

# Negative Declaration & Notice Of Determination

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

**ENVIRONMENTAL DETERMINATION NO.** ED13-094

**DATE:** 9/11/14

**PROJECT/ENTITLEMENT:** Freeport - McMoRan Minor Use Permit; DRC2013-00031

**APPLICANT NAME:** Freeport - McMoRan Oil & Gas

**ADDRESS:** 201 South Broadway, Orcutt, CA 93455

**CONTACT PERSON:** Robert Ray (URS Corporation)

**Telephone:** 805-692-0638

**PROPOSED USES/INTENT:** Request by Freeport-McMoRan Oil & Gas for a Minor Use Permit to replace all existing office trailers (to be removed) with permanent structures, including: 7,622 square foot (sf) office, 2,100 sf meeting room, 1,500 sf storage building, restroom building and onsite septage pit, communications shed, water treatment facility, 84,000 gallon water tank, above-ground fueling station, 20-space parking lot, temporary relocation of offices, and removal of temporary trailers and storage containers. This will result in the disturbance of approximately 3.1 acres on a 347 acre parcel.

**LOCATION:** 1821 Price Canyon Road, San Luis Obispo, CA 93401 (west side of Price Canyon Road, approximately 2.7 miles north of the City of Pismo Beach, within the South County Planning Area (San Luis Bay Inland Sub Area South).

**LEAD AGENCY:** County of San Luis Obispo  
Dept of Planning & Building  
976 Osos Street, Rm. 200  
San Luis Obispo, CA 93408-2040  
Website: <http://www.sloplanning.org>

**STATE CLEARINGHOUSE REVIEW:** YES  NO

**OTHER POTENTIAL PERMITTING AGENCIES:** Environmental Health, Public Works

**ADDITIONAL INFORMATION:** Additional information pertaining to this Environmental Determination may be obtained by contacting the above Lead Agency address or (805)781-5600.

**COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT** ..... 4:30 p.m. (2 wks from above DATE)

**20-DAY PUBLIC REVIEW PERIOD begins at the time of public notification**

## Notice of Determination

**State Clearinghouse No.** N/A

This is to advise that the San Luis Obispo County \_\_\_\_\_ as  *Lead Agency*  
 *Responsible Agency* approved/denied the above described project on \_\_\_\_\_, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures and monitoring were made a condition of approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at the 'Lead Agency' address above.

John McKenzie

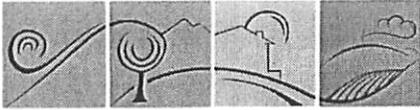
County of San Luis Obispo

**Signature**

**Project Manager Name**

**Date**

**Public Agency**



# Initial Study Summary – Environmental Checklist

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

(ver 5.1) Using Form

**Project Title & No.** Freeport - McMoran Minor Use Permit **DRC2013-00031 ED13-094**

**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 type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input checked="" type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Transportation/Circulation
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Population/Housing	<input type="checkbox"/> Water /Hydrology
<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input 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.

John McKenzie  9/2/14  
 Prepared by (Print) Signature Date

Steve McMasters  Ellen Carroll, 9/2/14  
 Reviewed by (Print) Signature (for) Environmental Coordinator 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 Current Planning Division, 976 Osos St., Rm. 200, San Luis Obispo, CA, 93408-2040 or call (805)781-5600.

**A. PROJECT**

**DESCRIPTION:** Request by Freeport-McMoran Oil & Gas for a Minor Use Permit to replace all existing office trailers (to be removed) with permanent structures, including: 7,622 square foot (sf) office, 2,100 sf meeting room, 1,500 sf storage building, restroom building and onsite septage pit, communications shed, water treatment facility, 84,000 gallon water tank, above-ground fueling station, 20-space parking lot, temporary relocation of offices, and removal of temporary trailers and storage containers. This will result in the disturbance of approximately 3.1 acres on a 347 acre parcel. The project is located on the west side of Price Canyon Road, approximately 2.7 miles north of the City of Pismo Beach, in the South County planning area (San Luis Bay Inland sub area South).

The intent of this improvement is to serve the project's current employee and operational needs as approved for the Phase IV development. Most of the proposed development is within the footprint of the existing development.

**ASSESSOR PARCEL NUMBER(S):** 044-201-002

Latitude: 35 degrees 10 ' 58 " N Longitude: -120 degrees 37' 26" W

**SUPERVISORIAL DISTRICT #** 3

**B. EXISTING SETTING**

**PLANNING AREA:** San Luis Bay (Inland), Rural

**TOPOGRAPHY:** Nearly level to steeply sloping

**LAND USE CATEGORY:** Agriculture

**VEGETATION:** Oak woodland, Shrubs

**COMBINING DESIGNATION(S):** Energy Extractive area

**PARCEL SIZE:** 347.7 acres

**EXISTING USES:** Industrial uses (oil field), undeveloped

**SURROUNDING LAND USE CATEGORIES AND USES:**

<i>North:</i> Agriculture; industrial uses	<i>East:</i> Agriculture; blue line creek, industrial uses, residential
<i>South:</i> Agriculture; industrial uses	<i>West:</i> Agriculture; undeveloped

## C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

### BACKGROUND/HISTORY

The existing oil field development has received several previous land use approvals that have been subject to extensive environmental analysis. The most recent approval for field development has been for Phase IV, which included development of 95 wells. Approximately 3/5ths of these wells have been drilled with the balance to be drilled over the next couple of years. The following environmental documents have been prepared as a part of approving the initial and subsequent phases of the project currently in operation:

- 1978 Final EIR prepared for Phase I (Arroyo Grande Thermal Project [Teal Petroleum]) for 54 wells;
- 1981 Final EIR prepared for Phase II (Arroyo Grande Thermal Project Grace Petroleum Corp. Development Plan) for 40 additional wells and steam generator; this document included conceptual approval of Phases III, IV and V for 165 future wells;
- 1984 Final EIR American Pacific International, Inc. AG Oil Field for eight additional wells and tank facility;
- 1994 Final Supplemental EIR prepared for Phase III (Shell Western Development Plan) for 65 additional wells and three steam generators;
- 2004 Final EIR prepared for Phase IV (Plains Exploration and Production Phase IV Development Plan for 95 additional wells, 30 injection wells, and three steam generators;
- 2005 EIR Addendum prepared (on 2004 FEIR)(Plains Exploration and Production Phase IV Conditional Use Permit - D010386D) for a water reclamation system.

### CURRENT OPERATION

The current operation includes about 150 active producing wells and up to 40 active injector wells. Once extracted, the oil is separated from the water (called produced water). The produced water is then reinjected back into the oil formation either as is or as steam. Once the approved water treatment plant is constructed some of this produced water will be treated and released to the surface (Pismo Creek). Oil extraction efforts also extract or produce natural gas (methane) which is captured by a vapor recovery system and then either compressed, reinjected or burned off. Of the oil and injection wells approved in Phase IV, 45 oil wells and 12 injection wells have yet to be installed. Per previous approvals, one of the six existing steam generators will be removed and three additional generators will be installed. Currently about 1000 barrels of oil a day are produced and transported by truck (7 daily trips) to the Conoco Phillips Battles pump station in Santa Maria. The current operation employs approximately 26 regular employees. This number is greater when drilling, construction or workover activities are included. An ongoing component of this operation includes the closure of wells that no longer produce commercially viable amounts of oil.

The intent of the proposed office and support facility project is to serve the project's current employee and operational needs as approved for the Phase IV development.

Unless superceded specifically with this request, all Conditions of Approval for Phase IV are still applicable to this project. Exhibit C provides a list of these conditions.

### PROPOSED PHASE V

To extend the life of this oil field the applicant is currently proposing 350 additional and 100 replacement wells. An EIR is currently under preparation to evaluate the impacts associated with this expansion.



# COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

## 1. AESTHETICS

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input checked="" 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 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.** Scenic qualities for the area are mixed. On one hand, the proposed project is within an active oil producing facility, which includes publicly visible industrial elements such as processing facilities, above-ground pipes and power lines, well pads and pumps, and access roads. On the other hand, the existing oak woodland remains largely intact in the areas where oil producing activities are not present. Access to the existing/proposed office is from an existing entrance along Price Canyon Road. The existing offices use temporary trailers. These are currently not visible from Price Canyon Road, which is the closest public road. As the project is replacing the existing offices for the oil producing facility, it is considered compatible with the surrounding uses. The project is not within a Sensitive Resource combining designation.

**Impact.** The proposed permanent office footprint (7,622 sf) is larger than the current temporary office trailers. The proposed structures are in the same general location as the existing office trailers. In addition, a separate meeting room is proposed. However, the intent of this improvement is to serve the project's current employee and operational needs as approved for the Phase IV development. The location of the proposed offices will be similar as the current structures. The adjacent meeting room is also proposed to better accommodate regular meetings and trainings that currently occur on-site. Minimal grading and minimal impacts to native vegetation (two oak trees removed and two impacted) is expected. The maximum height of the proposed buildings is 22.5 feet. Exterior lighting is proposed to illuminate around the buildings and parking areas. Final design of this lighting will need to meet County LUO Section 22.10.060, which includes requirements for onsite lighting, where the height and type of fixtures shall prevent glare and light spillage onto adjacent properties. It is not expected that the proposed office and accessory structures will be visible from Price Canyon Road. In addition, the applicant conducted a visual assessment (placed a flag on the top of a 25-foot pole, and then looked for it from several public vantages) and also concluded the proposed offices and accessory structures would not be visible from nearby County roads including Price Canyon and Ormonde Roads.

The applicant is also proposing a new water tank on a ridge above the offices. The proposed pad and access road to the tank currently exist. Water line trenching would be done within the existing access road to the pad. The dimensions of the proposed circular tank are 16 feet tall and 24 feet wide. The

applicant is proposing a dark green exterior color to blend with the surrounding oak trees. None of the surrounding oak trees will be removed to install the tank or complete the water line trenching. These surrounding trees will provide a partial screen of the tank. As viewed from Price Canyon, visibility of the tank will be limited, given the varied topography, the distance from the road, and that the tank would not be within the primary cone of vision (within 45 degrees of the driver's forward view). Temporary water tanks may be installed during construction prior to the installation of the permanent water tank. These shall be removed once the permanent tank is functional and prior to final inspection/ occupancy of the office facility.

With regard to construction trailers, they will be located in close proximity of the proposed permanent new office and not visible from Price Canyon Road.

Temporary offices are planned to be placed on a recently compacted and flattened area of fill near the existing facility entrance. The side slopes of this fill area have been landscaped with shrubs and trees. To minimize the visual impacts of these temporary trailers they will be located at the northernmost edge of the flattened area. At this location they will not be visible when viewed from Price Canyon Road. All night lighting will be directed down and in per the County's LUO standards on night lighting. As vehicles will be parking near the edge of this flattened area, the applicant will install either berming (at least 4 feet high) or a temporary screening fence (up to 6 feet tall) that uses a dark green cloth as the screen. Upon occupancy of the permanent offices these temporary structures shall be removed.

**Mitigation/Conclusion.** Based on the identified impacts and considering the above listed project elements, the following measures are considered needed to insure implementation of proposed elements, or are additional measures to further reduce visual impacts:

1. No permanent structure will exceed 22.5 feet in height from average natural grade. Upon submittal of construction drawings, elevations will be provided to show that this height has not been exceeded.
2. Upon submittal of construction drawings for the water tank and water lines, drawing notes and design shall show that no trees will be removed. The permanent water tank shall not exceed 16 feet in height. Prior to final inspection, if the tank cannot be fully screened by existing features (trees and topography), the tank will use a dark green color for the exterior.
3. At the time of application for construction permits, the applicant will provide an exterior lighting plan to show consistency with LUO 22.10.060. The plan will include the height, location, and intensity of all exterior lighting. All lighting fixtures will be shielded so that neither the lamp nor the related reflector interior surface is visible from surrounding properties. All lighting poles, fixtures, and hoods will be dark colored.
4. To minimize the potential temporary visual impacts of construction trailers, they shall be placed in close proximity of the proposed offices.
5. To minimize the potential visual impacts of temporarily relocated office trailers, 1) they shall be placed along the northern edge of the flattened area, 2) all night lighting shall be directed down and in and comply with the County's LUO provision for exterior lighting; and the parking perimeter shall be either bermed (at least 4-feet high), or with a perimeter temporary fence (up to 6-feet tall).

Incorporation of these measures and proposed project elements will reduce potential visual impacts to less than significant levels.

**2. AGRICULTURAL RESOURCES**  
*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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 type="checkbox"/>	<input checked="" type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Land Use Category: Agriculture

Historic/Existing Commercial Crops: None

State Classification: Not prime farmland, farmland of statewide importance

In Agricultural Preserve? Yes, Edna Valley

Under Williamson Act contract? No

The soil type(s) and characteristics for the proposed development include:

Briones loamy sand (15 - 50 % slope). This moderately to steeply sloping sandy soil is considered moderately drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: poor filtering capabilities, steep slopes, shallow depth to bedrock. The soil is considered Class VII without irrigation and Class is not rated when irrigated.

Pismo loamy sand (9 - 30 % slope). This moderately sloping shallow sandy soil is considered Very poorly drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock. The soil is considered Class VII without irrigation and Class is not rated when irrigated.

A referral response was received from the County Department of Agriculture (see attached) who did not identify any potential conflicts with nearby agricultural activities or the site's Agriculture land use designation.

**Impact.** The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. Soils for this project are given a Class VII rating, the lowest possible rating. The existing facilities and operational activities are allowed within the Agriculture land use designation and through previous land use permits. The project would serve existing uses. No significant impacts to agricultural resources are anticipated.

**Mitigation/Conclusion.** No mitigation measures are necessary.

### 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The Air Pollution Control District (APCD) has developed and updated their CEQA Air Quality Handbook (2012) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

**Greenhouse Gas (GHG) Emissions** are said to result in an increase in the earth's average surface temperature. 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 greenhouse gas 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 greenhouse gas emissions from significant sources via regulation, market mechanisms, and other actions. Subsequent legislation (e.g., SB97-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 into 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 CO<sub>2</sub>/year (MT CO<sub>2</sub>e/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 CO<sub>2</sub>e/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, large and small 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.

Air quality Conditions #14 and #15 of the approved Phase IV development require that an Emissions Reduction and Monitoring Plan be implemented and updated as needed, as well as if any air quality thresholds are exceeded that the project contribute monies to fund off-site programs designed to reduce air pollution. This project will be subject to these conditions.

**Impact.** As proposed, the project will be replacing its existing temporary office facility with permanent structures. The project includes the installation of a water tank on a ridge above the proposed office. Existing roads and pads will be used for all proposed elements, minimizing the need for any new grading. This overall effort will result in the disturbance of approximately 3.1 acres. However, due to undocumented fill in the area of the proposed office, the geotechnical report recommends excavation and recompaction of this fill before foundations are laid. Trenching will be necessary for utilities, including the water line from the proposed water tank to the new office. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. The project will be moving

less than 1,200 cubic yards/day of material and will disturb less than four acres of area, and therefore will be below the general thresholds triggering construction-related mitigation. However, APCD typically recommends that the following construction measures be used: minimize disturbance, use water trucks to keep dust down and increase frequency when wind is above 15 mph, spraying stockpile areas, and designate an on-site person to monitor for dust control. The project is not in close proximity to sensitive receptors and therefore not subject to applicable dust and/or emission control measures.

From an operational standpoint, based on Table 1-1 of the CEQA Air Quality Handbook (2012), the project will not exceed operational thresholds triggering mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. The project site is within an existing oilfield, and the closest sensitive receptor is over 4,000 feet to the proposed project. No significant air quality impacts are expected to occur.

The project is replacing existing temporary offices with new permanent offices. Except for demolition and construction emission impacts there will be no new operational emissions to contribute to GHG emissions. Therefore, the project's potential direct and cumulative GHG emissions are found to be less significant and less than a cumulatively considerable contribution to GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provide guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as global climate change, is not 'cumulatively considerable', no mitigation is required. Because this project's emissions fall under the threshold, no mitigation for GHG is required.

**Mitigation/Conclusion.** While the project will be moving less than 1,200 cubic yards/day of material and will disturb less than four acres of area, APCD typically recommends that the following construction measures be used to reduce construction-related dust: minimize disturbance, use water trucks to keep dust down and increase frequency when wind is above 15 mph, spraying stockpile areas, and designate an on-site person to monitor for dust control. The applicant has agreed to incorporate these measures, which would further reduce potential air quality impacts. No significant impacts to air quality are anticipated.

**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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 &amp; Wildlife or U.S. Fish &amp; Wildlife Service?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 4. BIOLOGICAL RESOURCES

*Will the project:*

Potentially Significant

Impact can & will be mitigated

Insignificant Impact

Not Applicable

f) *Other:* \_\_\_\_\_





\* 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

Previous approvals. The original temporary offices and accessory uses were installed as part of a previously approved phase of this oil facility. At the time of original installation, most native vegetation was removed at that time. The current Phase IV permit includes a number of facility wide measures to minimize or mitigate potential indirect biological impacts (see Exhibit C), including oak tree, manzanita and Pismo clarkia impacts. The following measures currently required will have a direct or indirect biological benefit when considering the proposed project:

1. Open space area established for restoration of the following species: coast live oaks, Pismo clarkia, manzanita.
2. Ongoing monitoring and maintenance of restoration efforts.

General. The following are existing elements on or near the proposed project relating to potential biological concerns:

On-site Vegetation/Habitat: Coast Live Oak Woodland (within 34-75% canopy coverage group)

Name and distance from blue line creek(s): Pismo Creek, approximately 650 feet to the east of project site.

The Natural Diversity Database (or other biological references) identified the following species potentially existing within approximately one mile of the proposed project:

#### Vegetation

##### **Brewer's spineflower (*Chorizanthe breweri*)**

Brewer's spineflower (*Chorizanthe breweri*) has been found on the North East corner of the project site. This annual herb is a member of the buckwheat family, and is endemic to San Luis Obispo County. It is generally found growing on serpentinite, rock or gravelly substrates within closed-cone coniferous forest, chaparral, cismontane woodland, or coastal scrub plant communities at elevations between 45 and 800 meters (150 to 2,625 feet). It has a blooming period from May through August. Brewer's spineflower is considered rare by the CNPS (List 1B, RED 3-1-3).

##### **Mesa horkelia (*Horkelia cuneata* spp. *puberula*)**

Mesa horkelia (*Horkelia cuneata* spp. *puberula*) has been found about 0.28 miles to the South. This perennial herb is generally found on sandy or gravelly soils in chaparral, cismontane woodland, and coastal scrub areas between the 70 and 810-meter elevation (230 to 2,660 feet). It has a blooming period of February-September. Mesa horkelia is considered rare by CNPS (List 1B, RED 2-3-3).

##### **Pismo clarkia (*Clarkia speciosa* ssp. *immaculate*)**

Pismo clarkia (*Clarkia speciosa* ssp. *immaculate*) has been found about 43 feet to the North, 0.16 miles to the East, and 0.96 miles to the Southeast. This annual herb occurs on low, sandy hills (up to the 185 meter (600-foot) elevation) from Pismo to Edna Valley. Pismo clarkia populations are found in valley and foothill grasslands, and in the margins between chaparral and oak woodland communities near the coast. This species is listed as Federally endangered, State rare, and extremely rare by CNPS (List 1B, RED 3-3-3).

### **San Luis Obispo County lupine (*Lupinus ludovicianus*)**

San Luis Obispo County lupine (*Lupinus ludovicianus*) has been found about 0.43 mile to the North. This perennial herb is generally found on sandstone or sandy soils in chaparral and cismontane woodland habitats between the 50 and 525-meter elevations (165 to 1,725 feet). The species generally blooms from April through July. The lupine is the official flower of San Luis Obispo County. The plant is primarily threatened by grazing and trampling. The CNPS considers this plant rare (List 1B, RED 3-2-3).

### **San Luis Obispo owl's-clover or Indian paintbrush (*Castilleja densiflora* ssp. *obispoensis*)**

Obispo Indian paintbrush (*Castilleja densiflora* ssp. *obispoensis*) has been found about 0.28 mile to the Northeast. This annual herb is found in valley and foothill grasslands at elevations between 10 to 400 meters (30 to 1,315 feet). The blooming period is April. Obispo Indian paintbrush is considered rare by CNPS (List 1B, RED 2-2-3).

### **Santa Margarita manzanita (*Arctostaphylos pilosula* ssp. *pilosula*) List 1B**

Santa Margarita manzanita (*Arctostaphylos pilosula* ssp. *pilosula*) has been found about 0.32 miles to the East and 0.57 miles to the East. This evergreen shrub is found on shale soils in closed-cone coniferous forest, chaparral; and cismontane woodland areas between the 170 and 1,100-meter elevations (555 to 3,600 feet). The typical blooming period is December-March. Santa Margarita manzanita is considered rare by CNPS (List 1B, RED 3-2-3).

## **Wildlife**

### **American badger (*Taxidea taxus*)**

American badger (*Taxidea taxus*) have been found on the southeast corner of the subject property. In California, Badgers range throughout the state except for the humid coastal forests of northwestern California (Del Norte and Humboldt Co). Badger populations have declined drastically in California within the last century (Grinnell et al., 1937; Longhurst, 1940), where they now survive only in low numbers in peripheral parts of the central valley and adjacent lowlands to the west in eastern Monterey, Mendocino, San Benito and San Luis Obispo counties. In California, Badgers occupy a diversity of habitats. The principal requirements seem to be sufficient food, friable soils, and relatively open, uncultivated ground. Grasslands, savannas, and mountain meadows near timberline are preferred. Badgers prey primarily on burrowing rodents such as Gophers (*Thomomys*), Ground Squirrels (*Spermophilus*, *Ammospermophilus*), Marmots (*Marmota*), and Kangaroo Rats (*Dipodomys*). They are predatory specialists on these rodents, although they will eat a variety of other animals, including mice, Woodrats, reptiles, birds and their eggs, bees and other insects, etc.

Deliberate killing probably has been a major factor in the decline of Badger populations with many people regarding them as detrimental to their interests. Cultivation is adverse to Badgers, as they do not survive on cultivated land. Agricultural and urban developments have been the primary causes of decline and extirpation of populations of Badgers in California. Rodent and predator poisoning pose double threats through direct and secondary poisoning of Badgers and elimination of the food Badgers are dependent upon. Shooting and trapping of Badgers for animal "control" is another source of mortality.

### **California red-legged frog (*Rana aurora draytonii*)**

California red-legged frog (*Rana aurora draytonii*) has been found about 0.96 miles to the south in Pismo Creek. California red-legged frog is considered **federally threatened**. This species typically inhabits shorelines with extensive vegetation. The frog requires 11 to 20 weeks of permanent water for larval development. Given the distance and elevation difference, it is unexpected that frogs would be found within the project boundaries.

### **South/Central Coast Steelhead Trout (*Oncorhynchus mykiss*)**

South/Central Coast Steelhead Trout (*Oncorhynchus mykiss*) has been found on the east side of the property in Pismo Creek (600+ feet from project). South/Central Coast Steelhead Trout is considered **federally threatened** and a **California species of Special Concern**. This species require cool, deep pools for holding through the summer, prior to spawning in the winter. Generally they are found in shallow areas, with cobble or boulder bottoms at the tails of pools. This species is threatened by water quality degradation (e.g., siltation, urban and agricultural pollutants), loss of riparian vegetation, and low instream flows resulting from water diversion, ground water pumping and periodic drought.

#### **Western pond turtle (*Emys (or Clemmys) marmorata pallida*)**

Western pond turtle (*Emys (or Clemmys) marmorata pallida*) has been found on the east side of the property in Pismo Creek (600+ feet from project) and surrounding area. Western pond turtle is a **federal and California Species of Special Concern**. This is an aquatic turtle that uses upland habitat seasonally. They occur in ponds, streams, lakes, ditches, and marshes. The species prefers slow-water aquatic habitat with available basking sites nearby. Hatchlings require shallow water habitat with relatively dense submergent vegetation for foraging.

#### **Habitat**

##### **Central Maritime Chaparral**

Central Maritime Chaparral habitat has been found 0.70 miles to the northwest. Central Maritime Chaparral generally occurs in areas exposed directly to coastal winds, such as on northwest and southwest facing slopes along the coast, and are established primarily on well-drained soils. Various species of manzanita (*Arctostaphylos* spp.) generally dominate this sensitive plant community.

#### **Impact**

The applicant retained a county-approved biologist (with URS) to conduct a reconnaissance for potential sensitive biological resources on this mostly denuded site. With the exception of the two isolated coast live oak trees proposed for removal and impacts to two peripheral coast live oak trees, no sensitive vegetation will be removed (the proposed development footprint is already devoid of any significant vegetation due to its existing uses for oil facility development), including any impacts to the Central Maritime chaparral community. Potential secondary effects from sedimentation, erosion and surface water are minimized due to the existing facility wide requirements already in place. A sedimentation and erosion control plan has also been prepared to address these issues. Lastly, due to the project exceeding one acre in size, a SWPPP will be required to further ensure sedimentation and erosion are adequately addressed (see Hydrology and Water Quality section).

Ongoing biological reporting requirements and existing biological Conditions of Approval related to Phase IV will further minimize potential impacts (See Exhibit C).

**Mitigation/Conclusion.** Given the amount of oak trees removed from previous approvals, combined with the heavy oak woodland coverage that surrounds the project boundaries, the removal of these oaks will fall under the 'oak woodland' definition under CEQA. The applicant has agreed to mitigate for oak impacts under this CEQA provision and will be paying an 'oak woodland' fee for the oaks to be removed and impacted. The intent of the oak woodland fee is to be used to acquire in perpetuity comparable lands in SLO County containing or to be restored with oak woodland habitat. No other significant biological impacts are expected to occur, and no other mitigation measures are necessary.

## 5. CULTURAL RESOURCES

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb archaeological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historical resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is located in an area historically occupied by the Obispeno Chumash. . No historic structures are present and no paleontological resources are known to exist in the area.

Pismo Creek is a perennial source of water. 'Pismu' means 'tar' in Obispeno Chumash, and is likely the origin of name 'Pismo' used in the area. Surface oil and tar seeps existed in the area prior to oil development. Thick tars were applied by the Chumash to seal their canoes and make them ocean worthy.

As a part of Phase IV and earlier phases, previous cultural surveys (Phase I surface survey) have been prepared for the entire facility, including the subject project boundaries. No resources were identified from these surveys. In addition, a search of ¼ mile around the subject property identified the following previous survey work: two reports were completed where no resources were encountered and no reports where resources were identified (however, the previous facilities reports did identify resources in other portions of the facility). These reports did not identify any historic resources in the area.

Potential for the presence or regular activities of the Native American increases in close proximity to reliable water sources (most common within 300 feet). The project is more than 600 feet from a blue line creek (Pismo Creek).

The County LUO includes a provision for work to stop should any cultural resources be unearthed during excavation.

### Impact.

Based on previous surface survey work as stated above, the project is not located in an area that would be considered culturally sensitive. No evidence of cultural materials was noted within the proposed project footprint. Impacts to historical or paleontological resources are not expected. As the project proposes to use areas that have been previously created for buildings/structures and/or roads, minimal grading will result.

**Mitigation/Conclusion.** No significant cultural resource impacts are expected to occur, and no additional mitigation measures are necessary above what is already required.

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

## 6. GEOLOGY AND SOILS

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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.** The following relates to the project's geologic aspects or conditions:

Topography: Nearly level to steeply sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: High to low

Liquefaction Potential: Negligible

Nearby potentially active faults?: No Distance? Not applicable

Area known to contain serpentine or ultramafic rock or soils?: No

Shrink/Swell potential of soil: Low

Other notable geologic features? Within Energy Extraction designation due to the known oil reserves below ground.

Portions of the project boundaries are within a 'high' landslide area, and most development over such areas is subject to the preparation of a geological report per the County's Land Use Ordinance [LUO section 22.14.070 (c)], to evaluate the area's geological stability.

A geotechnical engineering report was conducted for the project (Earth Systems, 12/13/13) and Addendum (Earth Systems, 6/16/14). The initial report identified evidence of undocumented fill areas that would need to be reworked prior to any foundation work being done. The report also included soil borings and percolation testing for septic system installation. An Addendum was prepared to evaluate the potential for 'high' landslide risk in the area. No potentially significant landslide hazards were identified.

**Regulatory Policies.** In addition to the Uniform Building Code, the County has two additional

documents providing guidance for new development in areas with soil or geological challenges, which are the County's Safety Element and Land Use Ordinance. For projects over an acre in disturbance, Regional Water Quality Control Board requires that a Storm Water Pollution Prevention Plan be prepared to address surface water quality.

With regards to the County's Safety Element, it includes the following goal: *"Minimize the potential for loss of life and property resulting from geologic and seismic hazards"*. This Element also includes policies and standards intended on achieving this goal.

The County's Land Use Ordinance includes provisions to address geological problem areas, drainage, and sedimentation and erosion control.

The County's LUO and Framework for Planning recognize this area for its oil extraction capabilities through the Energy and Extractive Resource Area (EX) overlay and Ordinance provisions for Petroleum Resource Development (Sec. 22.34).

**Impact.** The project will be replacing existing offices, and include the installation of accessory structures and a water tank on a ridge above the proposed office. Existing roads and pads will be used for all proposed elements, minimizing the need for new grading. This overall effort will result in the disturbance of approximately 3.1 acres. However, due to undocumented fill in the area of the proposed office, the geotechnical report recommends excavation and recompaction of this fill before foundations are laid. Trenching will be necessary for utilities, including the water line from the proposed water tank to the new office.

As identified in the Water section, the project will be subject a number of existing regulations to address drainage, sedimentation and erosion control, and surface water quality. These will be addressed as a part of the construction and grading permits.

Operational measures are already in place (e.g., existing facility-wide SWPPP) as this is replacing the existing facilities and minimal modifications will be necessary.

**Mitigation/Conclusion.** The geotechnical report included a number of measures to address the undocumented fill in the area of the proposed office. Based on the soil borings and percolation information, the applicant is proposing to install an engineered pit. Prior to occupancy, the County's Building Division will need to verify proper installation. In addition to this measure, existing ordinances or codes will provide adequate measures to minimize potential geological and soil impacts.

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

**7. HAZARDS & HAZARDOUS MATERIALS - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Impair implementation or physically interfere with an adopted emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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**

Previous Spill. Based on consultation with the 'Cortese List' web sites, in June 2011, a sodium hydroxide spill occurred within the overall facility boundary. After multiple-Agency (RWQCB, Environmental Health, CDFW) coordination, the contaminated area was cleaned up satisfactorily and is considered closed by all affected agencies. No other spills or contaminated areas were identified from the current 'Cortese List' web sites.

Existing Requirements. The existing development currently has the following documents to be used when dealing with hazardous materials and potential spills: Hazardous Materials Business Plan, Spill Prevention and Control Plan.

Flood Hazard. No portions of the project's footprint are within the 100-year Flood Hazard 'combining designation' (FH).

Airport Review. The project is not within the Airport Review area.

Fire Hazard. With regards to potential fire hazards, the subject project is within the 'Very High' Fire

Hazard Severity Zone. Based on the County's fire response time map, it will take up to 10 minutes to respond to a call regarding fire or life safety. Refer to the Public Services section for further discussion on Fire Safety impacts. The Facility is currently operating under an approved Fire Safety Plan, which includes the existing offices. The applicant meets regularly with CalFire to keep them informed of the current activities. Currently, the existing office trailers are between 50 to 100 feet from native oak woodland and chaparral.

**Responsibility Areas.** Within San Luis Obispo County, Cal Fire is responsible for wildland fire protection of almost 1.5 million acres within the County. For the purposes of determining areas where wildland fires are likely to occur and determine fire protection responsibility for such areas, the following three definitions have been created and mapped for the County of San Luis Obispo. This definition is further defined in the California Public Resource Code (**Error! Reference source not found.**).

**Federal Responsibility Areas** (FRA). Federal Responsibility Areas (FRA) include lands owned and administered by various federal agencies the within the County. To assist the federal government in supplementing or providing fire protection on its lands (in addition to its own fire protection services), it has established a cooperative agreement with CalFire (California Master Cooperative Wildland Fire Management and Stafford Act Response Agreement). Examples of applicable federal agencies include: the Bureau of Land Management, U.S. Fish and Wildlife Service, National Park Service and the U.S. Forest Service.

**State Responsibility Areas** (SRA). As defined in PRC 4126/4127, the potential wildland fire areas that are not within an FRA, are either within a State Responsibility Area (SRA) or a Local Responsibility Area (LRA). To qualify as an SRA, the area has sufficient vegetation to pose a potential wildland fire threat and has a residential density of less than three residences per acre. For these areas, primary wildland fire protection responsibility is provided by CalFire.

**Local Responsibility Area** (LRA). A Local Responsibility Area (LRA) either has insufficient vegetation to pose a potential wildland fire threat or has a residential density of three or more residences per acre. Also, all incorporated cities are considered within an LRA. Incorporated cities typically provide their own fire protection services. For the balance, or the 'unincorporated' LRAs, municipal fire protection services are generally provided by CalFire through a contract with the County for such services.

The project is within the State Responsibility Area for wildland fire protection.

Additional non-wildland fire protection services are typically provided within a fire department that is separate from wildland fire protection, and include: municipal and structural protection, and life safety/emergency response services. CalFire provides this service for this area.

CalFire provided a response (see attached) on items that will need to be included in the Fire Safety Plan, which will be required prior to final inspection of the proposed structures.

**Mutual Aid.** For this area, Interagency Mutual Aid Agreements exist, where nearby fire departments or districts (e.g., Pismo Beach, City of San Luis Obispo, etc.) from other jurisdictions will assist the fire agency who has primary responsibility for the subject property (CalFire).

## **Impact**

**Regarding hazardous materials,** the proposed office and accessory structures would include the storage of small amounts of hazardous materials, such as paints, solvents and lubricants and other similar products used for machinery and vehicle maintenance. Prior to final inspection, the existing Hazardous Materials Business and Spill Prevention and Control Plans would need to be reviewed for adequacy. If any of the material proposed for storage and use is not already addressed in the HMBP and /or SPCC, the Plan(s) would need to be amended (and approved by the Environmental Health Division) prior to the storage or use of any new hazardous substance. The applicant would then be

required to follow such plans during operations regarding proper use, storage and containment.

The project proposes an above-ground fuel tank. Upon installation and prior to use, the tank and containment system will need to be reviewed and approved by the Environmental Health Division before fuel dispensing is allowed to make sure adequate precautions have been taken.

During construction, there will be a need for a temporary concrete washout area. Prior to construction, this area will be designated and will need to meet CASQA Standards to minimize potential impacts to surface and ground water.

Regarding fire safety, as proposed, and similar to existing conditions, the project will retain a 50 to 100 foot setback from any potential natural fuel-laden habitat (i.e., oak woodlands, chaparral). An 84,000 gallon multi-use water tank is proposed, which can serve as an additional water source to improve potential fire containment. The proposed exterior building materials are non-combustible, reducing the fire risk. As listed in CalFire's response, the Plan would be amended to address a number of standard items typical for this type of development. The amended Fire Safety Plan will be reviewed by CalFire for adequacy prior to occupancy.

The project is not expected to conflict with any regional emergency response or evacuation plan.

**Mitigation/Conclusion.** Existing standards and requirements, as mentioned above, along with existing conditions of approval from Phase IV development (see Exhibit C), will be applied. With these in place, no significant impacts relating to hazards or hazardous materials are anticipated, and no additional mitigation measures are necessary.

**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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate permanent increases in the ambient noise levels in the project vicinity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Cause a temporary or periodic increase in ambient noise in the project vicinity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.** The project is within an existing oil field with a higher ambient noise level when compared to other more typical rural areas. As an oil field, heavy equipment is used periodically throughout the site that can generate loud noise (e.g., night time drilling). The proposed project is not within close proximity of any sensitive noise receptors (e.g., residences).

Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is not within any known areas with potentially or periodically high noise levels. The closest known non-project noise source is the Union Pacific Railroad approximately 1,250 feet to the east of the proposed replacement office, and outside of any noise threshold contours.

The closest residences are approximately 3/4 mile to the southwest and east.

**Impact.** Once construction is completed, the project is not expected to generate loud noises, nor conflict with the surrounding uses. Construction noise, when conducted during reasonable hours as defined in the County's LUO, is not subject to mitigation. Furthermore, the closest sensitive receptors are at least 3/4 mile from the project limits. This is a replacement project to serve existing employees, who are already accustomed to the periodic noises found at an oil production facility. Interior noise levels should be improved as employees move from temporary trailers to permanent structures. The proposed offices are not in close proximity to any ongoing loud noises within the facility. While there will be material storage near the office (approximately 130 feet to the west), other more active elements, such as wells (at least 1,000 feet) or the main processing facility (about 2,700 feet) are much further away.

**Mitigation/Conclusion.** The applicant proposes to conduct noisy construction work during the daylight hours exempted under the County's Land Use Ordinance. No significant noise impacts are anticipated, and no additional mitigation measures are necessary.

<b>9. POPULATION/HOUSING</b> <i>Will the project:</i>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
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 type="checkbox"/>	<input checked="" 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 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** In its efforts to provide for affordable housing, the County currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county. The County's Inclusionary Housing Ordinance requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions.

**Impact.** As the project is replacing existing offices, it will not result in a need for a significant amount of new housing, and will not displace existing housing.

**Mitigation/Conclusion.** No significant population and housing impacts are anticipated. The project will mitigate its cumulative impact to the shortage of affordable housing stock by providing a housing impact fee. No additional mitigation measures are necessary.

**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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project area is served by the following public services/facilities:

Police: County Sheriff

Location: Oceano (Approximately six miles to the south)

Fire: Cal Fire (formerly CDF)

Hazard Severity: Very High

Response Time: 5-10 minutes

Location: Avila Station, approximately 10 miles to the west

School District: San Luis Coastal Unified School District.

Public Facility Fee. The County-adopted Public Facilities Fee Ordinance (Title 18) provides for the collection of a fair-share fee from new development to help mitigate for cumulative impacts on public facilities. This fee currently being collected helps fund capital improvement projects in the following areas: libraries, fire, general government, parks and recreation, and sheriff's patrol.

**FIRE/LIFE SAFETY**

State Responsibility Area. Regarding fire protection, the project is within a 'State Responsibility Area', which falls under the responsibility and jurisdiction of Cal Fire. Within San Luis Obispo County, Cal Fire is responsible for wildland fire protection of almost 1.5 million acres. The County has contracted with Cal Fire to provide protection of structures within the rural unincorporated areas. Recent state legislation (AB X1-29) has also established a property owner fee to help offset the costs of protecting structures within the wildland areas. CalFire provided a response (see attached) on items that will need to be included in the Fire Safety Plan, which will be required prior to final inspection of the proposed structures.

Mutual Aid. For most areas, Interagency Mutual Aid Agreements exist, where nearby fire departments or districts from other jurisdictions will assist the fire agency who has primary responsibility for the subject property. In this case, the City of Pismo Beach is the closest mutual aid responder.

For additional information regarding fire hazards, see also the 'Hazards and Hazardous Materials' section.

Emergency Services

Emergency services generally include ambulance and hospital service. Private companies based throughout the County provide ambulance service. Response times are generally good with the

exception of the more rural portions of the County where the large area being served and the distances involved lend to poorer levels of service. Hospital services are provided by Arroyo Grande Community Hospital in the City of Arroyo Grande, and by French and Sierra-Vista in the City of San Luis Obispo.

**SOLID WASTE**

Trash collection and disposal service is provided by South County Sanitary. The County currently has three permitted public landfill facilities that accept a variety of municipal solid waste: Cold Canyon, Chicago Grade and Paso Robles. General refuse is expected to primarily go to Cold Canyon.

Cold Canyon Landfill is located approximately 6 miles south of the City of San Luis Obispo on Highway 227. This landfill is under the jurisdiction of, and permitted by, the CalRecycle (previously California Integrated Waste Management Board). These facilities not only accept waste for disposal, but also provide recycling opportunities for the users.

**ROADS**

Please see the Transportation section for a more detailed discussion on public County roads.

**Impact.** As replacement of existing structures, no new public service impacts are anticipated. The existing Fire Safety Plan in place to address the existing structures will be reviewed by CalFire for adequacy when compared to the proposed project. Exterior building materials are non-combustible and will minimize potential fire risk. Vegetation management around the proposed structures will be minimal given that the location of the proposed project is the same location as the temporary facilities being replaced. The current Fire Safety Plan will be amended to address the items specified in CalFire’s response. The project’s direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the current fees in place.

Please see the Transportation section for a more detailed discussion on public County roads. As a replacement project, no new impacts to County roads are expected.

**Mitigation/Conclusion.** The existing fire Safety Plan will be updated to recognize these replacement structures. The existing public facility (County) and school (State Government Code 65995 et seq.) fee programs have been adopted to address cumulative impacts, and will reduce these cumulative impacts to less than significant levels. The project is subject to these fees. Furthermore, per recent state legislation (AB X1-29) a property owner fee has been established to help offset the cumulative costs of protecting structures within the wildland areas. No potentially significant public service impacts have been identified and no additional mitigation is considered necessary above what has been described.

**11. RECREATION**

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

**Setting.** Based on the County Trails Map, the Juan Batista De Anza National Historic Trail historically ran along the east side of the 348-acre property. As a part of Phase IV, an easement to ultimately improve this trail was secured. Furthermore, once the oil field in this area is decommissioned/closed,

this trail would be built. It was determined that delaying such improvements would avoid the potential safety conflict of prematurely allowing the public into an active oil field.

**Impact.** As this is primarily a replacement project to serve the existing employees, the proposed project will not create a significant need for additional park, Natural Area, and/or recreational resources.

**Mitigation/Conclusion.** No significant recreation impacts are anticipated, and no mitigation measures are necessary.

<b>12. TRANSPORTATION/CIRCULATION</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
<i>Will the project:</i>				
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Level of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Conflict with an applicable congestion management program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 County has established the acceptable Level of Service (LOS) on roads for this rural area as "C" or better. The existing road network in the area, including the project's access road (Price Canyon), is operating at acceptable levels. Based on existing road speeds and configuration (vertical and horizontal road curves), sight distance from the existing entrance onto Price Canyon Road is considered acceptable. A referral was sent to County Public Works.

A future De Anza trail along Pismo Creek is anticipated when the oil field will be decommissioned (please see the 'Recreation' section for additional discussion).

Existing Phase IV Conditions of Approval include several traffic safety measures that will remain in

place to continue minimizing traffic impacts (See Exhibit C).

Public Works identified a potential existing sight distance deficiency at the existing office entrance that may require limited vegetation trimming/removal along Price Canyon Road. The applicant has recognized that such maintenance work is appropriate and plans to have the work completed within the next month. As this is an ongoing maintenance consideration, it is not an impact resulting from the proposed project and not considered further.

**Impact.** The proposed project is a replacement of the existing offices to accommodate the employees for the existing operation. No new trips are expected. Based on the existing road conditions, no improvements are considered necessary, nor will there be a change to the existing road service or traffic safety levels. The project does not conflict with adopted policies, plans and programs on transportation.

**Mitigation/Conclusion.** No significant traffic impacts were identified, and no new mitigation measures or what is already required by ordinance are necessary.

### 13. WASTEWATER

<i>Will the project:</i>	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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### Setting.

Based on Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type(s) for the project is provided in the listed in the previous Agricultural Resource section. The main limitation(s) of these soils for wastewater effluent include:

-**poor filtering characteristics** due to the very permeable nature of the soil, without special engineering will require larger separations between the leach lines and the groundwater basin to provide adequate filtering of the effluent. In this case, based on soil boring information provided in the geotechnical report (Earth Systems; Dec., 2013), and response provided by the applicant, an engineered system (deep septage pit) will be needed to meet Basin Plan/ California Plumbing Code requirements, which will need to be verified at construction permit issuance and final inspection.

--**shallow depth to bedrock**, which is an indication that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, the chances increase for the effluent to infiltrate cracks that could lead directly to groundwater source or surrounding wells without adequate filtering, or allow for daylighting of effluent where bedrock is exposed to the earth's surface. In this case, based on soil boring information, it is expected that there may not be sufficient separation between leach line and bedrock to provide for adequate filtering of effluent. Therefore, as stated above an engineered

system (deep septage pit) will be needed to meet Basin Plan/CPC requirements.

--**steep slopes**, where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent. In this case, the proposed leach lines are located on the nearly level portion of the subject property that is sufficiently set back from any steep slopes to avoid potential daylighting of effluent. Therefore, no measures are necessary above what is called out for in the CPC/Basin Plan to address potential steep slopes.

The project is located in a rural area that uses on-site wastewater systems to handle their wastewater effluent.

**Impacts/Mitigation.** Based on the use of an engineered septage pit for all proposed wastewater needs for the proposed office and meeting room, wastewater impacts are considered less than significant. Furthermore, the following can be stated relating to wastewater aspects:

- ✓ The project has sufficient land area per the County's Land Use Ordinance to support an on-site system;
- ✓ The septic systems slope is less than 20%;
- ✓ The proposed system will be outside of the 100-year flood hazard area;
- ✓ The proposed system will be at least 100 feet from any creek or water body.

Based on the above discussion and information provided, the site appears to be able to design an on-site system that will meet CPC/Basin Plan requirements. Prior to building permit issuance and/or final inspection of the wastewater system, the applicant will need to show to the County compliance with the County Plumbing Code/ Central Coast Basin Plan, including any above-discussed information relating to potential constraints. Therefore, based on the project being able and needing to comply with these regulations prior to occupancy, potential groundwater quality impacts are considered less than significant.

## 14. WATER & HYDROLOGY

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<b>QUALITY</b>				
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## 14. WATER & HYDROLOGY

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>QUANTITY</b>				
h) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
k) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** On water use, the existing offices currently use bottled water for its potable needs, and non-potable well water for everything else. The facility has recently installed a reverse osmosis system to treat and release some of the oil processing facility's produced water. This treated potable water is released to Pismo Creek primarily for recharge and reuse downstream. The Environmental Health Service (EHS) has reviewed the project for water availability and delivery. It has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project. Furthermore EHS determined that a more permanent water treatment system should be installed for office use. Based on available information, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is nearly level to steeply sloping. The closest creek from the proposed development is approximately 650 feet away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

On water quality, projects involving more than one acre of disturbance are subject to preparing a Storm Water Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. When work is done in the rainy season, the County's Land Use Ordinance requires that temporary erosion and sedimentation measures to be installed.

**DRAINAGE** – The following relates to the project's drainage aspects:

Within the 100-year Flood Hazard designation? No

Closest creek? Pismo Creek Distance? Approximately 650 feet

Soil drainage characteristics: Moderately drained to very poorly drained

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.110 or CZLUO Sec. 23.05.042) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

**SEDIMENTATION AND EROSION** – Soil type, area of disturbance, and slopes are key aspects to

constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

**SEDIMENTATION AND EROSION** – Soil type, area of disturbance, and slopes are key aspects to analyzing potential sedimentation and erosion issues. The project's soil types and descriptions are listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the the project's soil erodibility is as follows:

Soil erodibility: Low

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program. A facilities level SWPPP is currently in place that provides sedimentation and erosion control for the existing offices and accessory structures.

### **Impact – Water Quality/Hydrology**

With regards to project impacts on water quality the following conditions apply:

- ✓ Approximately three acres of site disturbance is proposed;
- ✓ The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- ✓ The project will be disturbing over an acre and will be required to prepare a SWPPP, which will be implemented during construction;
- ✓ The project is not on highly erodible soils;
- ✓ The project is not within a 100-year Flood Hazard designation;
- ✓ The project is more than 100 feet from the closest creek or surface water body;
- ✓ Stockpiles will be properly managed during construction to avoid material loss due to erosion;
- ✓ The project is subject to the County's Plumbing Code (Chapter 7 of the Building and Construction Ordinance [Title 19]), and/or the "Water Quality Control Plan, Central Coast Basin" for its wastewater requirements, where wastewater impacts to the groundwater basin will be less than significant;
- ✓ All hazardous materials and/or wastes will be properly stored on-site, which include secondary containment should spills or leaks occur.

Using on-site well water, the project proposes a new small water treatment element to provide for long-term potable water needs. Final approval will be required by Environmental Health Services before this element can become operational.

Existing Phase IV Conditions of Approval include several measures (COA #22a & c, 27, 28, 29) to improve water quality, which will remain in place (See Exhibit C).

### **Water Quantity**

The project is replacing a temporary facility with a permanent facility which will be used for existing needs. No long-term additional water consumption is anticipated. During construction, temporary additional water use is expected, primarily for dust control purposes. The project is proposing to install a permanent water treatment system to serve the new facilities. Also, a large water tank (84,000 gallons) is proposed to serve for potable and fire water needs.

The project's long-term existing and future water usage is estimated as follows:

Indoor: 0.582 acre feet/year (AFY);[based on 9,700 sf of general office use]  
 Outdoor: 0 AFY  
 Total Use: 0.582 AFY  
 Water Conservation: 0 AFY (Existing Green Build requirements will be applied)  
 Total Use w/ Conservation: 0.582 AFY

Sources used for this estimate include one or more of the following references: County's Land Use Ordinance, 2010 Census data, Pacific Institute studies (2003), City of Santa Barbara Water Demand Factor & Conservation Study 'User Guide' (1989).

Based on available water information (County's Master Water Plan, historic use), there are no known constraints to prevent the project from obtaining its water demands.

**Mitigation/Conclusion.** As specified above for water quality, existing regulations and/or required plans will adequately address surface water quality impacts during construction and permanent use of the project. No additional measures above what are required or proposed are needed to protect water quality.

Based on the proposed amount of water to be use and the water source, no significant impacts from water use are anticipated.

## 15. LAND USE

*Will the project:*

	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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</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/Impact.** Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CAL FIRE for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents. Please also refer

to other sections that make reference to land use documents for additional discussion.

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

The proposed project is not subject to any of the Planning Area Standard(s) as found in the County's LUO (San Luis Bay Sub Area – Rural):

**Mitigation/Conclusion.** No inconsistencies were identified and therefore no additional measures above what will already be required were determined necessary.

<b>16. MANDATORY FINDINGS OF SIGNIFICANCE</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
<i>Will the project:</i>				
a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>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)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

For further information on CEQA or the county's environmental review process, please visit the County's web site at "[www.sloplanning.org](http://www.sloplanning.org)" under "Environmental Information", or the California Environmental Resources Evaluation System at: [http://www.ceres.ca.gov/topic/env\\_law/ceqa/guidelines](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	In File**
<input checked="" type="checkbox"/>	County Environmental Health Division	In File**
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	In File**
<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	None
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Wildlife	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry (Cal Fire)	In File**
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Services District	Not Applicable
<input type="checkbox"/>	Other _____	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 type="checkbox"/> Specific Plan
<input type="checkbox"/> Coastal Plan Policies	<input checked="" type="checkbox"/> Annual Resource Summary Report
<input checked="" type="checkbox"/> Framework for Planning (Coastal/Inland)	<input type="checkbox"/> 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 checked="" 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 type="checkbox"/> Real Property Division Ordinance	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Affordable Housing Fund	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> San Luis Obispo Airport Land Use Plan	<input type="checkbox"/> Other
<input type="checkbox"/> Energy Wise Plan	
<input checked="" type="checkbox"/> San Luis Bay (Inland) Area Plan	

In addition, the following project specific information and/or reference materials have been considered

as a part of the Initial Study:

- Clean Air Plan - San Luis Obispo County, and Appendices (2001)
- APCD 2012 CEQA Handbook
- SLO County Traffic Counts
- Geotechnical engineering reports - Earth Systems (12/13/13); Addendum (Earth Systems, 6/16/14)
-

## Exhibit B - Mitigation Summary Table

Per Public Resources Code Section 21081.6, the following measures also constitute the mitigation monitoring and/or reporting program that will reduce potentially significant impacts to less than significant levels. These measures will become conditions of approval (COAs) should the project be approved. The Lead Agency (County) or other Responsible Agencies, as specified in the following measures, are responsible to verify compliance with these COAs.

- VS-1 **Aesthetics – Water Tank.** At the time of application for construction permit, the applicant shall clearly delineate on the project construction drawings the location and visual treatment of any new water tank. The tank shall be no taller than 16 feet. When locating the permanent water on the proposed pad all efforts will be made to locate it in the least visually prominent portion, as viewed from Price Canyon Road. Screening with topographic features, existing vegetation or existing structures shall be used as feasible. If the tank cannot be fully screened with existing elements, then the tank shall be a dark green, non-contrasting color. **Prior to final inspection or occupancy**, whichever occurs first, the applicant shall provide verification to the satisfaction of the County that these measures have been met.
- VS-2 **Aesthetics – Temporary Construction .** At the time of application for construction permit, the applicant shall clearly delineate on the project construction drawings the location of the temporary construction trailers. These trailers shall be located within previously approved Phase IV development areas, and to the extent possible out of view from Price Canyon Road. Screening with topographic features and existing vegetation shall be used as feasible. Construction trailers shall be removed within 30 days of occupancy of the permanent office.
- VS-3 **Aesthetics – Exterior Light Plan.** At the time of application for construction permits, the Applicant shall submit an Exterior Lighting Plan for both permanent and temporary facilities, for County review and approval. The Plan shall define the height, location, and intensity of all exterior lighting. All lighting fixtures shall be positioned “down and into” the development, and shielded so that neither the lamp nor the related reflector interior surface is visible from surrounding properties. All lighting poles, fixtures, and hoods shall be dark colored. When nighttime lighting is required for construction, temporary lighting shall be hooded to the extent consistent with safety. Lighting fixtures shall be directed away from [the highway] to avoid glare and, when near a residence, shall be pointed away from the residence. This requirement shall be specified in contracts with contractors and subcontractors that may require nighttime construction lighting. Operational exterior lighting shall be limited to the following areas, unless other exterior lighting is required by law or Code: Operations and maintenance buildings, parking areas, meeting room building. The Lighting Plan shall focus on keeping the lumen/light intensity level to the lowest possible while still meeting minimum safety and security requirements. These measures shall be shown on applicable construction drawings **prior to issuance of construction permits** and permanent lighting shall be installed **prior to final inspection**. The County and Environmental Monitor shall verify compliance with this measure.
- VS-4 **Aesthetics – Temporary Offices.** At the time of application for construction permits, temporary offices shall be shown on drawings in an area out of view from Price Canyon Road. Should the top of the ‘fill area’ near the main entrance be used, to minimize the potential visual impacts of temporarily relocated office trailers, 1) they shall be placed along the northern edge of the flattened area (see attachment), 2) all night lighting shall follow VS-3 measure above; and 3) the parking perimeter along the south and east edges shall be either bermed (at least 4-feet high), or screened with a perimeter temporary screening fence (up to 6-feet tall using dark green or brown screening material).

**AQ-1 Limited Dust Control.** The project proposes grading an area that is less than 4-acres and is greater than 1,000 feet from the closest sensitive receptor. The following mitigation measures shall be implemented to minimize nuisance impacts and to significantly reduce fugitive dust emissions:

- a. Reduce the amount of disturbed area where possible;
- b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c. All dirt stock-pile areas shall be sprayed daily as needed;
- d. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible, and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used; and
- e. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.

All of the above measures shall be shown on all applicable plans **prior to issuance of construction permit(s) or approval of subdivision improvement plans.**

**Prior to commencement of construction/ improvement activities,** the applicant shall provide to the County verification from APCD, that the above air quality mitigation measures have been applied and/or measures are in place to comply with requirement **during construction.**

**BIO-1** The project proposes to remove up to two coast live oaks and impact up to two coast live oaks. Based on the following "Woodlands Impact and Mitigation Worksheets"  
**Prior to issuance of the grading or construction permit,** the applicant agrees to deposit \$2,910 into either the Oak Conservation Fund (administered by the state's Wildlife conservation Board), a County recognized tree mitigation bank (or County-approved equivalent). Therefore, a receipt from either the Oak Conservation Fund, a County-recognized tree mitigation bank, or county-approved equivalent shall be provided to the county showing \$2,910 has been paid.

**Oak Impact Worksheet**

Tree Type	Number	Multiplier	Subtotal
Oak (Coast Live) <b>Impacted</b>	2	X 0.5	1
Oak (Coast Live) <b>Removed</b>	2	X 1	2
<b>TOTAL (needs to match Woodlands Mitigation Worksheet Total below)</b>			<b>3</b>

**Woodlands Mitigation Worksheet**

Method	Number (rounded down to nearest 0.5 interval)	Multiplier	Mitigation
On-site tree planting (no more than 50% of "Impact Total" above)	0	X 4	0 on-site replacement trees*
Tree Fee (add any rounded down fraction to this number)	3	X \$970	\$2,910
Conservation Easement	0		0
<b>TOTAL</b>	<b>3</b>		

**Geo-1 Remove Undocumented Fill.** Prior to issuance of a building permit, applicable construction drawings shall reflect findings and recommendations made by the geotechnical engineering report (Earth Systems, 12/13/14) to address the undocumented fill in and around all affected foundation footprints.

All contractors shall be made aware of these conditions as a part of their contract/work scope.

**NS-1 Limit noisy onsite construction activities.** During construction or ground disturbing activities, heavy equipment operation and noisy construction work at the project site shall be restricted to the following hours:

Monday through Friday 7:00 a.m. to 6:00 p.m.

Saturday and Sunday 8:00 a.m. to 5:00 p.m.]

Noisy construction refers to any onsite activity within this project's boundaries that would be likely to exceed the County's limits for daytime noise levels (maximum noise level of 70 dBA, maximum impulsive noise level of 65 dBA, hourly noise level of 50 dBA Leq) at the project's property line.

**TR-1 At the time of application for construction permits,** the applicant shall submit plans to the Department of Public Works to secure an Encroachment Permit and post a cash damage bond to install improvements within the public right-of-way in accordance with County Public Improvement Standards. The plan is to include, as applicable:

- a. Reconstruct or improve the existing site access driveway approach, as needed to conform to County Public Improvement Standard B-1e drawing for high speed and/or high volume rural roadways.
- b. Remove vegetation or other obstacles, as required, to achieve sight distance standards. (See standard drawing A-5a and use Design Speed = 55MPH.)

**Prior to final inspection,** satisfactory evidence shall be provided to Public Works, that any identified deficiencies determined for items #TR-1a and #b above, have been installed per approved plans.

All measures shall be shown on applicable construction drawings as a part of any **construction permit** related to this land use permit, and all contractors shall be made aware of these conditions as a part of their contract/work scope.

Unless superseded by the above conditions, all other applicable Conditions of Approval for D010386D shall remain in effect and apply to this project during construction and operations.

## **Exhibit C – Phase IV (D010386D) Conditions of Approval**

### **PLAINS EXPLORATION AND PRODUCTION CONDITIONAL USE PERMIT D010386D**

#### **Approved Development**

1. This approval authorizes:

- A. The construction of 95 new producer wells,
- B. The construction of 30 new steam injection wells,
- C. The construction of 3 steam generators,
- D. Construction of 4 new well pads, and
- E. Modification of 31 existing well pads.

This approval does not authorize, nor did the EIR for this project consider, any exportation of produced water.

2. Prior to commencement of drilling of each oil well or steam generator authorized by this Conditional Use Permit, the applicant shall submit one of the following:

- A. A grading permit application, or
- B. If development does not require a grading permit, the applicant shall submit all information required by these conditions of approval to the Planning and Building Department and request issuance of a “Notice to Proceed”.

#### **Phasing Schedule**

- 3. A total of ten years is allowed for the development of the 95 producer and 30 steam injector wells, and the 3 steam generators.
- 4. At the end of the ten years, any wells or steam generators not yet completed shall require review and approval of a new Conditional Use Permit.

#### **Permitting**

- 5. Prior to issuance of the first Notice to Proceed or grading permit, the applicant shall submit a copy of all permits/authorizations required by other agencies, including, but not limited to the Air Pollution Control District, the Regional Water Quality Control Board, the Department of Conservation, and the Department of Fish and Game.

#### **Mitigation Monitoring**

- 6. Prior to issuance of the first Notice to Proceed or grading permit, the applicant shall retain a mitigation monitor approved by the county to monitor compliance with all conditions of approval.

## **Recreation**

7. Prior to issuance of the first Notice to Proceed or grading permit, the applicant shall have recorded an offer of dedication for a 20 foot wide multi-purpose trail easement through the property subject to Planning Director review and approval. The offer may be accepted after the cessation of oil field activities at the expiration of land use permit authorizations or another time mutually agreed upon by the applicant and the Planning Director.

## **Land Use**

8. Prior to issuance of the first Notice to Proceed or grading permit, the applicant shall submit to the County for approval a plan to preserve the long-term productivity of the site and to eventually restore the site after oil extraction operations are completed. This shall include provisions to ensure eradication of exotic plant species (i.e., pampus grass, tree tobacco, etc.) within the dedicated easement and for controlling the spread of exotic species throughout the Phase IV expansion area.

## **Traffic and Circulation**

9. Trucks (delivery, hauling and transportation trucks) should be scheduled outside the A.M. and P.M. peak period (7:00 to 9:00 A.M. and 4:00 to 6:00 P.M.) to the extent feasible (no increase in trucks trips will occur during the A.M. and P.M. peak periods);
10. Construction related traffic shall use on-site roads wherever possible; and,
11. Warning signs should be placed on Price Canyon Road prior to construction to notify through traffic of trucks entering and exiting the site.

## **Aesthetics**

12. Following drilling and construction of the well pumper units, the applicant will be required to plant native vegetation to shield/screen the new wells from a motorists traveling along Price Canyon Road. Details of such planting will be specified in the revegetation plan, which the applicant will be required to prepare prior to issuance of the Conditional Use Permit by the County (See Biological Resources #). The well pumper units will be painted with a flat green non-reflective paint that blends with the surrounding landscape of the project site.

## **Air Quality**

13. Prior to issuance of the first Notice to Proceed or Grading permit, a Drilling Emissions Reduction and Monitoring Plan shall be developed, approved by the County and fully implemented. The Plan shall specify the emissions control measures to be implemented on each emission source, the expected reduction for each criteria pollutant, the period the emissions control measures are to be in place, and a quarterly summary of the emissions reductions. The summary shall include sufficient information for the APCD to verify the emissions reductions have occurred. Potential emission reduction measures may include:

- A. Use of well pad construction and drilling scenarios to reduce peak emissions;
  - B. Use of engines meeting the Tier 1 or 2 Federal emissions standards for non-road applications;
  - C. Installation of diesel oxidation catalysts (up to 25 percent NOx reduction);
  - D. Installation of diesel reduction catalyst/catalyzed diesel particulate filter system (25 percent NOx reduction);
  - E. Use of PuriNOx fuel by Lubrizol (14 percent NOx reduction);
  - F. Use of Aquazole fuel (14 percent NOx reduction); and
  - G. Use of water-emulsified diesel fuel by Clean Fuels Technology (15 percent Nox reduction).
14. Dust generated by construction activities shall be kept to a minimum by full implementation of the following measures:
- A. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems shall be used to prevent dust from leaving the site and to create a crust after each day's activities cease;
  - B. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the morning and after work is completed for the day and whenever wind exceeds 15 miles per hour;
  - C. Stockpiled earth material shall be sprayed as needed to minimize dust generation.
  - D. During construction, the amount of disturbed area shall be minimized, and onsite vehicle speeds should be reduced to 15 mph or less;
  - E. Exposed ground areas that are planned to be reworked at dates more than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established;
  - F. After clearing, grading, earth moving, or excavation is completed, the entire area of disturbed soil shall be treated immediately by watering or revegetating or spreading soil binders to minimize dust generation until the area is paved or otherwise compacted so that dust generation is minimized;
  - G. Grading and scraping operations shall be suspended when wind speeds exceed 20 mph (one hour average);
  - H. Rumble pads (minor road obstructions designed to dislodge accumulated earth material from trucks) with spray washers shall be installed and maintained at all construction entrances; and
15. Project emissions remaining following implementation of the above mitigation measures shall be offset through contribution to an off-site mitigation fund. The fund is managed by the APCD and used to finance regional emission reduction projects such as bikeways, vehicle scrapping programs, diesel bus conversions, agricultural engine replacements and similar activities. Therefore, project emissions would be offset on a regional basis through applicant-funded off-site projects that would result in emissions reductions. Based on past experience the APCD has determined that \$8,500 is

required per ton NOx reduced. These funds would be used by the APCD to purchase clean-burning engines and other equipment/facilities that would result in a decrease in emissions in the County. The financial contribution would be paid on a per well basis, based on the number of wells to be drilled during a known period. The dollar amount shall be based on offsetting excess emissions (greater than 2.5 tons NOx per quarter) at, \$8,500 per ton and 0.65 tons NOx per well.

16. The proposed steam generators would be lo-NOx designs and comply with APCD Rule 430. No further emission controls are considered feasible. However, emissions can be offset through the contribution to an off-site mitigation fund to finance regional emission reduction projects such as bikeways, diesel bus conversions, agricultural engine replacements and similar activities; or,  
  
Alternatively, the project proponent may elect to reduce emissions from existing steam generators and other fuel burning equipment such as heater treaters, tank heaters and glycol reboilers. Emissions could be reduced to a level of less than significant through a combination of these measures.
17. During operations, the applicant shall fully implement the provisions of APCD Rule 417, which requires quarterly monitoring for leaks, and repair of leaks completed within 14 days for minor gas leaks, 5 days for major gas leaks and 2 days for liquid leaks.
18. Prior to construction of the steam generators the applicant shall prepare a comprehensive facility-wide health risk assessment (HRA) according to the Emission Inventory Criteria and Guidelines for the "Hot Spots" program. The Assessment will include a facility-wide inventory of toxic air contaminants (including sulfur compounds), air dispersion modeling to determine ground-level concentrations at adjacent residences and application of unit risk factors to identify cancer and non-cancer health risk. Should the results of the health risk assessment indicate unacceptable health risk, mitigation measures may be required to reduce health risk by reducing ground-level concentrations of toxic air contaminants, such as:
  - A. Limiting simultaneous operation of steam generators; and
  - B. Limiting use of landfill gas as fuel.
19. Prior to issuance of the first Notice to Proceed or Grading permit, an Odor Monitoring and Complaint Response Plan shall be developed and reviewed and approved by the APCD. The Plan may include the following elements:
  - A. Screening program of employees for olfactory acuity to identify odor monitors, using a series butanol/water solutions;
  - B. Training program for odor monitors to recognize odors and identify problem areas (unusually strong odors);
  - C. Protocol to investigate odors identified by employees, including enhanced fugitive hydrocarbon monitoring and follow-up olfactory monitoring;
  - D. Procedures to reduce identified odors through equipment maintenance, equipment replacement, operating procedures or specific odor controls;
  - E. Procedures to respond to odor complaints including responsible employees, collection of process data, meteorological data, olfactory monitoring data, data analysis and reporting back to the APCD; and

- F. Contingency measures to address chronic odor complaints which may include collection of samples for laboratory analysis or dilution-to-threshold equipment (Scentometer, or equivalent) to quantify odors and more precisely identify sources.
- G. Utilization of monitoring equipment.

## **Biological Resources**

- 20. Construction and drilling operations shall be conducted prior to the initiation of nesting, or after the completion of nesting to avoid any potential impact to migratory birds. Specifically, the following measures should be implemented:
  - A. Well pad grading operations shall be conducted prior to the initiation of nesting, or after the completion of nesting to avoid any potential impact to migratory birds. Therefore, clearing and grading of well pads, and all drilling operations should be conducted between the months of August and March.
  - B. If Measure A is infeasible, pre-construction surveys shall be conducted between February 15 and August 15 to identify potential bird and raptor nesting sites
  - C. If active nest sites of common bird species protected under the Migratory Bird Treaty Act (e.g., northern mockingbird, house finch, etc.) are observed within the vicinity of the project site, then the project shall be modified and/or delayed as necessary to avoid direct take of the identified nests, eggs, and/or young; and,
  - D. If active nest sites of raptors and/or species of special concern (e.g., northern harrier, horned lark, etc.) are observed within the vicinity of the project site, then CDFG shall be contacted to establish the appropriate buffer around the nest site. Construction activities in the buffer zone shall be prohibited until the young have fledged the nest.
- 21. The following mitigation measures are recommended to avoid and/or minimize impacts to special-status species known to occur or with the potential to occur within the existing and newly proposed well pads during construction. This includes protective measures to avoid and/or minimize impacts to Well's Manzanita during the construction phase of the project:

### **General Measures**

- A. All equipment staging areas, construction-crew parking areas, and construction access routes shall be established in previously disturbed or developed;
- B. Exclusionary fencing will be erected at the boundaries of all construction areas to avoid equipment and human intrusion into adjacent habitats with emphasis on protection of areas containing special-status species. The exact location of exclusionary fencing for each construction area shall be determined by a County-approved biological monitor. The fencing shall remain in place throughout the construction and drilling phase for each individual pad;
- C. A County-approved biological monitor shall conduct a worker orientation for all construction contractors (site supervisors, equipment operators and laborers) which emphasizes the presence of special-status species within the project site, identification, their habitat requirements, and applicable regulatory policies and

provisions regarding their protection, and measures being implemented to avoid and/or minimize impacts;

- D. During nighttime drilling and/or construction activities, all equipment lighting (i.e., drilling rigs, etc.) shall be shielded away from adjacent wildlife habitat areas and sky to minimize lighting/glare impacts of wildlife.

**Protective Measures for Special-Status Plants:**

- E. Due to the fluctuation in annual plant populations, Spring botanical surveys shall be conducted annually by a County-approved biologist to update the location of special-status plant species populations on project plans until the end of the construction period (as illustrated on Figure 5.5-2 of the Final EIR). Annual botanical survey results and documented fluctuations in populations shall be added cumulatively to project plans each year (i.e., all newly discovered populations shall be added to existing populations documented in previous years). All mapped populations shall be clearly fenced off with exclusionary fencing prior to construction in those areas. If areas supporting Pismo Clarkia and/or other sensitive plant species are determined by the County to be unavoidable then seed shall be collected from selected plants in impact areas and utilized to restore habitat in a pre-designated restoration site;
- F. Prior to construction of well pad 66C, to avoid the removal of an estimated 163 Well's manzanitas, newly proposed well pad Signal 66C shall be realigned and reduced in size to allow installation of the two wells within existing pre-disturbed areas (i.e., existing roadways and well pad areas). Specifically, Signal 66C shall be realigned westward toward an existing access roadway and well pad Signal 147 to avoid a dense stand of Well's manzanita; and,
- G. Utilizing the manzanita survey data collected in 2003, final project plans shall clearly illustrate the location of Well's manzanita to be removed as part of the project and all manzanita to remain within 25 feet of construction activities. Prior to any construction, grubbing or tree removal, each manzanita within the vicinity of the subject pads shall be clearly marked for removal or protection.

**Protective Measures for Special-Status Wildlife:**

- H. A County-approved biologist shall conduct pre-construction surveys to determine presence/absence of California horned lizard within and adjacent to individual well pads containing suitable chaparral and/or scrub habitat. Surveys shall only be required during the active period of California horned lizards (generally April through September). If California horned lizards are identified adjacent to and/or within work areas, then hand rakes or an equivalent shall be utilized by biological monitors to scarify the ground surface and encourage the horned lizards (and other wildlife) to vacate the immediate area prior to construction. Alternatively, sampling composed of drift fences shall be used to capture horned lizards. As necessary, the County-approved biological monitor shall physically relocate California horned lizard to suitable habitat located outside the construction zone. Exact procedures and protocols for relocation shall be based upon pre-project consultation with CDFG;
- I. A County-approved biological monitor shall be on-site during all vegetation clearing and shall periodically monitor the project site during construction activities

to inspect protective fencing, equipment staging areas, and physically relocate/remove any special-status wildlife species entering the construction zone (i.e., California horned lizard, etc.). All special-status species shall be relocated to suitable habitat located outside the construction zone by a qualified biologist. Exact procedures and protocols for relocation shall be based upon pre-project consultation with CDFG; and,

J. Nesting bird surveys shall be conducted between February 15 and August 15 to identify nest sites of special-status bird species including American peregrine falcon, horned lark, northern harrier, and Cooper's hawk.

22. The following mitigation measures are recommended to avoid and/or minimize impacts to special-status species known to occur or with the potential to occur within the Pismo Creek watershed:

A. Construction (e.g., clearing and grubbing of vegetation, rough grading, drilling, etc.) of any previously undisturbed area located within a buffer zone of 100 feet from both sides of Pismo Creek's banks (San Luis Obispo County Land Use Ordinance 22.07.166) shall be prohibited. Pismo Creek and the required 100-foot buffer shall be illustrated on final project plans and adhered to during the construction period;

B. Both Morehouse 303 and Signal 151 are within the 100-foot creek setback; a portion of Signal 151 is also within the 100-year floodplain. These two pads already exist and have been previously disturbed, such that annual grassland represents the dominant vegetation cover at these sites. As such, only a 50-foot creek setback from the top of bank will be required at these two pads. However, grading and drilling will be restricted to previously disturbed areas and no riparian vegetation will be removed. In addition, because the pads are not located outside of the 100-foot creek buffer zone applied to other pads, drilling and construction will be prohibited on these pads during the nesting bird season. Berming will also be established at these sites to contain migration of miscellaneous drilling materials and will be at a height at least one-foot above the 100-year base flood elevation to prevent secondary, indirect impacts to special-status species that have the potential to occur in adjacent areas. A 100-foot setback will be observed for all other pads/construction areas, except well pad Rock 85A. Rock 85A, which is a proposed new pad, is within 100 feet of an unnamed blue-line stream, as shown on a standard 7.5-minute USGS quadrangle map. This blue-line stream is a small intermittent drainage that flows through a culvert underneath Price Canyon Road and connects with Pismo Creek. Because this drainage is currently degraded due to past land use practices and existing sedimentation impacts, construction will be allowed to occur within 50 feet of top of bank with establishment of appropriate one-foot berming as discussed above.

C. The applicant may be allowed to construct within 30 feet of top of bank at Rock 85A if a complete restoration plan for the unnamed blue-line stream is submitted to the County prior to implementation of construction activities at this pad. Restoration shall include provisions for removal of non-native plant species and planting of native, riparian vegetation to enhance the habitat value for special-status species.

- D. Construction (not including drilling activities) of those previously disturbed areas located within the buffer zone of 100 feet from both sides of Pismo Creek's banks (limited only to Signal 151, Morehouse 303, and Rock 85A) shall be monitored by a qualified biologist on a full-time basis. The biological monitor shall conduct pre-construction surveys for special-status wildlife species, maintain protective fencing, inspect equipment staging areas, and physically relocate/remove any special-status wildlife species entering the construction zone.
23. The following mitigation measures are recommended to mitigate impacts to oak trees due to project implementation. This includes protective measures to avoid and/or minimize impacts to oak trees designated for long-term preservation:
- A. Prior to construction of Well pad 66C or Signal 113A, to avoid the removal of an estimated 9 mature oak trees, the applicant shall implement condition 21 (modification of well pad Signal 66C to avoid tree removal). In addition, the northern corner of Signal 113A shall be realigned southward to avoid four existing mature coast live oak trees. These modifications shall be displayed on final project plans prior to construction; and,
- B. Prior to issuance of the first Notice to Proceed or Grading permit, a Habitat Enhancement Plan containing site-specific oak tree protection and replacement procedures shall be prepared for the project. The Habitat Enhancement Plan shall clearly outline the procedures for protecting oak trees to remain in place during construction and provide details for replacing oak trees that are removed at a 4:1 ratio and those impacted at a 2:1 ratio. Final specifications of the Habitat Enhancement Plan shall be approved by the County and CDFG prior to construction of the 1st improvement. At a minimum, the plan shall contain the following provisions:
1. Utilizing the oak tree survey data collected in 2003, final project plans shall clearly illustrate the size and location of all oak trees to be removed as part of the project and all oak trees to remain within 25 feet of construction activities. Prior to any construction, grubbing or tree removal, each mature coast live oak tree within the vicinity of the subject pads shall be clearly marked for removal or protection;
  2. Protective fencing shall be installed around each oak tree to remain in place. The fencing shall be installed prior to grubbing/construction and provide protection of the root zone of oak trees (the outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree);
  3. To further protect oak trees to remain in place, a certified arborist shall be retained by the applicant to perform any necessary trimming of oak tree limbs overhanging existing well pads and newly proposed well pads. This shall be conducted prior to allowing construction equipment and drilling rigs within well pads to avoid and/or minimize the potential for inadvertent damage to oak tree limbs (i.e., from drilling rig booms, etc.);
  4. Approximately 25% percent of the Replacement oak trees shall be from 15-gallon stock and the remaining 75% from vertical tubes or deep, one-gallon container stock. The 15-gallon stock shall be evenly placed along the perimeter

of the most visually prominent well pads as seen travelers on from Price Canyon Road (i.e., Maino 16NW);

5. Replanting shall be completed in the fall season as soon as feasible (i.e., upon completion of grading within a given area) and by a qualified individual familiar with native vegetation;
  6. Location of newly planted oak trees shall adhere to the following whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; north-facing slopes; within drainages swales; where topsoil is present; and if clustered, at least 10' "on-center" separation between each tree. Tree spacing will average approximately 15 feet on-center. Some clustering is acceptable to maintain a more natural appearance; and,
- C. Newly planted trees shall be maintained until successfully established. This shall include protection (e.g., caging, tree shelters) from burrowing and browsing animals (e.g., deer, rodents), regular weeding (minimum of once early fall and once early spring) of at least a 3-foot radius around the plant base and adequate watering (i.e., drip irrigation system). Heavy mulching consisting of local oak leaf litter/mulch so seedlings are exposed to local mycorrhizal fungi to enhance survivability and growth is also recommended. Irrigation shall be slowly terminated over a 3-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. Replacement oak trees identified as dead and/or diseased during the monitoring period shall be replaced accordingly.
24. The following measures shall be implemented to compensate for the permanent loss of vegetation resulting from project implementation and potential long-term degradation of adjacent habitat areas from projected long-term utilization of the site:
- A. Prior to issuance of the first Notice to Proceed or Grading permit, the applicant shall dedicate an open space easement within the PXP property for permanent preservation in perpetuity. The dedicated easement shall be sufficiently sized and contain suitable habitat to accommodate a portion of the required oak replacement (estimated at 398 total), Pismo clarkia planting, and Well's manzanita planting. A conceptual location for the easement with approximate boundaries has been identified directly southwest of Signal 9N (refer to Figure 5.5-3 of the Final EIR). Final specifications of the dedicated easement (size and location) shall be reviewed and approved by the County and CDFG prior to construction of the 1st improvement. In addition, future equipment staging areas, access routes, and additional well pads shall be prohibited in the dedicated easement area; and,
  - B. The Habitat Enhancement Plan (see Condition 22) shall also contain measures to offset impacts to Pismo clarkia, Well's manzanita and oak woodland within the dedicated easement area. Specifically, the Habitat Enhancement Plan shall include species lists, installation and maintenance methods, performance criteria, and monitoring protocols for enhancing existing habitats within the dedicated easement area. At a minimum, the plan shall contain the following additional provisions:

1. Procedures to further mitigate permanent loss of California live oak woodland by augmenting existing oak woodland habitat within the dedicated easement with a portion of the required 4:1 ratio oak tree plantings;
2. Estimated permanent loss of 12 Well's manzanitas will also be compensated at a replacement ratio of 4:1 within selected areas of the dedicated easement containing appropriate soil conditions (i.e., chaparral and coyote brush scrub habitat areas);
3. Planting of Pismo clarkia as required by Mitigation Measure BIO-3 shall occur within selected areas of the dedicated easement to augment existing populations, concentrating the majority of seed dispersal along the northeastern perimeter of the existing oak woodland habitat;
4. Installation of all replacement planting and/or seed dispersal shall be conducted within the appropriate season to promote survivability (i.e., fall/winter). If possible, planting during the warmest, driest months (June through September) shall be avoided;
5. Procedures to ensure eradication of exotic plant species (i.e., pampus grass, tree tobacco, etc.) within the dedicated easement. This shall include provisions for controlling the spread of exotic species throughout the Phase IV expansion area; and,
6. An implementation schedule which emphasizes initiation of the Habitat Enhancement Plan within the 1st year of improvements authorized under this approval. The schedule shall outline the sequencing of all mitigation planting and timing for long-term monitoring and maintenance of the dedicated open space easement through the life of the project.

## **Cultural Resources**

25. Cultural Resource sites SLO-353, SLO-652, and SLO-1266 shall be avoided. Any future ground disturbances within a 150-foot buffer from the sites shall be subject to a subsurface archaeological excavation program to assess artifact presence in these areas. If artifacts do exist and cannot be feasibly avoided, a Phase 2 archaeological significance assessment program, and, if necessary, a Phase 3 data recovery mitigation program, shall be carried out by a qualified archaeologist and all construction activity within the sites and buffer areas shall be monitored by a qualified archaeologist and Native American monitor. The archaeological sites and buffer areas shall be indicated as "Environmental Sensitive Areas" on grading plans. If construction is proposed within 100 feet of the buffer areas, the areas shall be temporarily fenced to protect from disturbance. All significance assessment and mitigation activities shall be funded by the applicant. In addition, such buffer zones shall be observed for Areas A, B, and C.
26. In the event that unknown cultural remains are encountered anywhere within the project area during construction, activities shall be terminated or redirected to another area until a qualified archaeologist can be retained to evaluate the potential significance of the finds in a Phase 2 archaeological significance investigation or PXP shall have the option to relocate work permanently without need to conduct further

studies at that location. Relocation of work and any subsequent archaeological investigation would be done in consultation with the County of San Luis Obispo. If they are significant and cannot be feasibly avoided, then a Phase 3 data recovery mitigation program shall be performed by a qualified archaeologist, and all construction activity within the site and 150-foot buffer area shall be monitored by a qualified archaeologist and Native American monitor. All Phase 3 significance assessments and Phase 3 mitigation activities shall be funded by the applicant.

## **Geology and Soils**

27. In compliance with the Land Use Ordinance, the applicant will prepare and implement a Sediment and Erosion Control Plan (SECP) for the proposed project. The SECP will include:
  - A. Slope surface stabilization measures, such as temporary mulching, seeding, and other suitable stabilization measures to protect exposed erodible areas during construction, and installation of earthen or paved interceptors and diversion at the top of cut or fill slopes where there is a potential for erosive surface runoff;
  - B. Erosion and sedimentation control devices, such as energy absorbing structures or devices, will be used, as necessary, to reduce the velocity of runoff water to prevent polluting sedimentation discharges;
  - C. Installation of mechanical and/or vegetative final erosion control measures within 30 days after completion of grading;
  - D. Confining land clearing and grading operations to the period between April 15 and October 15 to avoid the rainy season;
  - E. Minimizing the land area disturbed and the period of exposure to the shortest feasible time;
  - G. The SECP will be prepared in accordance with the Land Use Ordinance; and,
  - H. Install long-term drainage devices at new/modified well pads, including headwalls, basins, culverts with down-drains and energy dissipating devices (riprap or diffusers).
  - I. In compliance with Section 23.05.020 – Grading, the applicant will prepare a grading plan for the project.
28. Prior to issuance of the first Notice to Proceed or Grading permit, the applicant will comply with the requirements under a general stormwater construction permit, which may be required by the RWQCB for the project. Such requirements may include preparation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP would include provisions for the installation and maintenance of Best Management Practices to reduce the potential for erosion of disturbed soils at the Project site.
29. To minimize any impact to groundwater downgradient from the site, petroleum products shall be removed from wastewater generated in the oil recovery process prior to reinjection. In addition, a Sentry Well/Groundwater Monitoring Program shall be developed. The Monitoring Program shall monitor groundwater quality trends and shall focus on the shallow aquifer zone. The Sentry Well/Groundwater Monitoring Program shall be developed in consultation with California Department of

Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR), the Regional Water Quality Control Board (RWQCB), and the County Division of Environmental Health and shall be reviewed and approved by the Planning Director.

### **Paleontological Resources**

30. Prior to issuance of the first Notice to Proceed or Grading permit, the applicant shall retain a qualified paleontologist to develop a paleontological mitigation monitoring plan for the review and approval by the County of San Luis Obispo that includes the following:
  - A. Prior to construction, the applicant will retain a qualified paleontologist to implement the mitigation plan and maintain professional standards of work.
  - B. A qualified monitor will perform full-time monitoring of all grading, enlargement of pads and all other open excavation work in native sediments. Monitoring will include inspection of exposed surfaces and microscopic examination of matrix. The monitor will have authority to divert grading away from exposed resources temporarily in order to recover the specimens and contextual data. PXP shall have the option to relocate work permanently without need to conduct further studies at that location. Relocation of work and any subsequent paleontological investigation would be done in consultation with the County of San Luis Obispo. Cooperation and assistance from on-site personnel will greatly assist timely resumption of work in the area of the discovery.
    1. If the discovery meets the criteria for a fossil locality, formal locality documentation activities will be performed.
    2. If microfossil localities are discovered, locality documentation activities shall include the collection of matrix material for processing. These activities may include use of equipment to excavate fossil-containing soils, and establishment of stockpiles away from the construction area. Testing of stockpiles shall consist of screen washing small samples (200 pounds) to determine if fossils are present. Productive tests shall result in screen washing of additional matrix from the stockpiles to a maximum of 6000 pounds per locality.
  - C. Fossils recovered shall be prepared, identified and cataloged, and donated to an accredited repository approved by the County of San Luis Obispo. Any resources determined not to meet significance criteria shall be offered to local schools for use in educational programs.
  - D. The principal investigator shall prepare monthly progress reports to be filed with the applicant and the County of San Luis Obispo. The principal investigator shall prepare a final report to be filed with the applicant and the County of San Luis Obispo. The report shall include a list of resources recovered, documentation of each site/locality, interpretation of resources recovered and shall include all specialist's reports as appendices.

## **Noise**

31. Excluding drilling activities, no use of heavy equipment or heavy-duty trucks shall occur between 7 p.m. and 7 a.m. As shown in Figure 5.9-4 of the Final EIR, drilling activities at wells pads Signal 113D and Morehouse 303 would cause an exceedance of the 45 dBA Leq. Therefore, noise attenuation blankets or other devices with a sound transmission class of 25 or greater shall be installed at a height exceeding the highest exhaust outlet and in a line-of-sight alignment so as to maximize noise attenuation at these two well pads sites. Equipment engine covers shall be in place and mufflers shall be in good condition.

## **Hazards/Risk of Upset**

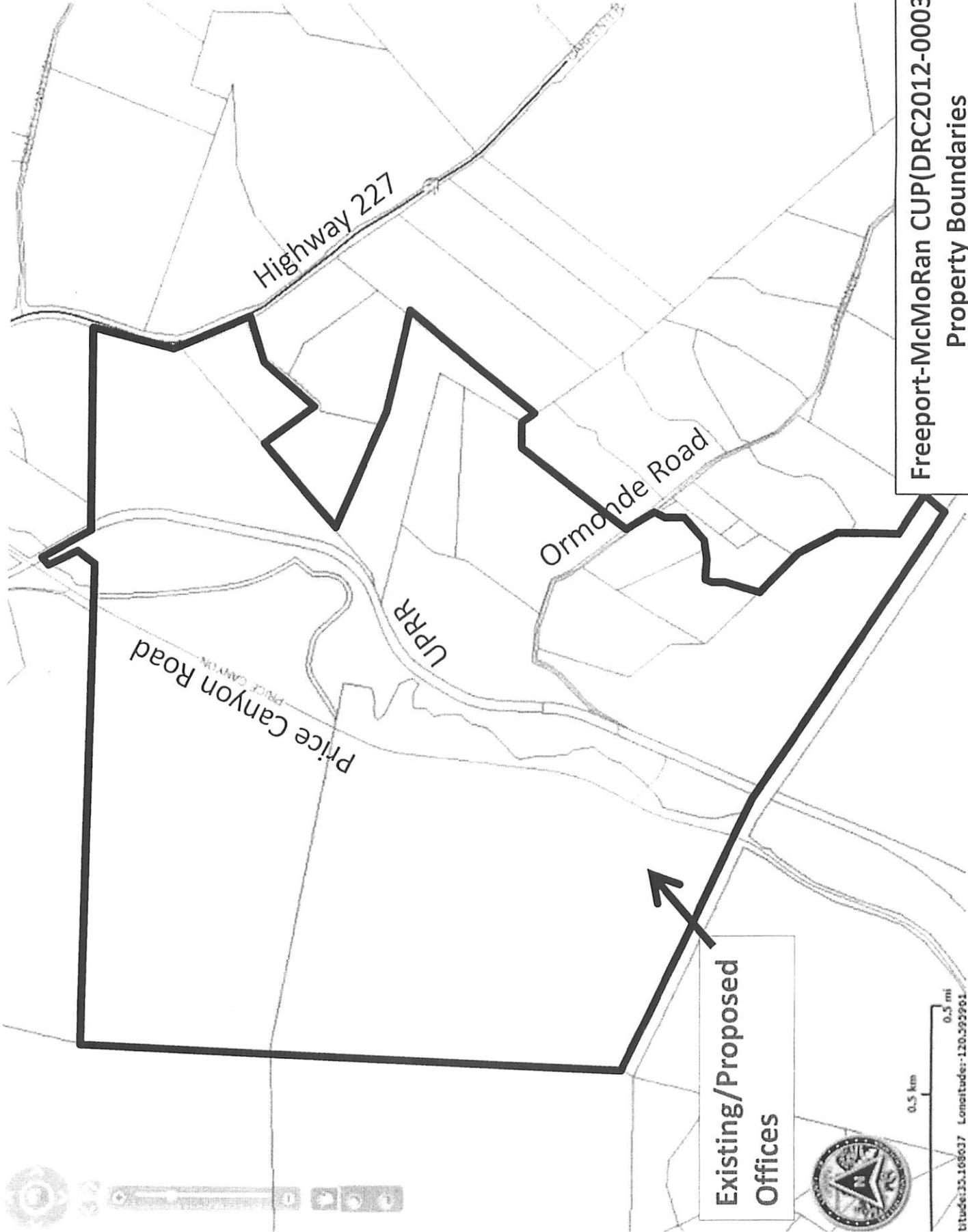
32. Prior to initiation of well drilling activities, the applicant shall complete table-top and field emergency training with CDF/County Fire, County Hazardous Materials Team, and DOGGR. PXP shall provide CDF/County fire with actual costs to cover the expenses of continuous training exercises, including overtime and equipment replacement. The amount of this training shall not exceed \$8,000 every two years or \$4,000 annually. The total to be adjusted every two years for inflation, based on the Consumer Price Index, indexed to Los Angeles/Riverside/Orange County.
33. The applicant will complete annual inspections with the CDF/County Fire Department to ensure compliance with the County adopted California Fire Code, currently the 2001 version.
34. The applicant shall submit a Notice of Intent and obtain written approval from the State Oil and Gas Supervisor prior to drilling, reworking, injecting into, plugging, or abandoning any well. The Notice of Intent will be reviewed by DOGGR on an engineering and geological basis. PXP will be required to submit detailed geological and engineering information to support the project. Approval will be subject to protection of the public and the environment by using adequate blowout prevention equipment. DOGGR will monitor potential risks from critical wells (wells located in close proximity to Price Canyon Road and the UPRR railroad) as part of their well application review process.
35. Prior to issuance of the first Notice to Proceed or Grading permit, PXP shall develop a contingency plan for proper wastewater handling in the event that adequate wastewater injection capacity cannot be developed. This plan shall be reviewed by DOGGR, in consultation with County Planning and the RWQCB, as necessary.
36. During water injection and steaming operations, PXP shall make daily inspections of drainages, known nearby well sites, and surface seeps within the 2,000 feet of the injection locations to identify oil release at the ground surface. In the event of a spill release, the applicant shall immediately notify the appropriate regulatory agencies of the discovery and implement spill response, mitigation, and clean-up activities. As required by DOGGR, abandoned oil wells identified to have the potential to release oil to the environment shall be re-abandoned to current DOGGR standards.
37. The applicant shall store on-site cleanup materials including diking materials and absorbent material such as pads and booms that will be accessible to the fire department in case of emergency. The applicant shall provide CDF/County Fire with

two gas detectors for the closest responding fire engines or HAZ MAT Unit who would respond to an incident at the oil fields or along the travel routes to the refinery. These detectors shall be capable of detecting combustible levels and Hydrogen Sulfide (H<sub>2</sub>S) levels and will be the equivalent of the iTX Multi-Gas Monitor.

38. On an annual basis, the applicant shall provide CDF/County Fire and County Environmental Health with their emergency response plan for review and approval. The plan will include procedures and annual training exercises with CDF/County Fire, the County Hazardous Materials Team, and other appropriate agencies on handling a petroleum or hydrogen sulfide emergency at the Project Site. See Mitigation Measure HAZ-1A.
39. Prior to issuance of the first Notice to Proceed or Grading permit, the applicant shall produce a CDF/County Fire a Fire Hydrant System plan for approval.
40. Prior to issuance of the first Notice to Proceed or Grading permit, the applicant shall submit a vegetation management plan to CDF/County Fire for approval. This will identify measures to minimize the risk of wildfires due to operation of existing and proposed new pipelines and power lines. It will also make recommendations for protection of such facilities from a wildfire. Based on those recommendations, CDF will make requirements in accordance with the PRC.
41. Prior to issuance of the first Notice to Proceed or Grading permit, the applicant's Spill Prevention Control and Countermeasure Plan (SPCC) for the Arroyo Grande oil field shall be updated to address the increased production and spill scenarios. The SPCC update shall include measures to both reduce the likelihood of an oil spill entering the creek through engineered containment devices and regular monitoring. Furthermore, approval of the Notice of Intent by DOGGR will be subject to proper oil spill H<sub>2</sub>S contingency plans and protecting all subsurface hydrocarbons and fresh waters by using approved drilling and cementing techniques.  
  
The SPCC shall also include the requirement that the applicant coordinate with the County Department of Environmental Health, the RWQCB, OES and the Department of Planning and Building to prepare information for adjacent landowners that informs them of spill prevention/reporting resources currently available through the Office of Emergency Services and other agencies. This information shall be distributed within 30 days of project approval. The SPCC shall be submitted to the Department of Planning and Building and made available to all interested parties.
42. The applicant shall as a condition of approval of this conditional use permit defend, at his sole expense, any action brought against the County of San Luis Obispo, its present or former officers, agents or employees, by a third party challenging either its decision to approve this conditional use permit or the manner in which the County is interpreting or enforcing the conditions of this conditional use permit, or any other action by a third party relating to approval or implementation of this conditional use permit. The applicant shall reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action, but such participation shall not relieve the applicant of his obligation under this condition.
43. Prior to issuance of the first Notice to Proceed or grading permit, the applicant shall provide evidence of payment to the City of Pismo Beach that provides \$1,000/year contribution for the first five (5) years and \$2,500/year for the following fifteen (15)

years to fund its fair share of maintenance and replacement costs associated with the use of Pismo City streets.

## Exhibit D – Graphics



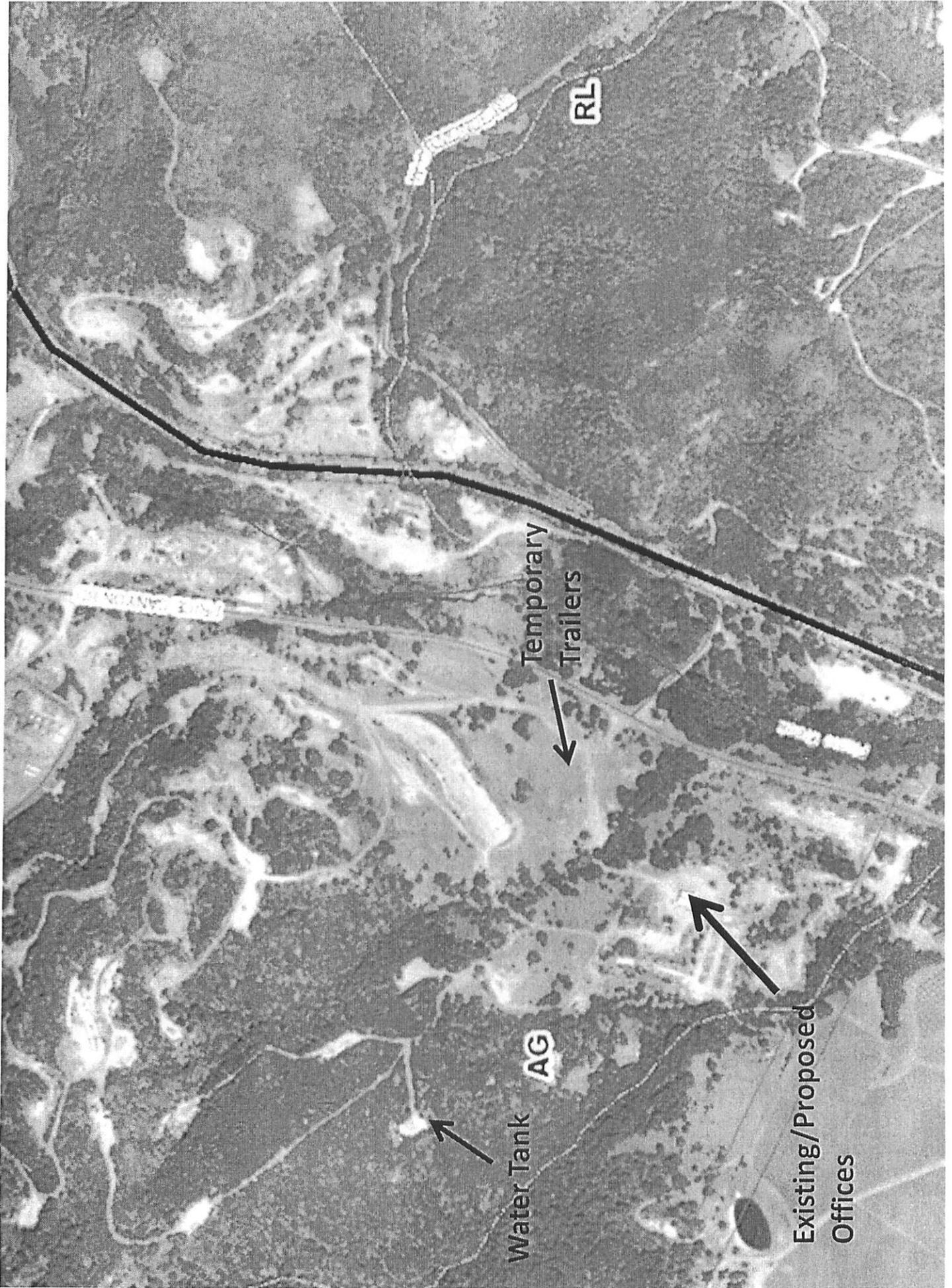
Freeport-McMoRan CUP(DRC2012-00035)  
Property Boundaries

Existing/Proposed  
Offices



0.5 km  
0.5 mi  
Latitude: 35.108637 Longitude: 120.522961





RL

Temporary  
Trailers

Water Tank  
AG

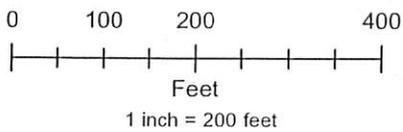
Existing/Proposed  
Offices

Q:\PROJECTS\FM O&G Office Building\Maps\PhotoPoint.mxd



**Legend**

- ① Photo Point
- ▭ Disturbance Area
- ▭ 50 ft. Survey Buffer Boundary



Source: [1] Bing Maps Aerial Imagery Service, 2012

**Photo Point Locations**



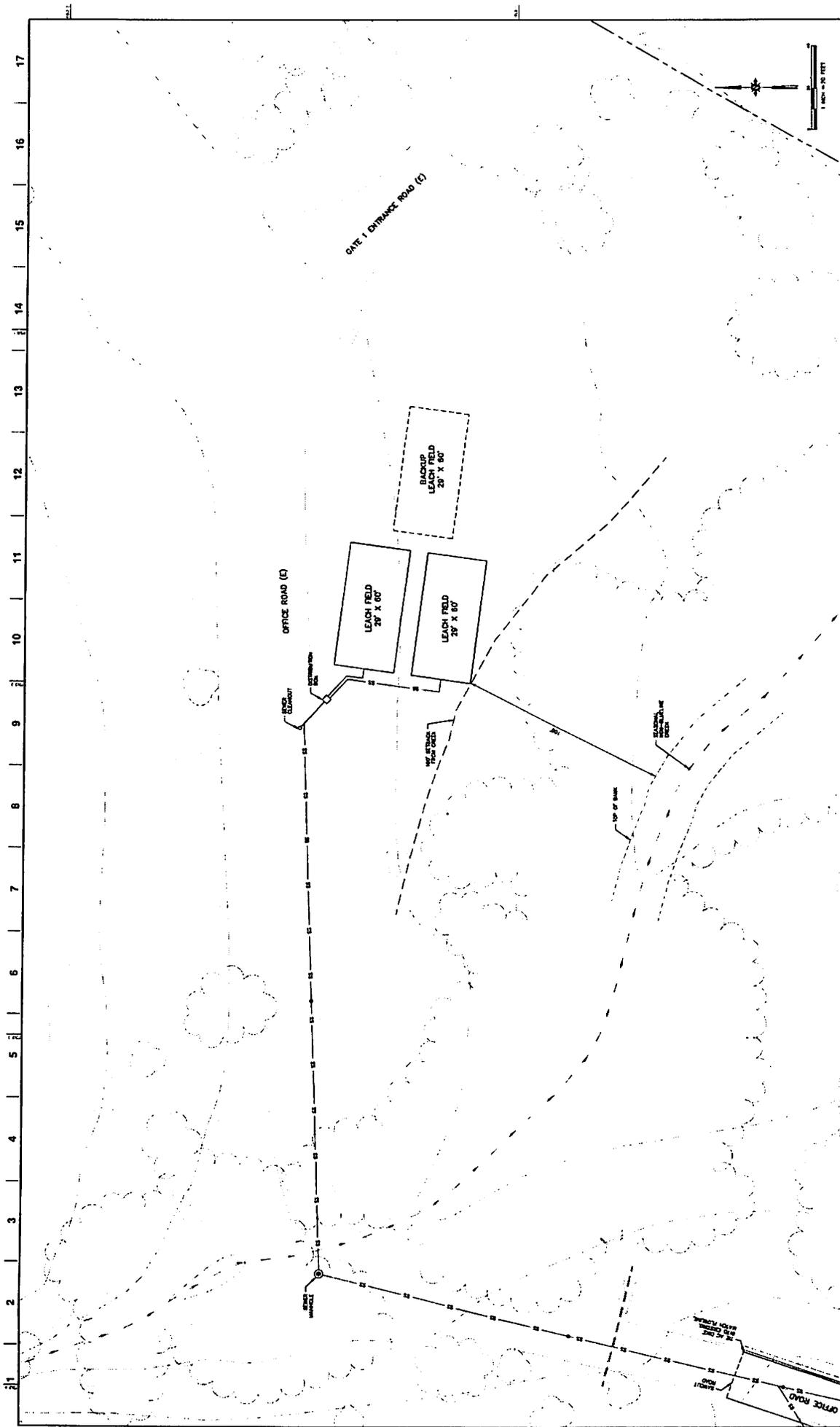
FM O&G  
New Office Building  
Biological Reconnaissance







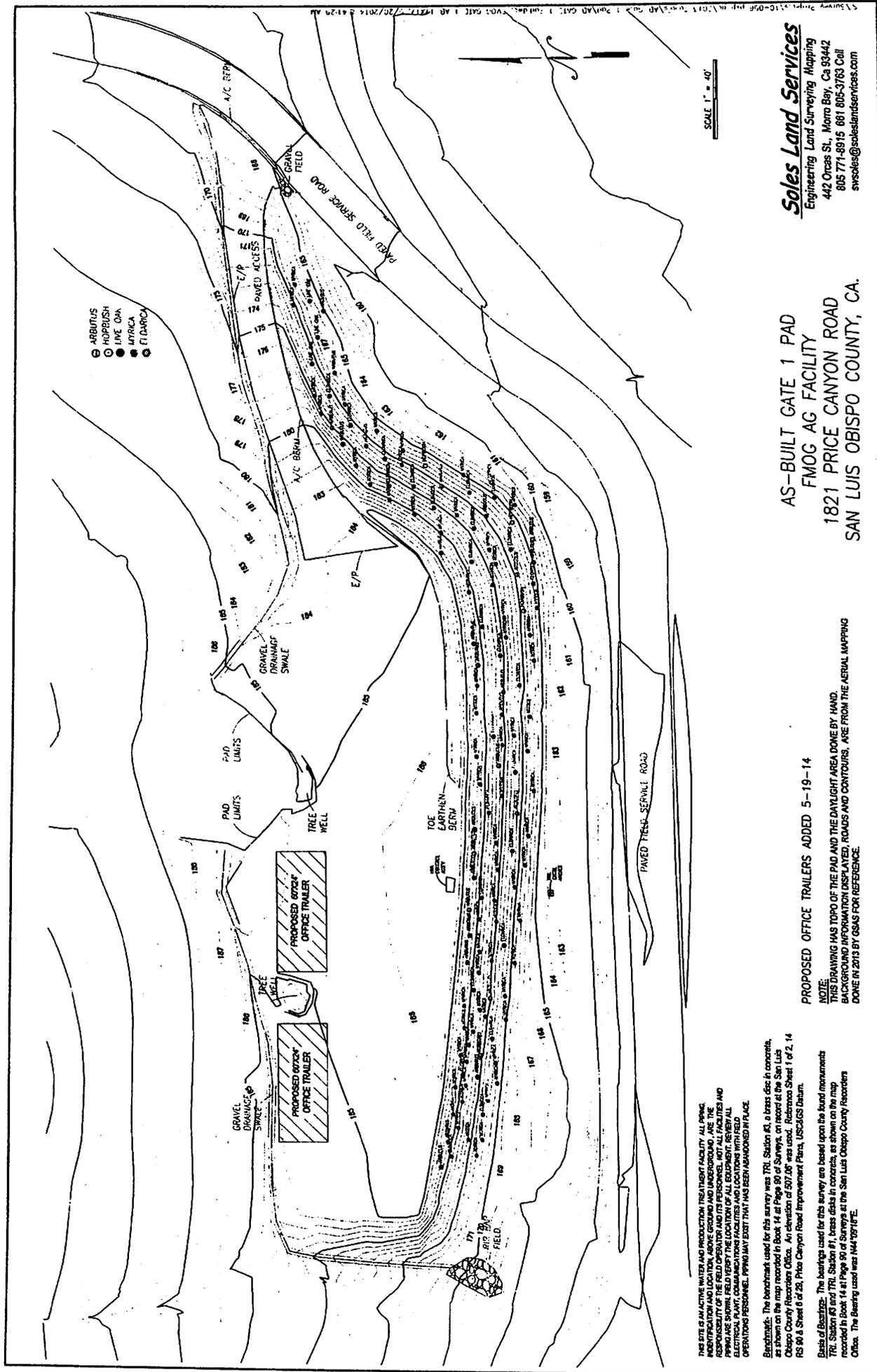




NO.	DATE	BY	REVISION
1	08/07/13	J. M. MATH	ISSUE FOR PERMITS
2	08/07/13	J. M. MATH	ISSUE FOR PERMITS
3	08/07/13	J. M. MATH	ISSUE FOR PERMITS
4	08/07/13	J. M. MATH	ISSUE FOR PERMITS
5	08/07/13	J. M. MATH	ISSUE FOR PERMITS
6	08/07/13	J. M. MATH	ISSUE FOR PERMITS
7	08/07/13	J. M. MATH	ISSUE FOR PERMITS
8	08/07/13	J. M. MATH	ISSUE FOR PERMITS
9	08/07/13	J. M. MATH	ISSUE FOR PERMITS
10	08/07/13	J. M. MATH	ISSUE FOR PERMITS
11	08/07/13	J. M. MATH	ISSUE FOR PERMITS
12	08/07/13	J. M. MATH	ISSUE FOR PERMITS
13	08/07/13	J. M. MATH	ISSUE FOR PERMITS
14	08/07/13	J. M. MATH	ISSUE FOR PERMITS
15	08/07/13	J. M. MATH	ISSUE FOR PERMITS
16	08/07/13	J. M. MATH	ISSUE FOR PERMITS
17	08/07/13	J. M. MATH	ISSUE FOR PERMITS

**OFFICE PROJECT**  
**ARROYO GRANDE FIELD**  
**UTILITY PLAN**  
**OFFICE IMPROVEMENT PLANS**  
**Freight-McMoran OIL & GAS**  
 California, Designer  
 Project No. CE1210321UP0002 CS-10 A 1" = 20'  
 Date: 8/7/13





**Soles Land Services**  
 Engineering Land Surveying Mapping  
 442 Orcas St., Morro Bay, CA 93442  
 805 771-8915 661 805-3763 Cell  
 swsoles@soleslandservices.com

**AS-BUILT GATE 1 PAD  
 FMOG AG FACILITY**  
 1821 PRICE CANYON ROAD  
 SAN LUIS OBISPO COUNTY, CA.

PROPOSED OFFICE TRAILERS ADDED 5-19-14

NOTE:  
 THIS DRAWING HAS TOPO OF THE PAD AND THE DAYLIGHT AREA DONE BY HAND.  
 BACKGROUND INFORMATION DISPLAYED, ROADS AND CONTOURS, ARE FROM THE AERIAL MAPPING  
 DONE IN 2013 BY CSAS FOR REFERENCE.

THIS SITE IS AN ACTIVE WATER AND PRODUCTION RESERVOIR. ALL BEINGS  
 IDENTIFICATION AND LOCATION, ABOVE GROUND AND UNDERGROUND, ARE THE  
 RESPONSIBILITY OF THE FIELD OPERATOR AND ITS PERSONNEL. NOT ALL FACILITIES AND  
 ITEMS ARE SHOWN. FIELD VERIFY THE LOCATION OF ALL EQUIPMENT. REVIEW ALL  
 ELECTRICAL, PLUMBING, COMMUNICATIONS FACILITIES AND LOCATIONS WITH FIELD  
 OPERATORS PERSONNEL. PERMITS MAY EXIST THAT HAD BEEN ADVANCED BY PLUMBER.

Benchmarks: The benchmark used for this survey was TRL Station #3, a brass disk in concrete,  
 as shown on the map recorded in Book 14 of Page 90 of Surveys, on record at the San Luis  
 Obispo County Recorder's Office. An elevation of 507.08' was used. Reference Sheet 1 of 2, 14  
 RS 90 & Sheet 6 of 20, Price Canyon Road Improvement Plans, US24/US 100.

Basis of Bearings: The bearings used for this survey are based upon the found monuments  
 TRL Station #3 and TRL Station #1, brass disks in concrete, as shown on the map  
 recorded in Book 14 of Page 90 of Surveys at the San Luis Obispo County Recorder's  
 Office. The Bearing used was N44°10'18"E.

DATE: July 21, 2014

**DEVELOPER'S STATEMENT & MITIGATION MONITORING/REPORTING PROGRAM  
FOR Freeport – McMoran Minor Use Permit  
ED13-094 (DRC2013-00031)**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Per Public Resources Code Section 21081.6 the following measures also constitute the mitigation monitoring and/or reporting program that will reduce potentially significant impacts to less than significant levels. These measures will become conditions of approval (COAs) should the project be approved. The Lead Agency (County) or other Responsible Agencies, as specified in the following measures, is responsible to verify compliance with these COAs.

**Project Description:** Request by Freeport-McMoran Oil & Gas for a Minor Use Permit to replace existing office trailers with a permanent facility to include: 7,622 sf office, 2,100 sf meeting room, 1,380 sf storage building, restroom building, communications shed, water treatment facility, 84,000 gallon water tank, above-ground fueling station, parking spaces, and removal of temporary trailers and storage containers. This will result in the disturbance of approximately 3.1 acres on a 347 acre parcel. The project is located on the west side of Price Canyon Road, approximately 2.7 miles north of the City of Pismo Beach, in the San Luis Bay (Inland) sub area of the San Luis Obispo planning area.

Freeport-McMoRan MUP – Mitigation Measures	MILESTONE	At the time of application for construction permits	Prior to grading/ construction permit	Prior to commencement of grading activities	During construction/ ground disturbing activities	Prior to occupancy or final inspection	Within 90 days after final inspection/ occupancy	Other*
<b>AESTHETICS</b>								
<b>Water Tank</b>		X				X		
<b>VS-1 Aesthetics – Water Tank. At the time of application for construction permit, the applicant shall clearly delineate on the project construction drawings the location and visual treatment of any new water tank. The water tank shall be located in the least visually prominent location feasible when viewed from Price Canyon Road. Screening with topographic features, existing vegetation or existing structures shall be used as feasible. If the tank cannot be fully screened with existing elements, then the tank shall be a dark green, non-contrasting color. The applicant shall provide evidence that the proposed tank are as low profile as is possible, given the site conditions. Prior to final inspection or occupancy, whichever occurs first, the applicant shall provide verification to the satisfaction of the County that these measures have been met.</b>								
<u>Monitoring</u> - Compliance during construction phase will be verified by the Department of Planning and Building.						* (Other) – None		

Freeport-McMoRan MUP – Mitigation Measures	MILESTONE	At the time of application for construction permits	Prior to grading/ construction permit	Prior to commencement of grading activities	During construction/ ground disturbing activities	Prior to occupancy or final inspection	Within 90 days after final inspection/ occupancy	Other*
<b>Construction Staging/Temporary Offices</b>		X						
<p><b>VS-2 Aesthetics – Temporary Construction . At the time of application for construction permit, the applicant shall clearly delineate on the project construction drawings the location of the temporary construction trailers. These trailers shall be located within previously approved Phase IV development areas, and to the extent possible out of view from Price Canyon Road. Screening with topographic features and existing vegetation shall be used as feasible.</b></p> <p>With regards to the temporary relocation of the two office trailers during construction, these shall be shown on applicable construction drawings, as follows:</p> <ol style="list-style-type: none"> <li>a. If placed on the newly created pad at Gate I: <ol style="list-style-type: none"> <li>i. Up to two trailers may be placed at this location;</li> <li>ii. Both temporary offices shall be located on the least visible portion of the pad (north edge);</li> <li>iii. Maximum height shall be 12 feet;</li> <li>iv. Night lighting shall follow measure VS-3 below;</li> <li>v. Pad perimeter visible from Price Canyon shall be either bermed (at least 4’ high), or with a screened fence (dark green or brown) up to 6 feet tall;</li> <li>vi. All structures, equipment and materials shall be removed within 30 days of occupancy of the permanent offices.</li> </ol> </li> </ol>								
<u>Monitoring</u> - Compliance during construction phase will be verified by the Department of Planning and Building.	* (Other) – None							
<b>Exterior Light Plan</b>		X			X			
<p><b>VS-3 Aesthetics – Exterior Light Plan. At the time of application for construction permits, the Applicant shall submit an Exterior Lighting Plan for both permanent and temporary facilities, for County review and approval. The Plan shall define the height, location, and intensity of all exterior lighting. All lighting fixtures shall be positioned “down and into” the development, and shielded so that neither the lamp nor the related reflector interior surface is visible from surrounding properties. All lighting poles, fixtures, and hoods shall be dark colored. When nighttime lighting is required for construction, temporary lighting shall be hooded to the extent consistent with safety. Lighting fixtures shall be directed away from [the highway] to avoid glare and, when near a residence, shall be pointed away from the residence. This requirement shall be specified in contracts with contractors and subcontractors that may require nighttime construction lighting. Operational exterior lighting shall be limited to the following areas, unless other exterior lighting is required by law or Code: Operations and maintenance buildings, parking areas, meeting room building. The Lighting Plan shall focus on keeping the lumen/light intensity level to the lowest possible while still meeting minimum safety and security requirements. These measures shall be shown on applicable construction drawings prior to issuance of construction permits and permanent lighting shall be installed prior to final inspection. The County and Environmental Monitor shall verify compliance with this measure.</b></p>								

Freeport-McMoRan MUP – Mitigation Measures	MILESTONE	At the time of application for construction permits	Prior to grading/ construction permit	Prior to commencement of grading activities	During construction/ ground disturbing activities	Prior to occupancy or final inspection	Within 90 days after final inspection/ occupancy	Other*
<u>Monitoring</u> - Compliance will be verified by the Department of Planning and Building.	* (Other) – none							
<b>Permanent Structure Design</b>		X			X			
<p><b>VS-4 Aesthetics – Design. At the time of application for construction permits, the construction drawings for new permanent structures shall adhere to the following:</b></p> <ul style="list-style-type: none"> <li>a. All permanent structures shall not exceed 22.5 feet in height.</li> <li>b. Exterior colors and materials shall follow the approved color board (on file), which includes the following: <ul style="list-style-type: none"> <li>i. Walls – darker blue/gray walls;</li> <li>ii. Creamy tan facia and railings;</li> <li>iii. Medium gray roof.</li> </ul> </li> <li>c. All permanent structures shall use similar color and design elements, as appropriate, to retain cohesiveness.</li> </ul> <p>These measures shall be shown on applicable construction drawings <b>prior to issuance of construction permits</b> and these measures shall be verified <b>prior to final inspection</b>. The County and Environmental Monitor shall verify compliance with this measure.</p>								
<u>Monitoring</u> - Compliance will be verified by the Department of Planning and Building.	* (Other) – none							
<b>AIR QUALITY</b>								
<b>Limited Dust Control (&lt;4 acres disturbance and &gt;1,000 ft. from sensitive receptor)</b>		X	X	X				
<p><b>AQ-1 Limited Dust Control.</b> The project proposes grading an area that is less than 4-acres and is greater than 1,000 feet from the closest sensitive receptor. The following mitigation measures shall be implemented to minimize nuisance impacts and to significantly reduce fugitive dust emissions:</p> <ul style="list-style-type: none"> <li>a. Reduce the amount of disturbed area where possible;</li> <li>b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;</li> <li>c. All dirt stock-pile areas shall be sprayed daily as needed;</li> <li>d. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible, and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used; and</li> <li>e. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend</li> </ul>								

<b>Freeport-McMoRan MUP – Mitigation Measures</b>	<b>MILESTONE</b>	At the time of application for construction permits	Prior to grading/ construction permit	Prior to commencement of grading activities	During construction/ ground disturbing activities	Prior to occupancy or final inspection	Within 90 days after final inspection/ occupancy	Other*

periods when work may not be in progress.

All of the above measures shall be shown on all applicable plans **prior to issuance of construction permit. Prior to commencement of construction/ improvement activities**, the applicant shall provide to the County verification from APCD, that the above air quality mitigation measures have been applied and/or measures are in place to comply with requirement **during construction**.

Monitoring - Compliance will be verified by the Air Pollution Control District in consultation with County Planning/ Environmental Monitor.

\* (Other) – None

**BIOLOGICAL RESOURCES**

**Oak Woodland**

X X X X

BIO-1 The project proposes to limit removal of up to two coast live oaks and impact up to two coast live oaks. Based on the following "Woodlands Impact and Mitigation Worksheets"  
 a. **Prior to final inspection or occupancy**, the applicant agrees to deposit \$2,910 into either the Oak Conservation Fund (administered by the state's Wildlife conservation Board), or a County recognized tree mitigation bank (or County-approved equivalent). A receipt from the entity used shall be provided to the County showing \$2,910 has been paid.

**Oak Impact Worksheet**

Tree Type	Number	Multiplier	Subtotal
Oak (Coast Live) Impacted	2	X 0.5	1
Oak (Coast Live) Removed	2	X 1	2
<b>TOTAL (needs to match Woodlands Mitigation Worksheet Total below)</b>			<b>3</b>

**Woodlands Mitigation Worksheet**

Method	Number (rounded down to nearest 0.5 interval)	Multiplier	Mitigation
On-site tree planting (no more than 50% of "Impact Total" above)	0	X 4	0 on-site replacement trees*
Tree Fee (add any rounded down fraction to this number)	3	X \$970	\$2,910
Conservation Easement	0		0
<b>TOTAL</b>	<b>3</b>		

Monitoring - Compliance will be verified by County

\* (Other) – None

Freeport-McMoRan MUP – Mitigation Measures	MILESTONE	At the time of application for construction permits	Prior to grading/ construction permit	Prior to commencement of grading activities	During construction/ ground disturbing activities	Prior to occupancy or final inspection	Within 90 days after final inspection/ occupancy	Other*
Planning.								
<b>GEOLOGY AND SOILS</b>								
<b>Remove Undocumented Fill</b>			X		X			
<p><b>Geo-1 Remove Undocumented Fill. Prior to issuance of a building permit, applicable construction drawings shall reflect findings and recommendations made by the geotechnical engineering report (Earth Systems, 12/13/14) to address the undocumented fill in and around all affected foundation footprints.</b></p> <p>All contractors shall be made aware of these conditions as a part of their contract/work scope.</p>								
<u>Monitoring</u> - Compliance during construction phase will be verified by the Department of Planning and Building, Building Division.	* Other – None							
<b>NOISE</b>								
<b>Limit noisy onsite construction activities</b>			X		X			
<p><b>NS-1 Limit noisy onsite construction activities. During construction or ground disturbing activities, heavy equipment operation and noisy construction work at the project site shall be restricted to the following hours:</b></p> <p>Monday through Friday 7:00 a.m. to 6:00 p.m. Saturday and Sunday 8:00 a.m. to 5:00 p.m.]</p> <p>Noisy construction refers to any onsite activity within this project's boundaries that would be likely to exceed the County's limits for daytime noise levels (maximum noise level of 70 dBA, maximum impulsive noise level of 65 dBA, hourly noise level of 50 dBA Leq) at the project's property line.</p> <p>All measures shall be shown on applicable construction drawings as a part of any construction permit related to this land use permit, and all contractors shall be made aware of these conditions as a part of their contract/work scope.</p>								
<u>Monitoring</u> - Compliance during construction phase will be verified by the Department of Planning and Building.	* Other – None							
<b>TRANSPORTATION</b>								
<b>Price Canyon Road Access</b>			X			X		
<p><b>TR-1 At the time of application for construction permits, the applicant shall submit plans to the Department of Public Works to secure an Encroachment Permit and post a cash damage bond to install improvements within the public right-of-way in accordance with County Public Improvement Standards. The plan is to include, as applicable:</b></p>								

Freeport-McMoRan MUP – Mitigation Measures	MILESTONE	At the time of application for construction permits	Prior to grading/ construction permit	Prior to commencement of grading activities	During construction/ ground disturbing activities	Prior to occupancy or final inspection	Within 90 days after final inspection/ occupancy	Other
<p>a. Reconstruct or improve the existing site access driveway approach, as needed to conform to County Public Improvement Standard B-1e drawing for high speed and/or high volume rural roadways.</p> <p>b. Remove vegetation or other obstacles, as required, to achieve sight distance standards. (See standard drawing A-5a and use Design Speed = 55MPH.)</p> <p>Prior to final inspection or occupancy, satisfactory evidence shall be provided to Public Works, that any identified deficiencies determined for items #TR-1a and #b above, have been installed per approved plans.</p>								
<p><u>Monitoring</u> - Compliance during plan submittal and prior to final inspection shall be performed by County Public Works.</p>	* Other – None							

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

*Michelle Gibbs*      Michelle Gibbs      8/27/14

Signature of Owner(s)      Name (Print)      Date



DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 10/29/2013

TO: AG

FROM: John McKenzie - South County Team / Development Review

RECEIVED  
OCT 30 2013  
BY: \_\_\_\_\_

PROJECT DESCRIPTION: DRC2013-00031 FREEPORT-MCMORAN – Proposed minor use permit to build a new 7,000 sf office building with new 2,000 sf meeting area, restroom, non-hazard storage area, and communications shed. Additional area of the project will be designed for employee and truck parking spaces. Site location is 1821 Price Canyon Rd, SLO. APN: 044-201-002.

Return this letter with your comments attached no later than: 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- YES (Please go on to PART II.)
- NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
- NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

APPEARS TO HAVE ADEQUATE SEPARATION FROM ADJACENT VINEYARDS

10/24/13  
Date

LYNDA AUCHINCLOSS  
Name

5914  
Phone

These are the Building Division Comments to be incorporated into the Conditions. Please call me if you have any questions.

Comments from Building Division:

1. All plans and engineering shall be prepared by a California Licensed Engineer of Record and the Register Designed Professional in Responsible charge shall coordinate the plans and documents. This individual shall sign the "Registered Designed Professional in Responsible Charge" form.
2. The project is subject to a construction permit as well as the currently adopted 2010 California Codes or if submitted after Jan.1, 2014, it will be the 2013 California Codes.
3. The project will require a Geotechnical report for the design of all building foundations at the time of construction permit application submittal.
4. The project is subject to the California State Title 24 accessibility / energy laws.
5. Regardless of grading permits the project shall conform to the "National Pollutant Discharge Elimination System" storm water management program regulations.
6. A fire sprinkler system will be required. The sprinkler plans shall be submitted with a separate application for a separate fire sprinkler permit with the application for the structure(s). The application for the sprinkler system and any water tank storage required for the system shall be approved prior to issuance of the structure(s). Cal Fire requires that all commercial sprinkler systems be reviewed by a licensed fire protection engineer.
7. In the Land Use permit process the owner should determine the public facilities fees and inclusionary fees.
8. The applicant shall request a pre-building permit application meeting with Elizabeth Szwabowski, Plans Examiner, to determine the owner needs, clarify any issues and determine the number of permits.
9. Green Building all new structures shall meet the County of San Luis Obispo Green Building ordinance requirements. In addition the plans be in compliance with the County of San Luis Obispo recycle program, wild land urban interface requirements, Chapter 7A, 2010 CBC, and Low impact design requirements, for handouts see, [www.sloplanning .org](http://www.sloplanning.org)

Elizabeth Szwabowski, Plans Examiner III



**CAL FIRE**  
**San Luis Obispo**  
**County Fire Department**

635 N. Santa Rosa • San Luis Obispo, CA 93405  
Phone: 805-543-4244 • Fax: 805-543-4248  
www.calfireslo.org

*Robert Lewin, Fire Chief*

December 7, 2013

John McKenzie  
San Luis Obispo County  
Department of Planning & Building  
County Government Center  
San Luis Obispo, CA 93408

Subject: DRC2013-00031 BUILD A NEW 7,000 SQ FT OFFICE BUILDING WITH NEW 2,000 SQ FT MEETING AREA, RESTROOM, NON-HAZARD STORAGE AREA, AND COMMUNICATIONS SHED. ADDITIONAL AREA OF THE PROJECT WILL BE DESIGNATED FOR EMPLOYEE AND TRUCK PARKING SPACES

Dear Mr. McKenzie,

I have reviewed the referral information and building plans for the proposed 7,000 square foot office building, 2000 square foot meeting area and communication shed. The project is located within the State Responsibility Area and is designated as a "Very High" hazard severity zone with an approximate 10 minute response time from the nearest County Fire Station. The project and applicant shall comply with the 2010 California Fire Code (CFC), and the 2010 California Building Code (CBC), the Public Resources code (PRC) and any other applicable fire laws.

**Roof Coverings:**

The roof types will be consistent with the requirements of Chapter 1505 of the 2010 CBC and no less than a Class "A" roof.

**Private Water System Requirements:**

NFPA Standard 22 Water tanks for private Fire Protection, and NFPA Standard 24 Installation of Private Fire Service mains and their Appurtenances, NFPA Standard 25 Inspection, Testing and Maintenance of Water-Based Fire Protection Systems shall be utilized for this project.

Commercial water storage tanks must be steel. A pressurized fire hydrant system shall be required. A Registered Fire Protection Engineer shall be required to design the system in accordance with all applicable standards and Fire Codes. The amount of water required in storage to support the numerous fire suppression systems will be determined and approved by the Fire Protection Engineer in cooperation with CAL FIRE/County Fire. Water required to be held in storage for domestic and/or landscaping purposes will be in addition to or separate from that required for fire suppression.

**Water Supply Connection:**

The number and distribution of hydrants must meet CFC section 507. Plans shall be submitted to the County Fire Department for approval of the distribution system and hydrant locations. Fire hydrants shall have two, 2 ½ inch outlets with National Standard Fire threads and one 4 inch suction outlet with National Standard Fire threads and comply with County Standard W-1. Each hydrant shall be identified by a blue reflective dot located on a non-skid surface located just off of center on the fire hydrant side. Hydrants must be protected from vehicle impact with the use of curbing or bollards.

**NFPA 72 Alarm systems**

A Fire Alarm System is required throughout the site for the various fire suppression systems and required hazardous conditions monitoring. The alarm system shall terminate at a 24-hour monitoring point. Two sets of plans shall be submitted to the County Fire Department for review and approval. California Fire Code Chapter 15 section 907.

Alarm system must be centralized and interlinked for the entire facility and include monitoring for all site alarm systems including; all on site Fire Protection Systems, and any and all hazardous materials, monitoring of hazardous materials, compressed gases, flammable and combustible liquids, liquefied petroleum gases, petroleum storage, delivery and processing areas.

Approved monitoring method shall be provided to detect hazardous materials. An emergency alarm shall be provided if hazardous materials have a hazard ranking of 3 or 4 in accordance with NFPA 704 and exceed the maximum allowable quantity per control area. California Fire Code Chapter 27

**Automatic Sprinkler System:**

An automatic fire sprinkler system is required to be installed within this storage building. A Fire Protection Engineer shall review the proposed fire protection systems for this project. A list of Fire Protection Engineers is available on our website at <http://www.calfireslo.org>. The Fire Protection Engineer will require that you provide working plans as outlined in NFPA 13, 14.1 (2002). The Fire Protection Engineer will be required to send an original letter of their project review when completed, including all changes needed.

The type of sprinklers required will depend upon the occupancy classification type of the structures and must comply with NFPA 13. The automatic fire extinguishing system shall comply with the National Fire Protection Association (NFPA) 13, 231, 20, 22. Three sets of plans and calculations shall be submitted for functional review and approval to the County Fire Department. The contractor shall be licensed by the State of California, CFC. A licensed alarm company shall monitor the fire sprinkler and alarm system.

The fire department connection (FDC) supporting the required fire sprinkler systems shall be located within 20 feet of a San Luis Obispo County Dept. of Public Works/County Fire standard fire hydrant and visible on fire engine approach to the building. The Registered Fire Protection Engineer shall design the fire sprinkler system accordingly.

***\* A clean agent alternative may be acceptable in the communications shed.***

**Fire Safety and Evacuation Plans:**

PXP shall provide a written Fire Safety plan whose contents shall be in accordance with sections California Fire Code Chapter 4 Emergency Planning and Preparedness. Employee training, record keeping, hazard communication and drills will also comply with this chapter. The written plan will include at a minimum the detail outlined in sections 404.3.1 (Evacuations Plans) and 404.3.2 (Fire Safety Plans).

**404.3.1 Fire evacuation plans.** Fire evacuation plans shall include the following:

1. Emergency egress or escape routes and whether evacuation of the building is to be complete or, where approved, by selected floors or areas only.
2. Procedures for employees who must remain to operate critical equipment before evacuating.
3. Procedures for assisted rescue for persons unable to use the general means of egress unassisted.
4. Procedures for accounting for employees and occupants after evacuation has been completed.
5. Identification and assignment of personnel responsible for rescue or emergency medical aid.
6. The preferred and any alternative means of notifying occupants of a fire or emergency.
7. The preferred and any alternative means of reporting fires and other emergencies to the fire department or designated emergency response organization.
8. Identification and assignment of personnel who can be contacted for further information or explanation of duties under the plan.
9. A description of the emergency voice/alarm communication system alert tone and preprogrammed voice messages, where provided.

**404.3.2 Fire safety plans.** Fire safety plans shall include the following:

1. The procedure for reporting a fire or other emergency.
2. The life safety strategy and procedures for notifying, relocating or evacuating occupants, including occupants who need assistance.
3. Site plans indicating the following:
  - 3.1. The occupancy assembly point.
  - 3.2. The locations of fire hydrants.
  - 3.3. The normal routes of fire department vehicle access.
4. Floor plans identifying the locations of the following:
  - 4.1. Exits.
  - 4.2. Primary evacuation routes.
  - 4.3. Secondary evacuation routes.
  - 4.4. Accessible egress routes.
  - 4.5. Areas of refuge.
  - 4.6. Exterior areas for assisted rescue.
  - 4.7. Manual fire alarm boxes.
  - 4.8. Portable fire extinguishers.
  - 4.9. Occupant-use hose stations.
  - 4.10. Fire alarm annunciators and controls

**Exiting:**

All egress and exiting components shall comply with Chapter 10 of the 2010 California Fire Code to provide egress from the building to the public way.

**Commercial Access Road(s)**

- A commercial access road must be 24 feet wide.
- Parking is only allowed where an additional 8 feet of width is added for each side of the road that has parking.
- "No Parking - Fire Lane" signs will be required.
- Fire lanes shall be provided as set forth in the California Fire Code Section 503.
- All roads must be able to support a fire apparatus.
- Vertical clearance of 13'6" is required.
- Fire access shall be provided within 150 feet of the outside building perimeter.
- Must be an all-weather non-skid paved surface.

**Gates:**

- Must be setback a minimum of 30 feet from the maintained road
- Must automatically open with no special knowledge.
- Gate shall have an approved means of emergency operation at all times. CFC 503.6
- Gate must be two (2) feet wider than the road on each side.
- Gates must have a turnaround located at each gate

**Portable Fire Extinguishers:**

Portable fire extinguishers shall be installed in all the occupancies in compliance with the CFC 906 and Title 19. The contractor shall be licensed by the State Fire Marshal

**Addressing:**

Address numbers must be legible from the roadway on all buildings. They shall be of a contrasting background and a minimum of 10 inches high with a ½" stroke for commercial projects. All occupancies shall have a distinct address. All addressing and placement of street or road signs shall be done in accordance with CFC Section(s) 505.1 and 505.2.

**Signage:**

Designated mechanical, electrical, and fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs shall be constructed of durable materials, permanently installed and readily visible. CFC section 509.

**Vegetation Management requirements:**

An approved vegetation management plan must be submitted and approved prior to final. Management of fuels is required 100 feet from structures and 10 feet along access roads and driveways.

**Fire Safety during Construction:**

Prior to construction, an operational water supply system and established access roads must be installed in accordance with CFC Section 501.4. During construction all applicable Public Resources Codes must be complied with to prevent a wildfire. These will include the use of spark arresters, adequate clearance around welding operations, smoking restrictions and having extinguishers on site. The Industrial Operations Fire Prevention Field Guide will assist the applicant.

**Emergency Access:**

All commercial buildings shall install a Knox key box for fire department emergency access – CFC Section 506.1. The box shall be installed prior to final inspection of the building. An order form is available from the Prevention Bureau, call for more information at (805) 543-4244.

If I can provide additional information or assistance on this mater, please don't hesitate to contact me at (805) 543-4244.

Sincerely,

Kevin McLean  
Fire Captain



DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 10/29/2013

TO: ENV HEALTH

13405

FROM: John McKenzie - South County Team / Development Review

PROJECT DESCRIPTION: DRC2013-00031 FREEPORT-MCMORAN – Proposed minor use permit to build a new 7,000 sf office building with new 2,000 sf meeting area, restroom, non-hazard storage area, and communications shed. Additional area of the project will be designed for employee and truck parking spaces. Site location is 1821 Price Canyon Rd, SLO. APN: 044-201-002.

Return this letter with your comments attached no later than: 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- YES (Please go on to PART II.)
- NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
- NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

Applicant to review attached decision tree. Be advised that people are considered full time employees, contractors, part time staff and guests/visitors. If the water system is

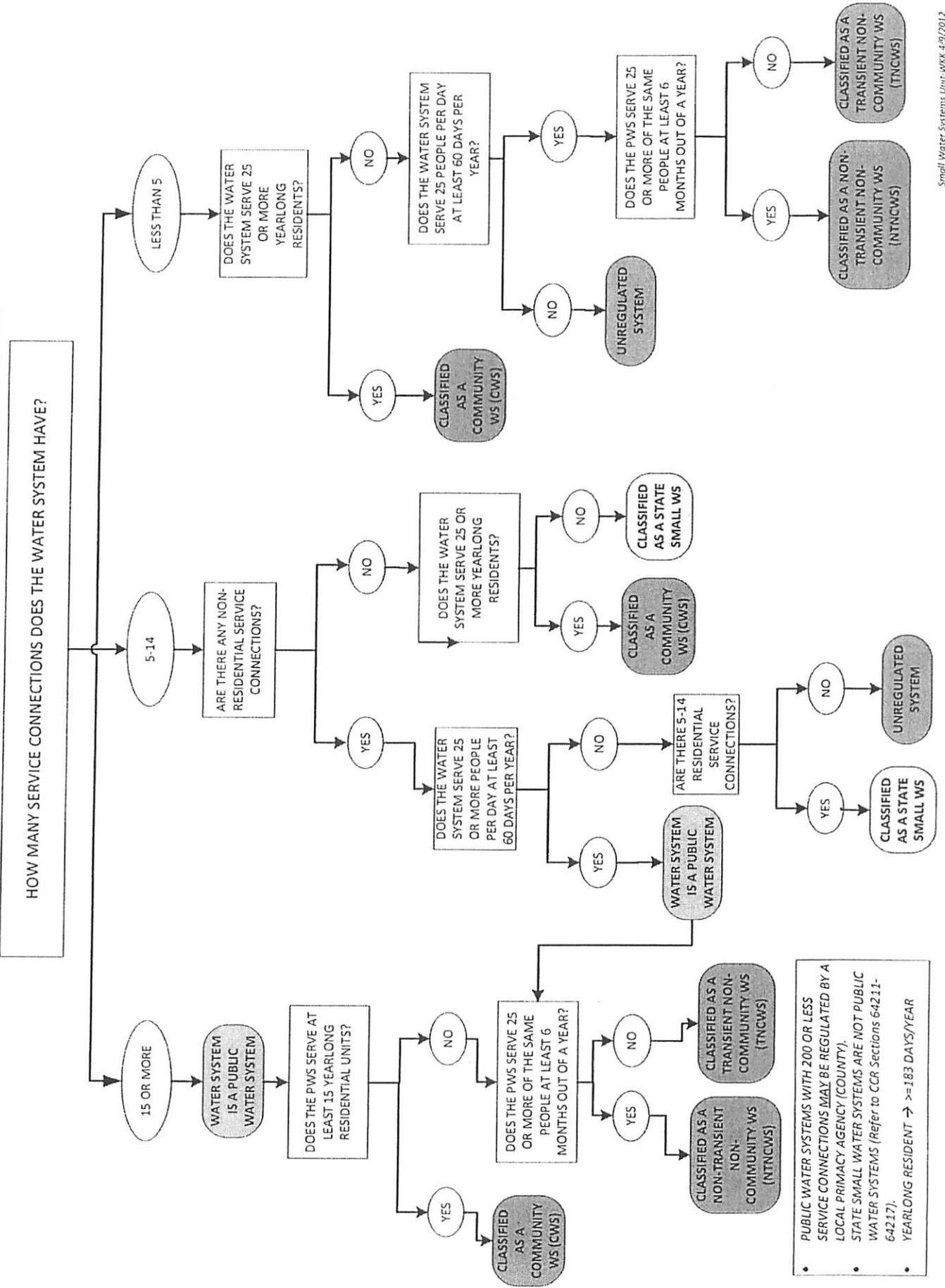
11/12/13  
Date

[Signature]  
Name

x5551  
Phone

classified as a Transient or Non-Transient. Non community water system - applicant to contact this office for permitting info.

# DECISION TREE FOR CLASSIFICATION OF WATER SYSTEMS



- PUBLIC WATER SYSTEMS WITH 200 OR LESS SERVICE CONNECTIONS MAY BE REGULATED BY A LOCAL PRIMARY AGENCY (COUNTY).
- STATE SMALL WATER SYSTEMS ARE NOT PUBLIC WATER SYSTEMS (Refer to CCR Sections 64211-64217).
- YEARLONG RESIDENT → >=183 DAYS/YEAR