



NOTICE OF PREPARATION – DRAFT ENVIRONMENTAL IMPACT REPORT

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600
Promoting the Wise Use of Land • Helping to Build Great Communities

DATE: October 2, 2015

TO: Responsible Agencies,
Trustee Agencies, and
Interested Parties

FROM: Department of Planning and Building
976 Osos St., Room 300
San Luis Obispo, CA 93408-2040

PROJECT TITLE: Avila Point/Avila Tank Farm, General Plan/Specific Plan Amendment LRP2012-00038, Development Plan, and Coastal Development Permit DRC2012-00048

PROJECT APPLICANT: Chevron Land and Development Company, Bill Almas, Chevron Senior Project Manager

RESPONSES DUE BY: November 9, 2015

The County of San Luis Obispo will be the Lead Agency and will prepare an Environmental Impact Report for the above-referenced project. We need to know the views of your agency as to the scope and content of the environmental information, which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the Environmental Impact Report prepared by our agency when considering your permit or other approval for the project.

PLEASE provide us the following information at your earliest convenience, but not later than the 30-day comment period, which began with your agency's receipt of the Notice of Preparation (NOP).

1. NAME OF CONTACT PERSON. (Address, e-mail and telephone number)
2. PERMIT(S) or APPROVAL(S) AUTHORITY. Please provide a summary description of these and send a copy of the relevant sections of legislation, regulatory guidance, etc.
3. ENVIRONMENTAL INFORMATION. What environmental information must be addressed in the Environmental Impact Report to enable your agency to use this documentation as a basis for your permit issuance or approval?
4. PERMIT STIPULATIONS/CONDITIONS. Please provide a list and description of standard stipulations (conditions) that your agency will apply to features of this project. Are there others that have a high likelihood of application to a permit or approval for this project? If so, please list and describe.
5. ALTERNATIVES. What alternatives does your agency recommend be analyzed in equivalent level of detail with those listed above?
6. REASONABLY FORESEEABLE PROJECTS, PROGRAMS or PLANS. Please name any future project, programs or plans that you think may have an overlapping influence with the project as proposed.

7. RELEVANT INFORMATION. Please provide references for any available, appropriate documentation you believe may be useful to the county in preparing the Environmental Impact Report. Reference to and/or inclusion of such documents in an electronic format would be appreciated.
8. FURTHER COMMENTS. Please provide any further comments or information that will help the county to scope the document and determine the appropriate level of environmental assessment.

The project description, location, and the probable environmental effects are contained either in the attached materials/CD, or can be found on the County's website (<http://www.slocounty.ca.gov/Page775.aspx>) under "Environmental Information & Natural Resources > "Environmental Notices" > "Avila Point Project."

Per Public Resource Code 21092.6 and Government Code Section 65962.5, the subject property is on the (Cortese) list maintained by CalEPA (see website: <http://www.calepa.ca.gov/sitecleanup/corteselist/>). These lists generally recognize sites containing a hazardous spill or condition requiring remedial work. For more information please refer to the Initial Study for the project.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but not later than 30 days after receipt of this notice, on or before November 9, 2015.

Please send your response to Ryan Hostetter at the address shown above. As requested above, we will need the name for a contact person in your agency.

PUBLIC MEETING:

A public scoping meeting will be held on October 27, 2015 at the Avila Beach Community Center which is located at 191 San Miguel Street in Avila Beach starting at 7PM. The purpose of this meeting will be to provide an overview of the project to the public, as well as discuss the environmental review process, the permitting process, and how the public will be able to provide comments related to the project.

Signature 
Ryan Hostetter, Project Manager
Telephone: (805) 788-2351

Reference: California Administrative Code, Title 14, Section 15082

Attachments:
CEQA Initial Study Checklist



Initial Study Summary – Environmental Checklist

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

(ver 5.5) Using Form

Project Title & No. Avila Point/Avila Tank Farm, General Plan/Specific Plan Amendment LRP2012-00038, Development Plan, and Coastal Development Permit DRC2012-00048 - ED15-085

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input checked="" type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input checked="" type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Noise	<input checked="" type="checkbox"/> Wastewater
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Population/Housing	<input checked="" type="checkbox"/> Water /Hydrology
<input checked="" type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input checked="" type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Ryan Hostetter
Prepared by (Print)

Ryan Hostetter
Signature

10/2/15

Date

Steven McMasters
Reviewed by (Print)

Steve McMasters
Signature

Ellen Carroll,
Environmental Coordinator (for)

10/2/15
Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The County Planning Department uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Planning Department, 976 Osos Street, Rm. 200, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT DESCRIPTION

Chevron Land and Development Company (Chevron or Applicant) submitted an application to the County of San Luis Obispo for approval of the Avila Point Project (project). The project includes remediation of the project site, General Plan and Local Coastal Program (LCP) amendments, including amending the site's existing land use designation, and establishing use standards and entitlements for future site development. To implement this project, Chevron has submitted the following requests:

- **Development Plan Permit/Coastal Development Permit (CDP)** for remediation of soil and groundwater contamination on the project site;
- **General Plan/Specific Plan and Local Coastal Program (LCP)** amendments to change the site's land use designation from Industrial to Recreation, and include specific standards and guidelines for redevelopment of the project site as a visitor serving resort which is proposed to be completed in the future by a separate developer; and
- **Vesting Tentative Tract Map/CDP** to allow a nine-lot subdivision and the preliminary design of grading, private roads, and infrastructure improvements associated with the redevelopment plan for recreational and resort uses. The recreational and resort use would be constructed in the future but through this application and review process Chevron would subdivide the property for the future development.

The 95-acre site is located at 1717 Cave Landing Road in the community of Avila Beach, California. The property (project site) is owned by Union Oil Company of California and Chevron is the authorized agent for the proposed project. The project site sits on a highly scenic promontory immediately south and east of the unincorporated community of Avila Beach within the San Luis Bay Coastal Planning Area and Avila Beach Specific Plan area. The project site is surrounded by Cave Landing Road and Ontario Ridge to the east and northeast, San Luis Bay and the Pacific Ocean to the south, San Rafael Street to the west, and Avila Beach Drive to the north. Existing land uses around the project site consist of open space and recreational areas, and residential and commercial uses in the community of Avila Beach.

Development Plan/CDP for Site Remediation. The project is proposed on the site of the former Avila Tank Farm. The site is currently idle but in the 1920s and 1930s it was the largest volume oil shipping port in the world. The site was decommissioned in 1997 and in 1999 the last above-ground petroleum storage tanks were dismantled. Historical activities and petroleum releases at the site have impacted soil, and groundwater. To understand the environmental conditions of the site and identify appropriate remediation, the Avila Tank Farm Collaborative Assessment Team (ATCAT) was formed

in 2005, which is comprised of a number of federal, state, and local agencies including the Central Coast Regional Water Quality Control Board (RWQCB), the San Luis Obispo County Department of Planning and Building, San Luis Obispo County Air Pollution Control District (APCD), the San Luis Obispo County Environmental Health Department, California Department of Fish and Wildlife, California Coastal Commission, United States Army Corps of Engineers, and Chevron.

The proposed project includes remediation to achieve the remedial action objectives and prepare the site for recreational and resort use. Preliminary action objectives are identified in the Pre-Feasibility Study, which has been reviewed by the ATCAT. The preliminary feasibility objectives will be further refined in a Remedy Selection Report and agreed upon by the RWQCB with assistance and input from the other ATCAT representatives. The remediation activities will be evaluated in the project's Environmental Impact Report (EIR). Chevron's proposed remedial actions include excavation and surface removal of impacted soil, transportation of impacted soil to an offsite facility, capping, soil vapor barriers, and extraction and/or passive ventilation under future buildings in some locations to address volatile organic compounds and methane in soil gas, and natural attenuation to address site-wide groundwater impacts. Chevron plans to detail the remediation program and methodology in a Remedial Action Plan (RAP) for approval by the RWQCB in consultation with other ATCAT participants.

As part of the site remediation, Chevron would remove existing buildings and structures and remove or abandon existing pipelines on the property. The existing Avila Beach Community Services District water tank currently onsite would be relocated to another onsite location or to an off-site location, which is undetermined at this time.

In addition, Chevron is currently engaged in active remediation to address fuel-related compounds in soil and bedrock in the cliff area. The remediation system has been operating in this area since August of 2013 at the direction of the RWQCB. It is a focused, stand-alone project being implemented under a separate permitting and environmental analysis process and will continue independent of the proposed project being evaluated in this EIR, however the results of the assessments and studies within the intertidal zone will be summarized in the EIR to provide full disclosure of the activities in the project area.

Plan Amendments. The County of San Luis Obispo's LCP guides and regulates development in the community of Avila Beach. Two components of the LCP need to be amended to allow for the Applicant's proposed redevelopment project: the San Luis Bay Area Plan and the Avila Beach Specific Plan, both of which are components of the LCP's Land Use Plan. The San Luis Bay Area Plan (as revised August 2009) includes regulatory land use standards and community objectives for development within the Coastal Zone portion of the San Luis Bay Planning Area, and is an element of the County's General Plan. The Avila Beach Specific Plan (March 2001) was adopted as a component of the San Luis Bay Area Plan to guide redevelopment of Avila Beach (including the project site) in response to the Unocal "Front Street" clean-up project.

To implement the proposed project, Chevron must request a General Plan and LCP amendment to change the site's land use designation from Industrial to Recreation, as well as include development standards and requirements. The LCP amendments will be processed by the San Luis Obispo County Department of Planning and Building (County) and certified by the California Coastal Commission (Commission). Environmental review of the project will consider the impacts of these plan amendments and the proposed change in the land use designation. The standards by which the County and Commission will review the proposed LCP amendment are the policies and standards stated in Chapter 3 of the California Coastal Act.

Vesting Tentative Tract Map (VTM)/Future Site Use. For the redevelopment component of the project, the VTM creates parcels on the project site and subdivides it for phased implementation. Based on the VTM, Chevron would install backbone infrastructure, circulation features (private roads, coastal trail, etc.), and conduct fine grading and drainage for the future redevelopment of the project

site.

In addition, Chevron has identified a conceptual plan for the future development of the project site. As stated in Chevron's 2015 Application Update, the redevelopment project footprint may occupy up to 36 percent of the project site, which would leave 64 percent of the site as open space and natural habitat. Based on this conceptual plan, the developed portion of the project site would consist of approximately 355,000 square feet of gross building area. This building area may include restaurants, a spa, meeting rooms, fitness center, retail space, and possible residential or commercial uses within the current scout house location. The following is a summary of the key components of the Applicant's conceptual plan:

- **Resort Lodging.** The project site would accommodate approximately 232 guest units with a combination of vacation rental and hotel units. The footprint of the one- to two-story buildings would be a maximum of approximately 134,100 square feet, with a total building square footage of approximately 268,200 for lodging.
- **Resort Facilities.** Common structures would include a lobby, reception, concierge, circulation areas, and other services for resort guests. The total building area for common areas and guest services would be a maximum of approximately 18,000 square feet. The resort facilities would also include the following:
 - **Spa.** Approximately 8,000 square feet of spa facilities, which would be open to the public.
 - **Dining and Retail.** Approximately 11,000 square feet of building area for dining and retail uses, which would be open to the public.
 - **Public Meeting Facilities.** Approximately 7,000 square feet of meeting room facilities, which would be available for use by the public.
 - **Fitness and Pool Buildings.** Approximately 12,000 square feet that may be located in more than one location. These facilities would not be open to the public.
 - **Back-of-House Operations.** Includes 20,000 square feet of resort offices, employee areas, storage, laundry, maintenance, housekeeping, trash collection and recycling, receiving, and mechanical facilities.
- **Scout House.** The scout house is a current structure on the western most edge of the project site located off of San Rafael Street just south of San Luis Street. A 4,500 square foot meeting facility is proposed either as a standalone meeting facility (separate from the resort) or as part of the resort for use by resort guests or as rental spaces for use by the public. Below is a summary of other options that are proposed for the Scout House area. Each option has a separate parking and circulation plan. The proposed options include the following:
 - **Multi-family residential units** that could accommodate market rate housing, senior housing, senior living facility/nursing and personal care, or workforce housing for the resort uses and other visitor-serving uses in Avila. This option would consist of two- to three-story attached residential units and would be a total square maximum of approximately 10,000 square feet. This could be a standalone use unrelated to the resort or as part of the resort use.
 - An **office building** that could be a standalone use or a secondary use to the resort. It could be a one- or two-story building with associated parking.
 - A **retail and meeting room** option would consist of a small retail space and possibly a standalone or associated meeting room.
 - A **wastewater treatment package plant** option would provide services to the project site in lieu of wastewater services from Avila Beach Community Service District or San Miguelito Mutual Water Company. The plant would include five 50,000-gallon, pre-engineered, pre-fabricated, modular, biofiltration-based treatment tanks along with associated equipment and

controls. It would be designed to comply with the National Science Foundation (NSF) Standard 350 effluent discharge limits for onsite reuse. Under normal circumstances, the treated water would be reused onsite for irrigation through a distribution network. During periods of wet weather or system upsets, the effluent may be discharged into the Avila Beach Community Services District sewer main along Avila Beach Drive. The plant would be an automated system that would require minimal operation and maintenance. On average, a single operator would conduct a daily visit to the plant for inspection and routine maintenance.

- A **brackish water treatment system** option would provide services to the project site in lieu of (or to supplement) water services from the Avila Beach Community Services District or the San Miguelito Mutual Water Company. This option would include two to four water wells with connections to a commercially-available reverse osmosis (RO) membrane system. The RO treatment would generate reject water from the pre-filter system and dissolved solids removed from the RO membranes. The reject water from the pre-filter system would be discharged into the sewer collection system. The dissolved solids from the RO process will either be injected into a formation with high salinity or discharged into the Avila Beach Community Service District sewer collection system. Detailed information regarding the brackish water treatment system option is still being developed and will be provided in the EIR.
- **Onsite Roads and Parking.** The private roads and resort parking facilities would total approximately 5.2 acres, with paved roads comprising approximately 130,000 square feet of the total area and the parking areas about 97,000 square feet. Several internal roads are proposed to allow a limited number of electric and service vehicles to access rooms and transport patrons around the site. Circulation has been designed to park resort cars off of Avila Beach Drive and minimize traffic through the town of Avila Beach. There are three primary parking areas, the Avila Beach Drive parking area, the Cave Landing Road entrance parking area, and another parking area under the resort center. There would also be small pockets of parking throughout the resort as needed.
- **Gate House.** Approximately, 2,000 square feet of “other” space has been provided as potential area for a gate/shuttle house at the main project entry along Avila Beach Drive.
- **Open Space.** Includes the following:
 - Revegetated open spaces areas would be regularly maintained as part of the resort. Uses such as trails, amphitheater, and trellis or gazebo may be provided within this area.
 - Natural open space areas would include natural open space, bluff open space, and oak woodland. Uses such as trails, amphitheater, and trellis or gazebo may be provided within these areas.
- **Resort Amenities.** Includes the following:
 - Walking paths would be provided to link resort guests and visitors to various amenities within the resort.
 - Approximately 0.6-mile segment of the California Coastal Trail that would be open to the public. The trail would provide appropriate connections to both downtown Avila Beach and the Ontario Ridge/Pirate’s Cove trail system and bluff-top trail between Avila Beach and Pismo Beach.
 - The overlook area is the southern point of land that provides a 180+ degree view of the coast. The open space area south of the overlook would be restricted access to be used for Native American ceremonies. Additionally, it is envisioned that the overlook area would also be available periodically for exclusive use for Native American ceremonies.
 - The recreational amenities for resort guests only would include tennis courts, a second swim and fitness club, and picnic area.

The EIR will consider and determine the parameters of the development performance standards that this project will be required to meet. While any number of variables may be considered, all parameters must be evaluated against the policies and standards of Chapter 3 of the Coastal Act, including maximizing public access and recreational opportunities to and along the shoreline, prioritizing visitor-serving commercial recreational development, and protection of wetlands and environmentally sensitive habitats.

This project is considered of statewide, regional, or area wide significance, according to CEQA sections 15206 and 15072(e).

ASSESSOR PARCEL NUMBER(S): 076-181-062

Latitude: 35 degrees 10' 38.5386" N **Longitude:** -120 degrees 43' 30.27" W

SUPERVISORIAL DISTRICT # 3

B. EXISTING SETTING

PLAN AREA: San Luis Bay(Coastal) **SUB:** Avila Beach

COMB. DESIGNATION: Flood Hazard Archaeologically Sensitive

LAND USE CATEGORY: Industrial **VEGETATION:** Coastal scrub, Wetland, Oak woodland

TOPOGRAPHY: Moderately sloping to very steeply sloping **PARCEL SIZE:** 95 acres

EXISTING USES: Industrial uses, undeveloped

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Recreation	<i>East:</i> Residential Rural; undeveloped
<i>South:</i> Pacific Ocean	<i>West:</i> Residential Single Family; multi-family residences, recreation

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, at least one issue was identified as having a potentially significant environmental effects and some were identified as "Impact can & will be mitigated" but they required further study (see following Initial Study). Potentially significant issues associated with the proposed project have been identified and further analysis is necessary to determine if these issues can be minimized to less-than-significant levels.



COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
1. AESTHETICS				
<i>Will the project:</i>				
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project is a 95-acre site within the Industrial land use category in the community of Avila Beach. The property is adjacent to and east of downtown Avila Beach and extends back (north) to Cave Landing Road. The coastal areas of San Luis Obispo County include some of the region's most important visual resources, with their scenic views and coastline neighborhood aesthetic considered a trademark of California. Avila Beach has a unique beach aesthetic. The proposed project is located in the upper coastline bluff of Avila Beach, with views of the Pacific Ocean and horizon. The project site currently contains open space, with minimal visibility of the remaining tank farm infrastructure (water tanks and vacant buildings) from outside of the property boundary.

Impact. Receptors in the immediate vicinity with views of and through the site include motorists on Avila Beach Drive and Cave Landing Road, recreation and open space users from adjacent uses, and commercial/residential development west of the site in downtown Avila Beach. As proposed, remediation activities and the future development plans for the project site would potentially result in visual impacts to these receptors.

Site Remediation. Because remediation activities would be ground level and subterranean, the visual impacts of these activities are limited to views of temporary construction equipment and activities. Due to the short-term construction-based aspect of this type of remediation, view disruptions will be limited in duration at any observation point and temporary in nature during the remediation phase.

Plan Amendments. The proposed project including any Applicant-identified aesthetics standards and requirements have the potential to conflict with the goals and policies of the General Plan and existing land use plans and ordinance requirements for the project area. The aesthetics analysis will evaluate how proposed changes to the Avila Beach Specific Plan and Local Coastal Plan could physically impact the project area. Depending on the results of the visual analysis, the EIR could identify mitigation measures to further minimize visual impacts, which would be recommended for incorporation into the plan amendments and possible zoning requirements for the Avila Beach area. Additionally, the EIR will evaluate the project's consistency with applicable federal, State, and County land use polices that address visual/aesthetics resources.

Vesting Tract Map/Future Site Use. Construction of backbone infrastructure and internal roads, fine grading, and future site development have the potential to introduce prominent structures and change the overall aesthetic and character of southern Avila Beach. Overall urbanization of the site, which includes roadways and commercial structures, may result in significant visual contrast impacts when compared to existing conditions.

The proposed project also has the potential to result in lighting impacts due to the 24-hour usage of the proposed resort, as well as potential lighting impacts associated with internal roadways and parking facilities. However, the land use amendments will consider lighting standards (i.e. type of acceptable lighting) and requirements (i.e. lighting plan), which have the potential to reduce lighting impacts associated with the project.

The lower rocky coastal bluff at the project site may be considered a unique geological feature by nature of its geologic exposure which affords the opportunity for the scientific community to observe the rock units and other geologic features exposed on the bluff that are usually concealed underground. The California Coastal Act regulates development along coastal bluffs, which would likely limit or prohibit development activities in this area. However, mitigation may be included to provide appropriate future site drainage and maintenance to reduce potential impacts of erosion on the bluff.

Mitigation/Conclusion. Due to the potentially significant impacts to visual resources, additional analysis is needed by a qualified technical specialist. The aesthetic resource analysis should include, but not be limited to, the following:

1. An inventory of the existing viewsheds and visual quality of the area, establishing baseline for how those conditions could be affected by project implementation.
2. An analysis of the proposed project's consistency with policies and regulations associated with visual resources.
3. An impact analysis of the lighting plan associated with the future development plan.
4. Recommendation and discussion of adequate and feasible mitigation measures, to ensure that visual resources are adequately protected. Potential mitigation measures could include: end of day activities to minimize view impacts from temporary construction equipment during remediation; recommendations for site plan revisions to minimize visual impacts; use of screen walls, wall surface and other external hues, and/or landscaping features to soften visual contrast; and direction and planning refinements to minimize any intrusive lighting.

2. AGRICULTURAL RESOURCES	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
a) <i>Convert prime agricultural land, per NRCS soil classification, to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Conflict with existing zoning for agricultural use, or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The following area-specific elements relate to the property's importance for agricultural production:

Land Use Category: Industrial

Historic/Existing Commercial Crops: None

State Classification: Not prime farmland, Prime Farmland if irrigated

In Agricultural Preserve? No

Under Williamson Act contract? No

The soil types and characteristics on the subject property include: Lopez very shaly clay loam, Diablo and Cibo clays, Cropley clay, Gazos-Lodo clay loams, and Santa Lucia channery clay loam. Of these soil types, all are classified as Not Prime Farmland, with the exception of the Cropley clay soil type, which is classified as Prime Farmland, if irrigated. Approximately four percent of the project site consists of the Cropley clay soil, which is located on vacant land on the northern portion of the site along Avila Beach Drive (NRCS, 2014).

The Natural Resource Conservation Service (NRCS) surveys soils and assigns a soil capability classification that is used to determine whether the soil is a prime or non-prime agricultural soil. According to the USDA, Prime Farmland is land best suited for producing food, feed, forage, fiber and oilseed crops and is also available for cropland, pastureland, rangeland, and forestland. It has the soil quality, growing season and moisture supply needed to produce sustained high yields of crops economically when treated and managed (including water management) according to modern farming methods.

The proposed project site is not under a Williamson Act contract, and no properties to the north, east and west of the project boundaries are under Williamson Act contract.

Impact. Site Remediation. The portion of the proposed project site that consists of the Cropley clay soil type (Prime Farmland, if irrigated) accounts for approximately four percent of the northern edge of the project site. This portion of the site is not currently in use for agricultural production, and this soil type is located on a portion of the site that would not be affected by remediation activities.

Plan Amendments. The proposed project, including any Applicant-identified standards, would not conflict with policies related to County-designated agricultural lands. There is low potential that the project site would be used for agriculture in the future because of the project site's prime coastal location and current surrounding land uses (e.g. residential, commercial, and recreation).

Vesting Tract Map/Future Site Use. As proposed, the proposed parking area along Avila Beach Drive would be in the same location of the Prime (Cropley clay) soils. As noted above, there is low potential that this area on the project site would be used for agriculture in the future because of the project site's prime coastal location and current surrounding land uses (e.g. residential, commercial, and recreation). As such, there would be no conversion of Prime Farmland and there would be no impact to agricultural resources.

Mitigation/Conclusion. As there would be no potential for significant impacts, the EIR will not include an impact analysis of agricultural resources.

3. AIR QUALITY

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in a cumulatively considerable net increase of any criteria pollutant either considered in non-attainment under applicable state or federal ambient air quality standards that are due to increased energy use or traffic generation, or intensified land use change?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

GREENHOUSE GASES

f) <i>Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Air Quality

Setting. The project site is located within an area of the South Central Coast Air Basin (SCCAB) that is currently designated as “non-attainment” of the California Ambient Air Quality Standards (CAAQS) for particulate matter (PM10) and ozone, but is designated as attainment of all other CAAQS and all National Ambient Air Quality Standards. The proposed project would generate emissions of dust (particulate matter) and equipment exhaust (criteria and air toxics pollutants) during the project's remediation activities, construction activities, and long-term operation emissions in the San Luis Obispo County Air Pollution Control District's (APCD) jurisdiction within the SCCAB.

Impact. Site Remediation. During remedial actions, demolition, and redevelopment, the various phases of activities would introduce a range of air pollutant emissions sources, in the form of heavy equipment, haul trucks, worker vehicles, fugitive dust, and releases from contaminated soils. Additionally, the project site remediation work would create additional volatile organic compound emissions including some hazardous air pollutants, such as benzene, toluene and xylene. Heavy equipment and hauling of excavated soils and demolition debris are likely to be the primary sources of air pollutants from the remediation activities. Remediation activities also have the potential to release odorous substances from contaminated soils. Therefore, the potential for nuisance odors during the project's remediation activities will need to be evaluated and mitigated as necessary.

Plan Amendments. The proposed project including any Applicant-identified standards and requirements for air quality have the potential to conflict with the goals and policies of the General Plan and existing land use plans and ordinance requirements for the project area. The County's General Plan does not have a separate air quality element, and other applicable regional and local plans do not have detailed air quality requirements, although the Coastal Plan requires consistency with APCD rules and regulations and requires APCD review of development projects. The long-term consequences of the proposed plan amendments will be assessed for potential air quality conflicts and the potential to introduce air quality compatibility issues with the General Plan's Conservation and Open Space Element's goals, policies and strategies. Depending on the results of the air quality analysis, the EIR could identify mitigation measures to further minimize air quality impacts and which would be recommended for incorporation into the plan amendments and possible zoning requirements for the Avila Beach area. Additionally, the EIR will evaluate the project's consistency with applicable federal and State air quality requirements.

Vesting Tract Map/Future Site Use. The construction of backbone infrastructure and internal roads, fine grading, and future redevelopment would bring increased activity to the site along with additional air pollutant emissions. Construction and operation would include air pollutant emissions from heavy equipment, traffic, recreationists, and visitors to the resort and commercial facilities being contemplated. The EIR will identify and document the anticipated construction activities and phases, and the modeled local and regional air pollutant emissions including the potential new stationary sources of air pollutant emissions. These emissions will be compared to APCD significance thresholds and appropriate mitigation will be recommended. The development plan will also be assessed for conformance with the General Plan's Conservation and Open Space Element's air quality goals, policies and strategies.

Mitigation/Conclusion. Due to the project's potential impacts to air quality and that San Luis Obispo County has been designated non-attainment for PM10 (fine particulate) and ozone, additional analysis of air quality impacts shall be accomplished by a qualified air quality specialist and shall include, but not necessarily be limited to, the following:

1. Consultation with the Air Pollution Control District.
2. A description of the existing air quality in the project area, including:
 - a. Discussion of applicable State and federal air quality standards.
 - b. Local climate and air pollution meteorology.
 - c. Local trends and patterns of air pollutant concentrations including air quality monitoring data from local monitoring stations.
3. Discussion of State and federal attainment status and current air quality planning efforts within the County.
4. Discussion of County air quality policies relative to development, using thresholds of significance derived from the adopted Clean Air Plan, as well as discussion of recent State legislation and/or case law that may apply to this project.
5. Summary of the thresholds and air quality constraints for development of the property.
6. An estimate of the project's construction and operation air pollutant emissions, and as necessary air dispersion and/or health risk assessment modeling or other analyses necessary to determine impacts from the project's construction and operation emissions.
7. Specific issues, such as naturally occurring asbestos, Valley Fever, asbestos or lead paint exposure from demolition activities, or odor issues from site remediation will be evaluated.
8. Recommendation and discussion of adequate and feasible mitigation measures, if any, to address project specific and cumulative air quality impacts.

Greenhouse Gas (GHG)

Setting. The interaction of GHGs with the sun in the atmosphere cause retention of solar energy that results in an increase in the earth's average surface temperature. In fact GHGs are necessary to maintain the earth's average temperature at habitable levels, without them the earth would be too cold to support substantial ecosystems. However, man-made GHG emissions have caused rapid increases in the concentrations of certain GHGs in the atmosphere that are said to have increased this heating effect. This is commonly referred to as global warming. The rise in global temperature is associated with long-term changes in precipitation, temperature, wind patterns, and other elements of the earth's climate system. This is also known as climate change. These changes are now thought to be broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels.

The passage of AB32, the California Global Warming Solutions Act (2006), recognized the need to reduce GHG emissions and set the GHG emissions reduction goal for the State of California into law. The law required that by 2020, State emissions must be reduced to 1990 levels. This is to be accomplished by reducing GHG emissions from significant sources via regulation, market mechanisms, and other actions. Subsequent legislation (e.g., SB 97-Greenhouse Gas Emissions bill) directed the California Air Resources Board (CARB) to develop statewide thresholds.

In March 2012, the San Luis Obispo County Air Pollution Control District (APCD) approved thresholds for GHG emission impacts, and these thresholds have been incorporated in the APCD's CEQA Air Quality Handbook. APCD determined that a tiered process for residential/commercial land use projects was the most appropriate and effective approach for assessing the GHG emission impacts. The tiered approach includes three methods, any of which can be used for any given project:

1. Qualitative GHG Reduction Strategies (e.g. Climate Action Plans): A qualitative threshold that is consistent with AB 32 Scoping Plan measures and goals; or,
2. Bright-Line Threshold: Numerical value to determine the significance of a project's annual GHG emissions; or,
3. Efficiency-Based Threshold: Assesses the GHG impacts of a project on an emissions per capita basis.

For most projects, the Bright-Line Threshold of 1,150 Metric Tons of carbon dioxide equivalent emissions per year (MT CO₂e/yr) will be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO₂e/yr was adopted for stationary source (industrial) projects.

It should be noted that projects that generate less than the above mentioned thresholds will also participate in emission reductions because air emissions, including GHGs, are under the purview of the California Air Resources Board (or other regulatory agencies) and will be "regulated" either by CARB, the federal government, or other entities. For example, new vehicles will be subject to increased fuel economy standards and emission reductions, small and large appliances will be subject to more strict emissions standards, and energy delivered to consumers will increasingly come from renewable sources. Other programs that are intended to reduce the overall GHG emissions include Low Carbon Fuel Standards, Renewable Portfolio standards and the Clean Car standards. As a result, even the emissions that result from projects that produce fewer emissions than the threshold will be subject to emission reductions.

Under CEQA, an individual project's GHG emissions will generally not result in direct significant impacts. This is because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation. Unlike air quality, GHG emissions/climate change is a globally cumulative long-term impact, so the GHG emissions impacts from the proposed project will be evaluated as a whole for the

project's life rather than by project element (i.e. remediation and development).

Impact. As proposed, remediation activities would occur within the 54.9 acres of disturbed industrial areas and the redevelopment plans for the project would disturb 34 acres of the project site. These disturbances would result in the creation of short- and long-term GHG emissions, including indirect emissions from water and electricity use.

The proposed redevelopment of the site includes recreational, commercial, and open space components. It is unclear if the project may generate more than the Bright-Line Threshold of 1,150 metric tons of CO₂e/yr during construction or operation. Therefore, in the project's EIR, the potential direct and indirect GHG emissions for the project will be estimated and compared with the Bright-Line Threshold.

The project's conformance with GHG emission reduction plans, policies, and regulations will also be assessed. The County has adopted the Energywise Plan that includes policies for GHG emissions reductions. The long-term consequences of the proposed plan amendments will be assessed for potential GHG/climate change conflicts and the potential to introduce compatibility issues with the Energywise Plan's goals, policies and strategies. The proposed project elements including the development plan will be assessed for conformance with the Energywise Plan's GHG/climate change goals, policies and strategies.

Mitigation/Conclusion. Due to the project's potential GHG emissions impacts additional analysis of the GHG emissions impacts from this project shall be accomplished by a qualified air quality specialist and shall include, but not necessarily be limited to, the following:

1. Consultation with the Air Pollution Control District.
2. A description of the effects of GHG emissions and climate change.
3. Discussion of State and federal GHG emissions and climate change plans, policies, and regulations (such as AB32).
4. Discussion of County's Energywise Plan's GHG policies relative to development, using thresholds of significance derived from the APCD's CEQA Air Quality Handbook, as well as discussion of recent State legislation and/or case law that may apply to this project.
5. Summary of the significance thresholds and GHG emissions constraints for development of the property.
6. An estimate of the project's lifetime (not lifecycle) GHG emissions, including an estimate of quantifiable indirect GHG emission sources.
7. Recommendation and discussion of adequate and feasible mitigation measures, if any, to address the project's cumulative GHG impacts.
8. A discussion of other applicable climate change issues that could be affected by or affect the project, such as sea level rise.

4. BIOLOGICAL RESOURCES

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species* or their habitats?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Interfere with the movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Conflict with any regional plans or policies to protect sensitive species, or regulations of the California Department of Fish & Wildlife or U.S. Fish & Wildlife Service?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

* Species – as defined in Section 15380 of the CEQA Guidelines, which includes all plant and wildlife species that fall under the category of rare, threatened or endangered, as described in this section.

Setting. The proposed project would occur within approximately 95 acres of previously disturbed and natural lands near the community of Avila Beach. The site's historic use as a tank farm is well known and most of these facilities have been removed. Several documents, including a 2004 Ecological Evaluation Supplement I (2004 EES) and 2005 Ecological Evaluation Supplement II (2005 EES) (David Wolf Environmental, 2004 and 2005), have been prepared to document biological resources on the project site.

Current conditions on the site support a variety of non-native and native plant communities including (but not limited to) wetlands, coastal scrub, and oak woodlands. Wildlife usage on the project site varies and generally has the potential to support over 60 special-status plant and wildlife species. Previous studies on this site describe potential habitat for 45 special status wildlife species and 19 special-status plants. For example, silvery legless lizard, a California Species of Special Concern, has been observed on the project site. Peregrine falcons are known to nest on the cliffs above the ocean within southern portions of the proposed project site; nesting was observed in the spring/summer of 2014 and again in the spring 2015. Although no blue line streams are mapped within the proposed project area, San Luis Creek, a mapped blue line stream, occurs immediately to the west. Table 1 presents sensitive biological resources that have been documented or have the potential to occur on the project site based on previous resource reports, knowledge of the area, and a review of the California Natural Diversity Database.

The diversity of rare and common species is largely due to the sites varied topography; presence of oak woodlands, coastal bluffs; and association with the Pacific Ocean.

Table 1. Present or Known to Occur Species in the Project Area

Scientific Name	Common Name	Special Status
<i>Antrozous pallidus</i>	Pallid bat	CSC, WBWG
<i>Corynorhinus townsendii</i>	Townsend's big-eared bat	CSC, WBWG
<i>Eumops perotis californicus</i>	Western mastiff bat	CSC, WBWG
<i>Anniella pulchra</i>	Silvery Legless Lizard	CSC
<i>Accipiter cooperii</i>	Cooper's Hawk	WL
<i>Calypte costae</i>	Costa's hummingbird	BCC
<i>Melanerpes lewis</i>	Lewis' woodpecker	BCC
<i>Picoides nuttallii</i>	Nuttall's woodpecker	BCC
<i>Contopus cooperi</i>	Olive-sided flycatcher	CSC
<i>Amphispiza belli</i>	Bell's sage sparrow	CSC, BCC
<i>Carduelis lawrencei</i>	Lawrence's goldfinch	BCC
<i>Falco peregrinus anatum</i>	Peregrine Falcon	CFP, BCC
<i>Phalacrocorax auritus</i>	Double-crested Cormorant	WL
<i>Rana draytonii</i>	California red-legged frog	FT, CSC
<i>Pelecanus occidentalis californicus</i>	California Brown Pelican	CFP
<i>Agrostis hooveri</i>	Hoover's Bentgrass	CRPR 1B
<i>Scrophularia atrata</i>	Black-flowered Figwort	CRPR 1B
<i>Arctostaphylos wellsii</i>	Well's Manzanita	CRPR 1B

FT = Federally Threatened; CSC = California Species of Special Concern; CFP = California Fully Protected Species; WL = State Watch List Species; CRPR 1B = California Rare Plant Rank; BCC = USFWS Bird of Conservation Concern; WBWG = Western Bat Working Group High Priority Species

Impacts.

Site Remediation. Remediation of the proposed project site will include demolition of existing buildings and industrial facilities, as well as clean-up of previous contamination from the industrial use of the property. Direct impacts as a result of remediation activities could include vegetation removal and disturbance to wildlife from structure demolition activities. Indirect impacts could include the spread of invasive plant species or changes to soil or hydrology that adversely effects native species overtime. Indirect impacts may also include increased traffic and human disturbance.

Some of the key resources that have the potential to be impacted from remediation activities include:

Oak Woodlands. Project-related activities would potentially result in direct and indirect impacts to oak woodlands. Oak woodland is considered a sensitive resource by the County of San Luis Obispo and is considered rare and worthy of consideration by California Department of Fish and Wildlife (CDFW). Although oak woodlands may be revegetated as part of mitigation for on-site impacts, revegetation results in mature oak woodland being replaced with young oak tree plantings. This results in different habitat function and values in the revegetated areas compared to mature woodlands. In addition, oak trees provide a valuable seasonal resource from mast crops and provide year round shelter to a large variety of small animals and birds. Because of the sensitive nature of this habitat and its importance to a variety of common and special-status wildlife, impacts would likely be considered significant and require mitigation. Mitigation strategies could include avoidance and off-site compensation to mitigate impacts to habitat values, in addition to on-site revegetation.

Wetlands. The 2004 and 2005 EES report the presence of wetlands within the project site (man-made seasonal wetlands that have formed in several former tank bottoms and a small meadow area along Avila Beach Drive). The applicant has indicated that the US Army Corps of Engineers, after a site visit, determined the wetlands were not jurisdictional under Section 404 of the Clean Water Act. These wetlands, however, likely fall under the jurisdiction of the California Coastal Commission and have the potential to support a variety of aquatic species including fairy shrimp. Impacts to these resources will be thoroughly investigated. If required, off-site compensation and on-site restoration would be the key mitigation strategies to mitigate/compensate for potential functional loss of wetlands within the project site.

Special-Status Plant Species. Although no rare plants have been detected to date, preliminary surveys conducted by the applicant identified 19 special-status plant species known to occur in the vicinity of the project area. However, the site has not been subject to disturbance for many years and native vegetation has continued to recover. Supplemental biological surveys are underway by the County's consultants to provide additional information on site biological resources. Impacts to special-status plant species, if present, are likely to be considered significant and require mitigation. Mitigation strategies could include avoidance and off-site compensation to mitigate impacts to habitat values.

Special-Status Bats. Bats are known to be present in the project area and may roost or shelter in the many large oak trees and remaining structures present on the project site. If special-status bat roosts occur within the project footprint during vegetation removal and grading, bats may suffer mortality or injury and a subsequent reduction in reproductive success. Typical mitigation to avoid or minimize impacts to this species would include pre-construction surveys, monitoring by a qualified biologist, creation of substitute roosting habitat, and implementation of best management practices (BMPs).

Special-Status and Migratory Bird Treaty Act (MBTA)-Covered Birds. Peregrine falcons are known to nest on the coastal bluffs along the southern edge of the project and brown pelican and double-crested cormorants are commonly seen on the edges of the bluffs. If special-status birds and/or more common species protected by the MBTA and CDFW codes are nesting within the project footprint during vegetation removal and grading, "take" could occur which is a violation of State and federal law. A "take" includes direct mortality of adults, young, and eggs, as well as disturbance that substantially interfere with breeding activities. Project activities may also result in the disturbance of nesting birds in surrounding areas due to noise, increased artificial lighting or other indirect disturbances. Such disturbance could result in the mortality of nestlings and/or eggs due to nest abandonment. Impacts to special-status birds and MBTA-covered species can be minimized with the implementation of pre-construction surveys, construction monitoring by qualified biologist, and use of BMPs to prevent harassment and/or take.

Special-Status Reptiles. Special-status reptiles are known to occur in the area and silvery legless lizard has been observed on the project site. This species and other sensitive reptiles could be subject to both direct and indirect impacts from remediation and land development activities. Species that use both upland and riparian areas, including the two-striped garter snake, could be adversely affected during vegetation clearing and operation activities. Typical mitigation to minimize impacts to special-status reptiles includes pre-construction surveys, implementation of avoidance measures, and species relocation.

California Red-Legged Frog (CRLF). The CRLF is federally listed as Threatened, and although not documented on the project site, the project area lies just southeast of a historic occurrence from the Avila Beach Golf Course. Direct impacts to this species may occur during vegetation removal within riparian and upland habitats should this species be present. While not expected, the EIR will disclose potential effects to this species and provide a science-based conclusion for potential impacts, if any, to this species. Typical mitigation to minimize impacts to this species include pre-construction surveys to identify the extent of occupied habitat in relation to the project site, construction monitoring by biologists permitted to handle the species, conducting work to be done in proximity to habitat outside of the active season, and use of BMPs to prevent sedimentation and turbidity in downstream areas.

Plan Amendments. The proposed project including any Applicant-identified standards and requirements to protect biological resources have the potential to conflict with the goals and policies of

the General Plan and existing land use plans and ordinance requirements for the project area. Both the remediation and development portions of the proposed project would impact areas defined as Environmentally Sensitive Habitats in the County's Coastal Plan; these include sensitive habitat (i.e., oak woodlands), wetlands, and terrestrial environments. Policies are presented under the Coastal Watersheds section of the Coastal Plan that may restrict vegetation removal in some areas of the project site and require soil conservation in others. The EIR would evaluate the plan amendment standards and requirements to determine if additional measures are needed to reduce impacts to biological resources on the project site, and consider the project's consistency with existing plan goals and policies. Depending on the results of this analysis, the EIR could identify mitigation measures to further minimize impacts to biological resources and which would be recommended for incorporation into the plan amendments and possible zoning requirements for the Avila Beach area.

Vesting Tract Map/Future Site Use. The construction of backbone infrastructure and internal roads, fine grading, and future development of the site have the potential to impact the same sensitive plant and wildlife resources identified in the discussion of remediation activities. The EIR will analyze all potential direct, indirect, and cumulative impacts associated with the project. Appropriate mitigation measures and/or strategies will be developed where needed to avoid and/or minimize impacts to biological resources. This may include pre-construction survey efforts, nighttime work restrictions, revegetation/restoration of impacted areas, and the placement of buffers around sensitive resources.

Mitigation/Conclusion. Potentially significant impacts to biological resources must be identified and evaluated by a qualified biologist. The biological resource analysis should include, but not be limited to, the following:

1. Consultation with the California Department of Fish and Wildlife and the United States Fish and Wildlife Service.
2. Consultation with the California Native Plant Society, the Audubon Society, and other conservation organizations as appropriate.
3. Identification of all rare, threatened and/or endangered plant and animal species on site.
4. Identification of all rare, threatened and/or endangered plant and animal species off site which could potentially be affected by the proposed project.
5. Identification of other sensitive, unique or important plant and animal species and communities of the project area.
6. Peer review of Applicant-prepared biological report(s) and completion of a County authorized supplemental study of biological resources to present more current information on site resources.
7. The consultant shall either use existing information or prepare mapping that illustrates the locations of the following (if any):
 - a. Location of individuals and groups of rare, threatened, and/or endangered plant species.
 - b. Habitat for rare, threatened and/or endangered plant and animal species.
 - c. Wetlands and riparian areas.
 - d. Other areas of sensitive, unique or important biological resources.
8. Identification of short-term and long-term impacts on rare, threatened, and/or endangered species and species habitat.
9. Identification of cumulative impacts on the area's ecosystem, which could result from the project.
10. Identification and discussion of feasible mitigation measures, if any, which could be included in the project to minimize potential adverse biological impacts to less than significant levels.

5. CULTURAL RESOURCES

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb archaeological resources?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historical resources?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: Disturb human remains, including those outside formal cemeteries</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project lies within the ethnographic territory of the Chumash, one of the most populous and socially complex Native American groups in California. Ethnohistoric evidence suggests that the Northern Chumash village of *Sepjato*, a regional power center at the time the Spanish first arrived in the area and a resource of great significance to the modern Chumash community, is located on the opposite side of Avila Bay from the current project area. Limited archaeological investigations at that site indicate that it was occupied more or less continuously from the Early Period of coastal prehistory (prior to 5,000 years ago) until the establishment of the California missions in the late eighteenth century.

At least three distinct prehistoric archaeological resources have been identified within the project site during prior cultural resource investigations (Gibson 1999 and 2002; Gibson et. al., 2000). Some of these appear to remain intact, while others suffer from substantial disturbance resulting from the past industrial use of the property. A key issue for the project will be defining the physical distribution, significance, and integrity of these resources and their eligibility for the California Register of Historical Resources (CRHR).

The Avila Tank Farm facilities, first built in 1910, contain buildings, structures, and associated historic archaeological deposits that meet the age requirements for listing on the CRHR and have yet to be formally identified, recorded, or evaluated for their historical significance.

The project area lies in a zone of paleontological sensitivity. Additionally, amendments to the County's General Plan and the Avila Beach Specific Plan trigger California Senate Bill 18 (SB 18) (Chapter 905, Statutes of 2004), which requires cities and counties to consult with Native American Indian tribes during the adoption or amendment of local general plans or specific plans. Effective July 2015, AB 52 also requires consultation with Native American tribes regarding tribal cultural resources in the project area.

Impact. Site Remediation. Remediation of the project site would involve demolition of existing structure and facilities and site grading. These activities have the potential to impact archeological resources, paleontological resources and historic structures. While existing studies have identified areas of sensitive archeological resources, the EIR will provide a verification of this information and present an independent evaluation of potential impacts to archeological resources. In addition, the EIR will include the results of additional surveys of the on-site structures and buildings and provide a determination of potential impacts to historical resources (i.e. properties eligible for the CRHR). Remediation of the project site has the potential to have significant impacts to cultural resources.

Plan Amendments. The Avila Beach Specific Plan and the Conservation and Open Space Element of San Luis Obispo County's General Plan establish goals and policies "to identify and protect areas, sites, and buildings having architectural, historical, Native American, or cultural significance." Among other things, these require archaeological, historical, and paleontological surveys, and avoidance of impacts to significant resources whenever feasible. Native American tribal representatives are to be

consulted in all phases of a cultural resource investigation.

SB 18 requires Native American participation and input during changes and amendments to specific plans and general plans. The County has initiated SB 18 consultation in accordance with the *Tribal Consultation Guidelines* published in November 2005 by the Governor's Office of Planning and Research (OPR). The process involves an initial notification and invitation to consult, tribal responses, and then follow-up meetings and consultations. The consultation process may result in several meetings and follow-up conferences with tribal representatives in order to satisfy SB 18 requirements. The County will also initiate consultation under recently adopted AB 52. Depending on the results of the policy analysis and consultation processes, the EIR could identify mitigation measures to further minimize impacts to cultural resources and which would be recommended for incorporation into the plan amendments and possible zoning requirements for the Avila Beach area.

Vesting Tract Map/Future Site Use. The cultural and paleontological resources would be first impacted as part of the remediation activities noted above. The added site disturbance activities associated with construction of backbone infrastructure and internal roads, fine grading, and future development of the site would have the potential to further impact cultural and paleontological resources.

Mitigation/Conclusion. Due to the potentially significant impacts to cultural resources, additional analysis is needed by a qualified archaeologist and shall include, but not be limited to, the following:

1. A review of archaeological records to identify known prehistoric archaeological sites.
2. Additional field surveys to identify remaining historical buildings, structures, and historic archaeological deposits in the project area and evaluate their significance.
3. An evaluation and discussion of the significance and cultural importance of any on site and/or surrounding archaeological resources.
4. Review of geologic formations and proposed grading to discuss potential impacts to paleontological resources.
5. Recommendation and discussion of adequate and feasible mitigation measures, if any, to ensure that known and unknown archaeological and paleontological resources are adequately protected.
6. The location and detailed descriptions of archaeological resources shall be contained in an appendix to be published under separate cover and clearly marked "Confidential, Not for Public Review."

6. GEOLOGY AND SOILS

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone", or other known fault zones*?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

* Per Division of Mines and Geology Special Publication #42

Setting. Site Physiography. The Avila Point Project is located on an elevated coastal terrace east of the community of Avila Beach. The property comprises approximately 95 acres and borders approximately 4,000 feet of ocean coastline. Elevations at the site range from sea level to roughly 240 feet above sea level. The site is not located within a County-designated Geologic Study Area and there are no potentially active faults near the project site. The central portion of the site (roughly half of the site) has been heavily graded to accommodate the former tanks and industrial facilities. This part of the site comprises near-level to gently sloping terrain where the new structures for the proposed development would be located. Steep coastal bluffs border the south side of the project site and steep slopes border the north and east sides of the property. Development is not planned on the steep bluffs and slopes at the project site.

Site Geology and Soils. Regional geologic maps and existing project documents indicate that the project site is underlain at relatively shallow depths by rock formations generally comprised of sedimentary sandstone and volcanic tuff. Younger surficial sediments (alluvium, colluvium and marine terrace deposits) comprised of mixtures of gravel, sand, silt and clay mantle the central portion of the site and terraces bordering the ocean bluffs. Undocumented fill soils associated with the former tanks and industrial facilities at the site are anticipated in the previously graded and developed portions of the site. No landslides are shown within the project site on the geologic maps reviewed.

Soil Erosion. Soil erosion can occur by varying processes and may occur at the project site where bare soil is exposed to wind or moving water (both rainfall and surface runoff) during the remediation

and construction phases of the project. The processes of erosion are generally a function of material type, terrain steepness, rainfall or irrigation levels, surface drainage conditions, and general land uses. Extensive ground disturbance is anticipated at the project site during the remediation and construction phases. Provisions for erosion control during remediation activities and site grading, particularly near the coastal bluff and slopes at the site, will need to be recommended to reduce the erosion potential. During long-term operations of the development, surface drainage provisions will be needed to control site drainage and reduce the potential for erosion and to protect the coastal bluffs and slopes at the site.

Seismicity. The likelihood of surface rupture is generally greater along active faults, particularly active faults zoned as Earthquake Fault Zones in accordance with the Alquist-Priolo Act. No active faults or Earthquake Fault Zones are mapped at the project site. The active Los Osos fault is located approximately 4½ miles north of the project site, and the active Hosgri fault zone is located offshore approximately 8½ miles west of the site. Therefore, the potential for surface rupture at the site is considered relatively low. However, the potentially active San Miguelito fault crosses through the north portion of the project site near the location of the proposed parking lot and access road. Strong ground shaking can be expected at the project site due to earthquakes on nearby and distant active faults in the region. Appropriate design considerations for project improvements will reduce impacts related to ground shaking to low levels. Based on preliminary review of background materials, the site is predominantly underlain at relatively shallow depths by bedrock formations and the potential for liquefaction and manifestations of liquefaction to occur at the site are relatively low.

Coastal Bluffs. Development at the project site will require compliance with the guidelines of the California Coastal Commission and Local Coastal Plan. Evaluation of bluff stability and bluff retreat rates will guide the establishment of appropriate bluff setback for the project. The California Coastal Commission considers evaluation of the anticipated bluff retreat considering an estimated project life of 75 years. The State Coastal Conservancy Act of 1976 (Division 21 of the Public Resources Code) established the State Coastal Conservancy (Conservancy) to work cooperatively to protect and restore natural resources, agricultural lands, and to provide public access to and along the coast. The Conservancy Board adopted A Policy Statement on Climate Change on June 4, 2009. The Climate Change Policy identifies the legislative and policy directives to address impacts related to global warming, including projected sea level rise, and it describes strategies and criteria that the Conservancy will use to address sea level rise. Based on the State Coastal Conservancy's guidelines, a sea level rise scenario of 16 inches by 2050 and 55 inches by 2100 is projected during the 75-year economic lifespan of the proposed development project.

Impact. Site Remediation. Remediation of the proposed project site will involve demolition of existing structures and facilities and site grading activities. The geotechnical assessment will consider how the remediation activities may affect the potential for erosion, comply with applicable grading ordinances and excavation safety guidelines, and comply with requirements of the California Coastal Commission with regard to operations near the coastal bluff. Mitigation measures for BMPs will be identified to reduce the potential for erosion during site remediation. Recommendations for contractors and workers will involve compliance with local grading ordinances and the Occupational Safety and Health Administration's regulations during the site remediation activities. Mitigation measures regarding construction methodologies will be established to limit site remediation activities near the coastal bluff and protect the coastal bluff edge from impacts related to the remediation.

Plan Amendments. The proposed project including any Applicant-identified standards and requirements that address geology and soils have the potential to conflict with the goals and policies of the General Plan and existing land use plans and ordinance requirements for the project area. The analysis will evaluate how proposed changes to the Avila Beach Specific Plan and Local Coastal Plan could physically impact the project area. Depending on the results of the geology and soils analysis, the EIR could identify mitigation measures to further minimize impacts to geology and soils and which would be recommended for incorporation into the plan amendments and possible zoning requirements for the

Avila Beach area. The EIR will also include a review other applicable plans to assess the project's consistency with existing plans and policies, including the County's Safety Element.

Vesting Tract Map/Future Site Use. The future development at the project site is proposed to include a resort lodging, resort facilities (e.g. common areas, dining, retail, spa and fitness areas, etc.), access roads, parking lot, coastal bluff trail, and open space areas. Construction and operation of these improvements may be subject to potential geologic and seismic impacts, as discussed above. During construction, the proposed project may impact the geologic environment at the site, including soils, mineral resources and the coastal bluff. However, assessment of these potential impacts will result in appropriate mitigation recommendations to reduce the impacts to low levels. During long-term operation of the proposed improvements, impacts to soils and the coastal bluff can be mitigated with appropriate long-term maintenance recommendations.

During long-term operations, the proposed improvements may be subjected to potential geologic and seismic impacts, as discussed above. Recommendations to mitigate potential geologic and seismic impacts to the proposed improvements generally involve design considerations and construction techniques to avoid or reduce the impacts. Establishment of appropriate bluff setback recommendations, including considerations for projected sea level rise, will be focused toward maintaining an adequate level of safety over the design life of the proposed development.

Mitigation/Conclusion. Due to the potentially significant impacts associated with geology and soils, additional analysis is needed and shall include, but not be limited to, the following:

1. Consultation with the County Public Works Department, the County Department of Planning and Building, reference to the San Luis Obispo County Land Use Ordinance (including the Safety Element) and County GIS mapping.
2. Incorporate at a minimum the following project setting components:
 - a. Underlying formations
 - b. Faulting
 - c. Slope stability
 - d. Potential liquefaction hazards
 - e. Potential landslide hazards
 - f. Flood Hazards
3. Mapping of significant areas that pose geologic hazards.
4. Evaluation and discussion of the geologic features of the site and surrounding area that may have a significant adverse impact on the development of the project.
5. Evaluation and discussion of impacts associated with topographical alteration (or saturation of soil, as applicable) including stability of roads, cut slopes, fill slopes, drainage structures, and other improvements.
6. Identification and discussion of feasible mitigation measures, if any, which could be included in the project to minimize potential impacts related to geologic hazards or topographic alteration.
7. Evaluation of historic coastal bluff retreat rates, mapping and delineation of the coastal bluff edge in accordance with Coastal Commission Guidelines, and recommendations for bluff setback.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Be located on, or adjacent to, a site which is included on a list of hazardous material/waste sites compiled pursuant to Gov't Code 65962.5 ("Cortese List"), and result in an adverse public health condition?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Impair implementation or physically interfere with an adopted emergency response or evacuation plan?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) <i>If within the Airport Review designation, or near a private airstrip, result in a safety hazard for people residing or working in the project area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G <i>Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) <i>Be within a 'very high' fire hazard severity zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <i>Be within an area classified as a 'state responsibility' area as defined by CalFire?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site was operated by Unocal primarily as a petroleum storage and transfer station. The tank farm at the site was used to store petroleum, partially refine crude oil, and distribute petroleum products (e.g., gasoline, diesel) for more than 90 years. The tank farm's primary function was to accumulate crude oil from the Santa Maria and San Joaquin oil fields for shipment to

refineries around San Francisco and Los Angeles. Petroleum products arrived at the site through one of three pipeline corridors: the Front Street Corridor, the North Corridor, and the Eastern Corridor. The pipelines in the Front Street Corridor were removed as part of the Avila Beach remediation project. The pipelines in the Northern and Eastern Corridors were sold to Conoco-Phillips, who retains an easement on the property. A secondary function consisted of the distribution of refined products fuel-related compounds to local retail outlets

Petroleum products were stored in above ground storage tanks (ASTs). These were added, removed, rebuilt and relocated several times during the years the facility operated, although the number of ASTs in operation at any one time remained fairly constant at around 20. Starting in 1970, tanks were being removed and not replaced. By 1997 no ASTs remained on the site.

Through the 1940s, a small on-site refinery, with a reported capacity of up to 12,000 barrels per day, produced one of a few generic boiling fractions of crude oil that were shipped elsewhere for finishing into marketable commodities (e.g., gasoline, kerosene, and distillate). In addition, the site included a laboratory, heater house, and other miscellaneous structures. Aerial photographs suggest that the refinery ceased operating in the late 1940s.

Since June 1997, a number of environmental investigations have been conducted at the site to determine the nature and extent of impacts to soil, soil gas, and groundwater to characterize background inorganic concentrations and ecological resources. Representatives of regulatory agencies, Chevron, and consultants formed the Avila Tank Farm Collaborative Assessment Team (ATCAT), which oversees investigation and assessment at the site. These investigations have indicated impact from hazardous materials to all three media, primarily from total petroleum hydrocarbons (TPHs), volatile organic compounds (VOCs), polynuclear aromatic hydrocarbons, and to lesser extent heavy metals and methane. In addition, the project site is on the Hazardous Waste and Substances Sites (Cortese) List (SL607992666 CA Geo Tracker No.), which is a planning document used by the State, local agencies and developers to comply with the CEQA requirements in providing information about the location of hazardous materials release sites.

Two documents have been prepared which evaluate site risks to selected receptors: the Draft Risk Management Plan (RMP) by Arcadis and the "Supplemental Human Health Risk Assessment" (SHHRA) prepared by McDaniel Lambert, Inc. The RMP provides recommendations for management of potentially unacceptable risks to human and ecological receptors or other resources at the site. The SHHRA presents estimated risks to a variety of future potential receptors in specific site areas identified in the development plan. The results of these reports and previous investigations were used in the development of the Draft RAP. The need for, and degree of, site remediation is linked to the risks the site contamination poses to potential receptors. The risk to receptors is linked to how people will interact with the site; in other words, how the site will be developed. The Draft RAP is currently being considered by the Central Coast RWQCB. It is the Central Coast RWQCB's role to consider the risk information in their evaluation of the proposed remediation methods and results.

The applicant's Feasibility Study (FS) and RAP will evaluate alternative remedial actions in accordance with federal, State and local guidelines. Both of these documents will be peer reviewed for completeness in addressing impacts both during implementation of a remedial action and future development.

Other Potential Hazards. The EIR will evaluate the potential for the spread of the Valley Fever vector from the proposed project, as applicable, that could result in an increased risk of exposure to nearby business owners, residents and on-site workers. In regard to potential fire hazards, the project area is classified as a 'state responsibility' area as defined by CalFire (CalFire, 2014). The project site is within the "High" Fire Hazard Severity Zone and a "Very High" Zone is located south of the site near Cave Landing Road (CalFire, 2007). Also, according to the County's Safety Element of the General Plan, the proposed project area is located in a high fire hazard zone. The project is not within the Airport Review area. The potential for exposure to this risk and other hazards during remediation and future development will be considered as part of this assessment; wildfire risk characteristics at the

site will be described and mitigated to ensure maximum public safety.

Impact. Site Remediation. The purpose of remediation is to make the site suitable for the proposed development and related uses, and to satisfy regulatory requirements. The remediation program and methodology will be detailed in the RAP submitted to the Central Coast RWQCB. The remediation details will not be known until the RAP is approved. However, the project application has identified potential remedial actions and preliminary development work as described below:

- Soil excavation and backfilling of the top 4 to 5 feet of chemical-impacted soil to limit exposure
- Dewatering of excavations
- Hauling of impacted soils off-site to appropriate disposal facilities
- Capping impacted soils with clean fill
- Active hydrocarbon recovery equipment installation and operation
- Future building design requirements, such as vapor barriers, active ventilation systems or elevated foundations
- Grading to accommodate future development concurrent with remediation activities
- Institutional controls/deed restrictions

This assessment will present information on the RAP and present information on the findings and rationale for approving a specific remedial approach to address site contamination. In addition, the assessment will present the results of the human health and ecological risk assessment and discuss the cleanup goals, which resulted in the overall selection of the preferred remedial alternative. Hazards associated with remediation will be clearly identified. However, if any additional issues arise that require mitigation, the EIR will identify feasible mitigation to address the potential impact. The assessment will include the effect of the short-term impacts during implementation of the RAP, including:

- Community exposures to contaminants, including transportation of contaminated materials. (Related traffic-generated impacts from this activity will be addressed in the Traffic analyses.)
- On-site visitors and worker exposures to contaminants.
- Exposures to accidental release of materials brought on to the site, such as fuels, and remedial chemical solutions.

Direct and indirect impacts will be identified for all potential hazards as noted above and will include review of existing regulatory databases (State Water Resources Control Board's and the California Department of Toxic Substances Control databases) to identify sources of existing contamination in the vicinity of the project. Also, the assessment will consider other land uses in the project area such as the residences and the Avila Beach Golf Resort surrounding the project site.

The County's Department of Public Health has published a list of dust control and worker safety measures to minimize potential exposures of construction personnel to Valley Fever and these will be incorporated as recommendations into appropriate dust control measures to ensure both worker safety and the safety of nearby residents, as needed.

The EIR will carefully characterize the risk of wildfire, and through consultation with CalFire, develop an appropriate set of site-specific and project-specific mitigation solutions to minimize the risk if not proposed by the Applicant. The EIR will also provide mitigation that will minimize risks to public health and safety, as necessary, as a result of routine handling of hazardous materials and wastes.

Plan Amendments. The proposed project including any Applicant-identified standards and requirements to address management of hazards and hazardous materials have the potential to conflict with the goals and policies of the General Plan and existing land use plans and ordinance

requirements for the project area. The EIR analysis will evaluate the General Plan, Avila Beach Specific Plan and San Luis Bay Area Plan (Coastal) to determine what additional measures may be needed for inclusion in these plans to address the remediation and future development of the project site. Depending on the results of the analysis, the EIR could identify mitigation measures to further minimize impacts from hazards and use of hazardous materials, which would be recommended for incorporation into the plan amendments and possible zoning requirements for the Avila Beach area. These measures could include requirements for limiting the potential for fires and ensuring effective and responsive emergency response, ensuring controls are in place to address safe management of hazardous materials, and by identifying precautions that need to be taken to limit exposure to asbestos and lead-based paint.

Vesting Tract Map/Future Site Use. Potential hazards posed to the public by construction of backbone infrastructure and internal roads, fine grading, and development of the proposed resort and associated facilities will be analyzed. These hazards may include: hazardous materials used during construction activities (including fuels, lubricants, solvents, paints, propane and other hazardous materials), exposure to Valley Fever, and fire and other potential hazards.

The EIR will describe any known sources of contamination on and in the vicinity of the project site. The contamination on site will be described in reference to the contamination expected to remain at the conclusion of the RAP implementation (e.g., some contamination at depths greater than about five feet, areas of contaminated groundwater, etc.). Description of potential contamination sources off-site will principally be accomplished by a summary of these sources taken from site contamination assessment documents, and through a search of public databases. Environmental Data Resources (EDR) will be utilized to search environmental databases and identify sites with contamination issues with the potential to affect the site. The results of the search will be summarized and incorporated into the description of the baseline conditions. The impact analysis will be based on federal, State, and local hazardous waste limits, which when compared to the baseline data and the project description will identify if any impacts could be significant.

Although operation of the resort facilities would involve limited amounts of hazardous materials, the primary issues associated with this future site use are related to construction activities. These issues could include: spills of hazardous materials used during construction activities (including fuels, lubricants, solvents, paints, propane and other hazardous materials), fire hazards, and exposure to Valley Fever spores from grading activities. Mitigation measures are expected to include establishment of fire suppression systems, development of emergency response plans, preparation of a Hazardous Materials Management Plan and a Fire Protection Plan; prohibition of smoking and burning, adequate maintenance of equipment to reduce the risk of spills, and specific guidelines for refueling construction equipment.

The proposed subdivision and future use of the site will include an increase in population and traffic on the property. The addition of the new resort facilities will have an impact on area wide transportation systems as well as emergency access plans for the community. The property is located off of Avila Beach Drive which is the only access to and from the community of Avila Beach, the Port San Luis Harbor and the Diablo Canyon Nuclear Power Plant. Because there is one access road, the addition of this proposed subdivision and future use would likely have an impact to area wide emergency access plans and will need to be evaluated in the Environmental Impact Report.

Mitigation/Conclusion. Due to the potentially significant impacts associated with hazardous materials, waste, and emergency access, additional analysis is needed and shall include, but not be limited to, the following:

1. Consultation with the County Environmental Health Division, Regional Water Quality Control Board, State Department of Toxic Substances, the County Department of Planning and Building, CalFire, reference to the San Luis Obispo County Land Use Ordinance.
2. Evaluate existing project conditions.

3. Identification of any sensitive receptors (human and biological) relating to hazardous materials/ wastes.
4. Evaluate impacts associated with proposed storage and use of hazardous materials.
5. Provide discussion of the impacts associated with the contamination that would remain on-site, and discuss the potential impacts to human health.
6. Review all existing remediation and risk assessment reports and provide a summary of the key report findings and other necessary project decisions/permits related to this issue area.
7. As needed, develop additional measures above current regulations to address potentially significant impacts.
8. Consultation with Pacific Gas and Electric, Cal Fire, Port San Luis Harbor District, Office of Emergency Services and County Public Works regarding emergency access planning as a result of the proposed project.
9. Provide evaluation and mitigation of impacts associated with additional uses and recreation with regards to emergency access and emergency response times.

8. NOISE

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate permanent increases in the ambient noise levels in the project vicinity?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Cause a temporary or periodic increase in ambient noise in the project vicinity?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Expose people to severe noise or vibration?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>If located within the Airport Review designation or adjacent to a private airstrip, expose people residing or working in the project area to severe noise levels?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. As noted in the project description, the project site is located on a promontory west of Shell Beach and immediately south and east of the community of Avila Beach. Existing land uses include open space to the east, residential and commercial land uses to the west in the community of Avila Beach, Avila Beach Drive and a golf course to the north, and the Pacific Ocean to the south. As stated in the Noise Element of the General Plan, results of the community noise survey indicate that existing background noise levels in many areas of the county that contain noise-sensitive land uses are relatively quiet (SLO County, 1992). The community of Avila Point, including the project site, is located in a secluded part of the county, and the site is not within close proximity of stationary loud noise sources. Therefore, existing ambient noise levels are expected to be low. Sensitive noise receptors near the perimeter of the project site include residences along San Rafael Street.

Impact. Site Remediation. Remediation, demolition and removal of existing structures would introduce a range of noise sources in the form of heavy equipment, haul trucks, and worker vehicles over a span of several years. Equipment delivery and hauling materials or demolition debris are likely to be the primary sources of noise from the site and along the access routes. The introduction of these remediation and removal activities has the potential to create significant noise impacts (in comparison to existing noise levels) in the project area especially to the residences near the perimeter of the project site.

Plan Amendments. The proposed project including any Applicant-identified standards and requirements to address the potential for noise may conflict with the goals and policies of the General Plan and existing land use plans and ordinance requirements for the project area. The noise analysis will evaluate how proposed changes to the Avila Beach Specific Plan and Local Coastal Plan could introduce noise compatibility issues especially for residences nearest the site and the roads used for access. Depending on the results of this analysis, the EIR could identify mitigation measures to further minimize noise impacts and which would be recommended for incorporation into the plan amendments and possible zoning requirements for the Avila Beach area.

Vesting Tract Map/Future Site Use. Construction, build-out, and operation of the proposed redevelopment component of the project would include noise from traffic and visitors to the resort and commercial facilities. The EIR will identify and document the anticipated construction activities and phases, modeled traffic levels, and potential new stationary sources of noise. The results will identify the likely future noise levels experienced by the nearest sensitive uses, primarily homes along impacted traffic thoroughfares and in Avila Beach.

Construction of backbone infrastructure and internal roads, fine grading, and future development of the site could lead to substantial increases in ambient noise levels or noise levels incompatible with surrounding uses. Key areas of assessment include the existing residences in Avila Beach and nearby recreational uses. The need for mitigation for new development of noise-sensitive uses will be determined through the procedures identified in the Noise Element. The EIR will identify the available noise reduction features for resort-type development, including potential traffic calming, and recommend mitigation measures where necessary to avoid substantial noise increases or incompatible noise levels.

Mitigation/Action Required. The environmental noise assessment shall include, but not be limited to, the following:

1. Discuss regulatory framework addressing noise.
2. Identifying all loud noise sources from construction and development aspects of the project, and specifying decibel levels.
3. Identify all sensitive noise receptors around the proposed development and along transportation routes.
4. Compare stationary noise sources to existing sensitive noise receptors to determine potential significance.
5. Recommendation and discussion of adequate and feasible mitigation measures, if any, to minimize potential noise impacts.

9. POPULATION/HOUSING

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly (e.g., construct new homes or businesses) or indirectly (e.g., extension of major infrastructure)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other: Compliance with the County's Inclusionary Housing Ordinance</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The County Housing Element's long-term goal is "to achieve an adequate supply of safe and decent housing that is affordable to all residents of San Luis Obispo County." Towards this end, the Element includes several policies, objectives and fifteen programs designed to retain existing affordable housing or to facilitate provision of new affordable housing. County Code (Title 18) requires that new residential subdivisions are subject to an "Affordable Housing In-Lieu Fee" to enable the County to waive the Public Facility Fee for new affordable housing in the unincorporated portions of the county.

The County has recently adopted a revised Housing Element. One of the new Housing Element Programs (Program HE 1.9) indicates that the County will prepare an Inclusionary Housing Ordinance. Upon adoption of the ordinance, future commercial development may be required to pay a fee to support development of new affordable housing.

Impact. Site Remediation. Remediation of the site would not require the removal of any habitable structures or result in the displacement of persons or housing. However, potential impacts to population and housing could occur from the workforce needed for the remediation activities if workers need to come in from other locations and temporary housing is needed to accommodate these workers.

Plan Amendments. The population and housing section will contain a consistency analysis with all applicable General Plan Housing Element and San Luis Obispo County Ordinance policies and objectives, as well as how any updates to the San Luis Bay Area Plan (Coastal) may influence these plans. Depending on the results of this analysis, the EIR could identify mitigation measures to minimize housing impacts and that would be recommended for incorporation into the plan amendments and possible zoning requirements for the Avila Beach area.

Vesting Tract Map/Future Site Use. Potential population and housing impacts associated with future development of the site would be focused on how future development may change existing and planned housing and population patterns of the Avila Beach area. Future development is expected to result in the long-term development of lands for recreational and commercial use. The project also includes an option for development of a 10-unit multi-family residential structure at the Scout House area of the project. Development of the site (e.g. added residents, employees of the proposed resort) may induce, both directly and cumulatively, an increase to both population and housing demand at a local level. In addition, future development of the site may also directly or indirectly generate support businesses through increased visitors to the Avila Beach area, influence property values, and

stimulate revenue and overall growth to the Avila Beach area.

Mitigation/Conclusion. The assessment for populations and housing shall include, but not be limited to, the following:

1. Population and housing regulations and conditions;
2. Comparison to project impacts;
3. Evaluate housing demands/impacts during remediation and the construction and operation of the site under the proposed future development;
4. If any significant impacts are identified, identify feasible mitigation measures to reduce impacts to less than significant levels.

10. PUBLIC SERVICES/UTILITIES

Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection (e.g., Sheriff, CHP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Roads?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Other: <u>Wastewater Treatment</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The site is located in the boundaries of the Avila Beach Specific Plan and the San Luis Bay Area Plan (Coastal). The proposed project would be served by county and regional services, which include the following:

- Avila Beach Community Services District;
- San Luis Obispo County Sheriff's Office;
- San Luis Obispo County Fire Department and California Department of Forestry and Fire Protection (Station 62, Avila Fire Station);
- San Luis Obispo County, Office of Emergency Services;
- California Highway Patrol;
- Hospitals;
- Lucia Mar Unified School District;
- Bellevue-Santa Fe Charter School;
- Cold Canyon Landfill;
- Santa Maria Landfill;
- Southern California Gas Company; and
- Pacific Gas and Electric (electrical services).

Impact. Site Remediation. Remediation activities have the potential to affect existing and projected capacities, facilities and service times of existing public facilities. In addition, daily solid waste generation from remediation activities have the potential to impact the capacity and daily throughput of Cold Canyon Landfill and Santa Maria Landfill (which will likely provide disposal locations for all remediation waste).

Remediation activities are not expected to exceed wastewater treatment plant capacity or result in the construction of new municipal water or wastewater treatment facilities. However, remediation will require significant grading and likely require the construction of temporary stormwater drainage facilities.

Remediation activities are not expected to result in a direct increase to public service responses. However, accidents caused by remediation activities could lead to disruptions of service and other adverse consequences. Mitigation measures could include notification of both utility service providers and emergency response service providers in the event of an accidental disruption to any existing utilities during remediation activities. However, construction BMPs during remediation activities are expected to offset any potential decrease in acceptable levels of public service, utility capacities or performance standards.

Plan Amendments. A General Plan/Avila Beach Specific Plan/Local Coastal Plan amendment would be submitted for zoning changes to change the land use category of the site from Industrial to Recreation with specific standards and guidelines to accommodate the development of the site for a resort. Depending on the results of this analysis, the EIR could identify mitigation measures to minimize impacts to public services and utilities and which would be recommended for incorporation into the plan amendments and possible zoning requirements for the Avila Beach area.

Vesting Tract Map/Future Site Use. During construction, BMPs are expected to offset any potential decrease in acceptable levels of public service, utility capacities or performance standards. Long-term operation of the resort and trail system may require mitigation measures to minimize potable water use of the facility, ensure stormwater drainage is consistent with all permit requirements, and ensure that police and fire protection service levels and response times are adequately maintained.

The analysis will include a quantitative determination of average daily solid waste generation during resort construction and operation. This analysis will also consider any cumulative increase in population/housing to the area, consistent with the Population and Housing analysis. Long-term solid waste generation by these activities will be evaluated on a daily basis against the allowable daily throughput and long-term capacity of landfills accepting resort construction and operational waste. If required, potential mitigation may include recycling programs to minimize daily solid waste generation that requires disposal at local landfills.

Additionally, the analysis will evaluate whether development of the resort would exceed wastewater treatment plant capacity or result in the construction of new municipal water or wastewater treatment facilities, or require the construction of new stormwater drainage facilities. Site redevelopment has the potential to significantly alter the amount of permeable surface and would likely require new stormwater drainage facilities that would change surface water flow. Finally, the analysis will evaluate whether sufficient water supplies are available to serve the project and will evaluate the use of non-potable water use for irrigation needs.

Due to the temporary nature of resort patrons, the project is not expected to result in significant new permanent population. It is also expected that most resort workers would live within the area. As such, the impact to public services such as police and fire is likely limited to emergency calls during daily operations. The analysis of the impact on public utilities from the future development of the resort will also include coordination with the Population and Housing analysis to evaluate potential cumulative growth of Avila Beach. However, the project may impact existing service ratios and response times of emergency service providers.

Mitigation/Conclusion. The assessment of public services will consider the following:

1. Consultation with the Avila Beach Community Services District, San Luis Obispo County Fire Department, San Luis Obispo County Sheriff's Office, and California Highway Patrol.
2. Evaluation and discussion of the past and present status of police, fire, and school services in the project area, including staffing levels.

3. Identification and discussion of impacts to public services, or resulting from inadequate public services, that could result from the development of the project.
4. Evaluation and discussion of the solid waste to be generated from construction and anticipated operational aspects of the project, and the ability of existing landfill(s) to accept this waste;
5. Discussion of existing recycling requirements/ targets, and how the project can achieve these; as applicable, develop new measures to maximize recycling efforts;
6. Evaluate the cumulative effects to public services of this project when considered with other projects in the area;
7. Identification and discussion of feasible mitigation measures, if any, which could be included in the project to minimize potential impacts related to public services.

11. RECREATION

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The San Luis Bay Area Plan (Coastal) describes Avila Beach as, "...one of the main recreation/tourist areas of the county and is one of the most popular beaches in the county." The closest existing recreational activities in the vicinity of the proposed project site are the beach (including the pier and the surrounding beach areas managed by Port San Luis Harbor District), Avila Community Park, Bob Jones Bike Trail, and the Avila Beach Golf Course.

Approval of the proposed project would include a rezoning of the project site from Industrial to Recreation, which would allow for future development of recreational resources, which may include recreation facilities included in the resort accommodations, such as a spa, fitness rooms, and a pool. The redevelopment of the site also includes a coastal trail that would connect Front Street to Cave Landing Road. As recreation would be the primary land use designation, the proposed development may be considered a coastal-dependent use, and therefore, input from other agencies, such as the California Coastal Commission, will be included in the EIR.

Impact. Site Remediation. Remediation activities may temporarily interfere with existing recreation activities that occur surrounding the project site. Impacts to recreational uses in the project area could result from dust generated during the remediation activities and the traffic generated by hauling of materials to and from the project site. Impacts to recreation activities would depend on the length of time and the time of year that the remediation activities would occur. For instance, as stated in the Avila Beach Specific Plan, the off-peak period is considered to be from October to March. As such, impacts to the community as a whole would be greater during the summer months, and the impact analysis will take these factors into consideration for impacts associated with the local recreation activities.

Plan Amendments. The proposed project including any Applicant-identified standards and requirements have the potential to conflict with the goals and policies of the General Plan and existing land use plans and ordinance requirements for the project area. The entire 95-acre project site is proposed to be rezoned from Industrial to Recreation. Under the Recreation designation, permitted

future uses on the project site would include a resort facility, coastal access ways, and passive recreation. The impact analysis will evaluate how proposed changes to the Avila Beach Specific Plan and Local Coastal Plan could affect the physical environment and evaluate the project's consistency with existing goals and policies that pertain to recreation. Depending on the results of the recreation analysis, the EIR could identify mitigation measures to further minimize impacts, which would be recommended for incorporation into the plan amendments and possible zoning requirements for the Avila Beach area.

Vesting Tract Map/Future Site Use. The proposed project would consist of a resort lodging, resort facilities (e.g. common areas, dining, retail, spa and fitness areas, etc.), access roads, parking lot, coastal bluff trail, and open space areas. As part of the vision plan, the goal is to reduce the development footprint to 35 percent of the site so that 65 percent would be open space and natural habitat. In addition, the proposed development includes a 0.6-mile California Coastal Trail that would be open to the public. Implementation of this trail would allow connections to local trails and neighboring beaches that surround Avila Beach, including Shell Beach, Bob Jones Bike Trail, Montona de Oro, and Pecho Coast Trail. As stated above, the EIR analysis will include a discussion of the potential effects on the physical environment as a result of the proposed development components. The analysis will also include a discussion of potential impacts to the existing local and regional recreation facilities that may be adversely affected by the proposed development plan.

Mitigation/Conclusion. Public recreation impacts will be analyzed by a qualified individual with expertise in recreation, and shall include, but not necessarily be limited to, the following:

1. Consultation with the County Department of General Services – Parks and Recreation Division, Port San Luis Harbor District, and California Coastal Commission.
2. Identification of the existing recreational demands and deficiencies in the community and surrounding communities.
3. Identification and evaluation of the project's demand on recreational facilities, and what, if any aspects of the project will offset the increased demands.
4. Discussion of the adequacy of existing fees, and as appropriate, identification and discussion of feasible mitigation measures which could be included in the project to minimize potential impacts related to recreation.

12. TRANSPORTATION/CIRCULATION

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Level of Service" on public roadway(s)?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12. TRANSPORTATION/CIRCULATION
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) <i>Conflict with an established measure of effectiveness for the performance of the circulation system considering all modes of transportation (e.g. LOS, mass transit, etc.)?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) <i>Conflict with an applicable congestion management program?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site has limited roadways for access. Avila Beach Drive, which is north of the project site, serves as the main access road to the community of Avila Beach and to the project site. Almost all of the regional traffic to the project area comes from the US 101 Freeway to Avila Beach Drive (see Figure 1). During the summer weekends and warm weather weekends when Cal Poly San Luis Obispo is in session, Avila Beach Road can become congested. While the community of Avila Beach does have a trolley on the weekends in the spring and four days per week during the summer, most of the traffic to Avila Beach is by private vehicles.

Cave Landing Road (a dead end road) sits to the east of the project site and is currently used to access the Pirates Cove beach and hiking areas to the east of the project site and Ontario Ridge. At the top of this road, there is an informal parking area for visitors accessing the beach and the hiking trails. This road is being proposed as a secondary access road for the project although it goes to the single main road, Avila Beach Drive.

During remediation and future development of the project site, there is the potential to cause significant traffic impacts within the area because there is only one main access road. Remediation-related traffic and traffic associated with the proposed construction and operation of the resort use of the site would use this main access road in addition to the residents and visitors that use the road on a daily basis. This issue related to a single main access road is a topic of much community concern as the community of Avila Beach continues to grow and be built out and more traffic is brought into the area.

Impact. Site Remediation. Remediation efforts will generate heavy truck trips, primarily from hauling contaminated soil or other materials from the project site to an approved disposal area. It is anticipated that the majority of hydrocarbon-affected soils transported offsite will be disposed of at either the Non-hazardous Hydrocarbon-Impacted Soil (NHIS) facility at the City of Santa Maria Landfill or the Cold Canyon Landfill in San Luis Obispo County. Construction traffic (including soil and waste disposal trucks) would utilize Cave Landing Road, Avila Beach Drive, San Luis Bay Drive, and US 101. The project has the potential to generate truck trips and construction worker trips that significantly increase the traffic on Avila Beach Drive, the main access road to the project site. Therefore, the project could reduce the existing level of service on public roadways, create unsafe

conditions on public roadways, present an impediment to emergency access routes, conflict with an established measure of effectiveness for the performance of the circulation system, and could conflict with adopted traffic or transportation-related policies, plans, or programs.

Plan Amendments. The proposed project including any Applicant-identified standards and requirements have the potential to conflict with the goals and policies of the General Plan and existing land use plans and ordinance requirements that address transportation, traffic, and circulation in the project area. Based on the amendments proposed as part of the project, the transportation and traffic assessment will consider proposed access and circulation concepts, including vehicle access, parking location, on-site pedestrian and bicycle circulation, and on-site shuttle circulation. The analysis will evaluate how proposed changes to the Avila Beach Specific Plan and Local Coastal Plan could physically impact the project area. Depending on the results of the transportation/traffic analysis, the EIR could identify mitigation measures to further minimize impacts, which would be recommended for incorporation into the plan amendments and possible zoning requirements for the Avila Beach area. Additionally, the EIR will evaluate the project's consistency with applicable federal and State policies that address transportation and traffic.

Vesting Tract Map/Future Site Use. The proposed resort use would limit passenger vehicle use upon arrival. The development plan includes remote parking areas, golf cart use for on-site circulation, and trails developed for pedestrian access throughout the site area. The conceptual site plan or vision for the project site would also include a trail that extends to Front Street and could be used to walk to downtown Avila Beach from the project site. The plan may also include ways to limit passenger vehicle use to neighboring areas, likely through the use of shuttles, and golf cart access locations to travel to Avila Beach and other areas. Similar to construction traffic (described above for remediation), regional access to the resort would utilize Cave Landing Road, Avila Beach Drive, San Luis Bay Drive, and US 101.

Mitigation/Conclusion. Due to the potential for significant traffic impacts, the transportation/circulation analysis shall include the following:

1. Consultation with the California Department of Transportation, the County Public Works Department, and the California Highway Patrol.
2. Identification of the existing traffic capacity and load of the roads listed in the setting and any other roads determined appropriate by the Public Works Department.
3. Peer-review of the applicant traffic study and preparation of a County traffic impact study that includes traffic counts at key intersections and provides an independent transportation study.
4. Analysis of Caltrans facilities, including freeway ramps, as well as freeway mainline to fully account for the potential traffic impacts associated with the project,
5. Identification and evaluation of existing traffic safety issues for roads in the project area.
6. Conduct a cumulative assessment.
7. As appropriate, identify mitigation measures and if significant impacts can be reduced to less than significant levels.

13. WASTEWATER

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

13. WASTEWATER

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. When the project site was an oil storage and distribution facility, the site included its own wastewater facilities. The Avila Beach Community Services District provides sewer service to developed portions of Avila Beach within the Community Services District Boundaries which this property is within.

Impact. Redevelopment of the project site would require sewer service in order to accommodate the proposed resort facilities. Under the proposed project, a new system would be installed to collect wastewater from the project site and dispose of it into an off-site conveyance system operated by the Avila Beach Community Services District or the San Miguelito Mutual Water Company, both of which operate in the area. The proposed system is a main line gravity distribution network aligned along the redevelopment's road system.

Alternatively, if the aforementioned Community Services District and/or Water Company don't have sufficient capacity to receive wastewater from the proposed redevelopment facilities, an on-site package plant is an option for development at the existing Scout House area and will be looked at as an option for the project. A package plant is a pre-fabricated facility that is commonly used to provide on-site sewage treatment for developments such as the proposed resort facilities. The package plant would produce a treated effluent that would need to be discharged. Under normal circumstances, the treated water would be reused onsite for irrigation through a distribution network. During periods of wet weather or system upsets, the effluent may be discharged into the sewer main along Avila Beach Drive per County Public Works requirements.

Mitigation/Conclusion. The EIR will evaluate all possibilities for wastewater treatment and disposal, including coordination with the Avila beach Community Services District and San Miguelito Water Company to determine available long-term capacity, as well as independent research and assessment of the package plan option. Potential effects associated with wastewater will be thoroughly evaluated, including those associated with the internal collection and conveyance system, treatment, and disposal. Project-specific mitigation measures may be required to avoid adverse effects.

14. WATER & HYDROLOGY

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
QUALITY				
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

14. WATER & HYDROLOGY

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
Will the project:				
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
QUANTITY				
h) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j) <i>Expose people to a risk of loss, injury or death involving flooding (e.g., dam failure, etc.), or inundation by seiche, tsunami or mudflow?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Drainage Patterns. Drainage patterns on the project site have been substantially reconfigured from natural conditions due to the former use of the site as a tank farm, which also created a series of closed depressions that accumulate water during the wet season and typically store it for extended periods. It is also understood that surface runoff across the site is directed to one former tank location referred to as the "Lower Basin" via a series of pipes and gutters, and that water detained in the Lower Basin is tested for quality prior to release onto the beach via a concrete outfall.

Flood Hazards. Topography of the project site is varied, with elevations ranging from five feet at the shoreline to 240 feet near the center of the project area. The project is not located within a Flood Hazard Area, or an area expected to be inundated from a storm of the magnitude expected to occur once every 100 years, as designated by the Federal Emergency Management Agency.

Water Quality. The proposed project site has historically been used as an industrial facility, and hazardous materials including petroleum products such as gasoline, diesel, and crude oil have been stored, transported, and refined on-site for more than 90 years. As a result, remediation and development activities on this site will introduce the potential for existing hazardous materials to be upset, released, or otherwise mobilized into the environment.

Water Supply. As stated in the Avila Beach Specific Plan, Union Oil maintained an on-site sewage disposal system and fire protection facilities, but received water from the Avila Beach Community

Services District. With implementation of the plan for future development by Chevron on the Union Oil-owned site, water supply would be obtained from a local purveyor, either the Avila Beach Community Services District, or the San Miguelito Mutual Water Company. Avila Beach is a small semi-urban area that is partially surrounded by a rural landscape; the community receives water from Lopez Reservoir. The water is delivered by the Avila Beach County Water District, which has 65 acre-feet per year allocation from Lopez Reservoir to serve customers within the District.

Groundwater. Groundwater hydraulic conditions beneath the project site are somewhat complex in terms of how and where groundwater flows. In addition, there is known contamination in the local groundwater, and the results of general mineral analyses indicate that the quality of water beneath the Avila facility is poor due to previous industrial land uses on the site. Drinking water standards for iron, manganese, chloride, sulfate, and total dissolved solids are frequently exceeded in groundwater samples. Independent of site contamination from past uses, aquifers present in Pismo and Obispo Formations beneath the project site are low yielding and contain poor quality groundwater. These groundwater quality issues will be assessed in order to avoid worsening the situation, including but not limited to issues such as potential migration of the contamination beyond the site perimeter.

Studies have shown that local groundwater is mostly stored within discontinuous fractures of bedrock, which is complicated by vertical anisotropy (variation) of hydraulic conditions of the bedrock. Perched water in surficial alluvial and colluvial deposits are situated in north-south trending and east-west trending swales; this water is known to be contaminated, as is groundwater at depths from 40 feet to over 100 feet in the Pismo Formation, and generally at depths over 100 feet in the Obispo Formation.

Impact. Drainage Patterns. Preliminary site plans provided by the Applicant indicate that topography across the project site will be generally maintained under redevelopment of the site, with steep north-facing slopes and slopes and coastal bluffs to the south preserved as-is, while primary development would occur on the relatively level coastal terraces in the center and northeastern portions of the site.

After completion of site remediation, redevelopment would include construction of a series of drainage features to encourage effective drainage while avoiding ponding of water in the interior of the project site, per direction of the Central Coast RWQCB. Within the development area, pipes and channels will be used to direct surface flows to a series of gravity-drained swales, or depressed marshy and vegetated areas where surface water runoff infiltrates to the subsurface. The EIR for the proposed project will assess all proposed drainage pattern alterations both within and outside of the redevelopment area, including for potential of the drainage pattern alterations to result in adverse effects. Project-specific mitigation measures will be developed as necessary to ensure that appropriate BMPs are implemented and to reduce or avoid potential adverse effects.

Flood Hazards. Alterations to existing drainage patterns on the project site could potentially introduce site-specific flooding hazards, but implementation of appropriate BMPs should eliminate this potential. The EIR will assess the potential for the project to introduce new flooding hazards.

Water Quality. In addition to the potential upset, release, or mobilization through remediation and development activities, ground-disturbing activities on the project site will introduce the potential for erosion to occur. A variety of technical studies prepared for the project site have included soil and water quality sampling; these reports will be used along with any additional information provided by the Applicant or obtained for the EIR during the impact analysis process in order to accurately characterize potential water quality issues and concerns associated with the project site.

Water Supply. It is anticipated that during implementation of the project, water services would continue to be obtained from the Avila Beach Community Services District. It is estimated that approximately 30,000 gallons per day (gpd) of water would be required for dust control and support facilities use during abandonment and removal construction activities. The EIR will provide an assessment of this source to ensure that sufficient water is available to meet project needs.

The proposed project would require a water supply during remediation as well as during redevelopment and operation and maintenance activities; this supply requirement includes both

potable and reclaimed water sources. During both remediation and redevelopment of the project site, a non-potable water source will be required for dust abatement and fire suppression. During redevelopment of the site, a non-potable water source will also be required for concrete production and landscaping. In addition, operation and maintenance of the project will require a long-term potable water source. One option for the Scout House location is to construct a water desalination package plant that would use on-site groundwater as the source. This option would treat brackish water in order to provide services to the project site in lieu of (or to supplement) water services from the San Miguelito Mutual Water Company. This option would include two to four water wells with connections to the commercially-available reverse osmosis (RO) membrane system. The RO treatment would generate reject water from the pre-filter system and dissolved solids removed from the RO membranes. The reject water from the pre-filter system would be discharged in the sewer collection system. The dissolved solids from the RO process would either be injected into a formation with high salinity or discharged into the Avila Beach Community Service District sewer collection system. Detailed information regarding the brackish water/desalination plant option is still being developed and will be provided in the EIR

Groundwater. Significant to the evaluation of groundwater will be the implementation of the RAP. Implementation of the RAP as approved by the Central Coast RWQCB is expected to result in conditions suitable to the protection of site users and the general public. The RAP implementation itself, then, will serve as the primary method to mitigate site contamination impacts related to the proposed development. The RAP will be reviewed and summarized with respect to potential effects of proposed remediation actions on groundwater quality. The remediation is expected to improve groundwater conditions in general. However, there is potential for groundwater degradation to occur as a result of inappropriate project sequencing, excavation or drilling methods, and other risks associated with RAP implementation. The RAP will be reviewed for the EIR along with other available studies and investigations to characterize all potential impacts of remediation on local groundwater resources.

With development of the project site, water supply would either be provided by a local purveyor (the Avila Beach Community Services District or the San Miguelito Mutual Water Company) or a desalination package plant would treat brackish groundwater. Development plans will be reviewed and summarized with respect to the long-term effects on site groundwater quality after implementation. The planned development is expected to lessen the potential for adverse impacts to groundwater conditions beneath the site and locally by replacing industrial uses with resort and recreational land uses. The analysis of potential impacts to groundwater resources will take into consideration the institutional and engineering controls that will be required to protect groundwater, and will identify additional project-specific mitigation measures where necessary to avoid adverse effects.

Mitigation/Action Required – Due to the potential for significant impacts to water resources, additional analysis is needed and shall include, but not be limited to, the following:

1. Consultation with the Regional Water Quality Control Board, Environmental Health Division, California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, County Public Works Department, the Avila Beach Community Services District, and the San Miguelito Mutual Water Company.
2. Peer-review of Applicant-prepared studies on project site surface and groundwater.
3. Evaluation and discussion of past and present water quality in the area of the project site.
4. Current and future projections of water demand for the project based on the various uses making up the proposed project's water demands.
5. Analysis of existing and potential water quality impacts.
6. Identification and discussion of the potential for potable water contamination to occur as a result of surface water runoff, topographical alteration, and development.



7. Identification of nearby watercourses and their potential to support sensitive aquatic life. Evaluation of project's impacts on surface water quality as it relates to any sensitive resources identified.
8. Identification and discussion of feasible mitigation measures, if any, which could be included in the project to minimize potential impacts related to water resources.

15. LAND USE

<i>Will the project:</i>	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [County Land Use Element and Ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The Avila Point Project site has been utilized as a tank farm since 1906. Existing land uses around the site consist of open space, residential and commercial uses in Avila Beach. As part of the development of the Avila Beach Specific Plan, the County and community considered appropriate re-use of this site (specifically addressed in Goal 13 of the Specific Plan). The community's vision included recreation-oriented uses consisting of a convention center and/or marine education facility that would provide lodging, trails and open space (see pages 31 and 32 of the Specific Plan). While the Specific Plan did consider this re-use of the site, it did not change the Industrial land use designation or establish design guidelines or standards to support the uses envisioned.

Site topography, visibility, character, and its adjacency to the downtown area of Avila Beach will play significantly into the physical changes in land use conditions from site remediation and subsequent development of the proposed resort and recreational uses. The proposed range of recreational uses associated with the "vision package" would alter, enhance, intensify, and impact the interplay of existing land uses in Avila Beach.

The key policy provisions of the General Plan, Avila Beach Specific Plan and Local Coastal Plans applicable to the project include the provisions listed below. The EIR's consistency analysis with existing policy will focus on these provisions, and consider consistency with all policies that have been adopted for purposes of environmental protection.

- Preservation of the funky and eclectic character and image of Avila Beach (Goal 1 and 2 of the Specific Plan and Visual and Scenic Resources Policy 6 from Local Coastal Program)
- Maintenance of the economic mix of Avila Beach to keep the town affordable (Goal 4 of the Specific Plan and Recreation and Visitor-Servicing Facilities policies 1 and 3 of the Local Coastal Program)
- Provision of a mix of uses in Avila Beach to appeal to local residents and tourists (Goal 5 of the Specific Plan and Recreation and Visitor-Servicing Facilities Policy 2 of the Local Coastal Program)

Program)

- Provision of shoreline access (Shoreline Access policies 2, 3, 4 and 8 of the Local Coastal Program)

Based on review of the Avila Point Project’s “vision package”, the concept of the project attempts to implement the vision of re-use of the site as set forth in the Specific Plan. However, the scale and intensity of the project will need further evaluation to ultimately determine consistency.

Impacts. Site Remediation. The EIR will evaluate the land use and plan consistency impacts associated with the remediation of the site and its potential to result in temporary or long-term physical impacts to the Avila Beach Community. Specifically, the analysis will evaluate whether remediation activities result in altering the Avila Beach Community or would result in conflicts with applicable land use policies and standards that provide protection of environmental resources.

Plan Amendments. The proposed project including any Applicant-identified land use standards and requirements have the potential to conflict with the goals and policies of the General Plan and existing land use plans and ordinance requirements for the project area. The land use analysis will evaluate how proposed changes to the Avila Beach Specific Plan and Local Coastal Plan could physically impact the project area. Depending on the results of the analysis, the EIR could identify mitigation measures to further minimize land use impacts and which would be recommended for incorporation into the plan amendments and possible zoning requirements for the Avila Beach area.

Vesting Tract Map/Future Site Use. The EIR will evaluate whether redevelopment of the project site would result in physical land use impacts to the existing Avila Beach Community (such as altering or physically dividing the existing community). The analysis will also evaluate whether the character of Avila Beach would be altered from the construction and operation of the development project to such an extent that it would result in growth and related effects that could result in environmental impacts.

Mitigation/Conclusion. Due to the potential land use impacts, additional analysis is needed and shall include but not be limited to, the following:

1. Consultation with the County Planning Department and California Coastal Commission.
2. Evaluation and discussion of the proposed project as it relates to all applicable elements of the County General Plan.
3. Identification and discussion of feasible mitigation measures, if any, which could be included in the project to minimize potential impacts related to land use impacts.

16. MANDATORY FINDINGS OF SIGNIFICANCE

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
-------------------------	--------------------------------	----------------------	----------------

Will the project:

- a) *Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or pre-history?*

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------	--------------------------	--------------------------

b) Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)

c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

The proposed project has the potential to degrade the environment, contribute to cumulatively considerable impacts, and generate risks to human beings. An EIR will be prepared to determine the potential for and extent of project-related and cumulative impacts.

For further information on CEQA or the County’s environmental review process, please visit the County’s web site at www.sloplanning.org under “Environmental Information”, or the California Environmental Resources Evaluation System at: http://www.ceres.ca.gov/topic/env_law/ceqa/guidelines for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning Department has contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Services	Attached
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	Attached
<input checked="" type="checkbox"/>	County Sheriff's Department	None
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	None
<input checked="" type="checkbox"/>	CA Coastal Commission	Attached
<input checked="" type="checkbox"/>	CA Department of Fish and Wildlife	None
<input checked="" type="checkbox"/>	CA Department of Forestry (Cal Fire)	None
<input checked="" type="checkbox"/>	CA Department of Transportation	None
<input checked="" type="checkbox"/>	Avila Beach Community Services District	None
<input type="checkbox"/>	Other <u>See mailing list</u>	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable

**** "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input type="checkbox"/> Design Plan
<u>County documents</u>	<input checked="" type="checkbox"/> Avila Specific Plan
<input checked="" type="checkbox"/> Coastal Plan Policies	<input checked="" type="checkbox"/> Annual Resource Summary Report
<input checked="" type="checkbox"/> Framework for Planning (Coastal/Inland)	<input checked="" type="checkbox"/> Avila Circulation Study
<input checked="" type="checkbox"/> General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:	<u>Other documents</u>
<input checked="" type="checkbox"/> Agriculture Element	<input checked="" type="checkbox"/> Clean Air Plan/APCD Handbook
<input checked="" type="checkbox"/> Conservation & Open Space Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input type="checkbox"/> Economic Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Archaeological Resources Map
<input checked="" type="checkbox"/> Parks & Recreation Element/Project List	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> Special Biological Importance Map
<input checked="" type="checkbox"/> Land Use Ordinance (Inland/Coastal)	<input checked="" type="checkbox"/> CA Natural Species Diversity Database
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Public Facilities Fee Ordinance	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Real Property Division Ordinance	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input type="checkbox"/> Affordable Housing Fund	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input type="checkbox"/> Airport Land Use Plan	<input type="checkbox"/> Other
<input checked="" type="checkbox"/> Energy Wise Plan	
<input checked="" type="checkbox"/> San Luis Bay Coastal Area Plan and Update EIR	

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

References

CalFire (California Department of Forestry and Fire Protection), 2007. Fire and Resource Assessment Program – Fire Hazard Severity Zones in SRA Map. [online]:

http://frap.fire.ca.gov/webdata/maps/san_luis_obispo/fhszs_map.40.pdf. Accessed August 4, 2014.

_____. 2014. Fire and Resource Assessment Program – State Responsibility Areas for Fire Protection Map. [online]: http://frap.fire.ca.gov/data/frapgismaps/sra13_2/sramap.40.pdf. Accessed August 4, 2014.

Chevron, 2012. Chevron Avila Point 2012 Application Package to San Luis Obispo County. [online]: <http://www.slocounty.ca.gov/planning/environmental/EnvironmentalNotices/avilarfp.htm>. Accessed April 22, 2014.

David Wolf Environmental, 2004. Ecological Evaluation Supplement I. Prepared for Unocal Corporation. October 11, 2004.

_____. 2005. Ecological Evaluation Supplement II. Prepared for Unocal, a Subsidiary of Chevron Corporation. December 16, 2005.

Gibson, Robert O. 1999. Inventory and Preliminary Assessment of Cultural Resources for the Avila Beach Remediation Project, Avila Beach, San Luis Obispo, CA. Prepared for J.E. Remediation Technologies, Inc. Avila Beach, CA.

_____. 2002. Final Report for Archaeological Monitoring and Mitigation for the Avila Beach Community Services District Water Storage Tank and Pipeline Improvement Project, Avila Beach, CA. Prepared for John L. Wallace & Associates, San Luis Obispo, CA.

Gibson, et. al. 2000. Final Report of Cultural Resource Monitoring for the Avila Beach Remediation Project, 1998-2000, Avila Beach, San Luis Obispo County, CA. Prepared for J.E. Remediation Technologies, Inc. Avila Beach, CA

NRCS, 2014. National Resources Conservation Service – Web Soil Survey. [online]: <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>. Accessed April 22, 2014.

Padre, 2014. Report of Findings 2012 and 2013 Intertidal Zone Assessment Activities Area South Of Former Tank No. 201104 Former Unocal Avila Terminal. Prepared by Padre Associates, Inc. for the Chevron Environmental Management Company. January 2014. [online]: http://geotracker.waterboards.ca.gov/esi/uploads/geo_report/9338807582/SL607992666.PDF. Accessed December 3, 2014.

SLO County, 2009. San Luis Bay Area Plan. Adopted by the San Luis Obispo County Board of Supervisors March 1, 1988. Certified by the California Coastal Commission on February 25, 1988. Amended August 2009.

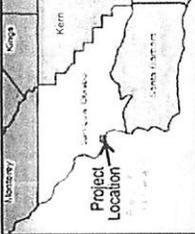
SLO County, 2001. Avila Beach Specific Plan. Adopted by the San Luis Obispo County Board of Supervisors on October 17, 2000. Amended March 2001.

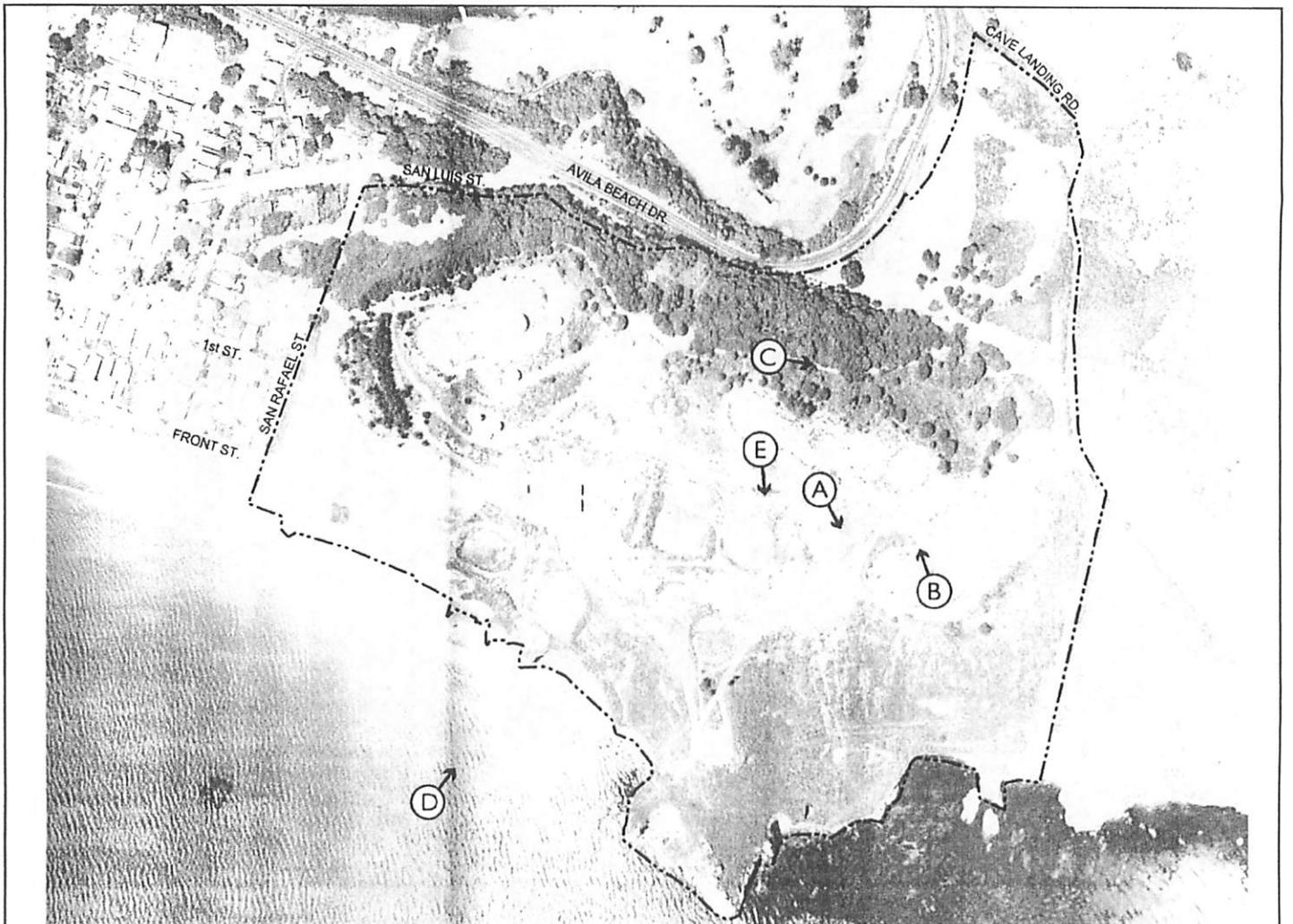
SLO County, 1992. San Luis Obispo County – Noise Element, Part I Policy Document. [online]: <http://www.slocounty.ca.gov/Assets/PL/Elements/Noise+Element.pdf>. Accessed August 6, 2014.



Project Site Boundary

Figure IS-1
Project Location

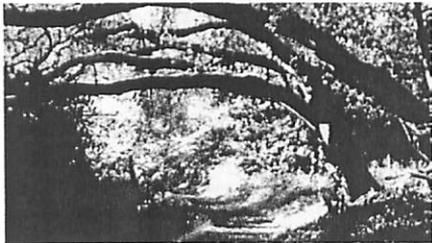




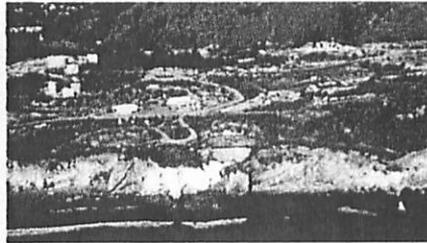
A. FORMER TANK SITE



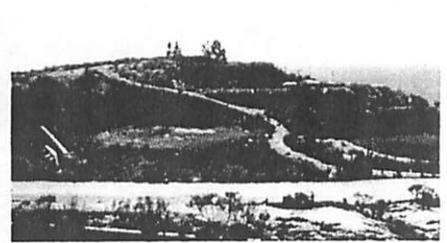
B. EXISTING TANK RINGS AND STOCK PILE



C. EXISTING ROAD THROUGH OAK WOODLANDS



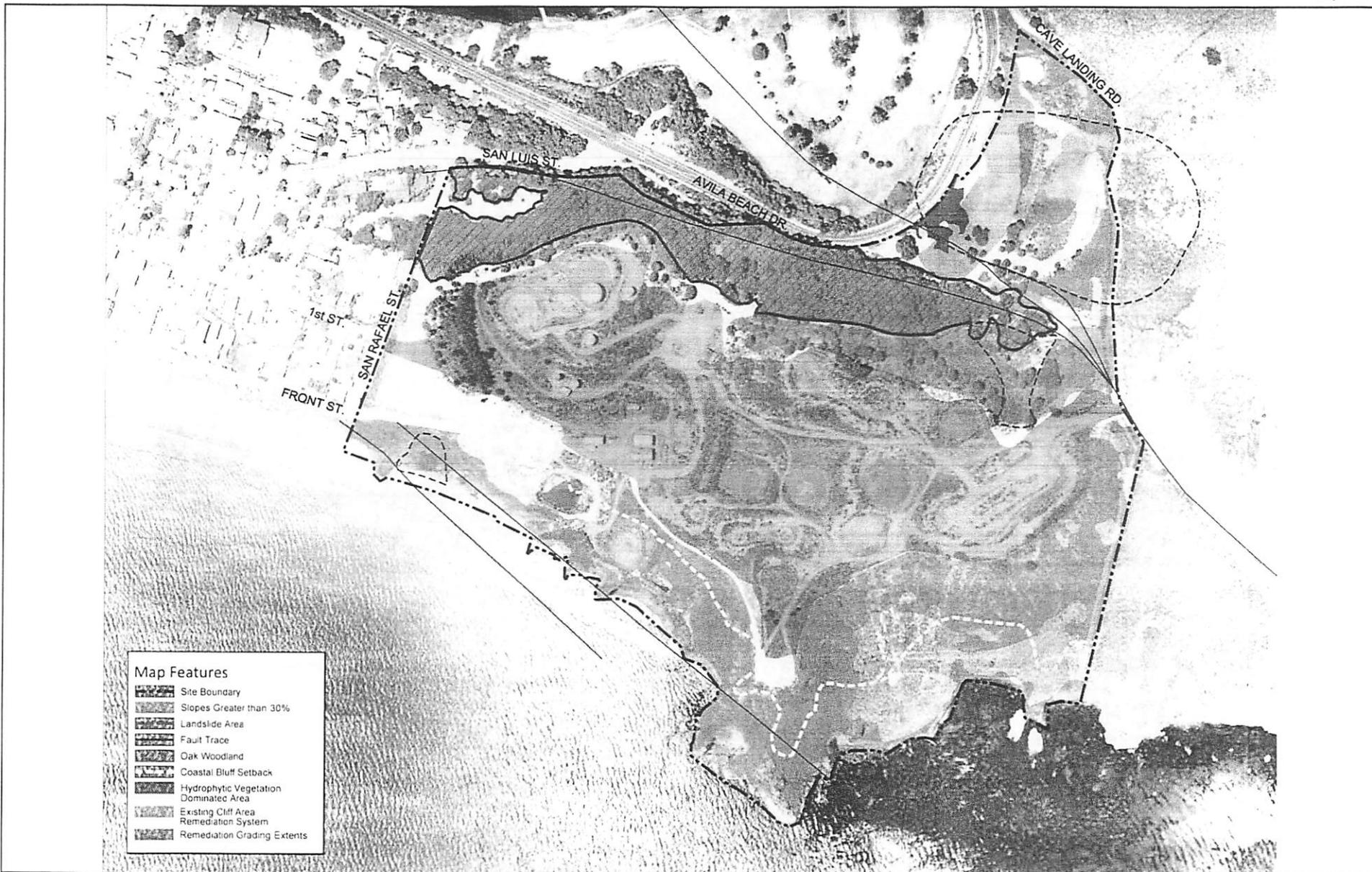
D. COASTAL BLUFF WITH DECOMMISSIONED OIL FACILITIES BEHIND



E. AVILA POINT PROMONTORY

Source: Chevron Updated Application, July 2015.

Figure IS-2
View of the Site



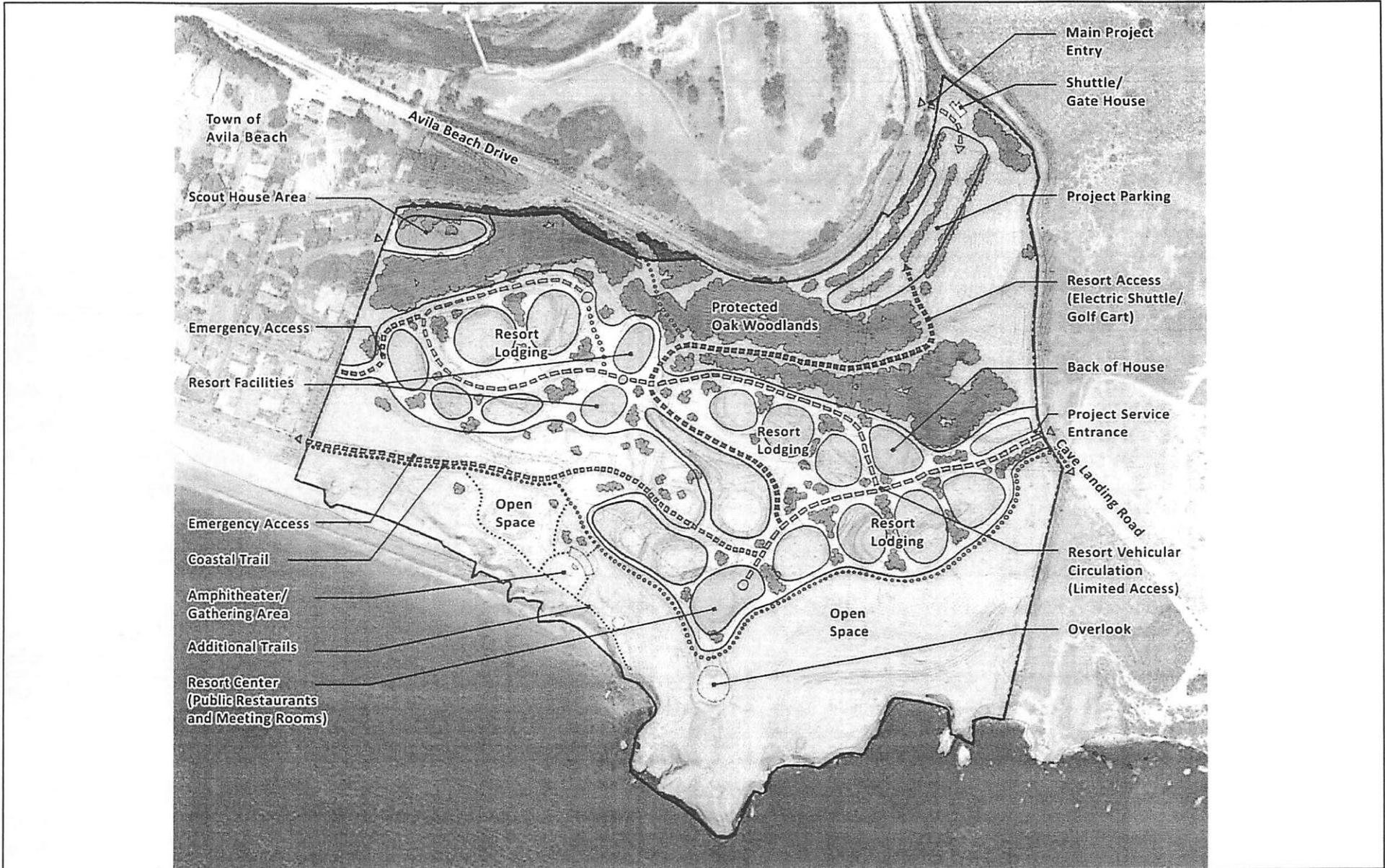
Source: Chevron Updated Application, July 2015.

Figure IS-3
Post Remediation
Development Considerations



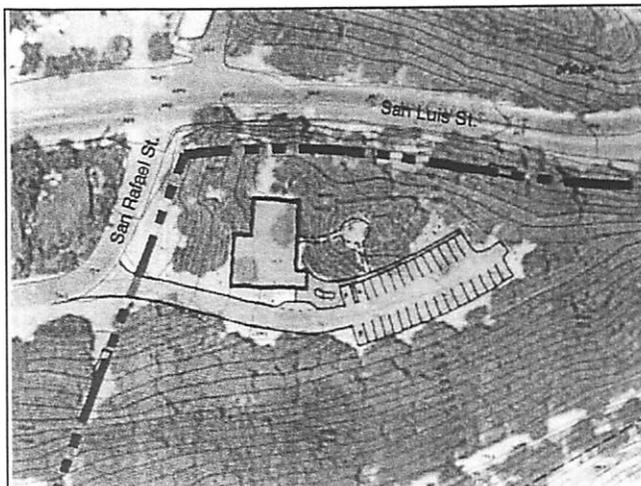
Source: Chevron Updated Application, July 2015.

Figure IS-4
Proposed Land Use

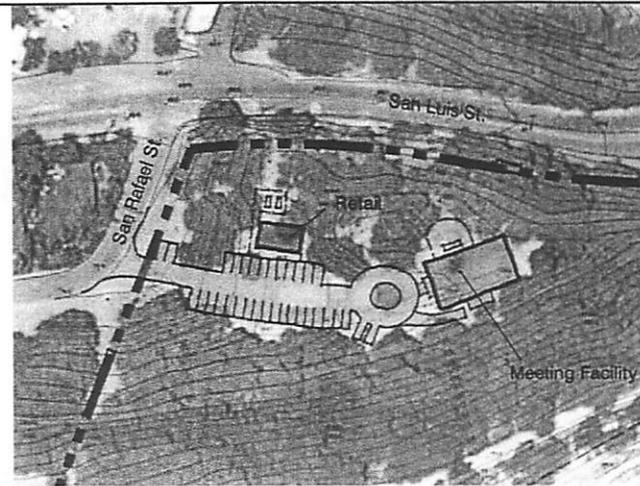


Source: Chevron Updated Application, July 2015.

Figure IS-5
Redevelopment Site Plan

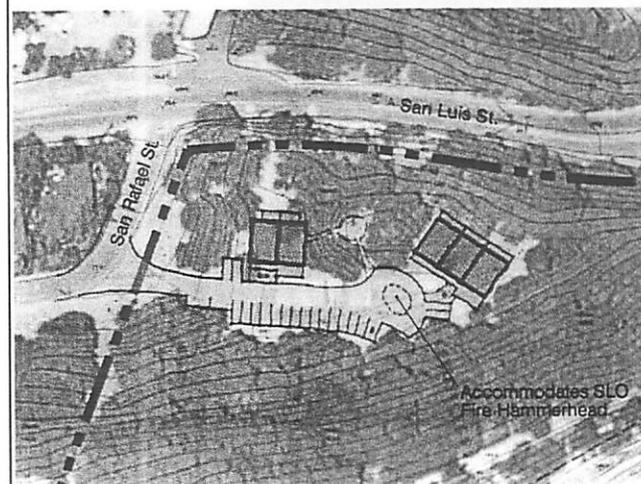


Office
- 7,000 square feet/2 story

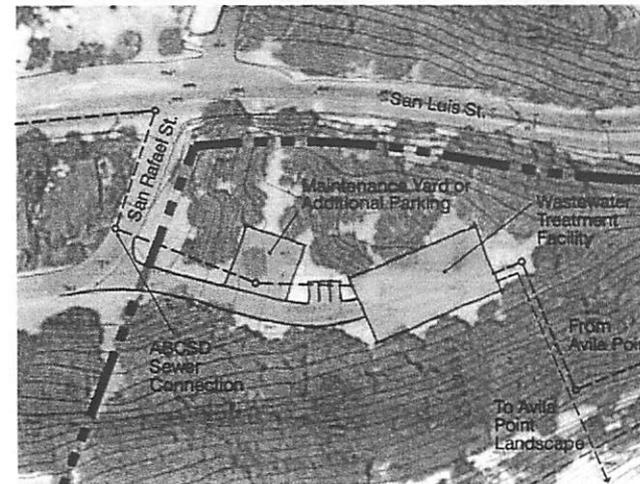


Meeting Space
- 3,500 gross sf/1 story
- 1,600 sf main event space

Retail
- 1,000 square feet/1 Story
- Outdoor dining area



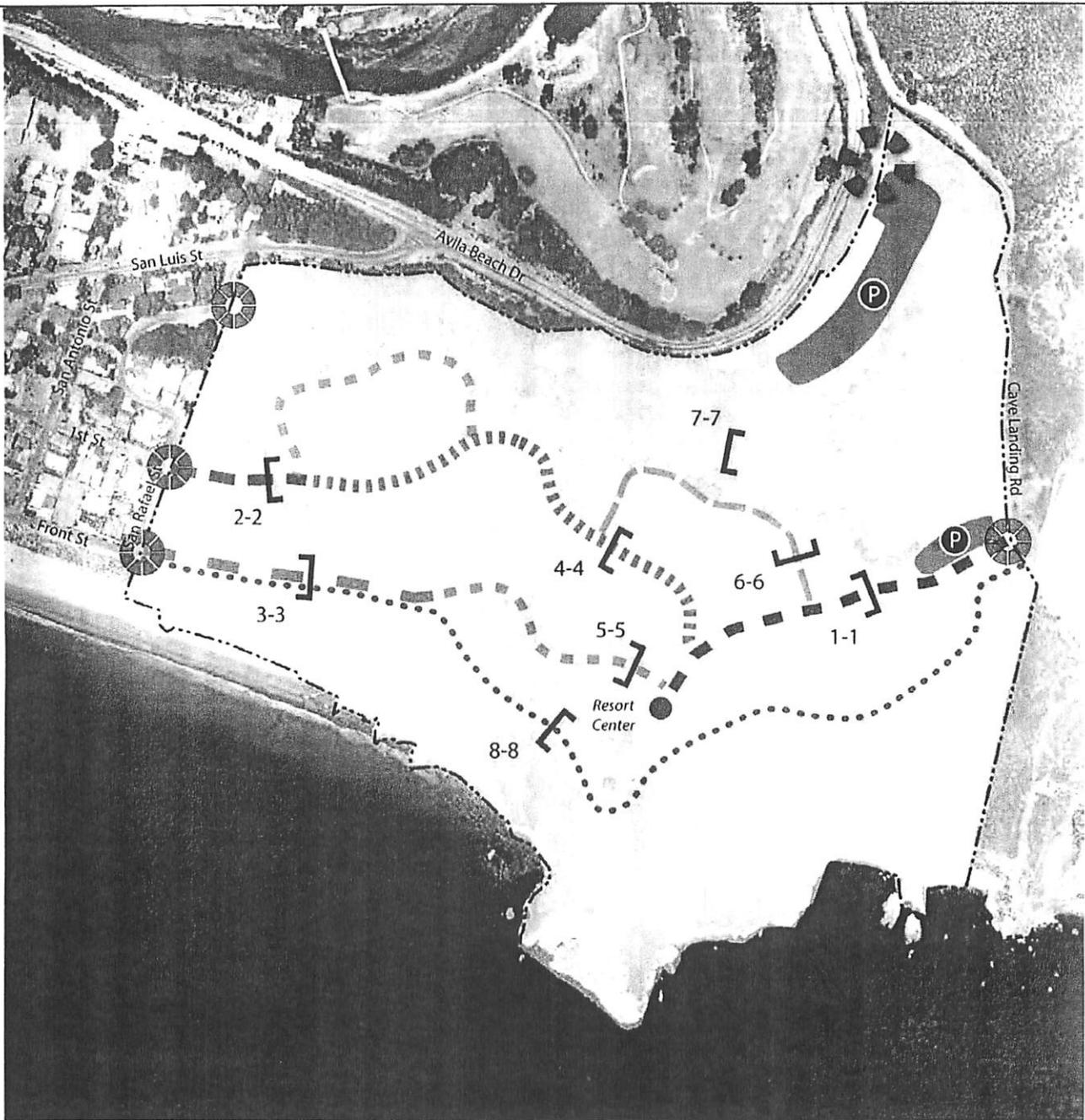
Residential
- 10 - 1000 sf units/2 story
- Five 2 bedroom units/flr.



Waste Water Treatment Facility
- Area: 7,800 sf

Source: Chevron Updated Application, July 2015.

Figure IS-6
Redevelopment Options
for Scout House



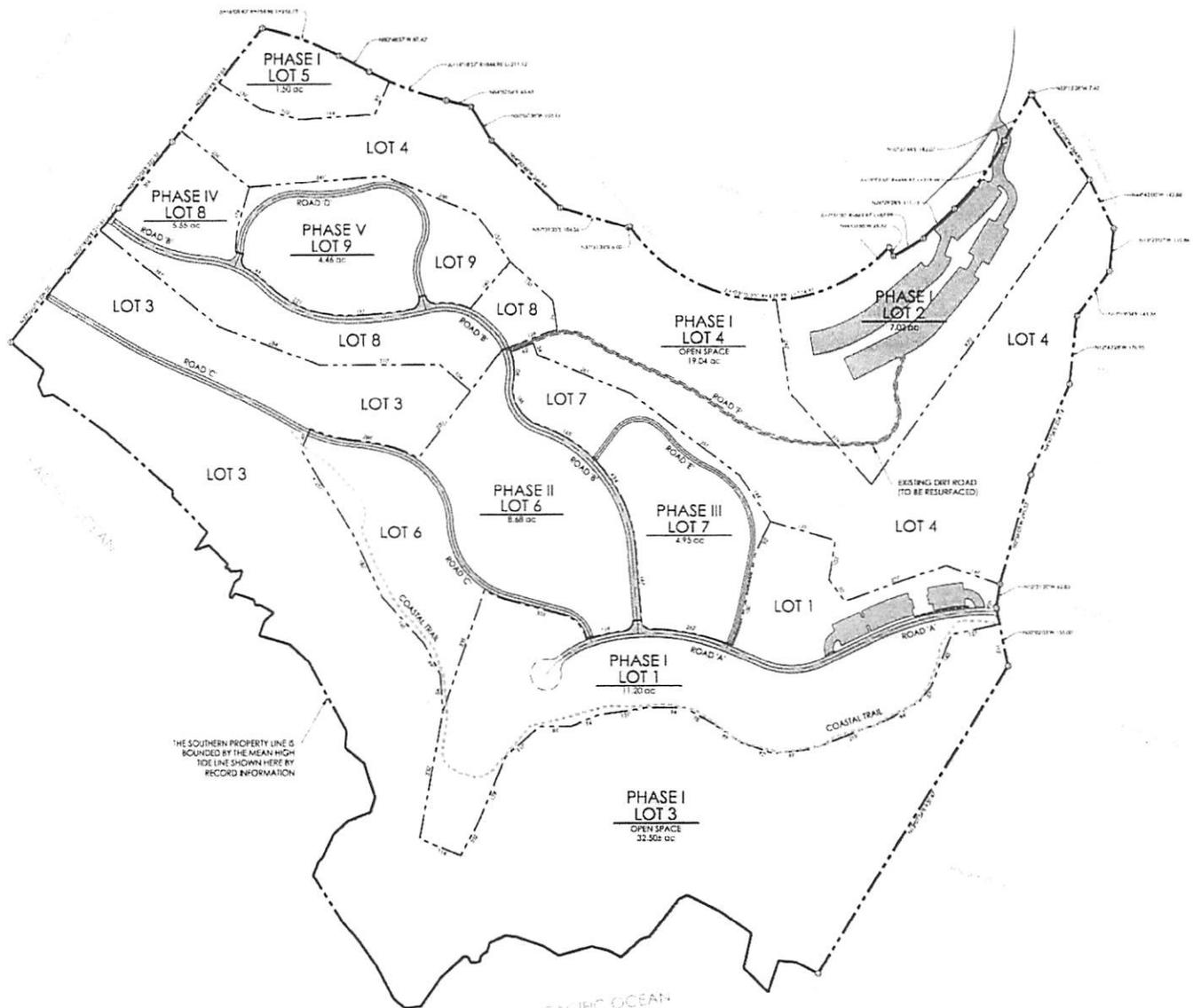
LEGEND

- ■ ■ Resort Center Access (VTM Road A)
- ▬ ▬ ▬ 1st Street Emergency Access (VTM Road B)
- ▬ ▬ ▬ Front Street Emergency Access (VTM Road C)
- ▬ ▬ ▬ Secondary Access A (VTM Road B)
- ▬ ▬ ▬ Secondary Access B (VTM Road C)
- ▬ ▬ ▬ East Loop Road (VTM Road E)
- ▬ ▬ ▬ Oak Woodland Carriage Road (VTM Road F)
- Coastal Trail
- Ⓟ Project Parking / Back of House Parking
- ⊙ Resort Entrance
- ⊙ Front Street and 1st Street Access (Emergency Vehicles, Pedestrians, Bikes)
- ⊙ Service and Secondary Entrance
- 1-1 Section Line (See Figures 5-6 to 5-13)



Source: Chevron Updated Application, July 2015.

Figure IS-7
Circulation and Access



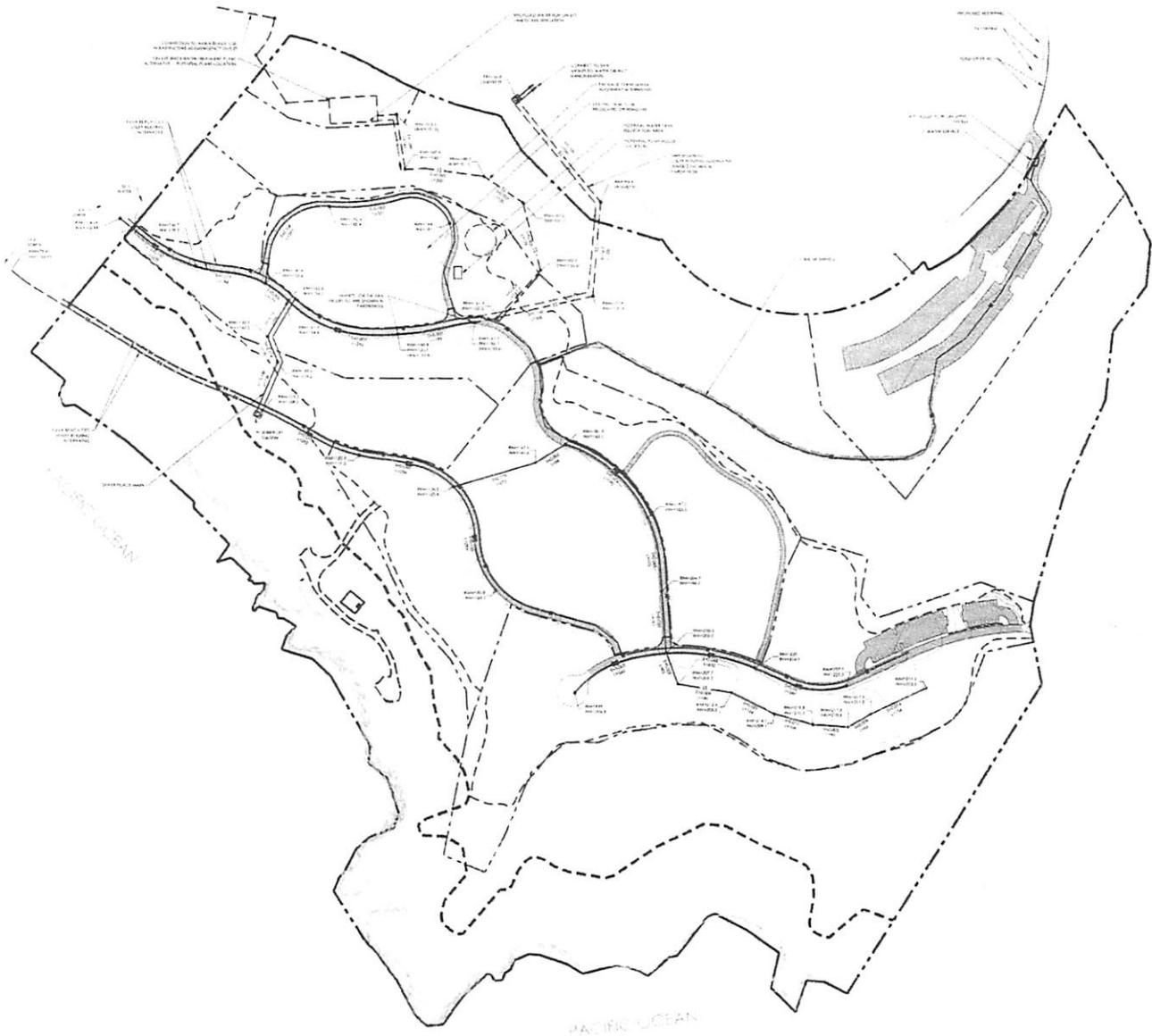
PHASING TABLE

- PHASE I — 71.25 ac
 - LOT 1 IMPROVEMENTS
 - LOT 2 IMPROVEMENTS
 - LOT 3 OPEN SPACE
 - LOT 4 OPEN SPACE
 - LOT 5 IMPROVEMENTS
 - UTILITIES TO POINT OF CONNECTION AT SEWER/WATER MAIN (AVILA BEACH CSD) OR SAN MIGUELITO WATER DISTRICT)
 - COASTAL TRAIL IMPROVEMENTS
- PHASE II — 8.68 ac
 - LOT 6 IMPROVEMENTS
 - COASTAL TRAIL IMPROVEMENTS
- PHASE III — 4.95 ac
 - LOT 7 IMPROVEMENTS
- PHASE IV — 5.55 ac
 - LOT 8 IMPROVEMENTS
- PHASE V — 4.46 ac
 - LOT 9 IMPROVEMENTS

NOTES

1. WATER TANK DEPOSITION TO OCCUR AS NEEDED DURING CONSTRUCTION.



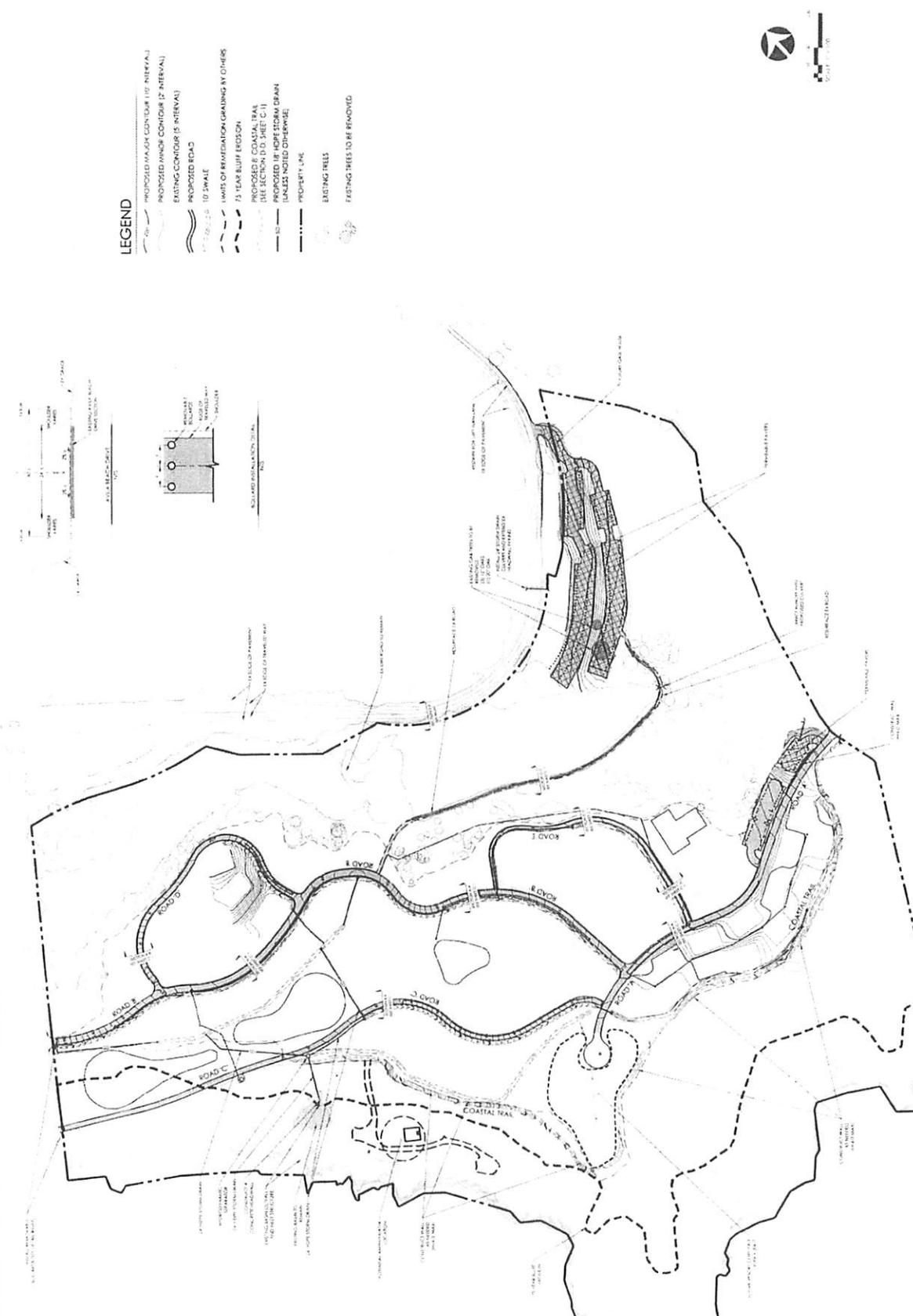


- LEGEND**
- PROPOSED CONTOUR (5 INTERVAL)
 - EXISTING CONTOUR (5 INTERVAL)
 - PROPOSED ROAD
 - 75 YEAR BLUFF EROSION
 - PROPOSED 6" PVC WATER
 - 12" PROPOSED 6" PVC SEWER
 - EXISTING TREES/SCRUB



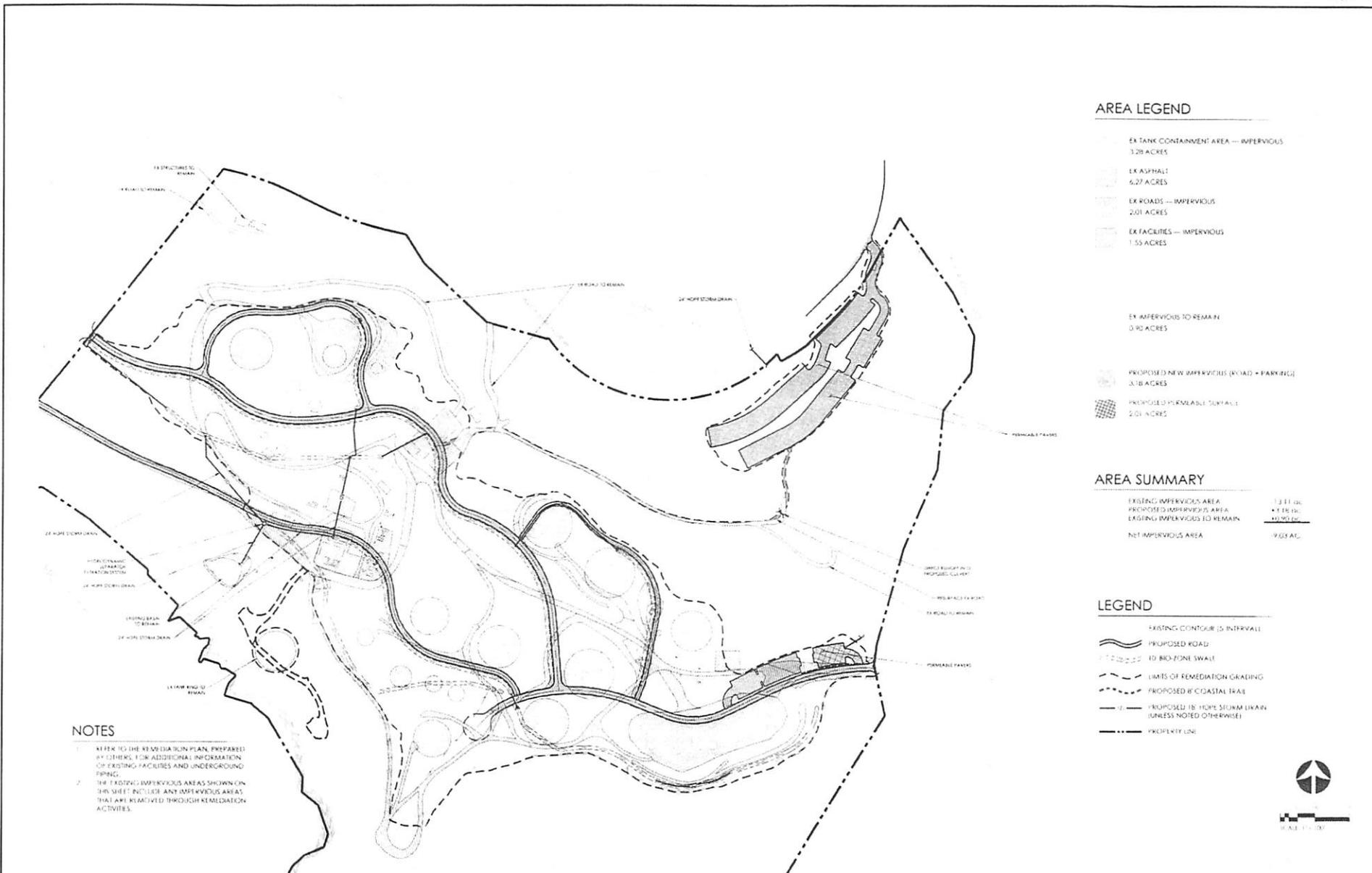
Source: Chevron Updated Application, July 2015.

Figure IS-11
Composite Utilities



Source: Chevron Updated Application, July 2015.

Figure IS-12
Grading and Drainage



Source: Chevron Updated Application, July 2015.

Figure IS-13
Stormwater Management Plan



COUNTY OF SAN LUIS OBISPO HEALTH AGENCY

Public Health Department

Jeff Hamm
Health Agency Director

Penny Borenstein, M.D., M.P.H.
Health Officer



Public Health
Prevent. Promote. Protect.

September 1, 2015

Ryan Hostetter
County of San Luis Obispo
Planning & Building Department
976 Osos Street Room 300
San Luis Obispo, CA 93401

Comments on the Chevron Avila Point 2015 Application Update

Dear Ryan,

I have reviewed the Application Binder for this project as requested.

The following should be revised:

- 1) Section 2 should be revised to include: a current "Identified Hazardous Waste Sites April 1998" list. This list is no longer accurate.
- 2) Section 4 should be revised to include: a current "Identified Hazardous Waste Sites April 1998" list. This list is no longer accurate.
- 3) Section 5, Chapter 2.3, Page 12 Agency roles:
 - a) This agency is the Certified Unified Program Agency (CUPA) for the County and has authority over Above Ground Tank (AGT) and AGT piping closure requirements referenced in California Code of Regulations (CCR) Title 22, Division 4.5, Chapter 11, Article 1, starting with Section 67383.1. The report states remaining piping onsite requires closure.
 - b) This agency also has authority over the proper management of hazardous waste in San Luis Obispo County as the CUPA. The report states some piping on site requires fluid removal cleaning. These fluids are typically hazardous wastes.
- 4) Section 5, Chapter 2.3, Page 13 Table 2-1:
 - a) Under SLO County EHS: Permit/Approval column: AGT piping closure and hazardous waste disposal oversight should be added. The RWQCB oversees the Remediation Action Plan (RAP). This Agency can coordinate with the RWQCB to perform compliance oversight on these items through the RAP rather than a separate process.

- 5) Section 5, Chapter 2.3, Page 25, Paragraph 2: The residual oil referenced in this paragraph will be sent to a Class 1 Facility which accepts hazardous waste. The referenced material should be identified as hazardous waste.
- 6) Section 5, Chapter 4.3.3, Page 29, Paragraph 2: The material or soil referenced in this paragraph will be sent to a Class 1 Facility which accepts hazardous waste. The referenced material should be identified as hazardous waste.
- 7) Section 5, Chapter 4.3.3, Page 28-29: The removal or closure of piping should reference a closure plan that is compliant with hazardous waste control law, applicable regulations within CCR Title 22 and particularly the sections referenced in item 3 above. The plan which would be contained in a RAP should reference criteria used to determine which pipelines are permitted to be closed in place.
- 8) Section 5, Chapter 4.3.3, Page 29, Paragraph 3: There are two facilities in the referenced area with R&R in the title. Please confirm the receiving facility and destination facility for decommissioned pipelines.
- 9) Section 5, Chapter 4.4.3, Page 33-39: The nomenclature used to identify areas for remediation in this section does not cross reference areas requiring further action in the final Human Health Risk Assessment (HHRA). In this section, add the nomenclature used in the final HHRA, to allow for identification of areas requiring action due to human health risks.
- 10) Section 5, Chapter 4.4.5, Page 43, Engineering Controls (ECs): This paragraph states engineering controls to mitigate vapors from residual contamination (ie: VOCs and methane) will be utilized to satisfy local ordinance or agreement with the RWQCB. County Planning and Building and Cal-Fire should be contacted for their respective oversight authority for this also. Future proposed buildings should also comply with DTSC's Vapor Intrusion Mitigation Advisory: (http://www.dtsc.ca.gov/SiteCleanup/upload/VIMA_Final_Oct_20111.pdf) The engineering controls referenced in the advisory indicate multi-agency jurisdictions are involved in this type of project.
- 11) Section 5, Chapter 5.9, Page 67, Engineering and Institutional Controls Implementation: Same comment as item 10 above.

If you have questions concerning this letter, please call me at 805-781-5595.

Sincerely,



Aaron LaBarre, REHS

Supervising Environmental Health Specialist

Hazardous Materials Section



SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS

Wade Horton, Director

County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252
Fax (805) 781-1229 email address: pwd@co.slo.ca.us

MEMORANDUM

Date: September 1, 2015
To: Ryan Hostetter, Project Planner
From: Glenn Marshall, Development Services Engineer
Subject: **Public Works Project Referral for SUB2015-00008, Tract 2999, Chevron Land Development Avila Point, and Associated Remediation Use Permit**

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

PUBLIC WORKS REQUESTS THAT AN INFORMATION HOLD BE PLACED ON THIS PROJECT UNTIL THE APPLICANT PROVIDES THE FOLLOWING DOCUMENTS FOR PUBLIC WORKS REVIEW AND COMMENT:

1. The applicant must submit a completed Checking and Inspection agreement to cover Public Works review, plan checking and inspection. A copy of the Agreement is attached.
2. Remediation and Abandonment Component (Use Permit):
 - a. Submit a project Transportation Management Plan for review by Public Works. Contact Public Works to discuss the limits and components of the plan, but at a minimum it must include:
 - i. Provide an estimation of the number of daily haul trips necessary to complete the remediation project and construction time schedule.
 - ii. Evidence, such as turn template exhibits using existing lane widths that the construction and haul (design) vehicles can negotiate Cave Landing Road and Avila Beach Drive without off tracking or encroaching into oncoming lanes.
 - iii. Evaluation of the existing pavement condition along county road segments of the propose haul route county roads and estimation of probable damage and proposed mitigations.
 - iv. The proposed hauling schedule including hour restrictions based on PG&E shift changes, special events in the community, holidays, and weekends.
 - v. Recommended road mitigations including, but not limited to; route restrictions; erosion control (tracking onto county roads); pavement widening; pavement

striping; MUTCD traffic control; haul hour restrictions (see 2ii above); notifications; temporary and permanent pavement repair; etc.

3. Entitlement and Redevelopment Component (Tract Map):

- a. The County is currently updating the Avila Valley Circulation Study and may have traffic information including counts that may be available to the applicant. Contact Public Works for additional information.
 - b. Submit a project traffic report for review by Caltrans and County Public Works.
 - i. Follow the County's Traffic Impact Study Policies on report preparation, contact Public Works for a copy of the policy and to discuss the limits of roadway, intersection and interchange analysis. The report must also include:
 1. Address items 1 through 5 on Page 5 of the County's Traffic Impact Study Policies (Site Access, On-site Circulation, Alternative Modes, Safety Analysis, and Queuing).
 2. Left turn lane warrants for the new parking lot and increased storage lengths for the existing to Cave Landing Road
 3. Driveway and intersection sight distance analysis for the proposed parking lot and at each project connection to a county maintained road.
 - c. Revised and resubmit the tentative tract map based on the attached checklist comments.
 - d. Per 21.03.010 (7) the onsite roads must be constructed to county road standards and offered to the public unless an adjustment is approved by the hearing body (see 21.03.020 Adjustments). The applicant must apply for an adjustment with their application.
 - e. The project being industrial zoned and within the Urban Reserve Line requires urban (curb, gutter and sidewalk) road improvements on Avila Beach Drive, Cave Landing Road, San Luis Street and San Rafael Street (21.05.020). These improvements may require significant grading and removal of trees or other vegetation. Public Works recommends Planning and the applicant discuss the need for curb, gutter and sidewalk on Avila Beach Dr and Cave Landing Rd. with the community advisory committee then apply for the necessary adjustments.
4. In accordance with the Land Use Ordinance, as the project is located in a Storm Water Management (MS4) Area, it is considered a regulated project and required to submit a Storm Water Control Plan Application and Coversheet.

Public Works Comments:

- A. At the time the project referral was received by Public Works on August 20, 2015, the application acceptance date had not been established.
- B. The below recommended conditions of approval are subject to change based on the response to our recommended information hold items, above.
- C. In accordance with the Grading and Drainage, Section 22.52.070 (B) (9) [Res. 3188 4/13/2010] onsite pad and access road grading is not exempt from a Grading Permit. Therefore this work must be processed through the Planning and Building Department. Public Works recommends the access road work be completed prior to final map recordation [21.03.010 (d) (2)].
- D. The project being industrial zoned and within the Urban Reserve Line requires urban (curb, gutter and sidewalk) road improvements on Avila Beach Drive, Cave Landing Road, San Luis Street and San Rafael Street may require significant grading and removal of trees or other vegetation. The Planner should address this issue in the environmental determination. Public Works recommends Planning and the applicant discuss the need for curb, gutter and sidewalk on Avila Beach Dr and Cave Landing Rd. with the community advisory committee then apply for the necessary exemptions via Title 21.
- E. The proposed project is within the Avila Beach Road Improvement Fee Area. Payment of Road Improvement Fees to mitigate cumulative development is required prior to future building permit issuance.
- F. Remediation Component (Project Description)
 - 1. Page 29, Public Works prefers removal of pipes rather than abandon in-place. If abandoned the owner remains responsible into perpetuity to mark their abandoned facilities in accordance with Underground Service Alert (U.S.A.)
- G. Tentative Tract Map
 - 1. See request for information hold, above.
- H. Specific Plan
 - 1. Public Work has no concerns with the recommended changes to the specific plan.
 - 2. Public Works recommends that the hillside road swale section identified on pages 43-44 be modified to asphalt dike and sidewalk, or concrete curb and sidewalk, to control drainage and provide pedestrian access.
- I. Stormwater
 - 1. The project meets the applicability criteria for Storm Water Management and is required to submit a Storm Water Control Plan Application and Coversheet. The Storm Water Control Plan application and template can be found at: <http://www.slocounty.ca.gov/Assets/PL/Forms+and+Information+Library/Construction+Permit+Documents/Grading+and+Drainage+Documents/SWCP+Application+Pkg.pdf>
 - 2. The Post Construction Requirement (PCR) Handbook can be found at: http://www.slocounty.ca.gov/Assets/PL/Grading+and+Stormwater+Mgmt/new_stormwater/PCR+Handbook+1.1.pdf

3. The applicant must decide whether all storm water management facilities are to be designed and constructed as subdivision improvements, or individually with each lot as they are developed. If Storm water management facilities are required:
 - a) Storm Water management facilities for public or common area improvements (including those for fronting and interior roadways) shall be constructed with those improvements. Maintenance for those facilities shall be guaranteed in perpetuity.
 - b) Whether constructed as subdivision improvements or individually, an impervious area ceiling must be assumed for each lot and conditions citing that as a building restriction for that lot will be required.
 - c) If constructed individually, each lot will be required to perform its own storm water management on site (and as if it were not a detached single family residence) regardless of its own impervious footprint. It will be required to treat its storm water per the performance requirements determined by the total impervious square footage of the subdivision. Maintenance for those facilities shall be guaranteed in perpetuity.

Recommended Public Works Conditions of Approval for Remediation Plan Use Permit

Access

1. **At the time of application for construction permits**, the applicant shall enter into an agreement and post a deposit with the county for the cost of checking the improvement plans and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
2. **At the time of application for construction permits**, the applicant shall submit an application, fee and plans to the Department of Public Works to secure an Encroachment Permit prior to performing any work within the county maintained rights-of-way, including pipeline abandonment or driveway access improvements.
3. **Prior to issuance of construction permits**, the applicant shall secure an Encroachment Permit from the Department of Public Works to implement the county approved Transportation Management Plan. The conditions and provisions of the encroachment permit shall require, at a minimum:
 - a. Posting a \$5,000 cash damage bond. The funds may be drawn by the County to pay the actual costs of any action taken by the County to correct any unsafe condition or damage to County roads that may arise during the course of the permitted activity.
 - b. Enter into an Encroachment Checking and Inspection Agreement and submit a \$2,500 deposit with the county for the cost of checking the encroachment permit and the cost of inspection of any such improvements by the county or its designated representative.
 - c. Implement the recommendations of the project's county approved Transportation Management Plan.
 - d. Require monitoring of all construction vehicles to ensure they are in conformance with legal limits as defined within the California Vehicle Code (separate Transportation Permits shall be required for vehicles that exceed legal limits).
 - e. Require ongoing monitoring the pavement condition of all County maintained roads along the construction and haul route and promptly provide temporary repair of pavement deterioration with "cold patch". All pavement repairs shall be completed within 24-hours of discovery by the applicant; or upon notification by the public; or upon notification by the County or their representatives
 - f. Continually monitor for sediments being tracked onto County maintained roads along the construction and haul route and remove such material in accordance with Best Management Practices (see Caltrans SC-7).
 - g. Provide the County Public Works notice when permitted operations have been completed. Within thirty (30) calendar days of such notice, the applicant, at its sole cost and expense:
 - i. Shall remove all temporary cold patches and perform final pavement repairs in accordance with County Standard R-series drawings and to the satisfaction of the County Public Works Inspector.

ii. Shall remove all other temporary encroachments including those as recommended in the Transportation Management Plan.

4. **On-going condition of approval (valid for the life of the permit)**, the utility owner shall maintain ownership of all abandoned facilities in the public right-of-way and shall continue to mark these facilities for USA requests. When abandoned facilities conflict with future County utility or road projects, the utility owner shall assist the County in locating the abandoned utility in the right-of-way, and if necessary, remove those portions of abandoned facilities that would be in conflict with the proposed improvements
5. **Prior to permit final**, the applicant shall be responsible to restore those sections of Cave Landing Road and Avila Beach Drive to a condition equal to or better than preconstruction conditions.
6. **Prior to permit final**, the applicant shall finalize all provisions and conditions of the project Encroachment Permit to the satisfaction of the Department of Public Works.

Recommended Public Works Conditions of Approval for Tract 2999

Access and Improvements:

1. Road and/or streets to be constructed to the following standards, unless design exceptions are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:
 - a. Avila Beach Drive shall be widened to complete the project frontage to an A-2d urban road section with Class II bike lanes fronting the property and within a dedicated right-of-way easement of sufficient width to contain all elements of the roadway prism.
 - b. Avila Beach Drive shall be widened either side of the intersection with Cave Landing Road to lengthen the existing left-turn channelization in accordance with Caltrans California Highway Design Manual, Chapter 400, and within necessary dedicated right-of-way easements.
 - c. Avila Beach Drive shall be widened at its intersection with the proposed Phase 1 Lot 2 parking area to construct standard left-turn channelization in accordance with Caltrans California Highway Design Manual, Chapter 400, and within necessary dedicated right-of-way easements; and the driveway approach shall be constructed in accordance with County Public Improvement Standard B-3 commercial driveway and A-5 series sight distance standards.
 - d. Cave Landing Road shall be widened to complete the project frontage to an A-2d urban road section; and to construct dedicated north bound left and right turn lanes at its intersection with Avila Beach Drive. All improvement must be within a dedicated right-of-way easement of sufficient width to contain all elements of the roadway prism.
 - e. San Rafael Street shall be widened to complete all project frontages to an A-2 urban road section fronting the property and within a dedicated right-of-way easement of sufficient width to contain all elements of the roadway prism.
 - f. San Luis Street shall be widened to complete the project frontage to an A-2 urban road section fronting the property and within a dedicated right-of-way easement of sufficient width to contain all elements of the roadway prism.
 - g. The proposed private access road connections to Front Street, First Street, and Cave Landing Road must be constructed to County Public Improvement Standard B-3 series drawings for urban roadways and A-5 series sight distance standards.
 - h. All onsite private access roads shall be constructed to Cal Fire Standards and within access and utility easements as necessary to contain all elements of the roadway prism.
 - i. The existing property access driveway on San Luis Street near Avila Beach Drive shall be abandoned by removal of improvements and revegetation.
 - j. All roadway grading shall be done in accordance with Title 19 and the California Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.
2. The applicant shall enter into a Checking and Inspection agreement with the Department of Public Works and post a deposit for the cost of checking the map, the improvement plans if any,

and the cost of inspection of any such improvements by the county or its designated representative.

3. The applicant shall provide the Department of Public Works with an Engineer of Work Agreement retaining a registered civil engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works. The civil engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans.
4. All public improvements shall be completed prior to occupancy of any new structure.

Offers, Easements and Restrictions:

5. The applicant shall offer for dedication to the public the following easements by certificate on the map or by separate document:
 - a. For road widening purposes a variable road right-of-way, if required, along Avila Beach Drive, Cave Landing Road, San Luis Street and San Rafael Street of sufficient width to contain all elements of the roadway prism.
 - b. A 20-foot radius road right-of-way along the property line returns at the intersection of Avila Beach Drive and Cave Landing Road and at Avila Beach Drive and San Luis Street.
 - c. An access easement to be used for emergency purposes only that extends through the project site from First Street to Cave Landing Road.
 - d. A public trail easement as shown on the tentative map.
 - e. Drainage easement(s) as necessary to contain both existing and proposed drainage improvements where those improvements accept storm water from a public road.
6. The applicant shall reserve the following private easements by certificate on the map or by separate document:
 - a. Reciprocal private access, public utility, and drainage easements of variable width over each new subdivision road, parking lot, storm drainage facility, and utility corridor in favor of Lots 1-9.
7. The applicant shall show the following restrictions by certificate on the map or by separate document:
 - a. If drainage basins are required then the basin areas shall be indicated as a building restriction on the map.
8. If a drainage basin is required, the drainage basin along with rights of ingress and egress shall be reserved as a drainage easement in favor of the owners and assigns.

Improvement Maintenance:

9. Prior to map recordation the developer shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure inspection, operation, and maintenance of the following improvements:
 - a. The shared private access roads serving Lots 1 -9.
 - b. The shared storm water treatment facilities for public or common area improvements (if required) as stipulated in the "Private Storm Water Conveyance Management and Maintenance System" exhibit (to be recorded as a Constructive Notice).
 - c. The shared storm drainage basins, inlets, pipes, fences, landscaping and other related appurtenances (if required) for public or common area improvements.

Improvement Plans:

10. Improvement plans shall be prepared in accordance with County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plans are to include, as applicable:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Water plan to be approved jointly with County Environmental Health.
 - d. Sewer plan to be approved jointly with County Environmental Health.
 - e. Sedimentation and erosion control plan for subdivision related improvements.
 - f. Stormwater control plan for subdivision related improvements (if subject to MS-4 requirements).
 - g. Traffic control plan for construction in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD).
 - h. Public utility plan, showing all existing utilities and installation of all new utilities to serve each lot.
 - i. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
 - j. Trail plan, if required, to be approved jointly with County Parks.
11. All existing overhead electric power, telephone and cable television transmission and distribution lines fronting or contained within the project boundary shall be relocated underground [21.03.10(h)] and the poles removed.
12. All new electric power, telephone and cable television services shall be completed to each new parcel and ready for service. Applicant responsibilities for electric service and distribution line

extensions (facilities and equipment) are detailed in PG&E Electric Rule No.15 and Rule No.16, respectively.

13. Prior to final map recordation, electric, telephone, and cable television services shall be completed, and shall meet the utilities' installation requirements, unless (in-lieu) financial arrangements with the utility for the installation of these systems have been made.
14. New gas distribution mains shall be installed along the entire project frontage(s) and gas service laterals shall be stubbed to each new parcel unless otherwise directed by the gas purveyor.

Drainage:

15. Submit complete drainage calculations to the Department of Public Works for review and approval. If calculations so indicate, drainage must be detained in a shallow drainage basin on the property [21.03.010(e)(2)]. The design of the basin is to be approved by the Department of Public Works, in accordance with county standards. The basin/s is/are to be maintained in perpetuity.
16. All project related drainage shall be designed and constructed in accordance with the recommendations of the San Luis Creek Watershed Drainage Design Manual.
17. If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
 - a. Submit a copy of all such permits to the Department of Public Works OR
 - b. Document that the regulatory agencies have determined that said permit is not required.

Stormwater:

18. **At the time of application for construction permits**, the applicant shall demonstrate whether the project (including both public and private improvements) is subject to the LUO Section for Storm Water Management by submitting a Storm Water Control Plan (SWCP) to show what is required to satisfy post construction requirements for storm water treatment. It shall be prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Storm Water Control Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation control plan. The applicant shall submit complete drainage calculations for review and approval.
 - a. If storm water treatment facilities are to be constructed with subsequent individual lot development, each lot will be required to perform its own storm water treatment on site but based on the performance requirements determined by the total new or replaced impervious square footage of the subdivision.
 - b. If storm water treatment facilities are to be constructed with subsequent individual lot development, each lot will be required to perform its own storm water treatment on site (and as if it were not a detached single family residence) regardless of its own impervious footprint. It will be required to treat its storm water per the performance requirements determined by the total assumed impervious square footage of the tract.

- c. Storm Water treatment facilities for public or common area improvements (including those for fronting and interior roadways) shall be constructed with those improvements
- d. An impervious area ceiling must be determined for each lot and noting that as a building restriction on an Additional Map sheet is required.

19. **At the time of submittal of the improvement plans or construction permits**, if necessary, the applicant shall submit a draft "Private Storm Water Conveyance Management and Maintenance System" exhibit for any proposed post construction structural treatment device for review and approval by the County.

20. **Prior to approval of the improvement plans or construction permits** if necessary, the applicant shall record with the County Clerk the "Private Storm Water Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

Fees:

21. In accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the Avila Beach Road Improvement Fee. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to be issued. These fees are subject to change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect at the time of application for building permits.

Additional Map Sheet:

22. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

- a. Notification to prospective buyers that all subdivision roads and streets are to be privately maintained, indicating the proposed maintenance mechanism.
- b. If a drainage basin is required, that the owner(s) of Lots 1-9 are responsible for on-going maintenance of drainage basin, fencing, and adjacent landscaping in a viable condition on a continuing basis into perpetuity. The basin(s) area shall be indicated as a building restriction.
- c. If improvements are bonded for, all public improvements (access, drainage, and utilities) shall be completed to the satisfaction of the County prior to occupancy of any new structure.
- d. In accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the Avila Beach Road Improvement Fee. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to be issued. These fees are subject to change by resolution of

the Board of Supervisors. The applicant shall be responsible for paying the fee in effect at the time of application for building permits.

- e. The applicant shall demonstrate that the project construction plans are in conformance with the applicant's Storm Water Control Plan Application.
- f. For Storm Water management purposes, an impervious area ceiling must be determined for each lot and noted as a building restriction.
- g. Storm Water treatment facilities shall be maintained and inspected in perpetuity as stipulated in the "Private Storm Water Conveyance Management and Maintenance System" exhibit (to be recorded as a Constructive Notice).
- h. In accordance with Title 8, Section 8.40.065 (for Coastal Zones), water well monitoring report, if required, shall be submitted on June 30 of each year to the San Luis Obispo County Department of Public Works for incorporation into the resource management system. The report shall conform to the reporting requirements on file with the Public Works' Utilities Division.
- i. The property owner shall be responsible for the operation and maintenance of public road frontage sidewalks, landscaping, street lighting, and pedestrian amenities in a viable condition and on a continuing basis into perpetuity, or until specifically accepted for maintenance by a public agency.
- j. The additional map sheet shall contain the final conditions of approval for the Development Plan/Coastal Development Permit as they are shown in the Notice of Final Action.

Covenants, Conditions and Restrictions:

23. The developer shall submit proposed Covenants, Conditions, and Restrictions (CC&R) for the subdivision to the county Department of Planning and Building for review and approval, and shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure adequate private maintenance, acceptable to the Department of Planning & Building, and in conformance with the requirements of the State Department of Real Estate. The CC&R shall provide at a minimum the following provisions:
- a. Maintenance of all private access roads and parking lots into perpetuity.
 - b. Maintenance of public trails into perpetuity.
 - c. If a drainage system is required, on-going maintenance of drainage pipe, inlets, and related appurtenances in a viable condition on a continuing basis into perpetuity.
 - d. If a drainage basin is required, on-going maintenance of drainage basin, fencing, and adjacent landscaping in a viable condition on a continuing basis into perpetuity.
 - e. If storm water treatment facilities are required, on-going maintenance of said facilities in a viable condition on a continuing basis into perpetuity.
 - f. Maintenance of all common areas within the subdivision into perpetuity.

- g. Operation and maintenance of public road frontage sidewalks and landscaping in a viable condition and on a continuing basis into perpetuity, or until specifically accepted for maintenance by a public agency.
- h. Notification to prospective buyers that an additional map sheet was recorded with the final parcel or tract map. The restrictions, conditions and standards set forth in the additional map sheet apply to future development. It is the responsibility of the prospective buyers to read the information contained on the additional map sheet.
- i. In accordance with Title 8, Section 8.40.065 (for Coastal Zones), water well monitoring reports shall be submitted on June 30 of each year to the San Luis Obispo County Department of Public Works for incorporation into the resource management system. The report shall conform to the reporting requirements on file with the Public Works' Utilities Division.

Miscellaneous:

- 24. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.
- 25. Three (3) copies of a Preliminary Soils Report prepared by a Registered Civil Engineer in accordance with Sections 17953, 17954, 17955 of the California Health and Safety Code shall be submitted to the Public Works, Health and Planning and Building Departments prior to the filing of the final tract map. The date and person who prepared the report are to be noted on the map.
- 26. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- 27. All timeframes on approved tentative maps for filing of parcel or final tract maps are measured from the date the Review Authority approves the tentative map as required by the Subdivision Map Act.
- 28. The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

**SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS
Development Services Division**

Traffic Impact Study Policies

A Traffic Impact Study (TIS) shall be required as determined necessary by County Public Works staff, based on the following information:

- a. high project trip generation
- b. high volume or high speed on road where project access is taken
- c. collision history
- d. sight distance concerns
- e. proximity to impacted facilities

In addition to the San Luis Obispo County policies outlined herein, further guidance on the preparation of Traffic Impact Studies may be found in the most-recent edition of Transportation and Land Development, published by the Institute of Transportation Engineers, Washington DC.

Traffic Impact Study (TIS) Required Elements

Background Sections

2. Existing conditions – a qualitative description of roads and intersections in the vicinity of the project. This section shall also include an evaluation of existing Level of Service for all roads and intersections included. The determination of roads and intersections to be included in the TIS shall be made in consultation with County Public Works staff, following the general guidelines of Transportation and Land Development, the ITE reference cited above.
3. Project description – a description of the proposed project, including all information used (square footage, employees, parking spaces, etc) to determine traffic-generating characteristics.
4. Trip generation – calculation of the amount of traffic forecast to be generated by the proposed development. Required:
 - a. Average Daily Traffic (ADT)
 - b. Weekday afternoon peak hour traffic (pht) – peak hour of adjacent street, not peak of generator
 - c. Weekday morning pht – adjacent street, if required by Public Works
 - d. Weekend peak hour traffic, if required by Public Works

5. Trip distribution – proportion of project traffic forecast to be distributed to each major direction.
6. Trip assignment – distributed project traffic assigned to roads and intersections included in the TIS, as determined in (a) above.

Impact Analysis

The County of San Luis Obispo has adopted as a policy the following Level of Service standards for roads and intersections being evaluated:

Rural areas: Level of Service (LOS) C is acceptable, LOS D is not
Urban areas: Level of Service (LOS) D is acceptable, LOS E is not

The determination of whether a facility is rural or urban is based on the Urban Reserve Line, as shown in the Land Use Element of the General Plan. Areas inside Village Reserve Lines are considered rural.

The determination of Level of Service shall utilize the methods of the latest edition of the Highway Capacity Manual, published by the Transportation Research Board, and any related computer software based on its analysis methods.

The following scenarios shall be evaluated in the TIS to determine the Level of Service at all roads and intersections included in the study:

1. Existing conditions
2. Existing + project
3. Existing + approved/not built developments
4. Existing + approved/not built + project
5. Cumulative conditions
6. Cumulative + project

The list of approved but not yet built projects within the area of the TIS shall be obtained from the Department of Planning & Building, Environmental Coordinator Division.

Cumulative conditions shall be determined by use of traffic forecasts from approved County Public Works models, where available. Information on current model availability, and data files for those models, may be obtained from the Transportation Division of the County Public Works Department. In regions where model forecasts are not available, a 20-year

growth factor determined from historic traffic volume trends, or a buildout “traffiched” approach, may be used with approval from Public Works.

The author of the TIS shall present the results of the scenario evaluations listed above in table format, as shown below.

Facility	Existing traffic	Existing LOS (1)	Existing + Project traffic	Existing + Project LOS (2)	Comments
This column shall include an entry for each road and intersection analyzed in the study.	This column shall provide volume and/or delay data for each entry.	This column shall list the LOS for each entry.	This column shall provide volume and/or delay data for each entry.	This column shall list the LOS for each entry.	This column shall indicate whether each entry represents a significant impact.

This is an example presenting the evaluation of scenarios 1 and 2 from the above list. A similar table shall be prepared for each pair of scenarios: 1 and 2, 3 and 4, 5 and 6.

Mitigation of Identified Impacts

In each pair of scenarios, if a particular facility has acceptable LOS prior to the addition of project traffic, and unacceptable LOS with the addition of project traffic, that constitutes a significant impact due to the project. The study shall identify necessary measures to bring all roads and intersections into compliance with the County’s policy for acceptable LOS.

The author of the TIS shall prepare a table indicated recommended improvements, which includes the following information:

Facility	Existing LOS (1)	Existing + Project LOS (2)	Recommended Improvement	Resulting LOS with Improvement
This column shall list each road and/or intersection with unacceptable LOS	This column shall list the LOS for each entry.	This column shall list the LOS for each entry.	This column shall list the recommended improvement which addresses the unacceptable LOS.	This column shall list the LOS for each entry <u>after</u> improvement.

This is an example presenting the evaluation of scenarios 1 and 2 from the above list. A similar table shall be prepared for each pair of scenarios: 1 and 2, 3 and 4, 5 and 6.

If a road or intersection has unacceptable LOS under any scenario before the addition of project traffic, adding project traffic to the facility will be a cumulative impact. The TIS should identify necessary measures to bring all roads and intersections to acceptable LOS.

For cumulative impacts, it is anticipated that these mitigations will already be identified through the County’s ongoing transportation planning efforts. Where these measures have been incorporated into the Capital Improvement Program (CIP) of a community Circulation Study, and a mitigation fee established, payment of this fee is the appropriate mitigation of the identified cumulative impacts.

On those occasions where the facilities projected to experience a cumulative impact are not incorporated into a County CIP, additional evaluation will be needed to determine the appropriate mitigation. One possible outcome might be for the project developer to fund the additional analysis (a new Circulation Study) which will form the basis for establishment of a new mitigation fee for the area. These additional study costs will be eligible for “credit” against the amount of the fee to be established for the subject development project.

Another alternative is for the TIS to define an “equivalent substitute mitigation measure.” This will necessitate the following steps:

1. Determine the necessary measures (capital improvements) to bring all roads and intersections into compliance with the County’s policy for acceptable LOS.
2. Estimate the cost of all improvements identified above.
3. Calculate the subject project’s “fair share” of the total cost of improvements. The determination of a project’s “share” of future improvements should not be based on total traffic, but rather on that portion of future traffic volumes above the acceptable LOS threshold. Following is a table which depicts the approach that shall be used:

Facility	Future Pk Hr Traffic Volumes (1)	LOS D/E threshold* volume (2)	Future traffic exceeds by: (3)	Project Traffic (4)	Project “Fair Share” (5)
This column shall list each road and/or intersection being considered	This column shall provide volume data for each entry.	This column shall report the applicable LOS threshold, from the Highway Capacity Manual.	$(3) = (1) - (2)$	This column shall provide the volume of traffic on each facility generated by the project.	$(5) = \frac{(4)}{(3)}$

* Analysis shall use LOS C/D threshold volume in rural areas.

4. Identify one or more improvements from the list whose (combined) value is approximately equal to the project’s share.
5. The improvement(s) identified shall be the “equivalent substitute mitigation measure” and shall be constructed by the developer as a condition of approval of the subject project.

Additional TIS Required Elements

In addition to the sections described above, a TIS shall incorporate analysis of the following topics, as determined necessary by County Public Works staff:

1. **Site access.** Evaluate the following for all new connections to County-maintained roads, State highways, or other routes as appropriate:
 - a. Sight distance
 - b. Traffic control requirements
 - c. Warrants for left-turn deceleration and storage
 - d. Warrants for right-turn deceleration and storage
 - e. Considerations for truck and other large vehicle operationsRecommend appropriate mitigation measures as needed.
2. **On-site Circulation.** Evaluate circulation system internal to proposed development, and provide an opinion on parking provisions, circulating roadway configurations, provisions for truck traffic and loading areas, and any potential impacts to the streets or roads which provide access to the site (such as from internal queuing). Recommend appropriate mitigation measures as needed.
3. **Alternative modes.** Evaluate the project's connections to, and potential impacts upon, the following transportation modes:
 - a. Pedestrian
 - b. Bicycle
 - c. Public transit
 - d. EquestrianThe report shall identify any quantifiable benefit which can be attributed to improvements to these modes, as part of the Impact Analysis. Recommend appropriate mitigation measures as needed.
4. **Safety analysis.** Evaluate the collision history in the immediate vicinity of the proposed project, and provide an opinion on whether the development will significantly affect existing safety conditions. If so, recommend appropriate mitigation measures.
5. **Queuing.** Evaluate the maximum length of queue at intersections in the immediate vicinity of the proposed project, during the peak hour of the generator, and provide an opinion on whether the development will significantly affect operations at other closely-spaced public road intersections. If so, recommend appropriate mitigation measures.

Conclusion

The report shall conclude with a section that summarizes the impacts that were identified and the recommended mitigation measures in each analysis scenario.

The report shall be signed and sealed by a Registered Traffic Engineer or Civil Engineer with adequate experience in transportation engineering, licensed to practice in the State of California. The signature shall be accompanied by the date of signing, and the seal shall be accompanied by the date of expiration of the license of the author.

Revised 3/26/07

V:\traffic.wpd

County of San Luis Obispo, Department of Public Works

Engineering Checking and Inspection Agreement

for

-Land Subdivision-

WHEREAS, _____ hereinafter referred to as "Applicant," has applied for, and received, preliminary approval of: Tract 2999 (hereinafter "Project") from San Luis Obispo County, a political subdivision of the State of California, hereinafter referred to as "County."

NOW, THEREFORE, for valuable consideration, the receipt and adequacy of which is hereby acknowledged, this Agreement is made and entered into this _____ day of _____, 20____, by and between the Applicant and the County.

Agreement

1. Applicant shall deposit with the San Luis Obispo County Department of Public Works the amount of \$ 10,000 ("Deposit") upon execution of this Agreement. Said Deposit shall be used to pay the County for work performed by the County in accordance with the provisions of this Agreement. The Deposit shall be maintained in the amount of \$ 5,000 at all times. The San Luis Obispo County Department of Public Works shall invoice the Applicant on a monthly basis for costs incurred by the Department related to the Project during the previous month. Within thirty (30) days of the invoice date, the Applicant shall submit payment to the Department for the amount of the invoice in order to maintain the original Deposit balance. Amounts remaining unpaid for thirty (30) days from the date of the County's invoice shall accrue interest at the rate of one percent (1%) per month beginning thirty (30) days after the date of the invoice. Upon completion of the work performed in accordance with this Agreement, any unspent portion of the Deposit shall be returned to the Applicant after deducting any unpaid invoices.

2. The Applicant shall pay the County for the cost of checking of the Project subdivision map, the Project improvement plans, and the cost of inspection of any such improvements by the San Luis Obispo County Department of Public Works. The Applicant shall be charged and shall pay to the County the actual cost for all services related to the Project rendered by County personnel or its consultants. Failure to maintain the Deposit or make full payment on an account within thirty (30) days from the date of the County's invoice may result in suspension of all work on the Project until payment is received and the account is brought current and the Deposit restored.

3. Permission is hereby granted to the County, or its authorized agent, to enter upon the land which is the subject of the Project for the purpose of inspection of any and/or all work to be done under the Agreement.

4. The Applicant shall employ a California Registered Civil Engineer of work to provide inspection during the course of construction, to certify to the County Department of Public Works that the improvements were installed in accordance with approved plans, and to submit as-built plans to the County Department of Public Works. If the engineer of work is other than the designing engineer or is replaced during the course of construction, the County Department of Public Works shall be notified in writing; and each such engineer of work shall certify as to their respective involvement. The County Department of Public Works may make such additional construction observations as is deemed necessary and shall be available to review field conditions and/or proposed changes with the engineer of work.

5. It is understood and agreed by and between the Parties hereto that this Agreement shall bind the heirs, executors, administrators, successors and assigns of the respective Parties to this Agreement.

6. The Applicant shall defend, indemnify and save harmless the San Luis Obispo County, its officers, agents and employees from any and all claims, demands, damages, costs, expenses, judgments, or liability occasioned by the performance or attempted performance of the provisions hereof, or in any way arising out of this Agreement, including, but not limited to, those predicated upon theories of violation of statute, ordinance or regulation, violation of civil rights, inverse condemnation, equitable relief, or any wrongful act or any negligent act or omission to act on the part of the Applicant or of agents, employees or independent contractors directly responsible to the Applicant; providing further that the foregoing obligations to defend, indemnify and save harmless shall apply to any wrongful acts, or any passively negligent acts or omissions to act, committed jointly or concurrently by the Applicant, the Applicant's agents, employees, or independent contractors and the County, its agents, employees or independent contractors. Nothing contained in the foregoing indemnity provisions shall be construed to require the Applicant to indemnify the County against any responsibility or liability in contravention of Section 2782 of the Civil Code.

7. Unless otherwise provided, all notices herein required shall be in writing and delivered in person or sent by United States first class mail, postage prepaid. Notices required to be given to County shall be addressed as follows: Director of Public Works, County of San Luis Obispo, County Government Center, Room 207, San Luis Obispo, California 93408. Notices required to be given to Applicant shall be sent to the Applicant's billing address as set forth below. Any party may change such address by notice in writing to the other party and thereafter notices shall be addressed and transmitted to the new address.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

APPLICANT

COUNTY OF SAN LUIS OBISPO
Dave Flynn, Interim Director of Public Works

By: _____
Applicant's signature

By: _____
Frank Honeycutt, PE
Development Services Manager

Applicant's name

Street & PO Box

City, State, Zip

Phone Number (8:00 a.m. to 5:00 p.m.)

Revision date: June 2011
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JLO County Public Works Dept.

21.02.046(a) TENTATIVE MAP Check List

(Parcel Map or Tract Map) Map No. 2999

Status	Item
✓	(1) <u>Record Data</u> . The boundary lines of the original parcel, with dimensions shown in feet, based on survey data or information of record, and area of the property shown in square feet or acres to the nearest tenth.
✓	(2) <u>Property Description</u> . A description of the property as well as the assessor's parcel number(s) for the property.
✓	(3) <u>Legend and Owner Information</u> . A north arrow and scale, the name and address of the record owner(s), and the name and address of the subdivider.
✓	(4) <u>Vicinity Map</u> . A vicinity map on which shall be shown the general area including adjacent property, subdivisions and roads
✓	(5) <u>Existing Structures</u> . All existing structures, wells, septic tanks, driveways and other improvements located on the original parcel shall be accurately located, identified and drawn to scale. The distance between structures, the distance from existing structures to the boundary lines of the new parcel on which the structures are to be located, and the height of each structure shall be shown. Such distances shall be established by a registered civil engineer's or licensed land surveyor's survey when deemed necessary by the planning department.
O	(6) <u>Contour Lines</u> . Contour lines of the property shall be shown at intervals set forth: >40 Ac, 40ft; 20-40 AC, 20 ft; 10-20 AC, 10 ft; <10 AC w/ 0-12% slope, 2 ft; >12% slope, 5 ft
✓	(7) <u>Drainage</u> . The approximate location of all watercourses, drainage channels and existing drainage structures.
✓	(8) <u>Landforms</u> . The approximate location of other topographic or manmade features, such as bluff tops and ponds.
✓	(9) <u>Lakes and Ocean</u> . Approximate high-water lines in lakes or reservoirs, and the mean high tide line of the ocean.
✓	(10) <u>Flood Hazard</u> . The location of all areas subject to inundation or stormwater overflow.
O	(11) <u>Proposed Parcel Lines</u> . The proposed division lines with dimensions in feet and the gross and net area of each parcel created by such division in square feet or acres to the nearest tenth. Also, each parcel created shall be designated on the tentative map by number.
P	(12) <u>Designated Building Sites</u> . Any designated building sites proposed by the applicant to minimize grading, tree removal, and other potential adverse impacts, or any areas proposed for exclusion from construction activities, shall be shown on the tentative map for proposed parcels greater than ten thousand square feet. Also, any details on proposed building setback lines and widths of side yards shall be shown on the tentative map.
O	(13) <u>Streets</u> . The locations, names, county road numbers and widths of all adjoining and contiguous highways, streets and ways.
O	(14) <u>Easements</u> . The locations, purpose and width of all existing and proposed easements, streets (with proposed names) and appurtenant utilities.
O	(15) <u>Coastal Zone</u> . For tentative maps for properties located within the coastal zone between the sea and the first public road paralleling the sea, show the location of the public access ways nearest to the subject site
	21.02.048 (a)(2) <u>Preliminary Title Report</u> . Preliminary title report concerning the property which is not more than six months old showing current property owners.

X = Not Applicable O = Requires Compliance ✓ = Complied

For Tract Map Applications only: \$ deposit rec'd Y / N C&I Agreement rec'd Y / N
COMMENTS:

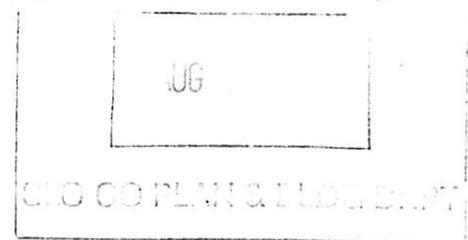
- (6) NO CONTOUR LABELS
- (ii) GROSS/NET LOT AREAS?
- (13) AVILA BEACH DR # 2070; GOLF LANDING RD # 2072; SAN LOUIS ST # 2073; SAN RAFAEL ST # 2077; FIRST ST # 2075; FRONT ST # 2076
- (14) PROPOSED EMERGENCY & PUBLIC ACCESS & E.U.E. EASEMENTS
- PROVIDE CALIFORNIA VERIFICATION OF PROPOSED ROAD SECTIONS ON SHT C-1
- SHOW CORRECT AVILA BEACH DR ROAD SECTION ON SHT C-5 (A-D W/ CL 2 BAKE LINES, 6+12+12+6, PLUS 12' CL 12)
- PROVIDE FULL SIZE COPY OF MAP.



Air Pollution Control District
San Luis Obispo County

August 26, 2015

Ryan Hostetter, Senior Planner
San Luis Obispo County Department of Planning and Building
976 Osos Street, Room 300
San Luis Obispo, CA 93408



SUBJECT: APCD Comments Regarding the Avila Point 2015 Application Package for the Avila Beach Tank Farm Remediation and Redevelopment Project

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the Avila Point 2015 Application Package for the remediation and redevelopment of the former Union Oil of California Avila Tank Farm facility in Avila Beach.

GENERAL COMMENTS

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. Please address the action items contained in this letter that are highlighted by bold and italics text.

Section 2.1 2015 Application Revisions: Commercial/Industrial Project Information (cont.).

Item 10

The top of Page 3 of this 2015 Application Package answers "NO" to the question:

Are you proposing any special measures (carpooling, public transit, telecommuting) to reduce automobile trips by employees?

Further, Section 5 Project Description, Subsection 5.5.6 Parking Reduction indicates that the project may request a 20% parking count reduction since multiple land uses are proposed. ***The APCD recommends that the County requires as a condition of approval for this project that the project developer be required to accomplish an in-perpetuity Trip Reduction Plan with the SLOCOG Rideshare Division if a 20% parking count reduction will be allowed for this project. If this will be the case, then the answer for Item 10 on Page 10 of the Application Revisions needs to be changed to "YES."***

Section 2.1 2015 Application Revisions: Special Project Information Item 3

The top of Page 4 of this 2015 Application Package states:

... ; remediation-related restrictions will be determined in consultation with the RWQCB.

The APCD recommends that this statement be revised to:

... ; remediation-related restrictions will be determined in consultation with the County, the RWQCB and other regulatory agencies.

In addition, the APCD recommends that this approach to recognizing the regulatory authority of other agencies needs to be updated in the text throughout this application.

Section 5 Project Description, Subsection 1.0 Introduction

The top of Page 9 identifies Chevron's role in the redevelopment, in part as:

In preparation for redevelopment, Chevron proposes **Infrastructure Construction** to install backbone infrastructure including master water, sewer, and drainage systems, roads, parking, and general pad areas where future buildings are anticipated.

However, throughout the remainder of the document, Chevron's infrastructure contribution replaces the "general pad areas" terminology with "fine grading in preparation for redevelopment of the site." ***The APCD recommends that the "general pad areas" language be used throughout the document to create consistency. Further, the APCD recommends that the "general pad areas" concept be expanded on in this application by tying the building pad locations and land-use types to those identified in the baseline human health risk assessment (HHRA) or to allowances per the post remediation HHRA.***

Section 5 Project Description, Subsection 1.0 Introduction

The bottom of Page 9 in this subsection discusses the "flexibility for the future developer to rearrange development components within the building envelope..."

The APCD recommends that this and similar statements throughout this application be revised to include the concept that any proposed change must be cross referenced against post remedial risk assessment results to demonstrate that the change will not result in unacceptable human or ecological risk.

Section 5 Project Description, Subsection 2.3 Necessary Approvals & Table 2-1

The bottom of Page 12 in this subsection and Table 2-1 on Page 13 discuss the agency roles in permitting for the project. ***The APCD recommend that this section also specifies CEQA related approvals that need to be addressed by Chevron from the various regulatory agencies.***

Section 5 Project Description, Subsection 3.3.1 Industrial Operations and Remediation Planning

Page 20 has a discussion of non-asphaltic total petroleum hydrocarbons (naTPH) in soil and water. This discussion states that 18 wells routinely contain a measurable (>0.01 feet) thickness of naTPH on top of the ground water. ***For transparency, the APCD recommends that the range of thicknesses be stated instead of the general statement of >0.01 feet.***

Section 5 Project Description, Table 4-1 Remediation Summary of Estimated Water Usage

The APCD recommends that this table and the application's text that reference it be revised to identify that with the drought conditions being experienced on the Central Coast, the project will implement considerable water conservation efforts by incorporating the use of APCD-Approved Dust Suppressants that enhance dust control efficacy;

See Section 4.3 of the CEQA Air Quality Handbook:

http://slcleanair.org/images/cms/upload/files/CEQA_Handbook_2012_v2%20Updated%20July%202014%29%281%29.pdf

Section 5 Project Description, Table 4-2 Remediation Summary of Disposal Quantities

This table states that the unit weight of soil is assumed to be 1.5 tons per cubic yard and the truck hauling capacity is assumed to be 20 tons per truck. Assuming this is true, the yards per truck load would be 13.33. ***The APCD recommends that these assumptions be validated and documented by Chevron as part of the draft EIR process to provide more accurate estimation of hauling activities for the project and their associated air emission estimates. In addition, the float rock that will be imported will likely have different hauling assumptions and the mine providing this rock should be able to provide Chevron with its specific hauling characteristics.***

Section 5 Project Description, Subsection 4.3.2 Remove Former Operations Infrastructure

This subsection describes that the project's abatement of asbestos or lead containing materials will be managed with appropriate methods. The APCD recommends that this section reference the national requirements for these cleanup activities; i.e. National Emission Standard for Hazardous Air Pollutants, 40CFR61, Subpart M - asbestos NESHAP and www.epa.gov/lead respectively.

In addition, lists Tables 4-2 to 4-7 as tools to be used in the CEQA evaluation of remediation impacts from on-site construction equipment and off-site hauling operations. The APCD appreciates the forward thinking inclusion of these reference materials as a starting point for the project impact analyses that will be accomplished in the project's Environmental Impact Report. ***The APCD recommends that Chevron consider the nearest landfill/hazardous waste disposal/mine locations be identified in the EIR as the preferred alternatives as they will minimize air quality emissions.***

Section 5 Project Description, Subsection 4.3.3 Remedial Actions

The APCD understands that subsurface methane levels are a concern for this site. During our review of the application materials, we did not readily see whether this concern will be managed with remediation or with institutional or engineering controls. ***If the way methane is to be addressed by the project is not in this application, then APCD recommends that Chevron revise the application accordingly.***

Section 5 Project Description, Subsections 5.6.1 Site Access and 5.6.4 Bike and Pedestrian Access

Section 5.5.5 Parking and other discussions in this application identify that the concept of this project is that it will be as car-free as possible. One way that this could be realized is with the proposed separation of the patrons from their vehicles by having the resort being accessed primarily by shuttles from the proposed parking lot near Avila Beach Drive. ***The APCD endorses this concept; however we recommend that the application be revised to provide more specificity in Subsections 5.6.1 and 5.6.4 about the mobility of the patron and employees. Specifically, Subsection 5.6.1 should discuss the possible type and anticipated number of shuttles that the project will need to use to 1) efficiently transport people between the parking lot and the hilltop resort area and 2) provide general car-free transportation on the resort. To minimize air pollution, the APCD recommends the use of electric vehicles to fulfill these transportation needs. In addition, Subsection 5.6.4, should estimate the number of bicycles and/or other alternative forms of transportation that will the resort will need to have and maintain for use by their patrons. The APCD recommends the above listed changes to ensure that the project's car-free concept becomes***

a model of success. We also recommend that the conditions of approval for the project will have the resort join SLO Car Free to help highlight their efforts to encourage "green" tourism in San Luis Obispo County.

Section 8 Technical Reports & Studies Summary Table

This section identifies the status of the project's traffic report as being in process. ***The APCD requests that Chevron notifies APCD and other pertinent agency's when the traffic report is available for review and comment.***

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at (805) 781-5912.

Sincerely,



Andy Mutziger
Air Quality Specialist

AJM/lmg

cc: Bill Almas, Chevron Environmental Management Company
Dan Niles, Regional Water Quality Control Board
Aaron LaBarre, SLO County Environmental Health
Gary Willey, Engineering and Compliance Division, APCD
Dora Drexler, Engineering and Compliance Division, APCD

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foot height, as well as visual simulations showing development at lower heights that would provide for only one-story or two-story development.¹

2. **Public Access and the California Coastal Trail.** Commission staff supports the inclusion of a section of the California Coastal Trail (CCT) as part of this proposed project. In review, it appears that a portion of the CCT would be located on the proposed road on the parcel, instead of on an off-road alignment that connects with the entrance at Front Street. We would suggest requesting that the Applicant provide alternative CCT alignments that keep the trail separated from the road, as well as more information on the possible connection of the CCT to other existing off-site trails in the area. In other words, please require an evaluation of how the CCT trail will connect to nearby trails or public access areas located west (e.g. Avila Beach) and east (e.g. Cave Landing Road) of the project. In addition, please note that the Commission typically requires public access trails to be available, at a minimum, from one hour before sunrise until one hour after sunset, along with signage describing the hours of use and that the trail is accessible to the general public. Please let me know if you would like examples of Commission-approved trail signage.
3. **Lower-Cost Accommodations.** Coastal Act Section 30213 requires the provision of lower cost visitor-serving and recreational facilities. While the Commission's direction on parameters of low-cost visitor-serving accommodations is evolving, new visitor serving hotels/motels/campgrounds/resorts, etc., have typically been required to provide a certain amount of lower cost accommodations, either onsite or through the imposition of an in-lieu fee to provide lower-cost accommodations offsite. The Applicant should include as part of its project a proposal that addresses the low-cost accommodations requirement. Commission staff recommends that the Applicant propose this as a development standard within the Avila Beach Specific Plan, with flexibility for the future developer to accommodate this in any number of ways. For example, the Scout House area could be an ideal location for a lower cost hostel, or the future developer could have lower cost rooms spread throughout the site. Finally, an in-lieu fee type of system could as well be proposed and codified through the LCP amendment.
4. **Hazards.** It appears that all development will be set back from the 75-year erosion setback line, including the proposed CCT. The Avila Beach Specific Plan should include language prohibiting future armoring of the site, as well as contingency requirements for when the development is threatened over time. Generally, a removal and restoration plan would be required for those areas that are required to be removed/relocated in the future, based upon specific trigger points that define when a structure is deemed hazardous and unsafe for occupancy, and the abatement for which cannot be addressed by ordinary repair and maintenance. We also recommend ambulatory public access easements that move inland with bluff retreat, thereby ensuring that public access is maximized and maintained over time. This is particularly important should the CCT be located on the seaward side of any proposed development, as discussed previously.
5. **Wetlands.** Commission staff has been unable to review the Applicant's latest wetland delineation for "Wetland 7," located adjacent to Avila Beach Drive. However, staff, including

¹ We understand that the Applicant has submitted additional project visual simulations in their application package, but Commission staff has at this point not seen them.

the Commission's staff ecologist, has reviewed previous wetland reports for the project site over the last several years. Commission staff has been concerned about the boundaries of Wetland 7 and the wetland delineation methodology used by the Applicant's representatives on this matter in the past. Staff will need to review the latest material and confirm the boundary for Wetland 7 before providing any further recommendations in this regard.

However, it is still unclear how the County will make LCP findings to allow for the proposed removal of the majority of wetland sites that are located on the top of the site for remediation and future development. As you are aware, the LCP requires protection of wetlands and allows only very limited uses within wetlands, and the proposed project does not meet these criteria.

In terms of wetlands setbacks, we are also unclear of the Applicant's rationale for proposing a 50-foot setback from parking areas and roads, and a different 100-foot setback from buildings. We would suggest that the Applicant provide further detail on this matter.

Lastly, in terms of environmentally sensitive habitat area (ESHA) (other than wetlands) that may be located on the site, the LCP requires ESHA to be protected against any significant disruption of habitat values, and also states that only uses dependent on such resources shall be allowed within ESHA. In addition, development in areas adjacent to ESHA must be sited and designed to prevent impacts that would significantly degrade ESHA, and must be compatible with the continuance of such habitat. Additional biological surveys will need to be done to determine if ESHA, other than wetlands, is located on the site. In other words, we see this as an ample opportunity to understand the particular habitat resources on the ground in the site area and then specify directly into the LCP as regulatory standards the necessary and specific development buffers and other resource protection requirements to ensure that allowed development protects and enhances the site's wetlands and ESHA.

6. **Alternatives.** We would suggest the County require information about alternatives, both overall and in regards to particular components of the project. For the former, the Applicant should investigate other options for the site, for example for active recreation (community park with picnic benches with a skate park and tennis courts, etc.), or for more passive recreation (wilderness area with limited hiking/biking/equestrian trails). For the latter, contingencies should be available for changes to individual project components that may change, e.g. modifications to the proposed parking layout and height limit?
7. **Historical/archeological.** We are encouraged that the proposal includes overlooks and general areas for Native American use, and that the Applicant has had early involvement and communication with local Chumash tribal leaders. As you are aware, this location, as well as the entire Ontario Ridge/Pirates Cove region, is an extremely important spiritual area for Native Americans and that fact should not be underestimated throughout this process. Commission staff has many examples of projects in this area that have come under heavy scrutiny, sometimes late in the process, by tribal groups. It will be important to ensure the continued collaboration with and the ultimate support of tribal groups for any project at this location before the local decision makers approve a coastal development permit for the project.

Again thank you for the opportunity to provide initial big picture comments. We are happy to provide examples of LCP language that addresses our stated concerns.

Sincerely,

Daniel Robinson, Planner
California Coastal Commission
Central Coast District