified on-site mitigation area at a ratio of 3:1.

BIO-2 *Prior to application for permits or entitlements for the Coastal Access Project, a qualified wildlife biologist should prepare a Sensitive Species Management Plan, which outlines the procedures and protocols for capturing and relocating sensitive animal species including coast horned lizard, badgers, and silvery legless lizard during all phases of grading. This plan should be approved by the County and California Department of Fish and Wildlife. Implementation of the Plan is required where impacts to sensitive animal species and their habitats are unavoidable and located within a minimum of 100 feet of the Disturbance Area (or greater as determined by the California Department of Fish and Wildlife). Within 30 days prior to mobilization, grading or construction, a qualified wildlife biologist should conduct a pre-construction survey of the area of impact to determine the presence of sensitive wildlife species. Individuals will be searched and captured using techniques appropriate to the species of concern and approved by the appropriate resource agencies. All captured individuals will be released as soon as possible into nearby suitable habitat that has been previously identified. The size or age-class, location of capture, and the relocation site should be recorded for each individual relocated from the site. Specifically for badgers, the following measures should be incorporated in the Sensitive Species Management Plan:*

a. *Prior to grading activities, a County-approved biologist should conduct a survey to identify whether badgers are using any portion of the site near the area in which disturbance is proposed. The survey should be conducted no less than 14 days and no more than 30 days prior to construction. The survey should cover the boundaries of proposed disturbance and 100 feet beyond, including all access roads, and should examine both old and new dens. If potential badgers dens are found, they should be inspected to determine whether they are occupied by badgers. Occupation of the den should be determined by one or more of the following methods:*

    1. *Use of a fiber-optic scope to examine the den to the end:*
    2. *Partially obstruct the den entrance with sticks, grass, and leaves for three consecutive nights and examine for signs that animals are entering or leaving the den;*
    3. *Dust the den entrance with a fine layer of dust or tracking medium for three consecutive nights and examine the following mornings for tracks.*

b. Inactive dens within construction areas should be excavated by hand with a shovel to prevent re-use of dens during construction.

c. If badgers are found in dens between August and January, a qualified biologist should establish a 50 foot diameter exclusion zone around the entrance. To avoid disturbance and the possibility of direct take of badgers, no construction, grading, or staging of equipment should be conducted within the buffer area until the biologist has determined that the badger(s) have vacated the den.

d. If badgers are found in dens between February and July, nursing young may be present. Therefore, a County-approved biologist should establish a 200-foot diameter buffer around the den. No construction, grading, or staging of equipment should be conducted within the buffer area until the biologist has determined that the badgers have vacated the den.

BIO-3 Prior to application for permits or entitlements for the Coastal Access Project, the applicant shall retain a qualified biologist and/or botanist acceptable to the County to prepare a Dune Habitat Restoration Plan (DHRP) for review and approval by the County in consultation with the California Department of Fish and Wildlife (CDFW) and the United States Fish and Wildlife Service (USFWS). The DHRP should be signed by the retained qualified biologist and/or botanist and should detail the methods for restoring or enhancing 53 acres of central dune scrub habitat. The restoration area(s) should be located within the Phillips 66 property boundary. The DHRP should focus on restoring and enhancing central dune scrub habitat by removing invasive species (iceplant, veldt grass, and other invasive species) and planting appropriate native species, including but not limited to: mock heather, purple nightshade, Blochman's ragwort, Blochman's leafy daisy, California spineflower, sand almond and suffrutescent wall flower. Regardless of whether Nipomo Mesa lupine is identified on-site, the DHRP should also focus on restoring and enhancing central dune scrub habitat immediately adjacent to known Nipomo Mesa lupine populations. At a minimum, the DHRP should include the following elements:

a. Identification of locations, amounts, size and types of plants to be replanted, as well as any other necessary components (e.g., temporary irrigation, amendments, etc.) to ensure successful reestablishment.

b. Provide for a native plant salvage effort prior to ground disturbing activities. Salvaged plants should include but not be limited to California Native Plant Society (CNPS) listed plant species that may be affected.

c. Quantification of impact based on "as-built plans" and quantification of mitigation areas such that the replacement criteria are met (2:1 acreage ratio).

d. A program schedule and success criteria for a minimum five year monitoring and reporting program that is structured to ensure the success of the DHRP.

e. Provide for the in-kind replacement of the following sensitive species that occur within the central dune scrub habitat and Project Site: California spineflower

(Mucronea californica), sand almond (Prunus fasciculata var. punctata), Blochman's groundsel (Senecio blochmaniae), and Blochman's leafy daisy (Erigeron blochmaniae). Should Nipomo mesa lupine be identified onsite, in-kind replacement of this species would also be included. Individuals that are removed or damaged should be replaced in-kind at a 3:1 ratio (based on square feet cover) within the designated restoration area with 100% success in 5 years.

f. Identification of access and methods of materials transport to the restoration area, including personnel, vehicles, tools, plants, irrigation equipment, water, and all other similar supplies. Access should not result in new or additional impacts to habitat and special-status species.

g. The restoration area should be protected in perpetuity by an open space easement or a conservation easement if required by the CDFW or USFWS or if chosen by the Applicant. The easement should be in a form approved by County Counsel and CDFW and/or USFWS if required by those agencies. The required Dune Habitat Restoration Program should incorporate an invasive species control program.

Sensitive Terrestrial and Semi-Aquatic Wildlife Species

Impacts to common and sensitive ground-dwelling animal species have been identified and discussed within Section 4.4.4.1 as part of the Rail Spur Project. It is expected that the construction of the bicycle/pedestrian coastal access option would have similar impacts to these sensitive species should either of the conceptual routes be implemented. Impacts to these species would be considered less than significant with implementation of BIO-2 (i.e., Sensitive Species Management Plan) listed above.

The coastal access routes include the presence of aquatic habitat. The presence of Jack Lake, a Coastal Wetland (ESHA) and other surrounding wetland features provide suitable habitat several semi-aquatic sensitive species. California red-legged frog (*Rana draytonii*) and Pacific pond turtle (*Actinemys marmorata*) have both been documented within Jack Lake (CNDDB 2013). Focused surveys for these species were not conducted as part of the Coastal Access Feasibility Review, but the presence of these species within Jack Lake is inferred based on CNDDB records. Development of either coastal access routes (A or B) would result in potential impacts to these species. These species could be impacted from construction activities as well as from users straying from the designated path into areas that have sensitive wildlife species. Impacts to these species would be considered significant. Implementation of the following mitigation measures would serve to reduce the level of severity of this impact, but depending upon the final design, the impact could remain significant.

BIO-4 Prior to application for permits or entitlements for the Coastal Access Project, a qualified biologist should complete an updated Biological Resources Survey Report that includes an inventory of species occurring, or expected to occur, within the Coastal Access Project. The findings from this survey effort should be provided to the County following the most recent version of the County approved reporting format. The study will also provide recommendations to avoid and minimize impacts to common and sensitive wildlife species that may be found within the project area and surrounding habitat.

BIO-5 *Prior to application for permits or entitlements for the Coastal Access Project, the applicant shall retain a qualified biologist to conduct a habitat assessment for California red-legged frog following the most recent USFWS protocol. The Habitat Assessment shall be submitted to the USFWS to determine whether protocol-level field surveys are warranted. Should protocol-level field surveys be required by the USFWS, these studies shall be documented within a Biological Resources Survey Report prior to submittal of any permit applications to the County of San Luis Obispo.*

Central Dune Scrub

Development of either coastal access routes for bicycle/pedestrian access would have significant impacts to Central Dune Scrub habitat since the access road widening would impact this habitat. Impacts to this habitat may be less than significant with implementation of a mitigation measure BIO-3 (i.e., Dune Habitat Restoration Plan) that is discussed above.

Wetlands

Construction of a bicycle/pedestrian coastal access has the potential to have direct impacts or loss of wetland habitat. Although a formal wetland delineation was not conducted as part of the Coastal Access Feasibility Review (Arcadis, 2013), it is likely that wetland features such as Jack Lake and isolated arroyo willow thickets, and other surrounding features may qualify as wetlands pursuant to the CZLUO. In addition, the County's LCP identifies Jack Lake as a Coastal Wetland (ESHA). Development of either Coastal Access Project has the potential to result in impacts, or loss, of habitat. Wetlands could be impacted from construction activities as well as from users straying from the designated path into wetland areas. Impacts to these wetlands would be considered significant. Implementation of the following mitigation measure may be able to reduce the level of severity of this impact, but depending upon the final design, the impact could remain significant.

BIO-6 *Prior to application for permits or entitlements for the Coastal Access Project, the applicant shall retain a qualified biologist to complete a formal wetland delineation following the most recent guidance provided by federal and state agencies. The findings from this survey effort shall be provided to the County. Should the development result in loss of wetland habitat, a Habitat Mitigation and Monitoring Plan shall be developed following requirements set forth by the U.S. Army Corps of Engineers and submitted to the County prior to submittal of the project application package. At a minimum, permanent loss of wetlands shall be mitigated at a 3:1 ratio and monitored for 100% success over a 5 year period.*

Nesting Migratory Bird Species

Impacts to resident and migratory wildlife species have been identified and discussed within Section 4.4.4.4 as part of the Rail Spur Project. Construction of the bicycle/pedestrian option would have significant impacts as a result of removing prime Central Dune Scrub habitat, which is mapped ESHA along the access corridor. Although impacts to migratory bird species within the Coastal Access Project Site would be considered less than significant with implementation of similar mitigation measures that have been proposed for the Rail Spur Project, the long term impact of increased human presence in this habitat may affect species such as Western snowy plover that occur outside of the Coastal Access Project boundaries. Both coastal access routes

would provide access to foredune habitat that supports nesting Western snowy plovers, which may limit or disturb nesting activity. Implementation of the following mitigation measures would reduce the severity of this impact to less than significant levels.

BIO-7 *If construction is proposed to occur during the breeding and nesting season (February 15th through September 1st), disturbance of bird breeding and nesting activities shall be avoided by limiting the vegetation removal and all excessive noise-producing activities within 300 feet of an active nest. If construction is proposed to occur during the breeding and nesting season, pre-construction surveys (approximately 2 weeks prior to construction) shall be conducted to determine presence or absence of nesting birds within 300 feet of the construction area. If no breeding or nesting activities are detected within 300 feet of the proposed work area, noise-producing construction activities may proceed. If breeding or nesting activity is confirmed, work activities within 300 feet shall be delayed until the young birds have fledged and left the nest.*

BIO-8 *Prior to application for permits or entitlements for the Coastal Access Project, the applicant shall retain a qualified biologist to evaluate the long-term effects on wildlife species including Western snowy plover as part of the updated Biological Resources Survey Report. The study shall also provide recommendations to avoid and minimize impacts to common and sensitive wildlife species that may be found within the project area and surrounding habitat.*

BIO-9 *The access trail should be closed to the public during the Western snowy plover breeding season.*

Adopted HCP or NCCP

There are no approved habitat conservation plans (HCP) or natural community conservation plans (NCCP) that encompass the Coastal Access Site that would be affected or are applicable. Based on a search of the USFWS HCP Database, the closest HCPs to the Project Site are located in Los Osos and Morro Bay, over 20 miles away.

An HCP is currently being drafted by the California Department of Parks and Recreation (State Parks) for all state parks in the County, including the ODSVRA. While the HCP has not yet been adopted, the status of the HCP for County Parks should be revisited upon application for permits or entitlements. Any coastal access from the SMR site would likely affect uses within the adjacent ODSVRA that would have implications under any HCP ultimately adopted for the site.

Spread of Invasive Plant Species

Introduction of invasive species has been identified and discussed within Section 4.4.4.9 as part of the Rail Spur Project. Construction of the bicycle/pedestrian option would result in the removal of native habitat and increase the potential for invasive species to spread in and out of the Project Site. Impacts from the spread of invasive species would be considered less than significant with implementation of the following mitigation measure.

BIO-10 *Prior to application for permits or entitlements for the Coastal Access Project, the following measures shall be included on applicable plan sheets:*

a. *During construction, the applicant should make all reasonable efforts to limit the use of imported soils for fill. Soils currently existing on-site should be used for fill material. If the use of imported fill material is necessary, the imported material must be obtained from a source that is known to be free is invasive plant species; or the material must consist of purchased clean material such as crushed aggregate, sorted rock, or similar.*

b. *During construction, the contractor should stockpile topsoil and redeposit the stockpiled soil on the slopes after construction of the Coastal Access Project is complete, or transport the topsoil to a certified landfill or other allowable location for disposal if soil cannot be used within disturbed areas onsite.*

c. *All erosion control materials including straw bales, straw wattles, or mulch used on-site must be free of invasive species seed.*

d. *The required Dune Habitat Restoration Program should incorporate an invasive species control program.*

Motor Vehicle, Bicycle and Pedestrian Access

The impacts associated with the motor vehicle, bicycle and pedestrian option would be similar to what is discussed above for the bicycle/pedestrian option. All of the impacts and suggested mitigation measures discussed above for the bicycle/pedestrian option would apply to this option. The construction impacts would be slightly larger with this option since the roadway width would be about two feet wider then for the bicycle/pedestrian option.

Long-term use of the access route would mean increased human presence in the area, along with increased motor vehicle traffic and would cause an increased risk of trespass and littering or other contamination issues that may impact sensitive biological resources. With motor vehicle access there is the potential for increased dust generation along the road as well as at the southern end of the ODSVRA. Opening up a new motor vehicle access to ODSVRA at the southern end of the recreational area would likely increase fugitive dust emissions from sand in this area. This increase in fugitive dust could have a significant impact on sensitive biological resources, which would be a potentially significant impact.

Docent-Led Access

This option would have minimal impacts to biological resources since minimal improvements to the existing service road would be required. The installation of the automatic signals and gates at the railroad crossing would have no impact to biological resources. If a new parking lot needed to be installed at the access trail head near State Route 1, this could result in impacts to sensitive plant species, which could be significant as discussed above for the bicycle/pedestrian option. Use of parking at the SMR would eliminate this potential impact. There would be no biological impacts along the dirt portion of the road since no construction would be needed.

The risk of users straying from the designated path and impacting biological resources would be unlikely since this option would involve managed access.

9.4.5 Cultural Resources

9.4.5.1 Environmental Setting

The Coastal Access Project would extend through Phillips 66 property on both sides of the UPRR. Refer to Section 4.5.1 for a summary of the cultural resources environmental setting. Additional information that relates to the area located west of the UPRR is provided below, to the extent it differs from that provided in Section 4.5.1.

Pre-History
Approximately 25 previously documented cultural resources have been identified in the dunes west of the Phillips 66 Refinery (Perez 2011). Although the proposed access route alternatives avoids all but one (CA-SLO-859) of these previously identified resources, the general area is considered to have high sensitivity for the presence of previously unidentified cultural resources. In addition, input from the local Native American community suggests that the high density of known cultural resources represents a cultural landscape, rather than a series of discontinuous discrete sites.

CA-SLO-859 was originally recorded by West and Bell (1978). Subsequent studies by Perez (2011), Arcadis (2013a), and as part of this EIR failed to relocate the site in its purported location. West and Bell (1978) note extensive disturbance at the site as a result of the construction of a pipeline and off highway vehicle traffic. As originally documented by West and Bell (1978), the site is within a highly mobile dune environment, subject to aeolian deposition and erosion. It is possible the mobile dune complex within the purported site location shifted and subsumed the entire resource.

9.4.5.2 Coastal Access Impacts

Bicycle and Pedestrian Access Option

Cultural Resources
Construction of the bicycle/pedestrian coastal access option has the potential to result in direct and indirect impacts to known and unknown cultural resources. Direct impacts may result from land modification directly and immediately caused by the construction, landscaping, maintenance, and use of the proposed access and parking lot. Potential indirect impacts include unauthorized artifact collecting and vandalism. One previously identified cultural resource, CA-SLO-859, is within the vicinity of the currently proposed access route alternatives (Arcadis 2013a).

Given the mobile nature of portions of these dunes, specifically areas with less vegetation, the potential exists for cultural resources to be periodically exposed and/or obscured. As such, any ground disturbance associated with the development of the bicycle/pedestrian coastal access option has the potential to impact potentially significant previously undocumented cultural resources. In addition, the increase in pedestrian and/or vehicle traffic in this area may result in indirect impacts (e.g., collection, vandalism) to known and previously unidentified cultural resources.

Aside from CA-SLO-859, which was not relocated by either Perez (2011) or Arcadis 2013, no archaeological resources were identified within or adjacent to the proposed coastal access routes. Arcadis (2013a) could not, however, exclude the possibility that unrecorded buried archaeological material could exist and be encountered during grading, clearing, grubbing, and/or other construction activities. If intact cultural remains are encountered during grading, clearing, grubbing, and/or other construction activities, the potential for destruction of these potential unknown finds would be a potentially significant impact on cultural resources. Archaeological monitoring should focus on the entirety of the proposed access route, which would be identified in the Archaeological Monitoring Plan prepared for the project.

As discussed above, the landscape encompassing the vicinity of the proposed coastal access routes contains a high density of previously identified cultural resources. In addition, input from the local Native American community suggests this complex of resources represents a cultural landscape and not a series of isolated prehistoric use areas. Increased bicycle and pedestrian traffic in this area could result in increased site vandalism and artifact collection due to people wandering off of the access route.

With the implementation of the following mitigation measures potential direct and indirect impacts to cultural resources could potentially be reduced to less than significant.

CR-1 *The Coastal Access Project should be designed to avoid the purported location of CA-SLO-859. The site plan should designate the approximate location of CA-SLO-859 as an environmentally sensitive area (ESA) and should include a 100-foot buffer around the ESA. No grading, storage of materials or equipment, or use of equipment should occur within the ESA.*

CR-2 *Upon application for permits or entitlements for the Coastal Access Project, the applicant shall prepare an Archaeological Monitoring Plan, which should include, at minimum:*

a. List of personnel involved in the monitoring activities including a Native American monitor;

b. Clear identification of what portions of the project area in relation to CA-SLO-859 should be monitored;

c. Description of how the monitoring should occur;

d. Description of monitoring frequency;

e. Description of resources expected to be encountered;

f. Description of circumstances that would result in the "work diversion," in the case of discovery, at the project site;

g. Description of procedures for diverting work on the site and notification procedures; and

h. Description of monitoring reporting procedures.

CR-3 *A County approved archaeological monitor should be present during all ground disturbing construction activities within 100 feet of the purported location of CA-SLO-859, and as noted in the approved Archaeological Monitoring Plan.*

CR-4 *Upon completion of all monitoring and mitigation activities, and prior to final inspection or occupancy, whichever occurs first, the applicant shall submit a report summarizing all monitoring and mitigation activities and confirming that all recommended mitigation measures have been met.*

CR-5 *Upon application for permits or entitlements for the Coastal Access Project, a Phase I Surface Survey prepared by a qualified archaeologist shall be submitted to the County that includes the entirety of the Coastal Access Project easement. The Phase I should include an updated records search, results of Native American consultation efforts conducted as part of the background information review, and the results of an intensive pedestrian survey of the proposed coastal access route including a 100-feet buffer. The findings of the effort should:*

a. Be documented in a cultural resources technical report prepared by a cultural resources professional meeting the Secretary of Interior's professional qualification standards;

b. Describe the methods and results of the literature review, Native American consultation, intensive pedestrian survey, any archaeological testing or data recovery conducted;

c. Provide recommendations for the management of cultural resources within the survey area, including both direct and indirect impacts;

d. Include maps depicting the area surveyed for cultural resources, the locations of cultural resources identified during the survey, and site records or updates for cultural resources encountered during the survey;

e. Be prepared in accordance with the Office of Historic Preservation's Archaeological Resources Management Reports (ARMR) guidelines and should include an environmental setting and detailed cultural setting that includes prehistoric, ethnographic, and historic period subsections.

CR-6 *Prior to any grading or construction, contractors involved in grading and grubbing activities shall receive training from a County-qualified archeologist. The training should address the following issues:*

a. Review the types of archaeological artifacts that may be uncovered;

b. Provide examples of common archaeological artifacts to examine;

c. Review what makes an archaeological resource significant to archaeologists and local native Americans;

d. Describe procedures for notifying involved or interested parties in case of a new discovery;

e. Describe reporting requirements and responsibilities of construction personnel;

f. Review procedures that should be used to record, evaluate, and mitigate new discoveries; and

g. Describe procedures that would be followed in the case of discovery of disturbed as well as intact human burials and burial-associated artifacts.

h. Employees completing this training should be given a special helmet sticker or card to show they have completed the training, where the sticker/card should be kept with them at all times while at the work site.

CR-7 Prior to operation of the Coastal Access Project, signage shall be installed instructing all bicycle, vehicle, and pedestrian traffic to stay on existing roads.

Human Remains

According to CEQA, "Archaeological sites known to contain human remains shall be treated in accordance with the provisions of Section (7050.5) Health and Safety Code." The PRC also ensures the protection of human remains (Sections 5097.94, 5097.98, and 5097.99). Section 23.05.140 of San Luis Obispo County's Coastal Zone Land Use Ordinance has similar stipulations stating that "(i)n the event archeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner shall be notified in addition to the Department so proper disposition may be accomplished." The Coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant. The most likely descendant shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. If human remains were encountered during grading, the potential for disturbance of these remains would be potentially significant. Implementation of the following mitigation measure would reduce the impact to less than significant.

CR-8 If human remains are exposed, the applicant shall notify the County Environmental Coordinator immediately and comply with State Health and Safety Code Section 7050.5, which states that no further disturbance should occur until the County Coroner has been notified and can make the necessary findings as to origin and disposition of the remains pursuant to Public Resources Code 5097.98. All ground disturbing activity shall halt in the area of the discovery of human remains, the area should be protected, and consultation and treatment should occur as prescribed by law.

Paleontological Resources

At present, there are no known paleontological resources or unique geologic formations or sites located within the Coastal Access Project Site. However, it is possible that paleontological resources could be discovered during ground disturbing activities associated with construction of the route, depending on the depth of construction. Implementation of the following mitigation measure would reduce potential impacts to unknown paleontological resources to a less than significant level.

CR-9 If any paleontological resources are encountered during ground-disturbing activities, activities in the immediate area of the find shall be halted and the discovery assessed.

A qualified paleontologist shall be retained to evaluate the discovery and recommend appropriate treatment options pursuant to guidelines developed by the Society of Vertebrate Paleontology. A paleontological resource impact mitigation program for treatment of the resources shall be developed and implemented if paleontological resources are encountered.

Motor Vehicle, Bicycle and Pedestrian Access

The impacts associated with the motor vehicle, bicycle and pedestrian option would be similar to what is discussed above for the bicycle/pedestrian option. All of the impacts and suggested mitigation measures discussed above for the bicycle/pedestrian option would apply to this option. The construction impacts would be slightly larger with this option since the roadway width would be about two feet wider then for the bicycle/pedestrian option. However, all of the construction impacts would remain the same as discussed above for the bicycle/pedestrian option.

Long-term use of the access route would mean increased human presence in the area, along with increased motor vehicle traffic and would cause an increased risk of trespass and the driving of off-road vehicles in to areas with sensitive cultural resources. This could result in significant impacts to cultural resources. Implementation of mitigation measure CR-7, requiring signs to instruct vehicles to say on the access road would serve to reduce potential impacts to cultural resources associated with off-road vehicles.

Docent-Led Access

This option would have minimal impacts to cultural resources since minimal improvements to the existing service road would be required. The installation of the automatic signals and gates at the railroad crossing would have no impact to cultural resources. If a new parking lot needed to be installed at the access trail head near State Route 1, this could result in impacts to unknown cultural resources, which could be significant as discussed above for the bicycle/pedestrian option. Implementation of mitigation measures CR-1 through CR-6 would reduce the impacts associated with construction of the parking lot to less than significant. Use of parking at the SMR would eliminate this potential impact. There would be no cultural resource impacts along the dirt portion of the road since no construction would be needed.

The risk of users straying from the designated path and impacting cultural resources would be unlikely since this option would involve managed access.

9.4.6 Hazards and Hazardous Materials

9.4.6.1 Environmental Setting

The SMR processes crude oil and produced gas, both of which could present risks to the public. The main hazards to the public from the SMR are due to:

- Releases of flammable and/or toxic gases that could result in toxic and/or flammable vapor clouds, fires, and BLEVEs (boiling liquid expanding vapor explosions);
- Crude oil fires and BLEVEs; and

- Crude oil spills.

Crude oil is processed and then stored in tanks that could spill and ignite, creating thermal radiation impacts. Thermal radiation impacts from crude oil tank fires could cause injury 220 feet away. The closest population to the crude oil tanks at the Refinery is an industrial area 425 feet northeast of the crude oil storage facilities. The closest residence to the crude oil tanks, which is located within the industrial area, is 1,200 feet northeast of the tank storage area. The gas processing equipment and piping are at least 1,700 feet from the property fence line. Given the limited population and significant distance between these receptors and the SMR, there would not be a significant risk level to the existing surrounding population (SLO County 2012).

A search of historical release data for the SMR through the Federal Emergency Response Notification System indicates that in the last 28 years a total of 16 reportable releases occurred (from 1982 through 2010). Fifteen of these releases were associated with releases of excess gases to the emergency-only flare stack due to several equipment failures, including boiler and compressor failures. In 2004, a leaking crude oil pipeline caused a release.

The SMR is located on approximately 1,600 acre site. The majority of this site is undeveloped (about 750 acres) and provides a buffer between the refinery operations and the public, thereby limiting the potential for accidents at the refinery from impacted surrounding populations.

There is also the existing hazard associated with trains moving along the UPPR mainline tracks, which represent a hazard to pedestrians. While these tracks are not directly assessable in the area of the refinery, opening up a new access point would bring people in closer proximity to the tracks.

9.4.6.2 Coastal Access Impacts

All of the coastal access options would result in bringing the public closer to the refinery operations. The coastal access route would pass through an existing truck and equipment storage area, and would be about 900 feet from some of the refinery processing equipment. In the event of an incident at the refinery there would be an increase in the potential for impacts to the public using the coastal access. There is also the increased potential for vandalism and terrorist attacks at the SMR as the public is allowed closer access to the refinery operations. The existing security systems at the SMR would help to reduce the potential for these types of events. These hazard and safety impacts would apply to varying degrees for all of the coastal access options.

Bicycle and Pedestrian Access Option

The coastal access option would allow uncontrolled access to property that is in close proximity to the existing refinery operations and UPRR tracks. In the event of an incident at the SMR people using the bicycle/pedestrian access would need to be directed away from the SMR site. Since it is uncontrolled access, it would likely fall on the emergency response teams to direct people away from the refinery and toward the beach area. The public would have to exit the beach area using the existing ODSVRA access point, which is located away from the refinery. Depending upon the type and nature of the incident, people in close proximity to the refinery could be injured or killed. Clearing and closing the access trail as well as dealing with potential

public injuries would place an additional load on the emergency response teams at a time when the focus should be on the incident. This would potentially be a significant impact to emergency response staffing.

Pedestrian and bicycle uses in this area would be in closer proximity to the UPRR tracks, which could be a safety hazard. An elevated railroad crossing would reduce these safety risks substantially; however, there would be the potential for recreational users to stray from the trail and explore areas along the railroad tracks.

Implementation of the following mitigation measure could potentially reduce the severity of the impact to emergency response and hazards to the public to less than significant levels.

H-1 Prior to application for permits or entitlements for the Coastal Access Project, a quantitative risk assessment (QRA) shall be conducted to determine the minimum distance from refinery operations that the access trail and any associated parking lot should be located to assure acceptable levels of public risk. The final location of the access trail should be based upon the results of the QRA.

Motor Vehicle, Bicycle and Pedestrian Access

The impacts discuss above for the bicycle/pedestrian option would also apply to the motor vehicle, bicycle, and pedestrian option. The access route for this option would use one of the two access roads to the SMR (the current truck access road). Both of these access roads are critical for emergency response teams to access the SMR in the event of an incident. The increase level of traffic on State Route 1 and along the current SMR truck access route could hinder the ability of emergency response vehicles to access the SMR in a timely manner, which could be a potentially significant impact. In addition, in the event of an incident at the SMR it is likely that the coastal access road would have to be shutdown and the public would have to exit the beach area using the existing ODSVRA access point, which is located away from the refinery. Implementation of mitigation measure H-1 and the measure below could potentially reduce the severity of the impact to emergency response and hazards to the public to less than significant levels.

H-2 Motor Vehicle Coastal Access shall be designed in a manner to ensure the existing SMR access roads from State Route 1 are not obstructed.

Docent-Led Access

This option would have the lowest level of use for the coastal access and access would be supervised. The schedule of docent-led access has not been determined, but could be on the order of once a week or once a month. It is likely that docent-led access would occur in small groups of about ten people. This would limit the potential for impacts to the public from an incident at the SMR. Docents that would lead the tours would need to be educated about the hazards of the refinery and what action to take if an incident occurs at the SMR. This would allow docents to properly evacuate the members of the group away from the area of any refinery incident. This would help to reduce any demand of emergency response staff. Given the hazardous nature of the SMR, it would be prudent to implement mitigation measure H-1 to assure that the coastal access trail provides an adequate buffer from the SMR.

9.4.7 Land Use

9.4.7.1 Environmental Setting

The Coastal Access Project would extend through the SMR property on both sides of the Union Pacific Railroad (UPRR). Refer to Section 4.8.1 for existing land use setting information on areas east of the UPRR. Additional information that relates to the area located west of the UPRR is provided below, to the extent it differs from that provided in Section 4.8.1.

The Coastal Access Project Site west of the UPRR is entirely within the California Coastal Zone and South County Coastal planning area. The approximately 630-acre area is comprised of the following parcels: Assessor Parcel Numbers 091-141-062, 092-391-020, 092-391-021, and 092-391-034. The area currently supports relatively undisturbed dune habitat. The only existing development within the area is an unpaved service road used by the SMR to maintain an outfall pipeline. The area supports numerous sensitive botanical and wildlife species, dune wetland areas (Jack Lake), and high quality native central dune scrub habitat.

The area is bounded on the north by agricultural uses and dune lakes, on the south by intensive agricultural production, on the west by the Oceano Dunes State Vehicular Recreational Area (ODSVRA) and beach, and on the east by the UPRR and the SMR.

The entire area west of the UPRR is within the Open Space land use category with a Local Coastal Plan, Coastal Appealable Zone, and Sensitive Resource Area (SRA) combining designation overlays. The SRA designation in this area is associated with the Coastal Zone Terrestrial Habitat sub-category. Jack Lake is also identified as a Coastal Wetland.

The Terrestrial Habitat designation applies to sensitive plant or animal habitats within land areas of an SRA (as opposed to marine areas). The Wetlands designation is applied to lands that may be covered by shallow water, including saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mud flats and fens.

The Flood Hazard combining designation lies adjacent to the southern boundary of the Coastal Access Project Site and covers a large area just south of the dunes. The area of the Coastal Access Project Site that is located east of the UPRR is not subject to any combining designations other than Local Coastal Plan and Coastal Appealable Zone.

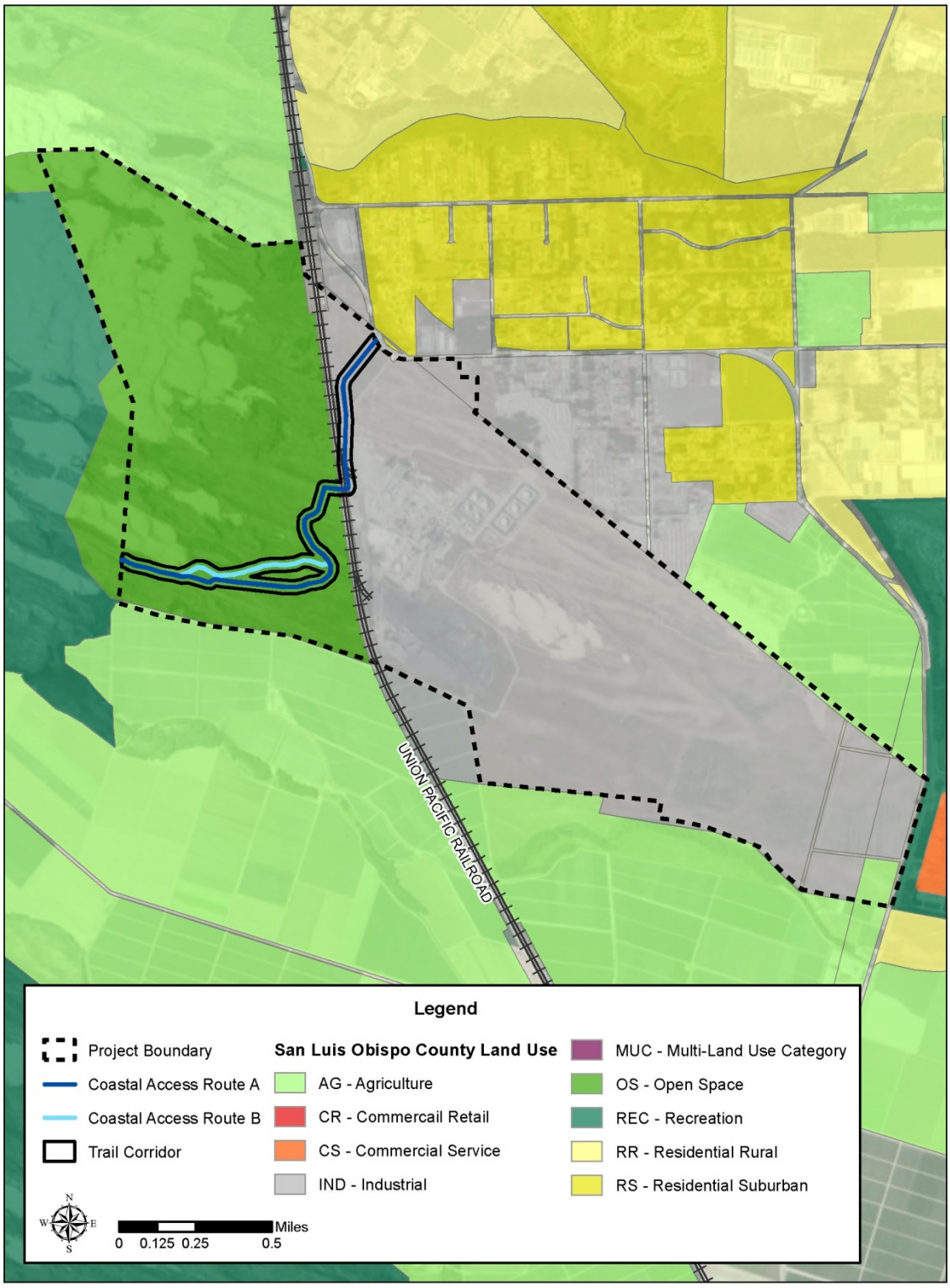
The Coastal Access Project Site land use designations and combining designations are shown in Figures 9-14 and 9-15, below.

9.4.7.2 Coastal Access Impacts

Consistency Analysis

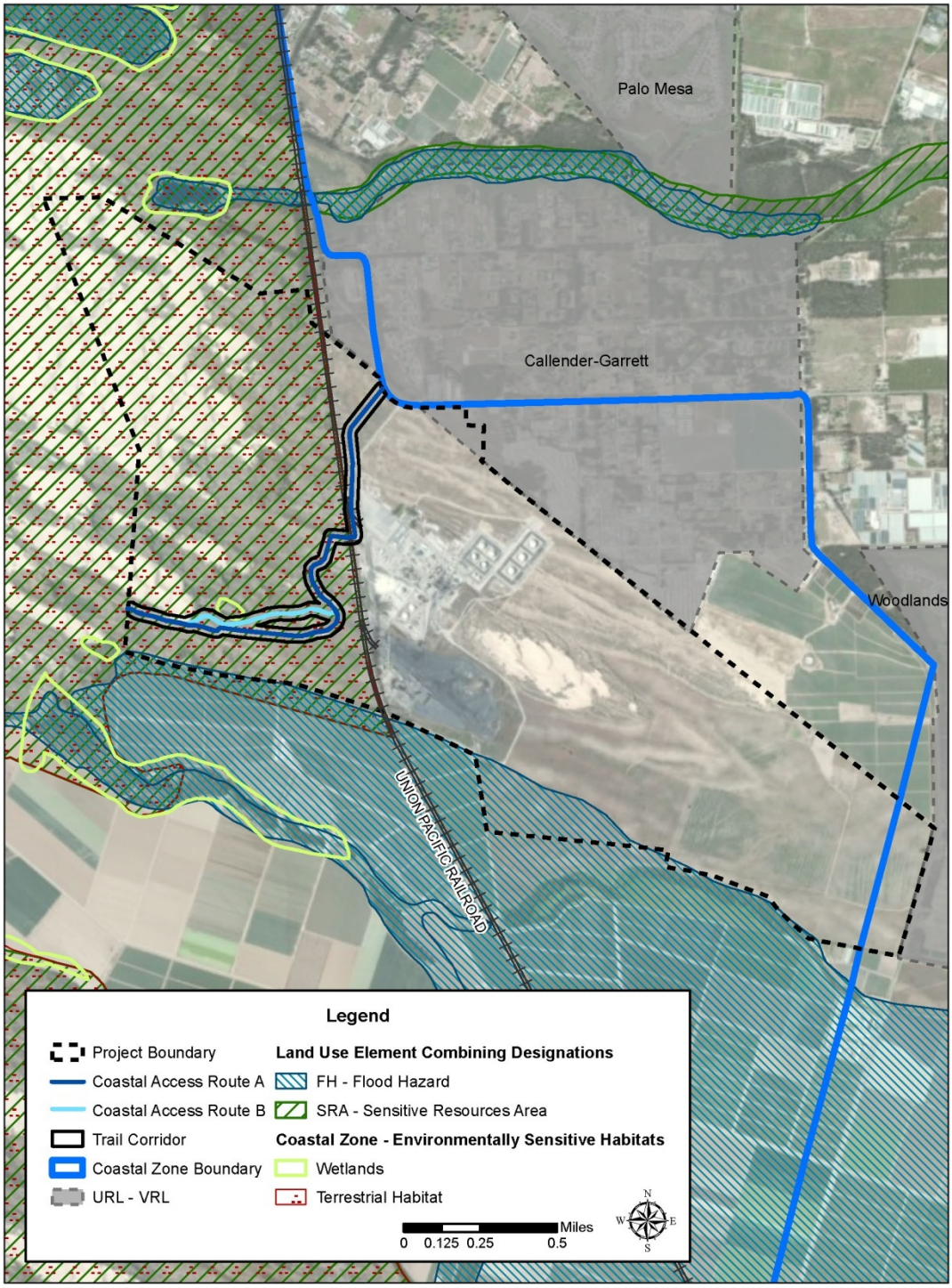
The consistency analysis that is present below has been based on the conceptual designs present in Section 9.3. The analysis has been prepared to better understand the types of consistency issues that could arise with coastal access in this area. A more detailed consistency analysis would have to be prepared if and when a precise project description is submitted to the County.

Figure 9-14 Land Use Map



Source: Countywide_luc. SLO County Planning & Building Geographic Technology & Design. April 23, 2009

Figure 9-15 Combining Designations Map



Source: Digital Flood Insurance Rate Map Database, San Luis Obispo County, California, USA. Federal Emergency Management Agency. Washington DC. August 28, 2008; des-coastal_zone, des-coastal_creeks, des-inland_creeks, des-flood-FEMA, des-sra, des-wetlands, des-terrestrial, url_vrl_polygon_2009. SLO County Planning & Building Geographic Technology & Design. April 23, 2009.

Pursuant to CEQA, a significant impact may result if the project would be potentially inconsistent with a land use policy/regulation adopted to avoid or mitigate for environmental effects, and that inconsistency would result in an adverse physical effect on the environment.

The major policies applicable to a possible Coastal Access Project are listed in Table 9.4, below. A preliminary determination of a conceptual project's consistency has been provided for each policy, and an assessment of whether potential adverse physical effects on the environment could result from any potential inconsistencies is made.

The preliminary consistency analysis for the Coastal Access Project is not typical of that which is usually provided in an EIR because a specific project has not yet been decided. Therefore, the consistency determination considers coastal access through this area more generally, and when appropriate, distinguishes between the different access options and alignments.

Note that there may be instances where potential inconsistencies and adverse environmental effects are identified, but those effects have also been identified as potentially significant impacts in other sections of this Chapter. In that situation, this section will refer to the impact discussion of the specific resource area (i.e., Biological Resources), rather than discuss the potential for an additional significant impact under a land use threshold, based on the same adverse environmental effect.

The policies identified in Table 9.4, do not provide an exhaustive list of all of the policies and regulations that would be at issue if project level analysis of the Coastal Access Project was being conducted. Given that no detailed project description is available for the Coastal Access Project, it is not possible to conduct a detailed consistency analysis.

However, the consistency analysis does include those most directly applicable and relevant to a Coastal Access Project on the SMR property.

By considering several feasible alternatives for access through this area in an effort to balance important land use considerations and avoid or minimize sensitive resources to the extent feasible, the Coastal Access Project would be largely consistent with the applicable plans and policies discussed above. The most likely inconsistencies would result from effects on sensitive biological resources, including impacts to mapped ESHA areas, air quality from PM_{10} emissions and possibly traffic which are identified and discussed in the applicable issue area sections of this chapter.

Compatibility with Surrounding Land Uses

The Coastal Access Project would bring pedestrian, bicycle, vehicular, and/or docent-led traffic through the SMR site, across the UPRR and undeveloped dunes to provide access from State Route 1 to the ODSVRA.

The Coastal Access would lead to the off-road vehicle (ORV) area of the ODSVRA, which is directly adjacent to the western boundary of the Coastal Access Project Site. Use of the access route could be significant based on current usage rates of the ODSVRA.

Table 9.4 Conceptual Coastal Access Project Policy Consistency Analysis

Policy	Preliminary Consistency Determination	Potential Adverse Environmental Effect?
Coastal Plan Policies		
Policies for Shoreline Access. Policy 2: New Development The size and location of vertical accessways should be based upon the level and intensity of proposed or existing access. Site review shall consider: safety hazards; adequate parking provisions; privacy needs of adjacent residential property owners; provisions for requiring adequate public notification of accessway; and levels of improvements or facilities necessary to provide for existing level of access. In some areas of the county, access may need to be limited and controlled such that adequate protection is given to agricultural uses and sensitive habitat areas. The level and intensity of access should be consistent with the following considerations: Maximum access within new development may be inconsistent with the protection of sensitive habitats. To optimize public access while protecting resources and land uses, limited forms of access and mitigation methods should be considered. Such mitigation methods may include establishment of a monitoring and maintenance program to assess the impacts of public use and to propose protection limitations. For example, access near a sensitive habitat may be restricted to a particular time of year to avoid conflicts with nesting seasons or other seasonal conditions. In other areas, such as Dune Lakes, this may require limitation on access to scientific or educational study, at the discretion and with the permission of the property owner. In some areas it may be appropriate to require no new vertical access. This may be where adequate access exists nearby, or where adequate mitigation cannot be given to protect agricultural operations or sensitive habitat areas.	**Potentially Consistent.** The County is currently assessing the appropriate size and location of vertical public access at this location consistent with this policy. Factors related to the presence of potential safety hazards and sensitive habitat areas are being studied. Docent-led access is being considered as an access alternative, consistent with the use identified as potentially appropriate in areas with coastal wetlands, such as Dune Lakes. Whether the ultimate option for coastal access selected is consistent with this policy is yet to be determined. However, at this time, the Coastal Access Project is complying with the intent of this policy by considering options and ways to minimize impacts.	n/a
Policies for Environmentally Sensitive Habitats. **B. Wetlands. Policy 16: Adjacent Development** Development adjacent to coastal wetlands shall be sited and designed to	**Potentially Inconsistent.** Development of the Coastal Access Project would result in the development of a pedestrian and/or vehicular access	**Adverse Physical Environmental Effect.** Potential adverse environmental

Table 9.4 Conceptual Coastal Access Project Policy Consistency Analysis

Policy	Preliminary Consistency Determination	Potential Adverse Environmental Effect?
prevent significant impacts to wetlands through noise, sediment or other disturbances. Development shall be located as far away from the wetland as feasible, consistent with other habitat values on the site.	path in proximity of a designated coastal wetland. Coastal Access Route A would be located approximately 150 feet south of the wetland area, but the potential for trespass and disturbance is still present. Coastal Access Route B would pass directly adjacent to the wetland area, and well within the LCP's recommended 100-foot buffer which would require a setback adjustment from the decision making authority.	effects on coastal wetlands are assessed in Section 9.4, Biological Resources. No additional analysis of potential environmental impacts resulting from the same physical effect is necessary.
Policies for Environmentally Sensitive Habitats. **D. Terrestrial Environments. Policy 31: Design of Trails In and Adjoining Sensitive Habitats** San Luis Obispo County, or the appropriate public agency, shall ensure that the design of trails in and adjoining sensitive habitat areas shall minimize adverse impact on these areas.	**Potentially Consistent.** The County is currently assessing the appropriate size and location of vertical public access at this location consistent with this policy. Factors related to the presence of sensitive habitat areas are being studied. Any alternative would result in disturbance of Terrestrial Habitat; however, access limited to pedestrians or which coincides with the existing service roadway would further reduce impacts. Whether the ultimate option for coastal access selected is consistent with this policy is yet to be determined. However, at this time, the Coastal Access Project is complying with the intent of this policy by considering options and ways to minimize impacts.	n/a
Policies for Environmentally Sensitive Habitats. **D. Terrestrial Environments. Policy 35: Protection of Vegetation** Vegetation which is rare or endangered or serves as cover for endangered wildlife shall be protected against any significant disruption of habitat value. All development shall be designed to disturb the minimum amount possible of wildlife or plant habitat.	**Potentially Inconsistent.** The County is currently assessing the appropriate size and location of vertical public access at this location consistent with this policy. Factors related to the presence of sensitive habitat areas, including the Nipomo Mesa lupine and Central Dune Scrub, are being studied. Any access alternative would likely disturb sensitive plant species unless minimal improvements (sited in appropriate locations) were required to provide vertical access. Coastal Access Route A passes	**Adverse Physical Environmental Effect.** Potential adverse environmental effects on sensitive terrestrial plant species such as Nipomo Mesa lupine and Central Dune Scrub are assessed in Section 9.4, Biological Resources. No additional analysis of potential environmental impacts resulting

Table 9.4 Conceptual Coastal Access Project Policy Consistency Analysis

Policy	Preliminary Consistency Determination	Potential Adverse Environmental Effect?
	through an area with documented occurrences of the state and federally listed endangered Nipomo Mesa lupine. Coastal Route B passes immediately adjacent to a mapped colony of Nipomo Mesa lupine and could also result in indirect disturbance. The Coastal Access Route passes through areas of Mapped ESHA, primarily Central Dune Scrub. This could make any expansion of the current access road inconsistent with CZLUO ESHA requirements (23.07.170) and Terrestrial Habitat requirements (23.07.176). Whether the ultimate option for coastal access selected is consistent with this policy is yet to be determined. However, at this time, the Coastal Access Project is complying with the intent of this policy by considering options and ways to minimize impacts.	from the same physical effect is necessary.
Policies for Environmentally Sensitive Habitats. **D. Terrestrial Environments. Policy 36: Protection of Dune Vegetation** Disturbance or destruction of any dune vegetation shall be limited to those projects which are dependent upon such resources where no feasible alternatives exist and then shall be limited to the smallest area possible. Development activities and uses within dune vegetation shall protect the dune resources and shall be limited to resource dependent, scientific, educational and passive recreational uses.	**Potentially Consistent.** The Coastal Access Project would result in the disturbance of dune vegetation; however, its purpose would be to provide coastal access in an area where it has been determined to be currently insufficient and the costal access trail would provide a public access easement. The County is conducting a preliminary assessment of alternatives in an attempt to determine the type and location of suitable and feasible coastal access. Whether the ultimate option for coastal access selected is consistent with this policy is yet to be determined (i.e., vehicular access may be inconsistent with the provision that the use be limited to the smallest area possible). However, at this time, the Coastal Access Project is complying with the intent of this policy by considering options and ways	n/a

Table 9.4 Conceptual Coastal Access Project Policy Consistency Analysis

Policy	Preliminary Consistency Determination	Potential Adverse Environmental Effect?
	to minimize impacts.	
Parks and Recreation Element – San Luis Obispo County General Plan		
Trails Policy 3.15: The County shall fully indemnify, protect and hold harmless (including all costs and attorney fees) private property owners who dedicate or grant a public trail easement from, and against, those risks and damages that arise out of the usage of the trail easement by the public and which, in good conscience, should not be borne by the private property owner.	**Potentially Consistent.** The County is currently assessing the potential risks associated with public trail easement at this location and Phillips 66 and Union Pacific Railroad have expressed concern over safety issues associated with public access at this location. It is assumed that the County would indemnify these private property owners from risks and damages that arise out of use of the trail consistent with this policy.	n/a
South County Coastal Area Plan (Coastal Zone Land Use and Circulation Elements)		
CHAPTER 6: LAND USE. **A. RURAL AREA LAND USE. Open Space** The area designated as Open Space within the Nipomo Dunes is identified for the preservation of the sensitive dune habitats. This area represents an important buffer zone to protect the vegetated back dunes and dune lakes. This buffer is necessary to protect the sensitive habitat from two adjacent uses: the off-road vehicular use to the west in the Pismo Beach State Vehicular Recreation Area; and the oil refinery operations to the east. Only passive recreational activities that are consistent with protection of the sensitive habitat will be permitted. (LCP)	**Potentially Consistent/Inconsistent.** The Coastal Access Project appears to allow passive recreational activities, such as the docent lead tours, which would be consistent with this policy. The County is currently assessing the various alternative access options to determine the potential for effects on the sensitive habitat at this location. The options that would allow for access for vehicles and bicycles access would likely be inconsistent with this policy.	n/a
CHAPTER 8: PLANNING AREA STANDARDS. A. SOUTH COUNTY RURAL AREA STANDARDS. OPEN SPACE 2. **Limitation of Use.** This area shall be maintained in its natural state to provide a buffer from the off-road vehicular area to the west and to afford protection to the refinery area to the east. Only authorized vehicles used for maintenance purposes are permitted, except for special off-road events which may be permitted if the lease between Union Oil and State Parks is renegotiated. (LCP)	**Potentially Inconsistent.** This policy specifically refers to the Coastal Access Project Site area west of the UPRR. It limits permitted vehicular uses to authorized maintenance vehicles and special off-road vehicle events. If the Coastal Access Project provided vehicular access, it would not be a permitted use consistent with this policy and would introduce what could be a fairly intensive use based on the popularity of the Oceano Dunes SVRA within this area intended to serve as a buffer in its natural state. Allowing public vehicular access through the	**Adverse Physical Environmental Effect.** If the Coastal Access Project provided vehicular access, it would introduce a more intense use in this area intended to serve as a natural buffer between the SVRA and Santa Maria Refinery inconsistent with this policy. However, it would not substantially reduce the

Table 9.4 Conceptual Coastal Access Project Policy Consistency Analysis

Policy	Preliminary Consistency Determination	Potential Adverse Environmental Effect?
	Coastal Access Project may require amendment of this Planning Area Standard and/or a renegotiation of the lease between Phillips, as successor in interest to Union Oil, and State Parks.	effective buffering of these two uses, as neither of these uses would be expended in this area and the vast majority of the dune area would remain undeveloped.
CHAPTER 8: PLANNING AREA STANDARDS. A. SOUTH COUNTY RURAL AREA STANDARDS. OPEN SPACE 4. **Buffer Zones.** No facilities shall be located in the area west of the railroad, which shall serve as a protective, natural buffer separating the heavy industrial use from the recreational activities within the dunes. This buffer area shall be managed cooperatively between the property owners and the California Department of Parks and Recreation to encourage dune revegetation and stabilization within the buffer area. A buffer area shall be required to reduce impacts to the nearby residential areas. (LCP)	**Potentially Inconsistent.** This policy specifically refers to the Coastal Access Project Site area west of the UPRR. It prohibits facilities in this buffer area. The Coastal Access Project could potentially be considered a facility within this buffer zone.	**Adverse Physical Environmental Effect.** The Coastal Access Project would introduce a more intense use in this area intended to serve as a natural buffer between the SVRA and Santa Maria Refinery, which may be inconsistent with this policy. The project would not substantially reduce the effective buffering of these two uses, as neither of these uses would be expended in this area and the vast majority of the dune area would remain undeveloped. However, increased traffic from a vehicle access road could increase air and traffic impact to near residential areas.

Source: San Luis Obispo County Area Plans, Available at: http://www.slocounty.ca.gov/planning/General_Plan__Ordinances_and_Elements/Area_Plans.htm

Depending on the type of access provided by the Coastal Access Project, the recreational use proposed could be incompatible with industrial uses to the east, off-highway vehicle uses to the west, or both.

Pedestrian and/or Bicycle Access

Pedestrian/bicycle access would lead to potential incompatibilities with the adjacent SMR and industrial uses east of the Coastal Access Project Site. It would bring potentially large numbers of individuals in an area characterized by heavy industrial uses, including refining, processing, handling, shipping and stockpiling of hazardous substances. These activities typically generate air emissions, odors, noise, safety issues, and aesthetic impacts that make it appropriate to situate them away from other more sensitive land uses (like recreation). The location of the route predominantly west of the heavy industrial uses would be beneficial, as northwest winds are predominant and would help shield users to the west from these objectionable effects. However, the initial portion of the access route would bring individuals in close proximity to the active SMR operations, which would increase public safety concerns (refer to Hazards discussion above).

Pedestrian and bicycle uses in this area may also be incompatible with surrounding uses because of the safety risks associated with the UPRR and refinery. An elevated railroad crossing would reduce safety risks substantially; however, there would be the potential for recreational users to stray from the trail and explore areas along the railroad tracks. The refinery facility is subject to strict safety requirements and access restrictions. The refinery is surrounded by 8-foot tall chain-link fencing, topped with barbed wire as required by U.S. Department of Homeland Security regulations. Therefore, the potential for trespassing in to the SMR by passive recreational users is considered low. However, public users could be impacted in the unlikely event of an incident at the SMR. As such, impacts could be potentially significant.

Pedestrian and bicycle access to the ORV area west of the Coastal Access Project Site may also be somewhat incompatible. This area is designated for off-highway vehicle use and is currently somewhat inaccessible by pedestrians due to its distance from the existing park entrances. The extent of potential safety hazards associated with the introduction of pedestrians into an area typically occupied by various motorized off-highway vehicles (i.e., dune buggies, four-wheelers, sandrails, etc.) are not yet known, but would include collisions, roll-overs, overcrowding, and lack of visibility of pedestrians in steep dune areas. Further study should be conducted to asses these effects.

This type of access may also be incompatible with existing uses on the Coastal Access Project Site west of the UPRR. Aside from the initial disturbance and conversion of sensitive biological resources associated with development of the access route (refer to Section 9.4.4, Biological Resources), the introduction of increased human activity in the natural dune setting would create the increased potential for conflicts with the sensitive plant and wildlife species that currently exist at the site. Widening of the current access road would result in impacts to Mapped ESHA since most of the area west of the UPRR railroad tracks is mapped ESHA, primarily due to Central Dune Scrub and wetland areas. These impacts must be balanced against the potential benefit of providing public coastal access in this area to determine if development of the Coastal Access Project would be feasible at this location pursuant to CZLUO Section 23.04.420.

Docent-Led Access

The option for coastal access that would only allow docent-led access would result in impacts similar to those discussed above for pedestrian and bicycle access, except that it would be less likely that users would stray from the path into areas not intended to be accessed due to the presence of a supervising docent. Additionally, minimal improvements would be required to allow docent-led access at the project site resulting is lesser impacts associated with fragile coastal resources. Users would be subjected to similar incompatibilities associated with industrial activity on the adjacent parcel (air quality, noise, odor, etc.). However, potential safety issues related to the UPRR, refinery, and ORV area would be similar to that for the bicycle/pedestrian option.

Vehicular Access

Vehicular coastal access would be generally compatible with the adjacent industrial and off-highway vehicle land uses. Traffic commonly exists adjacent to industrial uses and railroad crossings, and vehicles are not likely to stray from the designated roadway. Railroad crossings are subject to standard safety regulations that make vehicle crossings familiar occurrences and an elevated crossing, as proposed, would further eliminate potential conflicts. Vehicles would provide some shelter to recreational users from objectionable air emissions, odors, dust and noise that may be associated with the refinery, UPRR and related industrial uses. However, vehicular access could present public safety and emergency response concerns due to the close proximity of the proposed access road to the SMR. Use of the one of the primary access road to the SMR as the coastal access road could interfere with emergency response vehicles in the unlikely event of an incident at the SMR. As such, impacts could be potentially significant.

Opening up a new access point for motor vehicles at the SMR has the potential to increase the level of PM_{10} emissions from sand at the southern end of the ODSVRA. While the overall baseline level of PM_{10} emissions would not be expected to increase, there could be an increase in the localized impacts in the area of the SMR increasing impact on local residences. This might possibly be mitigated with the implementation of the Particulate Matter Reduction Plan (PMRP) that the State is currently preparing for the ODSVRA.

Vehicular access to the ORV area would also be compatible and consistent with how this area is currently accessed within the ODSVRA (the area must be accessed by street-legal vehicles, where off-highway vehicles can be unloaded and used in the ORV area).

However, vehicular access would be incompatible with the sensitive resources located on the Coastal Access Project Site, and could be inconsistent with the ESHA requirements since the majority of the access route passes through areas that are mapped ESHA. Access for vehicles would require a larger road width, additional disturbance/conversion areas, and would generate noise and air emissions resulting from vehicle exhaust in a generally undeveloped area currently supporting substantial sensitive vegetative and wildlife species. Potential incompatibilities with this land use would be significant.

In addition, design standards for vehicular access would likely require that any such access also provide accommodations for bicyclists and pedestrians as well. Therefore, the incompatibilities

discussed above for these users would most likely also be implicated under an access route alternative that provided for vehicles.

9.4.8 Recreation

9.4.8.1 Environmental Setting

There are four existing public coastal access routes in the vicinity of the Coastal Access Project Site:

- Oso Flaco Lake Natural Area – approximately 0.73 mile south
- Pier Avenue in Oceano – approximately 3.5 miles north
- Grand Avenue in Grover Beach – approximately 4.5 miles north
- Rancho Guadalupe Dunes County Park – approximately 5.5 miles south

The Oceano Dunes SVRA directly borders the west edge of the Coastal Access Project Site. The entire ODSVRA includes 7.4 miles of coastline and 3,854 acres of land owned by the California Department of Parks and Recreation (State Parks), the County, and Phillips 66 (Willey 2013). Of this total area, approximately 1,637 acres are open to use by off-highway vehicles (the ORV area). Sensitive areas within the ORV area are fenced off to keep users out and minimize disturbance.

The Oceano Dunes SVRA is the only California State Park where you can drive your vehicle on the beach. Average annual usage of the park is over 2 million visitors, over 325,000 street-legal vehicles, and over 200,000 off-highway vehicles. Busy holiday weekends, such as Memorial Day weekend, bring an estimated 50,000 to 60,000 visitors to the SVRA (Willey 2013). Besides off-highway vehicle use in the designated ORV area, the park also offers beach camping, fishing, hiking, clamming, swimming, surfing, and broad opportunities for plant and wildlife viewing. Camping and day-use vehicular access within the park are subject to use fees.

The SVRA also includes the Pismo Dunes Natural Preserve, which is closed to all vehicles (off-highway and street-legal), and provides virtually isolated hiking opportunities into a dune preserve area a few hundred yards inland from the shoreline. The southern boundary of the Natural Preserve is located approximately 1.25 miles north of the Coastal Access Project Site.

Street-legal vehicles currently access the ODSVRA by the existing coastal access routes at Pier Avenue in Oceano and Grand Avenue in Grover Beach. Both accessways provide vehicular access to the beach so that vehicles can drive along the shoreline to camp in the state park or access the ORV area. Off-highway vehicles must be transported to the entrance at the north end of the ORV area and unloaded at that location prior to entry. Additional pedestrian access to the SVRA is available at the Oso Flaco Lake Natural Area south of the Project Site. However, because no vehicular access is allowed, the ORV area cannot be accessed from the Oso Flaco route. The existing coastal access routes and recreational resources described above are shown in Figure 9-16, below. Refer to Section 4.8.1.3 for additional information related to recreational resources in the Coastal Access Project vicinity.

Figure 9-16 Recreational Setting

Off-Highway Vehicle (OHV) Area is the same as Off-Road Vehicle (ORV) Area.
Source: Oceano Dunes SVRA Map, available at: http://ohv.parks.ca.gov/?page_id=1208.

9.4.8.2 Coastal Access Impacts

The Coastal Access Project would increase recreational opportunities within the project area and could provide a significant new opportunity for access to the ORV area within ODSVRA. It would not increase the use or demand for parks or recreation opportunities in the area and would not affect access to existing trails, parks, or recreation opportunities (refer to Section 4.8.4.6 for a discussion of the historic Juan Bautista de Anza Trail). Therefore, no impacts to recreational resources would occur.

9.4.9 Transportation and Circulation

9.4.9.1 Environmental Setting

The Coastal Access Project would extend through the SMR property on both sides of the Union Pacific Railroad (UPRR). Refer to Section 4.12.1 for existing traffic and circulation setting information in the vicinity of the SMR. The likely primary use of any access trail on the SMR property would be to access the ODSVRA.

In 2010, annual attendance at ODSVRA was nearly 1.6 million visitors. With its primitive beach and dune camping, the SVRA is the most popular camping destination in all of the State Parks. The park has a 1,000 vehicle per night camping limit, and a day use limit of 4,300 vehicles. These limits were established through a 1982 Coastal Development Permit and four subsequent Permit Amendments to operate the park in the Coastal Zone.

There are two main entrances to ODSVRA. One at the end of Grand Avenue in Grover Beach, and one at the end of Pier Avenue in Oceano. The Pier Avenue entrance, to the south, is the main entrance for ODSVRA, and has more commercial development than Grand Avenue entrance.

From Grand Avenue entrance, park visitors drive south along the beach for approximately one mile until they reach the Pier Avenue entrance, after which they continue for another 0.5 mile to the ORV riding area. The beach between Grand Avenue and the ORV area is a day-use only area. In order to get to the ORV area, visitors accessing the area from both the Pier Avenue and Grand Avenue entrances must drive through the mouth of Arroyo Grande Creek (Condor 2006).

9.4.9.2 Coastal Access Impacts

The traffic and circulation impacts would vary depending upon the type of access that is provided at the SMR site. Each of the access options are discussed below.

Bicycle and Pedestrian Access Option

It is uncertain how much traffic this option would generate. The ODSVRA is primarily used for vehicle camping and off-road vehicle recreation. This could limit the interest in accessing this area for bicyclists and pedestrians, due to the high vehicle traffic on the beach. The conceptual design for this option assumed a parking lot sized for about 50 cars. Therefore, for the purposes of this analysis it has been assumed that the peak day would see somewhere between 100 and 200 vehicles per day would use the access point. As discussed in Section 4.12.1, the average

daily traffic on State Route 1 at the SMR entrance is about 6,000 vehicles. The capacity of the road is between 12,000 and 16,000 vehicles per day. The addition of 100 to 300 vehicles per day would not represent a significant impact to the traffic on State Route 1 in the vicinity of the SMR. The completion of the Willow Road/Highway 101 interchange would make access to the parking site easier.

The intersection of State Route 1 and the entrance to the coastal access route is currently uncontrolled. As discussed in Section 9.3 the costal access entrance from State Route 1 is the current truck entrance to the SMR. In 2009, the SMR has approximately 41 truck trips per day that used this entrance. In addition, just past the truck entrance is the main entrance to the SMR (see Figure 9-2). In 2009, the main entrance was used by about 160 vehicles per day. With the addition of the bicycle/pedestrian access option, this intersection could see peak traffic of 300 to 500 vehicles per day, which would be a less than significant impact.

Motor Vehicle, Bicycle and Pedestrian Access

The impacts associated with the motor vehicle, bicycle and pedestrian option on traffic and circulation are difficult to estimate since it would depend upon what would happen with the two existing ODSVRA main entrances. In the 2006 Condor Study, it was assumed that that both current entrances would remain open but that crossing the Arroyo Grande Creek to get to the ORV area would be prohibited. Therefore, all visitors wishing to access the riding area would have to use the SMR access point and that the number of vehicles equals number of daily trips. This probably results in an estimate that is substantially higher than what should be expected since vehicles will remain parked in the ODSVRA for one or more days. The Condor Study assumed that 90% of the vehicles counted at the Pier Avenue entrance would use the new SMR entrance. It was also assumed that all trips to the park would be in addition to traffic already present on the road. The Condor Study estimated that a peak of 3,579 vehicles per day would use the new SMR access point (Condor 2006).

This level of traffic increase on State Route 1 would not exceed the design average daily traffic. However, traffic at the intersection of State Route 1 and the SMR would substantially increase and would likely cause backups along State Route 1 as vehicles wait to make the turn into and out of the access route. This would also increase traffic safety issues at the intersection due to the increase level of traffic turning at this uncontrolled intersection. This would be considered a significant impact. While a signalized intersection at State Route 1 and the SMR would reduce the severity of this impact, it potentially could remain a significant impact. The completion of the Willow Road/Highway 101 interchange would make vehicle access to the new coastal access road easier, and the interchange is operating well below the design average daily traffic.

This option could require substantial improvements to State Route 1 in the vicinity of the SMR including the addition of turn lanes to better handle the increased flow of traffic.

T-1 The application for permits or entitlements for the Coastal Access Project should include the installation of a signalized intersection at State Route 1 and the entrance to the coastal access road.

T-2 Prior to application for permits or entitlements for the Coastal Access Project, a traffic study should be conducted to determine what improvements to the State Route 1 and coastal access road intersection would be needed. This study should be conducted in cooperation with Caltrans. Any improvements identified in the study should be incorporated into the final design for the Coastal Access Project.

Docent-Led Access

This option would have minimal impacts to traffic and circulation since docent-led access would likely be limited to no more than ten people at a time. This would limit traffic to no more than ten vehicles per day on the days that docent-led access was offered. Therefore, the traffic impacts associated with the access option would be less than significant.

9.5 Comparison of Coastal Access Options

Table 9.5 provides a comparison of the potential impacts that were identified for each of the coastal access options by issue area. The impacts identified in this assessment were based upon very limited conceptual designs, and therefore, represent potential impacts that could occur. The severity and significance of these impacts could change once detailed designs for each of the options were developed. However, the impact assessment can be used to gauge the type and possible extent of the impacts could occur with each of the coastal access options.

Docent-Led Access

The docent-led coastal access option would have the lowest level of impacts on the environment. Minimal construction would be needed to implement this option. This option would have the lowest intensity of public use and access to the coastal trail would be supervised. However, this option would provide limited public access. If a new parking lot would have to be built, there could be impacts to Nipomo Mesa lupine, which would be a significant biological impact. It is also uncertain if a grade-separated crossing of the Union Pacific railroad tracks would be needed for this level of access. If the CPUC considers the docent-led access to be a public crossing, then it is possible that a grade-separated crossing could be required. This would increase some of the construction impacts associated with this option.

Bicycle/Pedestrian Access

The bicycle/pedestrian coastal access option would have the second lowest level of impacts on the environment. While the construction impacts of this option would similar to the motor vehicle option, the intensity of public use would be substantially less. Construction of the bicycle/pedestrian access path could result in significant biological impact to sensitive plant species including the Nipomo Mesa lupine, sensitive terrestrial and semi-aquatic wildlife species, and wetlands. Impacts to sensitive biological and cultural resources could also occur from users straying from the designated path into sensitive areas.

This option would likely require the construction of a separated-grade crossing of the Union Pacific railroad tracks. The most likely type of separated-grade crossing would be an elevated walkway.

Motor Vehicle Access

The motor vehicle coastal access would provide the highest intensity of public use, but would also have the greatest level of impacts on the environment and most potential for inconsistencies with land use policies. Construction of the motor vehicle access road could result in significant biological impact to sensitive plant species including the Nipomo Mesa lupine, sensitive terrestrial and semi-aquatic wildlife species, and wetlands. Impacts to sensitive biological and cultural resources could also occur from users straying from the designated path into sensitive areas.

This option would likely require the construction of a separated-grade crossing of the Union Pacific railroad tracks. The most likely type of separated-grade crossing would be a vehicle overpass, which would likely have significant visual impacts since it would be a large structure that would be visible from the beach.

The motor vehicle coastal access would also have the greatest level of traffic impacts. It has been estimated that 3,579 peak daily vehicles would possible use this coastal access road. To handle this level of traffic a signal would likely have to be installed at the intersection of State Route 1 and the SMR. In addition, other improvements may have to be made to State Route 1 such as turnout lanes.

Opening up a new access point for motor vehicles at the SMR has the potential to increase the level of PM_{10} emissions from sand at the southern end of the ODSVRA. While the overall baseline level of PM_{10} emissions would not be expected to increase, there could be an increase in the localized impacts in the area of the SMR. This might possibly be mitigated with the implementation of the PMRP that the State is currently preparing for the ODSVRA.

Public Safety

The coastal access route evaluated in this assessment would pass within about 900 feet of the active refinery operations, and would parallel or use one of the two main access roads to the SMR. Opening up a public access route in close proximity to an active refinery presents a number of public safety issues. In the event of an incident at the SMR members of the public would be at greater risk of being injured or killed. There is also the potential for interference with emergency response activities at the refinery in the even to an incident.

While these types of incidents at the SMR are extremely unlikely, typically it is prudent to maintain an adequate buffer between the active refinery operations and the general public. To avoid these public safety issues a quantitative risk assessment (QRA) should be conducted to determine the minimum distance from the SMR operations the coastal access route should be located.

Relationship to Ongoing ODSVRA Evaluations

Construction of the coastal access across the SMR property would be for access to the ODSVRA. This would be particularly true for the motor vehicle access. The question of the best manner and location for access and staging for ODSVRA has not been completely resolved. It is a complicated question, and one that is informed by a long and involved permitting history. The question of access and staging for the ODSVRA may be resolved in the relatively near future

(including in relation to an upcoming Habitat Conservation Plan for ODSVRA, ongoing Californian Coastal Commission (CCC) condition compliance and review efforts pursuant to CSPR CDP 4-82-300, and State Parks' current CDP application associated with dust control) (CCC 2013).

Conditions included in CDPR's CDP issued by the CCC (CDP 4-82-300, as amended) for ODSVRA operations require CDPR to determine a permanent access and staging location for ORV activities that is the least environmentally damaging alternative and that incorporates all feasible mitigation measures. As a result, a number of studies have been conducted to examine potential alternative access routes into the ODSVRA. These studies have included a 1991 Environmental Impact Report for the Pismo Dunes State Vehicular Recreation Area Access Corridor Project (CDPR), and a 2006 Alternative Access Study Oceano Dunes State Vehicle Recreation Area (Condor Environmental Planning Service, Inc.). Until the CDPR resolves the long standing issues associated with access and staging for the ODSVRA, the type of access for the SMR site is uncertain.

Table 9.5 Comparison of Environmental Impacts for the Various Coastal Access Options

Issue Area	Bicycle/Pedestrian Option	Motor Vehicle Option	Docent-Led Option
Aesthetic and Visual Resources	• Construction of a new parking lot at the intersection of the coastal access and State Route 1 and the bridge over the railroad tracks could impact the visual quality of the site and surroundings. These impacts could likely be mitigated to a level of less than significant.	• The construction of a motor vehicle overpass over the railroad tracks could impact the visual quality of the site and surroundings. Due to the large scale of the structure that would likely be needed, the impact would likely be significant.	• Construction of a new parking lot at the intersection of the coastal access and State Route 1 could impact the visual quality of the site and surroundings. These impacts could likely be mitigated to a level of insignificance.
Agricultural Resources	• Construction of a new parking lot at the intersection of the coastal access and State Route 1 and the bridge over the railroad tracks has the potential for conversion of Farmlands of Statewide Importance. However, this would be less than significant.	• Construction of a new parking lot at the intersection of the coastal access and State Route 1 and the bridge over the railroad tracks has the potential for conversion of Farmlands of Statewide Importance. However, this would be less than significant. • Opening up a new motor vehicle access to ODSVRA at the southern end of the recreational area would likely increase fugitive dust emissions from sand in the area of the SMR. This potentially could be a significant impact on agricultural resources in this area.	• Construction of a new parking lot at the intersection of the coastal access and State Route 1 has the potential for conversion of Farmlands of Statewide Importance. However, this would be less than significant.
Air Quality	• Construction of the parking lot, bridge and access trail would generate air emissions. However, these emissions would be less than significant. • Vehicles traveling to and from the new access point would generate air emissions, but it is expected that these would not be new travelers, but rather travelers displaced from other ODSVRA access points. Therefore, impacts would be less than significant.	• Construction of the overpass and access road would generate air emissions that could be significant. With SLOCAPCD approved mitigation measures these impacts could likely be reduced to less than significant levels. • Vehicles traveling to the ODSVRA on the access road would generate air emissions, but it is expected that these would not be new travelers, but rather travelers displaced from other ODSVRA access points. Therefore, impacts would be less than significant. • Opening up a new access point for motor	• Construction of the parking lot would generate air emissions. However, these emissions would be less than significant. • On improvements would be made to the existing service road. • Docent-led access would generate low levels of vehicles and the frequency of visits would be low. This would result in less than significant air emissions for operations.

Table 9.5 Comparison of Environmental Impacts for the Various Coastal Access Options

Issue Area	Bicycle/Pedestrian Option	Motor Vehicle Option	Docent-Led Option
		vehicles at the SMR has the potential to increase the level of PM_{10} emissions from sand at the southern end of the ODSVRA. While the overall baseline level of PM_{10} emissions would not be expected to increase, there could be an increase in the localized impacts in the area of the SMR. This might possibly be mitigated with the implementation of the PMRP that the State is currently preparing for the ODSVRA.	
Biological Resources	• Construction of the access path, parking lot, and bridge over the railroad tracks would result in impact to sensitive plant species including a number of Federally endangered and state threatened species including the Nipomo Mesa lupine. While a number of mitigation measures have been identified to reduce the severity of impacts to these plant species, the impact would likely remain significant. • Impacts to sensitive terrestrial and Semi-Aquatic wildlife species could occur due to construction and from users straying from the designated path into areas that have sensitive wildlife species. While a number of mitigation measures have been identified to reduce the severity of impacts to these wildlife species, the impact would likely remain significant. • Wetlands could be impacted from construction activities as well as from users straying from the designated path into wetland areas. Impacts to these wetlands would be considered significant. While a number of mitigation measures have been identified to reduce	• Construction of the access road and overpass over the railroad tracks would result in impact to sensitive plant species including a number of federally endangered and state threatened species including the Nipomo Mesa lupine. While a number of mitigation measures have been identified to reduce the severity of impacts to these plant species, the impact would likely remain significant. • Impacts to sensitive terrestrial and Semi-Aquatic wildlife species could occur due to construction and from users straying from the designated road into areas that have sensitive wildlife species. While a number of mitigation measures have been identified to reduce the severity of impacts to these wildlife species, the impact would likely remain significant. • Wetlands could be impacted from construction activities as well as from users straying from the designated road into wetland areas. Impacts to these wetlands would be considered significant. While a number of mitigation measures have been identified to reduce the severity of impacts to wetlands, the impact would likely remain	• Construction of a new parking lot at the intersection of the coastal access and State Route 1 has the potential to impact a number of sensitive plant species include the Nipomo Mesa lupine, which is a Federally endangered species. This could be a potentially significant impact. • No other construction activities would be required for this option. • The risk of users straying from the designated path and impacting biological resources would be unlikely since this option would involve managed access.

Table 9.5 Comparison of Environmental Impacts for the Various Coastal Access Options

Issue Area	Bicycle/Pedestrian Option	Motor Vehicle Option	Docent-Led Option
	the severity of impacts to wetlands, the impact would likely remain significant. • The coastal access trail would provide direct access to the foredune habitat the supports the nesting Western snowy plover. Use of the access trail during the breading season could have a significant impact on the plover. Closing the access trail during the breading season would reduce this impact to less than significant.	significant. • The coastal access road would provide direct access to the foredune habitat the supports the nesting Western snowy plover. Use of the access trail during the breading season could have a significant impact on the plover. Closing the access trail during the breading season would reduce this impact to less than significant. • Motor vehicle activity along the access road increased risk of trespassing, littering, or spills of petroleum products such as oil and gasoline, which all could impact sensitive biological resources. • Opening up a new motor vehicle access to ODSVRA at the southern end of the recreational area would likely increase fugitive dust emissions from sand in this area. This increase in fugitive dust could have a significant impact on sensitive biological resources, which would be a potentially significant impact.	
Cultural Resources	• Construction of the bicycle/pedestrian coastal access path has the potential to result in direct and indirect impacts to known and unknown cultural resources. One previously identified cultural resource, CA-SLO-859, is within the vicinity of the currently proposed access route. These impacts could likely be mitigated to a level of less than significant. • Increased bicycle and pedestrian traffic in this area could result in increased site vandalism and artifact collection due to	• Construction of the motor vehicle coastal access road has the potential to result in direct and indirect impacts to known and unknown cultural resources. One previously identified cultural resource, CA-SLO-859, is within the vicinity of the currently proposed access route. These impacts could likely be mitigated to a level of less than significant. • Increased traffic in this area could result in increased site vandalism and artifact collection due to people wandering off of the access route. Mitigation measures could	• Construction of a new parking lot at the intersection of the coastal access and State Route 1 has the potential to impact unknown cultural resources. These impacts could likely be mitigated to a level of less than significant. • No other construction activities would be required for this option. • The risk of users straying from the designated path and impacting cultural resources would be unlikely since this option would involve

Table 9.5 Comparison of Environmental Impacts for the Various Coastal Access Options

Issue Area	Bicycle/Pedestrian Option	Motor Vehicle Option	Docent-Led Option
	people wandering off of the access route. Mitigation measures could be implemented that would reduce the likelihood of this impact occurring.	be implemented that would reduce the likelihood of this impact occurring.	managed access.
Hazards and Hazardous Materials	• The construction and use of this coastal access route would bring the public within about 900 feet of the active refinery areas. In the event of an incident at the refinery people using the trail could be injured or killed. A QRA would need to be conducted to determine what the safe a distance between the coastal access trail and the SMR.. • In the event of an incident at the refinery emergency response staff would be responsible for clearing the trail and assisting any one that is injured. This would place additional responsibilities on emergency response staff, which would be a significant impact. • Pedestrian and bicycle users in this area may stray from the trail and explore areas along the railroad tracks, which would represent an increased safety risk.	• The construction and use of this coastal access route would bring the public within about 900 feet of the active refinery areas. In the event of an incident at the refinery people using the trail could be injured or killed. A QRA would need to be conducted to determine what the safe a distance between the coastal access trail and the SMR. In the event of an incident at the refinery emergency response staff would be responsible for clearing the trail and assisting any one that is injured. This would place additional responsibilities on emergency response staff, which would be a significant impact. The first part of the access road from State Route 1 is currently the truck entrance road for the SMR. This road also serves as one of the two emergency access roads to the refinery. Use of this road for public coastal access could impact the ability of emergency response vehicles to access the SMR site in the event of an incident, which would be a significant impact. This can be mitigated by modifying the coastal access route to avoid the use of the truck road entrance to the SMR.	Docent-led access would also bring members of the public within about 900 feet of active refinery areas. However, the number of people would be about 10 per tour, and access might only occur between once a week to one a month. This would limit the potential exposure of member of the public to possible incidents at the SMR.
Recreation	• Would increase recreational opportunities within the project area and could provide a significant new opportunity for access to the ORV area within ODSVRA, which could be a beneficial impact.	• Would increase recreational opportunities within the project area and could provide a significant new opportunity for access to the ORV area within ODSVRA, which could be a beneficial impact.	• Would increase recreational opportunities within the project area and could provide a significant new opportunity for access to the ORV area within ODSVRA, which could be a beneficial impact.

Table 9.5 Comparison of Environmental Impacts for the Various Coastal Access Options

Issue Area	Bicycle/Pedestrian Option	Motor Vehicle Option	Docent-Led Option
Traffic and Circulation	• Traffic for the bicycle/pedestrian option has been estimated to be a peak of about 100 to 200 vehicles per day. The project would include a one-acre parking lot that would be able to accommodate 75 to 100 vehicles. The parking lot would be at the trail head off of State Route 1. This limited level of traffic would represent a less than significant impact.	• Traffic for the motor vehicle option has been estimated to be a peak of about 3,579 vehicles per day. While State Route 1 can accommodate this level of traffic, there would be traffic and safety issues associated with the currently uncontrolled State Route 1/SMR intersection. This impact could be mitigated with the installation of a traffic signal at the intersection. This option may also require the addition of turn lanes to better handle the increased flow of traffic.	• Traffic for the docent-led option has been estimated to be a peak of about 10 vehicles for each tour. The project could include a one-quarter acre parking lot near the trail head off of State Route 1. This limited level of traffic would represent a less than significant impact.

9.6 References

These are the references that are unique to this chapter of the EIR. Additional references can be found at the end of each issue area section in Chapter 4.

Arcadis. 2013. Coastal Access Feasibility Review.

California Coastal Commission. 2013. Appeal Staff Report ConocoPhillips Company, Appeal # A-3-SLO-13-014. March 19, 2013.

California Department of Parks and Recreation. 2013. *Oceano Dunes State Vehicular Recreation Area Map*. Available at http://ohv.parks.ca.gov/?page_id=1208. Accessed: October 4, 2013.

_____. 2012. Oceano Dunes State Vehicular Recreation Area Dust Control Project Initial Study. November 2012.

_____. 2011. Oceano Dunes District Program Overview Staff Report. October 14, 2011.

California Public Utilities Commission. 2013. CCR Tile 20 Public Utilities and Energy. CPUC Rules and Procedures. 2013.

Condor Environmental. 2006. Oceano Dunes Alternative Access Study.

Perez, Alicia C. 2011. Cultural Resources Inventory of the Oceano Dunes State Vehicular Area. Prepared for the State of California, Department of Parks and Recreation Off-Highway Motor Vehicle Recreation Division, Sacramento. On file with SWCA.

Portland State University. 2007. Pedestrian/Bicycle Overcrossings: Lessons Learned. June 2007.

SLOAPCD. 2007. Nipomo Mesa Particulate Study. 2007.

Strategic Marketing Group. 2012. Oceano Dunes SVRA Economic Impact Analysis Report 2010-2011. 2012.

West, J. and D. Bell. 1978. Site Record for CA-SLO-859 (P-40-859). On file with the Central Coastal Information Center, University of California, Santa Barbara.

Willey, Gary. June 4, 2013. *Oceano Dunes: Air Quality Issues and Solutions.* CAPCOA Engineering Managers Symposium. San Luis Obispo County Air Quality Control District.