Negative Declaration & Notice Of Determination

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

ENVIRONMENTAL DETERMINATION NO. ED15-211 **DATE:** 6/9/2016

PROJECT/ENTITLEMENT: Eureka Energy Variance; (DRC2015-00089)

APPLICANT NAME:	Richard Ven Der Linden	**Email:** TPJ2@pge.com
ADDRESS:	9 mi N/W Avila Beach, CA	
CONTACT PERSON:	Kris Vardas (PG&E)	**Telephone:** 805-595-6456

PROPOSED USES/INTENT: A request by Eureka Energy for a Variance a Variance/Minor Use Permit/Coastal Development Permit to allow grading and construction of an access road to service powerline towers and two pedestrian paths to service security camera towers. The project will result in approximately 6,000 square-feet of new disturbance, and 30,000 square-feet of un-permitted disturbance, all on a 545 acre parcel. The proposed grading will occur on slopes over 30% requiring a variance from the requirements of Title 23. The proposed project is within the Public Facilities land use category and is located at the Diablo Canyon Power Plant (DCPP) on Reservoir Road, 9 miles northwest of the community of Avila. The site is in the San Luis Bay Coastal planning area.

County File No.:DRC2015-00089 Assessor Parcel No.: 076-011-018

Supervisorial District: 3

LOCATION: Diablo Canyon Power Plant, Reservoir Rd.

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:

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)**

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

Notice of Determination

State Clearinghouse No. _____

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.

Signature	Project Manager Name	Date	Public Agency
	Brandi Cummings (bcummings@co.slo.ca.us)		County of San Luis Obispo

Initial Study Summary – Environmental Checklist

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

(ver 5.8) Using Form

Project Title & No. Eureka Energy Variance and Minor Use Permit /Coastal Development Permit ED15-211 (DRC2015-00089)

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.

☐ Aesthetics	☐ Geology and Soils	☐ Recreation
☐ Agricultural Resources	☐ Hazards/Hazardous Materials	☐ Transportation/Circulation
☐ Air Quality	☐ Noise	☐ Wastewater
☒ Biological Resources	☐ Population/Housing	☐ Water /Hydrology
☐ Cultural Resources	☐ Public Services/Utilities	☐ 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.

Brandi Cummings (bcummings@co.slo.ca.us)	Brandi Cummings		6/16/2016
Prepared by (Print)	Signature		Date
Steve McMasters	Steve McMasters	Ellen Carroll, Environmental Coordinator	6/16/2016
Reviewed by (Print)	Signature	(for)	Date

Project Environmental Analysis

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

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

A. PROJECT

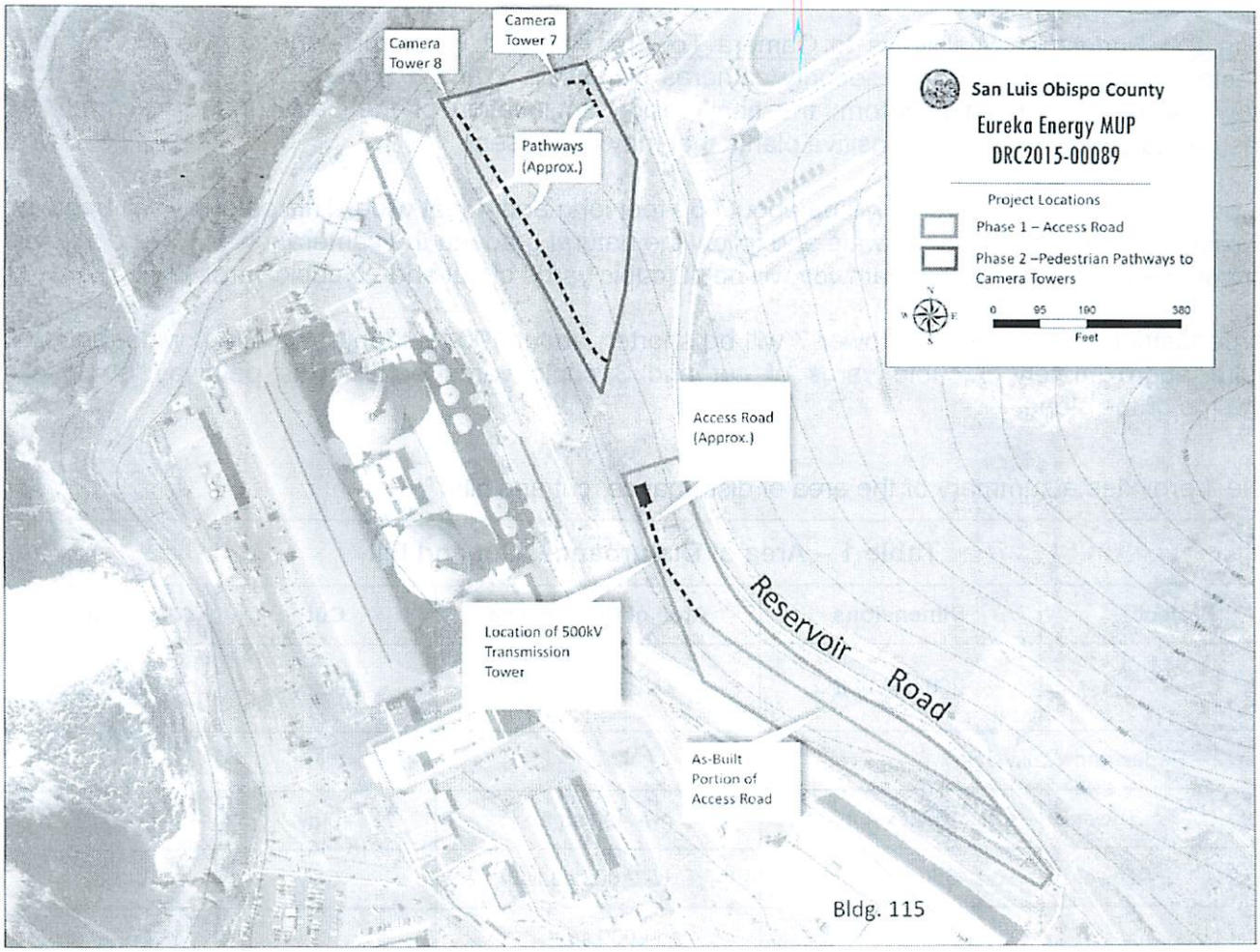
DESCRIPTION: A request by Eureka Energy for a Variance/Minor Use Permit/Coastal Development Permit to allow grading and construction of an access road to service powerline towers and two pedestrian paths to service security camera towers. The project will result in approximately 573 cubic yards of new grading and approximately 1,500 cubic yards of unpermitted grading and approximately 6,000 square-feet of new disturbance, and 30,000 square-feet of un-permitted disturbance, all on a 545 acre parcel. The proposed grading will occur on slopes over 30% requiring a variance from the requirements of Title 23. The proposed project is within the Public Facilities land use category and is located at the Diablo Canyon Power Plant (DCPP) on Reservoir Road, 9 miles northwest of the community of Avila. The site is in the San Luis Bay Coastal planning area.

Background

Eureka Energy (Pacific Gas and Electric Co.) proposes to grade and construct a vehicular access road and two pedestrian pathways at the DCPP to provide safe access to existing infrastructure. The project will be located on a portion of land between Reactor Units 1 and 2 and Reservoir Road (Figure 1). The vehicular access road will depart from Reservoir Road north of Building 115 and proceed along the contour of the terrain up to the 500 kV Tower (Figure 1). The road will provide tower access for service and safety. To the north and west of the 500 kV tower and access road are two security camera towers that require servicing and access. The project proposes a 4-foot wide pedestrian path to access the two towers,

PG&E proposes to construct the project in two phases: Phase 1 will be the completion of the 500 kV Tower Access Road. Phase 2 will be the installation of the two pedestrian paths to the camera towers. Phase 1, will be constructed upon issuance of the land use and grading permits required by the County of San Luis Obispo. Phase 2 will take place after spring botanical surveys are completed. Approximately 60% of Phase I construction has been completed. The remainder of Phase I grading and construction will proceed after approval of a Variance from the grading requirements of Title 23.

Figure 1 – Site Plan and Project Phases



Phase 1 – Vehicle Access Road. The vehicle access road starts at Reservoir Road near building 115 and will extend approximately 1,100 linear feet to the 500 kV tower generally following the contour of the natural terrain (Figure 1). The road is about 14 feet wide and covered in about 6 inches of aggregate base or gravel. The road is located in an area that was previously disturbed when the transmission towers were constructed.

Approximately 950 lineal feet of the access road grading was completed in mid-year 2015 without county permits (Figure 1). Accordingly, this portion of the road is an element of the baseline environmental conditions. Previous grading consisted of about 400 cy of cut and 1,100 cy of fill. Erosion control measures were implemented, including hydroseeding and the installation of fiber rolls along the slope. To complete the remaining 200 feet of roadway will require an additional 100 cy of cut and 400 cy of fill in addition to the installation of the aggregate base surface, a retaining wall and a rip rap.

A turnaround will be installed at the end of the access road just past the 500 kV tower supported by an Allan Block retaining wall in the shape of an "L". The short portion of the wall will run east and west and abut the north end of the access road terminus with the long side running north and south along the south side of the access road. The short wall will be approximately 40 feet long where the long side will be about 80 feet long. The wall will step in varying heights from a minimum of 5 feet to a maximum of 10 feet at the highest portions. There will be a buried footing supporting the wall. In

addition there will be two areas of rip rap where the wall will allow water to drain near the corner of the wall.

Phase 2 – Pedestrian Walkways to Camera Towers. Phase 2 will involve the construction of two pedestrian paths to service the security cameras on towers 7 and 8 (Figure 1). A spring botanical survey will be conducted to inform the final design an location of the path, and to recommend measures to avoid impacts to sensitive plants that may be present.

The pathway to camera tower 8 will be about 650 feet long and 4 feet wide. This pathway will begin at the existing improved drainage swale and follow the natural grade to the camera tower (Figure 1). The approximate earthwork for this pathway will be 40 cubic yards of cut and 25 cubic yards of fill.

The pedestrian path to camera tower 7 will be shorter, about 100 feet long and 4 feet wide, and will require approximately 5 cubic yards of cut and 3 cubic yards of fill. This pathway is closest to the top of the slope.

Table 1 provides a summary of the area of disturbance, cut and fill:

Table 1 -- Area of Disturbance, Cut and Fill

Project	Dimensions	Area of Disturbance	Cut	Fill
Phase 1 – Access Road	200 ft x 14 ft	+/- 3,000 sq. ft.	500 cy	1,500 cy
Phase 2 – Pedestrian Walkways				
Tower 7	100 ft x 4 ft.	+/- 400 sq.ft.	40 cy	25 cy
Tower 8	650 ft x 4 ft	+/- 2,600 sq.ft.	5 cy	3 cy
Total:	--	6,000 sq.ft. (about 0.13 acres)	545 cy	1,528 cy

COUNTY FILE NO.: DRC2015-00089
SUPERVISORIAL DISTRICT: 3

ASSESSOR PARCEL NUMBER(S): 076-011-018

Latitude: 35 degrees 12' 39.081" N Longitude: -120 degrees 50' 48.2316" W **SUPERVISORIAL DISTRICT #** 3

B. EXISTING SETTING

PLAN AREA: San Luis Bay(Coasta Rural **SUB:** None **COMM:** NA

LAND USE CATEGORY: Public Facilities

COMB. DESIGNATION: Geologic Study, Energy Extractive Area, Sensitive Resource Area, Renewable Energy

PARCEL SIZE: 545.22 acres

TOPOGRAPHY: Nearly level to steeply sloping

VEGETATION: Urban-built up Grasses Shrubs Scattered Oaks

EXISTING USES: Industrial uses

SURROUNDING LAND USE CATEGORIES AND USES:

North: Rural Lands; agricultural uses	*East:* Public Facilities; agricultural uses
South: Agriculture;	*West:* Not applicable; Pacific Ocean

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, at least one issue was identified as having a 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.

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) Create an aesthetically incompatible site open to public view?	☐	☐	☒	☐
b) Introduce a use within a scenic view open to public view?	☐	☐	☒	☐
c) Change the visual character of an area?	☐	☐	☒	☐
d) Create glare or night lighting, which may affect surrounding areas?	☐	☐	☐	☒
e) Impact unique geological or physical features?	☐	☐	☒	☐
f) Other: _____	☐	☐	☐	☒

Setting. The project site is located on the hillside immediately north of the power plant and associated buildings. The area is moderately to steeply-sloping and covered with annual grasses. The existing camera towers and 500 kV transmission tower are the most prominent physical features of the project site. A portion of the proposed access road has already been constructed and is a minor component of the existing visual setting

Impact. Project impacts on visual and aesthetics resources is considered less than significant because:

- The project site is not visible from any public vantage points.
- Views of the project site from the ocean are screened by existing buildings.
- The remaining portion of the access road to be constructed will continue the form and character of the previously graded portion.
- The retaining wall to be constructed at the terminus of the access road will be constructed in steps which will minimize its visual prominence.
- The amount of grading, cut, and fill is minor.
- The project involves no new sources of light and glare.

Mitigation/Conclusion. The project will have a less than significant impact on aesthetic and visual resources. No mitigation measures are necessary.

2. AGRICULTURAL RESOURCES

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Convert prime agricultural land, per NRCS soil classification, to non-agricultural use?	☐	☐	☒	☐
b) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?	☐	☐	☒	☐
c) Impair agricultural use of other property or result in conversion to other uses?	☐	☐	☒	☐
d) Conflict with existing zoning for agricultural use, or Williamson Act program?	☐	☐	☒	☐
e) Other: _____	☐	☐	☐	☒

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

Land Use Category: Public Facilities

State Classification: Not prime farmland

Historic/Existing Commercial Crops: None

In Agricultural Preserve? Yes, Irish Hills AG Preserve Area

Under Williamson Act contract? No

Setting. The project site located on a moderately to steeply-sloping hillside immediately north of, and within the confines of, the power plant complex. The area is not used for agriculture and has not historically been used for agriculture.

The soil type(s) and characteristics on the project site include:

Nacimiento- silty clay loam (15 - 30 % slope). This moderately sloping fine loamy soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class is not rated when irrigated.

Nacimiento- silty clay loam (30 - 50 % slope). This steeply sloping fine loamy soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Nacimiento- silty clay loam (50 - 75% slope). This very steeply sloping fine loamy soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class VII without irrigation and Class is not rated when irrigated.

Impact. The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. 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) *Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?*	☐	☐	☒	☐
b) *Expose any sensitive receptor to substantial air pollutant concentrations?*	☐	☐	☒	☐
c) *Create or subject individuals to objectionable odors?*	☐	☐	☐	☒
d) *Be inconsistent with the District's Clean Air Plan?*	☐	☐	☒	☐
e) *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?*	☐	☐	☒	☐
GREENHOUSE GASES				
f) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*	☐	☐	☒	☐
g) *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*	☐	☐	☒	☐
h) *Other:* _____	☐	☐	☐	☒

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 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 CO2/year (MT CO2e/yr) will be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO2e/yr was adopted for stationary source (industrial) projects.

It should be noted that projects that generate less than the above mentioned thresholds will also participate in emission reductions because air emissions, including GHGs, are under the purview of the California Air Resources Board (or other regulatory agencies) and will be "regulated" either by CARB, the Federal Government, or other entities. For example, new vehicles will be subject to increased fuel economy standards and emission reductions, 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.

Impacts.

Construction-Related Impacts. The project will result in the construction of a portion of an access road and two pedestrian walkways. As shown in Table 1, the project will result in the disturbance of about 6,000 sq.ft. (about 0.13 acres) including about 445 cy of cut and 1,128 cy of fill. Grading and excavation activities will generate exhaust emissions from construction equipment and vehicles, and particulate matter (fugitive dust) from earth disturbance. In addition, the emission of ozone precursors (NOx and ROG) associated with these activities would contribute to periodic high ozone levels in the southern portion of the County. The project is expected to 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. The project is also not in close proximity to sensitive receptors that might otherwise result in nuisance complaints and be subject to limited dust

and/or emission control measures during construction.

Naturally Occurring Asbestos. According to the APCD web map, the project is not located in a candidate area for the potential presence of naturally occurring asbestos (NOA).

Operational Impacts. Following construction, the access drive will be used periodically by vehicles to maintain the 500 kV transmission towers. The small number of motor vehicle trips is not expected to generate emissions that will exceed APCD thresholds. The pedestrian walkways will generate negligible emissions following construction.

Greenhouse Gases. As discussed above, motor vehicle trips associated with operation of the project are expected to generate emissions that fall below the APCD threshold for operational impacts. With regard to greenhouse gas emissions, using the GHG threshold information described in the Setting section, the project is expected to generate less than the Bright-Line Threshold of 1,150 metric tons of 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 is required.

Mitigation/Conclusion. Impacts to air quality are expected to be less than significant and no mitigation measures are recommended.

4. BIOLOGICAL RESOURCES

Will the project:

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

* Species – as defined in Section15380 of the CEQA Guidelines, which includes all plant and wildlife species that fall under the category of rare, threatened or endangered, as described in this section.

Setting. The project site is located on a hillside immediately north of the power plant complex. The following are existing elements on or near the proposed project relating to potential biological concerns:

On-site Vegetation: Urban built up with grassland, scattered oaks, and shrubs.

Name and distance from blue line creek(s): Diablo Canyon Creek passes to the west of the project site.

Habitat(s): None found.

Site's tree canopy coverage: A small area in the northwest portion of the site contains 34 to 75% coastal oak woodland. The remainder of the site has no coverage.

A biological assessment (BA) was prepared for the project site in January, 2016 (SWCA, January 22, 2016). The following is a summary of the findings and recommendations of that study.

The hillside near the 500 kV tower consists of ruderal and disturbed habitat that has been subject to a variety of disturbances including excavation for various underground utility installations, installation of the existing 500 kV tower and an associated access path, and partial re-grading of the access path to the tower (approximately 950 feet of the 1,100-foot total length has recently been graded in preparation for establishment of an improved road). The camera tower access paths will be constructed along the northern portion of the hillside that has remained relatively undisturbed for long enough that a mix of native plant species has established. This northern hillside near the camera tower foot paths provides suitable habitat for rare plants.

Habitat Types. A reconnaissance-level habitat assessment survey within the Biological Study Area (BSA) was performed on Friday, November 6, 2015. The purpose of the survey was to identify presence of special-status species, sensitive habitat types, or habitat that may be of sufficient quality to support special-status species. Because the survey was conducted outside of the blooming period for most of the rare plant species that are known to occur in the vicinity of the project, seasonally timed botanical/rare plant surveys were not included in the field effort, but are recommended prior to construction of the Camera Tower 7 and 8 access pathways.

The vegetation in the BSA is indicative of a disturbed area with remnant patches of native vegetation. The vegetation types observed in the BSA included ruderal/disturbed vegetation, annual brome grassland, purple needlegrass grassland, and black sage scrub. The non-native ruderal and annual brome grassland vegetation dominate the BSA, while the native purple needlegrass grassland and the black sage scrub occur as small patches in the northern third of the BSA. The BSA does not include any USFWS designated critical habitat. The purple needlegrass grassland is synonymous with valley needlegrass grassland, as described by Holland (1986), which is a CDFW sensitive habitat type.

Ruderal/Disturbed

Ruderal vegetation is usually found in areas that have been significantly altered by construction, landscaping, agriculture, or other types of land-clearing activities. Ruderal habitats often occur along roadsides and fence lines and near developments. Plants found within this habitat are typically introduced Mediterranean species that exhibit clinging seeds, adhesive stems, and rough leaves that assist their invasion and colonization of disturbed lands.

A large part of the BSA is comprised of ruderal vegetation, which extends from the southern to the northern end of the BSA, but integrates with annual brome grassland in the central and northern parts. Ruderal vegetation is located on the slope below and above the partially graded 500 kV Tower Access Road and along the entire length of the DCCP fence line. The ruderal vegetation is dominated by a variety of annual grasses, an unknown mustard species (likely *Brassica nigra*) and dense cover of tumbleweed (*Salsola* sp.). Common native shrubs such as Menzies' goldenbush (*Isocoma menziesii*) and coyote brush (*Baccharis pilularis*) are interspersed among the annual grasses and tumbleweeds. The native shrubs are likely a result of past hydroseed applications associated with historic surface disturbance during construction or grading activities.

Annual Brome Grassland (Bromus-Brachypodium distachyon Semi-natural Herbaceous Stands)

Annual brome grasslands are widespread on California's central coast. These grasslands typically include a composition of Mediterranean annual grass species with dense to sparse cover of grasses approximately 8 to 20 inches tall (Holland 1986; Holland and Keil 1995). In some cases, annual brome grassland communities can support various wildflower species, especially in years of favorable rainfall. Annual grasslands typically experience germination in the late fall or early winter with flowering and seed-set occurring through spring. The plants typically die during the summer dry season and persist as seeds until the following growing season. Due to the late season survey timing, it was difficult to determine which *Bromus* species dominated the grassland; however, both rip-gut brome (*Bromus diandrus*) and soft brome (*B. hordeaceus*) were present in the area. Patches of sparse and sometimes dense mustard were observed in the grassland habitat areas. Annual brome grassland was mapped in the central portion of the BSA, extending to the black sage scrub in the northern portion of the BSA.

Purple Needlegrass Grassland (Nassella [Stipa] pulchra Herbaceous Alliance)

Purple needlegrass grassland consists of mid-height (up to 2 feet) grasslands dominated by perennial, tussock-forming needlegrass (*Stipa pulchra*). Native and introduced annual species occur between the perennial bunchgrasses, often actually exceeding bunchgrasses in total cover (Sawyer et al. 2008). These grasslands usually occur on fine-textured (often clay) soils that are moist during winter but very dry in summer (Sawyer et al. 2008). Purple needlegrass grassland is synonymous with valley needlegrass grassland, as described by Holland (Holland 1986), which is a CDFW sensitive habitat type. A small patch of purple needlegrass grassland occurs along the lower edge of the black sage scrub community in the northern extent of the BSA near Camera Tower 8. The bunchgrass community has significant coverage of non-native annual grasses interspersed between the bunchgrasses.

Black sage scrub (Salvia mellifera Shrubland Alliance)

Black sage scrub communities occur on dry slopes and alluvial fans with shallow soils (Sawyer et al. 2008). This community is dominated by black sage scrub (Salvia mellifera) but also has chamise (Adenostoma fasciculatum), California sage (Artemisia californica), coyote brush (Baccharis pilularis), and other native shrubs as associates or co-dominants. This community is typically dense, up to 5 feet tall, and has variable cover of grasses and forbs in the herbaceous layer (Sawyer et al. 2008). Black sage scrub occurs in the northernmost part of the BSA and around Camera Towers 7 and 8. The community is dominated by black sage and has California sage, coast buckwheat (Eriogonum fasciculatum), poison oak (Toxicodendron diversilobum), and giant wildrye (Elymus condensatus) as associates.

Special-Status Plant Species. For the purposes of this analysis, special-status plant species are defined as the following:

- Plants listed or proposed for listing as threatened or endangered under the federal Endangered Species Act (ESA; Code of Federal Regulations [CFR] Title 50, §17.12 for listed plants and various notices in the Federal Register for proposed species).
- Plants that are candidates for possible future listing as threatened or endangered under the ESA.
- Plants that meet the definitions of rare or endangered species under the California Environmental Quality Act (CEQA; State CEQA Guidelines §15380).
- Plants considered by the CNPS to be "rare, threatened, or endangered" in California (Ranks

1B and 2 in CNPS 2015).

- Plants listed by CNPS as plants about which we need more information and plants of limited distribution (Ranks 3 and 4 in CNPS 2015).
- Plants listed or proposed for listing by the State of California as threatened or endangered under the California Endangered Species Act (CESA; California Code of Regulations [CCR] Title 14, §670.5).
- Plants listed under the California Native Plant Protection Act (California Fish and Game Code §1900 et seq.).
- Plants considered sensitive by other federal agencies (i.e., U.S. Forest Service, Bureau of Land Management), state and local agencies, or jurisdictions.

Based on the literature review, a total of 58 special-status plant species have been documented in the queried quads (refer to Appendix A, Table A-1 of the BSA). Because the list of special-status plant species considered in this report is regional, an analysis of the range and habitat preferences of these species was conducted to identify those that have potential to occur within the BSA. SWCA compared the known habitat requirements of those species to the BSA existing conditions, elevation, and soils. The analysis determined that the southern portion of the BSA and location of the proposed 500 kV Tower Access Road does not support suitable conditions for any special-status plant species because of the level of historic and recent disturbance that has occurred there. The northern portion of the BSA and location of the two proposed camera tower footpaths supports an assemblage of native and non-native vegetation which indicates that these areas have experienced only minor disturbance or there has been sufficient time for native vegetation to become reestablished in the areas since disturbances took place. Because of this, the northern portion of the BSA supports suitable conditions for the following special-status plant species:

Pecho manzanita (*Arctostaphylos pechoensis*)
Santa Margarita manzanita (*Arctostaphylos pilosula*)
*Mile's milk vetch (*Astragalus didymocarpus var. milesianus*)
Coulter's saltbush (*Atriplex coulteri*)
*Club-haired mariposa lily (*Calochortus clavatus ssp. clavatus*)
*Cambria morning-glory (*Calystegia subacaulis ssp. episcopalis*)
*San Luis Obispo owls clover (*Castilleja densiflora ssp. obispoensis*)
Blochman's dudleya (*Dudleya blochmaniae ssp. blochmaniae*)
Indian knob mountainbalm (*Eriodictyon altissimum*)
*Jones's layia (*Layia jonesii*)
*woodland woollythreads (*Monolopia gracilens*)
*Diablo Canyon blue grass (*Poa diabolic*)
*black-flowered figwort (*Scrophularia atrata*)
*rayless ragwort (*Senecio aphanactis*)
splitting yarn lichen (*Sulcaria isidiifera*)

*Additional survey work necessary to confirm presence or absence of the species.

No special-status plant species were observed during the field survey, but, as noted above, seasonally timed botanical surveys were not conducted during the blooming period of the plant species that have potential to occur in the project vicinity. Additional surveys shall be conducted in the northern one-third of the BSA to determine if any of the species indicated above occur there. Due to the perennial nature and phenotype of Coutler's saltbush, Pecho manzanita, Santa Margarita manzanita, Blochman's dudleya, Indian Knob mountainbalm, and splitting yarn lichen, SWCA confirmed that these species are not present in the BSA.

Special-status Animal Species

- For the purposes of this section, special-status animal species are defined as the following:
- Animals listed or proposed for listing as threatened or endangered under the ESA (50 CFR 17.11 for listed animals and various notices in the Federal Register for proposed species).
- Animals that are candidates for possible future listing as threatened or endangered under the ESA.
- Animals that meet the definitions of rare or endangered species under CEQA (State CEQA Guidelines §15380).
- Animals listed or proposed for listing by the State of California as threatened and endangered under the CESA (14 CCR 670.5).
- Animal Species of Special Concern to CDFW (Remsen 1978 for birds; Williams 1986 for mammals).
- Animal species that are fully protected in California (California Fish and Game Code §3511 [birds], §4700 [mammals], and §5050 [reptiles and amphibians]).

Based on a CNDDB query and a review of existing literature, a total of 35 sensitive wildlife species have been documented as occurring in the queried quads. Because the list of special-status wildlife species considered in this report is regional, an analysis of the range and habitat preferences of these species was conducted to identify those that have potential to occur within the BSA. SWCA determined that suitable habitat is present in the BSA for the three special-status animal species listed below and for migratory birds protected by the Migratory Bird Treaty Act (MBTA):

California horned lark (*Eremophila alpestris actia*)

loggerheaded shrike (*Lanius ludovicianus*)

burrowing owl (*Athene cunicularia*)

Class Aves Other migratory bird species (nesting)

Based on presence of suitable foraging, breeding, wintering, and nesting habitat, the project site supports suitable conditions for the avian species listed above and other nesting migratory birds.

Impacts.

Effects on Unique or Special-status Species or their Habitats.

Plants. Based on the literature review, site survey, and conditions of the BSA, it was determined that the Phase 1 500 kV Tower Access Road does not support suitable conditions for any special-status plant species. Installation of the 500 kV Tower Access Road would not result in direct or indirect effects on special-status plant species.

The northern portion of the BSA in the vicinity of the two camera tower pathways (Phase 2) supports suitable habitat for several special-status plant species that have not been surveyed for in the appropriate season. Therefore, their presence or absence in the camera tower work areas has not been confirmed. If special-status plant species are present in the proposed camera tower work areas, the occurrences could be damaged or removed by grading activities, pathway installation, materials staging, or trampling. This is considered a potentially significant impact unless mitigated.

Wildlife. The entire BSA supports nesting, foraging, and sheltering habitat for California horned lark and loggerheaded shrike. In addition, burrowing owl may utilize the area for foraging and shelter in the winter season. These California SSC and other migratory birds could be affected by project activities. Vegetation removal, construction noise, or activities associated with construction could directly affect or result in loss of eggs or fledglings (take) if migratory birds were to nest in proximity of the project sites. If present, wintering burrowing owls could be entombed during grading activities. This is considered a potentially significant impact unless mitigated.

Effects Relating to Extent, Diversity, or Quality of Native or Other Important Vegetation.

Purple Needlegrass Grassland. Purple needlegrass grassland, as described in the *Manual of California Vegetation* (Sawyer et al. 2008) is synonymous with valley needlegrass grassland, as described in the *Preliminary Descriptions of the Terrestrial Natural Communities of California* (Holland 1986). This community is listed as a sensitive natural community by CDFW and has a global ranking of G3 and state ranking of S3.1, indicating that this community is "vulnerable" in its range (Nature Serve 2015). A small patch of this community occurs intermixed with non-native grasses near the two proposed camera tower access pathways. Based on the location of the community and the project plans provided by the project engineer, project activities will have no affect on the purple needlegrass grassland that occurs in the BSA.

Effects on Wetland or Riparian Habitat. The BSA does not support any wetland or riparian habitats. The project will not have any direct or indirect effects on wetland or riparian vegetation.

Effects on Movement of Resident or Migratory Fish and Wildlife Species. The BSA does not support any aquatic habitats for fish species. Installation of the two camera pathways and the access road does not include any fence lines or other structures that would impede movements of common terrestrial wildlife species. As such, the project would have no effect on the movements of resident or migratory fish or wildlife species.

Mitigation. The project could result in potentially significant impacts to special status plants and animal species or their habitats. With incorporation of the following mitigation measures, impacts to special-status plant and animal species will be less than significant.

BIO-1 To the maximum extent feasible, site preparation, vegetation removal, ground-disturbing, and construction activities shall be conducted outside of avian nesting season (March 15 – September 15). If such activities are required during this period, the applicant shall retain a qualified biologist to conduct a nesting bird survey and verify that special-status or migratory birds are not occupying the site. If nesting activity is detected, the following measures shall be implemented:

a. The project shall be modified or delayed as necessary to avoid direct take of identified nests, eggs, and/or young protected under the MBTA;
b. A construction avoidance buffer of 100 feet for passerines and/or 300 feet for raptors shall be established around the nest until young have fledged the nest or the qualified biologist has confirmed that the nest is no longer active. If work must be conducted within the avoidance buffer, the qualified biologist shall contact CDFW to determine an appropriate reduction in the buffer zone around active nest sites and shall conduct monitoring of the nest until it has fledged or construction has ended; and,
c. The qualified biologist shall document all active nests and submit a letter report to the County documenting project compliance with the applicable project mitigation measures.

BIO-2 If project grading activities are scheduled in the winter months (November–February), a qualified biologist shall survey the anticipated grading areas and a 100-foot buffer to determine if burrowing owl(s) are wintering in the project area. If wintering burrowing owls are not detected, additional avoidance efforts are not necessary. If wintering burrowing owl(s) are detected, the following shall be implemented:

a. The project shall be modified or delayed as necessary to avoid direct take of the identified burrow.
b. A construction avoidance buffer of 100 feet shall be established around the burrow until the qualified biologist has confirmed that the burrow is no longer in use by the burrowing owl(s). If work must be conducted within the avoidance buffer, the biologist shall erect a highly visible barrier of construction fencing around the burrow to facilitate avoidance of accidental damage of the burrow. The goal of the barrier shall be to minimize the potential for the burrow to be collapsed by grading, materials staging, or other project related activities.

BIO-3 Prior to the commencement of site preparation, ground-disturbing, or construction activities in the two camera tower access path project areas (Phase 2), the applicant shall retain a biologist to conduct a botanical survey in late April to mid-May to confirm the presence or absence of special-status plant species. No botanical survey is necessary in the Phase 1 500 kV Tower Access Road project area. The monitoring biologist shall conduct the following:

a. The biologist shall prepare a survey memo documenting the timing, methods, and results of the survey and identifying which of the following measures are applicable (if any).
b. If special-status plant species are identified during the survey, the occurrences shall be flagged for avoidance and all necessary adjustments in the project alignment shall be made in the field to shift the access paths and associated workspaces away from the occurrence(s).
    a. All flagged occurrences of special-status plant species should be monitored by a qualified biologist for the duration of construction to facilitate avoidance.
c. If complete avoidance of perennial special-status plant species is not possible, individuals of the species shall be relocated by a qualified botanist to adjacent suitable habitat. If determined appropriate by the qualified botanist, the relocated individuals shall be maintained through the dry season or until seasonal rains occur. Maintenance shall include site weed management within 3 feet of the plantings and watering.
d. If complete avoidance of annual special-status species is not possible, construction activities shall be delayed until the plant has matured and seed has set. The biologist shall collect seed from the mature plants and broadcast the seed in adjacent suitable habitat. The seed receiver site shall be scarified, cleared of weeds prior to broadcasting seed, and the seed shall be covered with native soil, jute netting, or a similar cover to deter foraging.

BIO-4 Prior to the commencement of site preparation, ground-disturbing, or construction activities, the applicant shall retain a biologist to prepare and deliver a worker orientation and training program for all construction staff. This program shall include information on the biology of

special-status species and sensitive habitats that have been identified as having potential to occur in the project area, as well as identify all potentially suitable habitat for each species within the project site. Project boundaries and avoidance areas shall also be noted. Those applicable regulatory policies and provisions regarding species and habitat protection and minimization measures to be implemented shall be discussed.

BIO-5 Prior to the commencement of site preparation, ground-disturbing, or construction activities, the applicant shall identify BMPs on all construction plans. These practices shall be implemented prior to, during, and following construction activities as necessary to ensure their intended function.

BIO-6 Access to the project areas shall be from existing roads or designated access routes. Offroad travel outside of designated workspaces shall be avoided. Staging areas and extra workspaces shall be sited in previously disturbed areas to the greatest extent feasible.

BIO-7 All stockpiled materials shall be managed to minimize potential for erosion, dust, or dispersal into surrounding habitat. This includes, but is not limited to, placement of materials on plastic sheeting or tarps to minimize mixing with native soils, covering stockpiles with plastic sheeting, and installing straw wattles free of plastic monofilament materials that could entrap wildlife around the base of stockpiles.

BIO-8 Construction crews shall provide for secondary containment of hazardous materials to prevent hazardous material contact with stormwater or waterways.

BIO-9 Vehicle speeds on unpaved access routes shall not exceed 15 miles per hour and crews shall check for wildlife when driving to avoid collision.

BIO-10 Vehicle and equipment parking shall be confined to existing cleared, previously disturbed areas to the extent feasible. Construction crews shall look under parked vehicles for wildlife before moving.

BIO-11 All trash shall be properly contained and removed from the project work areas on a daily basis to avoid attracting predators and scavengers to the work areas.

5. CULTURAL RESOURCES *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Disturb archaeological resources?	☐	☐	☒	☐
b) Disturb historical resources?	☐	☐	☒	☐
c) Disturb paleontological resources?	☐	☐	☒	☐
d) Cause a substantial adverse change to a Tribal Cultural Resource?	☐	☐	☒	☐
e) Other: _____	☐	☐	☐	☒

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. One previous cultural survey was found for the subject property with no findings. A search of ¼ mile

around the subject property identified the following previous survey work: 0 reports where no resources were encountered; 1 report where resources were identified. The project is within 300 feet of a blue line creek. Potential for the presence or regular activities of the Native American increases in close proximity to reliable water sources.

The project is not located in a designated Archaeologically Sensitive combining designation area. However the location in close proximity to the ocean is considered culturally sensitive and archaeological resources are known to exist in the area. Accordingly, a Phase I archaeological survey of the project site was prepared in January 2016 (SWCA, January 22, 2016). The study includes a Native American Sacred Lands File (SLF) search, an archaeological survey of the project area, and the preparation of this technical report documenting the results of the inventory and providing management recommendations. Letters requesting information concerning cultural resources in the area were sent to each of the tribal contacts identified by the Native American Heritage Commission (NAHC) on December 3, 2015.

Impacts. A field survey was conducted on November 6, 2015. NAHC was contacted on November 11, 2015, requesting a search of their SLF; a response was received on November 24, 2015. The entire project area has been previously subject to cultural resources study and no previously documented cultural resources are within the project area. Two archaeological sites are within 0.25 mile. The field survey of the project area and the NAHC's search of the SLF were negative for the presence of cultural resources.

Mitigation/Conclusion. No historical resources or unique archaeological resources, as defined by the California Environmental Quality Act, were identified within or adjacent to the project area. Patti Dunton, Tribal Administrator for the Salinan Tribe of Monterey and San Luis Obispo counties has requested that a monitor be present during ground disturbing activities. However, as no cultural resources were identified within the project area and the area is considered to have low sensitivity for the presence of buried archaeological resources, the Phase I study is not recommending that archaeological monitoring be required for the project.

In the event that archaeological resources are exposed during project implementation and an archaeological monitor is not on site, work shall stop in the immediate vicinity and an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards (National Park Service 1983) shall be retained to evaluate the find and recommend appropriate mitigation measures. In the event that human remains are discovered, State of California Health and Safety Code Section 7050.5 shall be followed.

6. GEOLOGY AND SOILS *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?	☐	☐	☒	☐
b) Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone", or other known fault zones?*	☐	☐	☐	☒

6. GEOLOGY AND SOILS *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) 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?	☐	☐	☒	☐
d) Include structures located on expansive soils?	☐	☐	☒	☐
e) *Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?*	☐	☐	☒	☐
f) Preclude the future extraction of valuable mineral resources?	☐	☐	☐	☒
g) Other: _____	☐	☐	☐	☒

* Per Division of Mines and Geology Special Publication #42

Setting. The following relates to the project's geologic aspects or conditions:

Topography: Project Manager complete

Within County's Geologic Study Area?: No

Landslide Risk Potential: Moderately high to high

Liquefaction Potential: Low to high

Nearby potentially active faults?: Yes Distance? A potentially capable - inferred fault is located approximately 0.85 miles to the east.

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

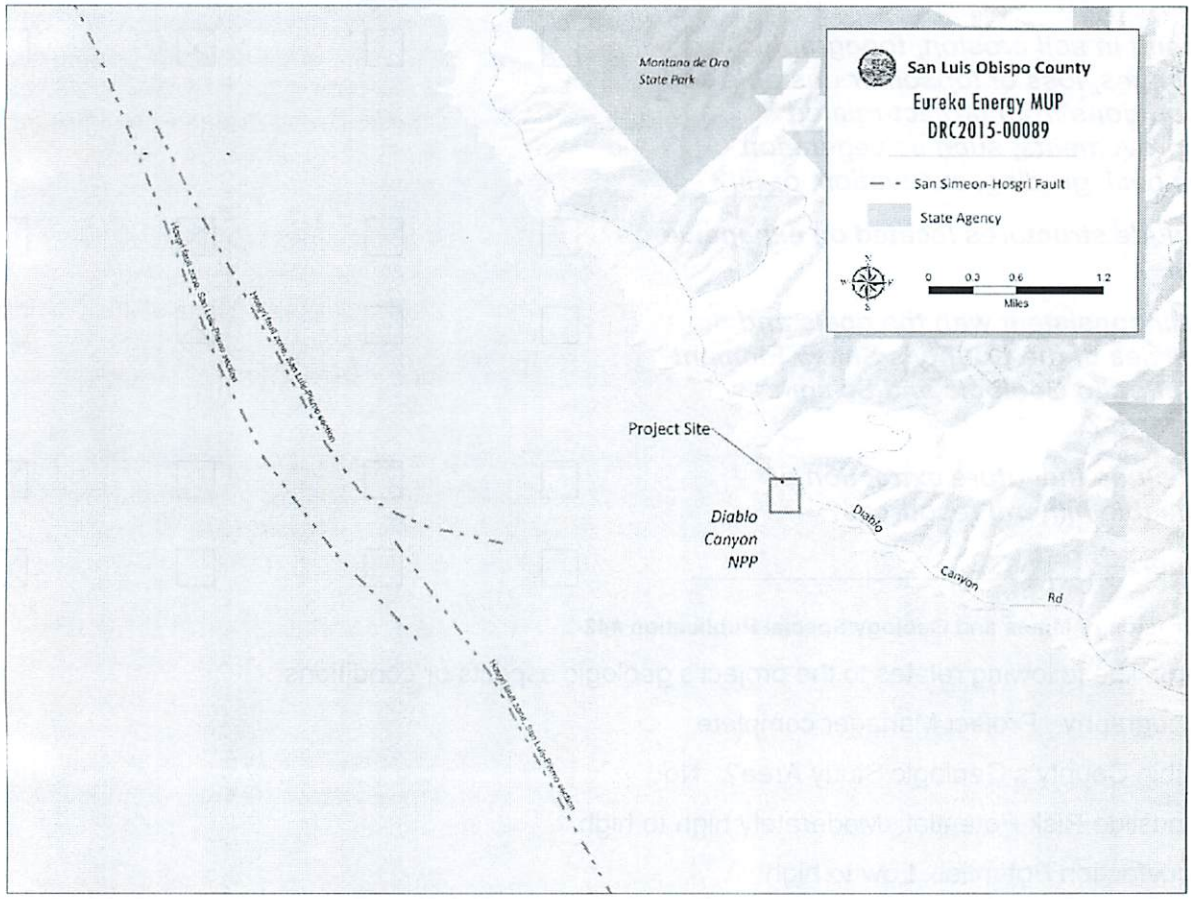
Shrink/Swell potential of soil: Low to moderate

Other notable geologic features? None

The project site is located on a moderately to steeply sloping hillside immediately north of the power plant complex in an area where the landslide risk is considered high. Soils of the project site consist primarily of Nacimiento- silty clay loam (10% - 75% slope). This fine loamy soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics.

The project site is within the Geologic Study area designation, and is subject to the preparation of a geological report per the County's Land Use Ordinance [or CZLUO section 23.07.084(c)] to evaluate the area's geological stability. The San Simeon-Hosgri fault zone is located offshore to the south and west of the project site (Figure 2). This fault is considered active and could generate an earthquake with a moment magnitude of 7.3.

Figure 2 -- The San Simeon-Hosgri Fault Zone In Relation to the Project Site



As discussed in the project description, a 950 foot portion of the access road was graded previously. A geotechnical design study was prepared for the access road by the applicant (Joseph L. Sun, November 16, 2015) and submitted as part of the application. The recommendations of the study will be incorporated as a condition of approval. The project will be required to verify that the as-built portion of the access road complies with the recommendations of the geotechnical report and with the California Building Code.

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120, CZLUO Sec. 23.05.036) 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. A drainage plan was prepared for the proposed access road and is included as part of the project description. The grading and drainage plan incorporates drainage swales sized to convey the runoff from the access road while preventing erosion and sedimentation. As discussed in the project description, erosion control measures were implemented when unauthorized grading occurred in 2015. These measures included hydroseeding and the installation of fiber rolls along the slope.

Impact. Completion of the project will require grading, cut and fill, and the construction of a retaining wall to support the west end of the access road and turnaround. Table 2 provides a summary of the disturbed area, cut and fill quantities.

Table 2 -- Area of Disturbance, Cut and Fill				
Project	**Dimensions**	**Area of Disturbance**	**Cut**	**Fill**
Phase 1 – Access Road	200 ft x 14 ft	+/- 3,000 sq. ft.	400 cy	1,100 cy
Phase 2 – Pedestrian Walkways				
Tower 7	100 ft x 4 ft.	+/- 400 sq.ft.	40 cy	25 cy
Tower 8	650 ft x 4 ft	+/- 2,600 sq.ft.	5 cy	3 cy
Total:	--	6,000 sq.ft. (about 0.13 acres)	445 cy	1,128 cy

Construction of the access road and pedestrian pathways will result in additional impervious surfaces which in turn will increase the volume and velocity of runoff when compared to existing conditions. The additional runoff could result in erosion and sedimentation. Grading activities and the construction of the access roadway are subject to the provisions of the California Building Code and County standards for grading and road construction. The entire project site is located outside the 100-year floodplain for Diablo Creek. The project site is not located within an extractive zone, and no mineral resources are known to be present within the project site.

Improvement of the access road and pedestrian pathways, including grading activities, may also result in erosion and down-gradient sedimentation. As discussed above, the project will result in the disturbance of approximately 0.13 acres. Based on the NRCS soil survey, soils covering the project site exhibit a moderate susceptibility for erosion. According to the preliminary grading plan for the project, the finish grades will result in manufactured slopes that would be subject to erosion.

Mitigation/Conclusion. Compliance with relevant provisions of the Building Code and Land Use Ordinance, along with the recommendations of the geotechnical design study, will ensure that no significant impacts associated with unstable earth conditions, earthquakes or ground failure will occur. There is no evidence that measures above what will already be required by ordinance or codes are needed.

Compliance with relevant provisions of the Building Code and Land Use Ordinance (described in the Setting, above) will address potential impacts to erosion.

No additional mitigation measures are recommended.

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

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐

7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) 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?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?	☐	☐	☒	☐
d) 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?	☐	☐	☒	☐
e) Impair implementation or physically interfere with an adopted emergency response or evacuation plan?	☐	☐	☒	☐
f) 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?	☐	☐	☐	☒
g) Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?	☐	☐	☒	☐
h) Be within a 'very high' fire hazard severity zone?	☐	☐	☒	☐
i) Be within an area classified as a 'state responsibility' area as defined by CalFire?	☐	☐	☒	☐
j) Other: _____	☐	☐	☐	☒

Setting. The State of California Hazardous Waste and Substances Site List (also known as the "Cortese List") is a planning document used by state and local agencies and developers to comply with the siting requirements prescribed by federal, State, and local regulations relating to hazardous materials sites. A search of the Cortese database conducted in April, 2016 revealed no active sites in the vicinity, including the project site.

The project is not within an Airport Review area.

According to the CalFire map of fire hazard severity zones for San Luis Obispo County, the project site is located in an area where the fire risk is High to Very High. It will take approximately 5 minutes to respond to a call from the Diablo Canyon Fire Department located at the power plant. The Diablo Canyon Fire Department is an all risk emergency response organization, that responds to a variety of emergencies including fire, haz mat, medical aids, and technical rescue, as well as supporting monthly surveillance procedures for all fire valves, fire hoses, hose reel stations, fire extinguishers and fire barriers and barrier penetrations (refer to the Public Services section for further discussion on Fire Safety impacts).

Impact. Construction activities may involve the use of oils, fuels and solvents. In the event of a leak or spill, persons, soil, and vegetation down-slope from the site may be affected. The use, storage, and transport of hazardous materials is regulated by the Department of Toxic Substances Control (DTSC) (22 Cal. Code of Regulations Section 66001, et seq.). The use of hazardous materials on the project site for construction and maintenance is required to be in compliance with local, state, and federal regulations.

No flammable structures or structures for human occupancy are proposed as part of the project. In addition, the project is required to comply with the California Building Code. Regarding road impacts, the project has been reviewed by County Public Works, which is discussed further in the Transportation section.

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

Mitigation/Conclusion. The does not involve the construction of structures for human occupancy. No additional mitigation measures are required.

Compliance with existing regulations and code requirements will ensure potential impacts associated with hazards and hazardous materials impacts will be less than significant.

8. NOISE

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels that exceed the County Noise Element thresholds?	☐	☐	☒	☐
b) Generate permanent increases in the ambient noise levels in the project vicinity?	☐	☐	☒	☐
c) Cause a temporary or periodic increase in ambient noise in the project vicinity?	☐	☐	☒	☐
d) Expose people to severe noise or vibration?	☐	☐	☒	☐
e) 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?	☐	☐	☐	☒

8. NOISE

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
f) Other: _____	☐	☐	☐	☒

Setting. The project is located in an industrial setting adjacent to the power plant complex. There are no sensitive receptors in the area; the prevailing land use in the area is agriculture and open space. The primary noise source in the area is the power plant which operates 24 hours per day. Consequently, noise levels on the project site are consistent with the operation of a large-scale industrial operation.

The Noise Element includes projections for future noise levels from known stationary and vehicle-generated noise sources. According to the Noise Element, the project lies within an area where future noise levels are expected to remain within an acceptable threshold.

Impact.

Construction Impacts. Construction activities may involve the use of heavy equipment for grading and for the delivery and movement of materials on the project site. The use of construction machinery will also be a source of noise. Construction-related noise impacts would be temporary and localized. However, there are no sensitive receptors in the area. County regulations limit the hours of construction to day time hours between 7:00 AM and 9:00 PM weekdays, and from 8:00 AM to 5:00 PM on weekends.

Operational Impacts. Following construction, noise generated by the project would be comparable to the background noise generated by the existing power plant.

Mitigation/Conclusion. Compliance with County standards for the management of construction noise will ensure impacts to surrounding residences will be less than significant. No additional mitigation measures are recommended.

9. POPULATION/HOUSING

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Induce substantial growth in an area either directly (e.g., construct new homes or businesses) or indirectly (e.g., extension of major infrastructure)?	☐	☐	☐	☒
b) Displace existing housing or people, requiring construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Create the need for substantial new housing in the area?	☐	☐	☐	☒
d) Other: _____	☐	☐	☐	☒

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/Mitigation/Conclusion. The project involves the construction of an access roadway and pedestrian pathways at an existing power plant. Accordingly, the project will have no effect on population or housing.

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?*	☐	☐	☐	☒
b)	*Police protection (e.g., Sheriff, CHP)?*	☐	☐	☐	☒
c)	*Schools?*	☐	☐	☐	☒
d)	*Roads?*	☐	☐	☐	☒
e)	*Solid Wastes?*	☐	☐	☐	☒
f)	*Other public facilities?*	☐	☐	☐	☒
g)	*Other:* _____	☐	☐	☐	☒

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

Police: County Sheriff — Location: Los Osos Approximately 6.5 miles to the north; Oceano Approximately 14.2 miles to the southeast

Fire: DCPP Fire — Hazard Severity: High to Very High — Response Time: 5-10 minutes for CalFire. Unknown for DCPP Fire.

Location: On site

School District: San Luis Coastal Unified School District. , San Luis Obispo Joint Community College District

Setting. The project site is located on a hill immediately north of the power plant complex which is provided with the full range of public services.

Impact/Mitigation/Conclusion. The project involves the construction of an access roadway and pedestrian pathways at an existing power plant. Accordingly, the project will have no effect on public services.

11. RECREATION

	Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	*Increase the use or demand for parks or other recreation opportunities?*	☐	☐	☐	☒
b)	*Affect the access to trails, parks or other recreation opportunities?*	☐	☐	☒	☐
c)	*Other* _____	☐	☐	☐	☒

Setting. The County has adopted a Trails Plan for the purpose of establishing a trail system serving the unincorporated areas of the County. The Trails Plan does not show any trails affecting the project site. The project is not proposed in a location that will affect any trail, park, recreational resource, coastal access, and/or Natural Area.

Impact. As discussed in Section 9, Population and Housing, no additional population is expected to be attracted to the county as a result of the project. 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.

12. TRANSPORTATION/CIRCULATION *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase vehicle trips to local or areawide circulation system?	☐	☐	☐	☒
b) Reduce existing "Level of Service" on public roadway(s)?	☐	☐	☐	☒
c) Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?	☐	☐	☐	☒
d) Provide for adequate emergency access?	☐	☐	☒	☐
e) 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.)?	☐	☐	☐	☒
f) Conflict with an applicable congestion management program?	☐	☐	☐	☒
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒
h) Result in a change in air traffic patterns that may result in substantial safety risks?	☐	☐	☐	☒
i) Other: _____	☐	☐	☐	☒

Setting. The project site is located entirely on private property within the DCNPP complex. Access to DCNPP is provided by Avila Beach Drive and Diablo Canyon Road. Avila Beach Drive, which

provides the only vehicular access to and from Avila Beach and DCNPP, is currently operating at level of service B and has been assigned a level of severity I by the 2012-2014 Resource Summary Report.

Impacts.

Construction Impacts. Construction related traffic will increase during the morning and afternoon peak hours on Avila Beach Drive and Diablo Canyon Road. Based on the project application materials, it is expected that as many as 5 workers may be arriving and leaving the project site on a typical construction work day. The temporary increase in traffic is not expected to reduce the currently-acceptable level of service.

Operational Impacts. Once the access road is completed, it will be used periodically to maintain the existing high voltage towers. No additional traffic on public streets is expected to occur.

Mitigation/Conclusion. The project will have a less than significant impact on transportation systems serving the project site.

13. WASTEWATER

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?	☐	☐	☐	☒
b) Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?	☐	☐	☐	☒
c) Adversely affect community wastewater service provider?	☐	☐	☐	☒
d) Other: _____	☐	☐	☐	☒

Setting/Impacts/Mitigation/Conclusion. The project involves the construction of an access road and pedestrian pathways and will have no effect on wastewater systems.

14. WATER & HYDROLOGY

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
QUALITY				
a) Violate any water quality standards?	☐	☐	☒	☐
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)?	☐	☐	☒	☐
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	☐	☐	☐	☒

14. WATER & HYDROLOGY

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

Setting. The project site is located on a moderately to steeply sloping hillside covered with annual grasses and forbs.

The topography of the project is moderately sloping to steeply sloping Diablo Canyon Creek is located about 0.1 miles to the west of the project site. The Pacific Ocean is located approximately 0.5 miles to the south. As described in the NRCS Soil Survey, the soil surface is considered to have low to moderate erodibility.

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? Diablo Canyon Creek Distance? About 0.1 mile west of the project site.

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 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 project's soil erodibility is as follows:

- Soil erodibility: Low to moderate

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120, CZLUO Sec. 23.05.036) 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.

Impact – Water Quality/Hydrology

As discussed in the project description, a 950 foot portion of the access road was graded previously. Erosion control measures were implemented when this unauthorized grading occurred in 2015. These measures included hydroseeding and the installation of fiber rolls along the slope.

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120, CZLUO Sec. 23.05.036) 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. A drainage plan was prepared for the proposed access road and is included as part of the project description. The grading and drainage plan incorporates drainage swales sized to convey the runoff from the access road while preventing erosion and sedimentation.

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

- ✓ Approximately 6,000 square feet of site disturbance is proposed and the movement of approximately 1,128 cubic yards of material;
- ✓ The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- ✓ 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;
- ✓ All disturbed areas will be permanently stabilized with impermeable surfaces and landscaping;
- ✓ Bioswales will be installed as a part of the drainage plan;
- ✓ Stockpiles will be properly managed during construction to avoid material loss due to erosion;
- ✓ All hazardous materials and/or wastes will be properly stored on-site, which include secondary containment should spills or leaks occur;

Compliance with relevant provisions of the Building Code and Land Use Ordinance, along with the recommendations of the drainage plan submitted with the project, will ensure impacts to water quality and hydrology from new construction will be less than significant. Existing grading and drainage improvements constructed without proper approvals will be required to demonstrate compliance with the Building Code and Land Use Ordinance.

Water Quantity

Based on the project description, the project will have no effect on water supply.

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.

15. LAND USE

Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) *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?*	☐	☐	☒	☐
b) *Be potentially inconsistent with any habitat or community conservation plan?*	☐	☐	☒	☐
c) *Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?*	☐	☐	☒	☐
d) *Be potentially incompatible with surrounding land uses?*	☐	☐	☒	☐
e) *Other:* _____	☐	☐	☐	☒

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.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project involves grading on slopes that between 20 and 30 percent. In accordance with CZLUO Section 23.05.034, grading on slopes between 20 and 30 percent may be allowed subject to Minor Use Permit or Development Plan approval subject to the following:

(i) The applicable review body has considered the specific characteristics of the site and surrounding area including: the proximity of nearby streams or wetlands, erosion potential, slope stability, amount of grading necessary, neighborhood drainage characteristics, and measures proposed by the applicant to reduce potential erosion and sedimentation.

(ii) Grading and erosion control plans have been prepared by a registered civil engineer and accompany the request to allow the grading adjustment.

(iii) It has been demonstrated that the proposed grading is sensitive to the natural landform of the site and surrounding area.

(iv) It has been found that there is no other feasible method of establishing an allowable use on the site without grading on slopes between 20% and 30%.

The proposed project is subject to the following Planning Area Standard(s) as found in the County's LUO:

1. LUO Section T23 SLBay – San Luis Bay Planning Area - Coastal
2. LUO Section 22.14.040 – Diablo Canyon Nuclear Power Plant

3. LUO Section 22.14.070 – GSA 1974 Seismic Safety Element – Zone 4 – Rural
4. LUO Section 22.14.100 – Sensitive Resource Area

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.

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

16. MANDATORY FINDINGS OF SIGNIFICANCE

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or pre-history?	☐	☒	☐	☐
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	☐	☒	☐	☐
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

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

Exhibit A - Initial Study References and Agency Contacts

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

Contacted	Agency	Response
☒	County Public Works Department	In File**
☐	County Environmental Health Services	Not Applicable
☐	County Agricultural Commissioner's Office	Not Applicable
☐	County Airport Manager	Not Applicable
☐	Airport Land Use Commission	Not Applicable
☐	Air Pollution Control District	Not Applicable
☐	County Sheriff's Department	Not Applicable
☐	Regional Water Quality Control Board	Not Applicable
☒	CA Coastal Commission	None
☐	CA Department of Fish and Wildlife	Not Applicable
☒	CA Department of Forestry (Cal Fire)	None
☐	CA Department of Transportation	Not Applicable
☒	Avila Beach Community Services District	None
☒	Other County Building Division	In File**
☐	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.

☒ Project File for the Subject Application

County documents

- ☐ Coastal Plan Policies
- ☒ Framework for Planning (Coastal/Inland)
- ☒ General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:
  - ☒ Agriculture Element
  - ☒ Conservation & Open Space Element
  - ☐ Economic Element
  - ☒ Housing Element
  - ☒ Noise Element
  - ☐ Parks & Recreation Element/Project List
  - ☒ Safety Element
- ☒ Land Use Ordinance (Inland/Coastal)
- ☒ Building and Construction Ordinance
- ☒ Public Facilities Fee Ordinance
- ☐ Real Property Division Ordinance
- ☒ Affordable Housing Fund
- ☐ Airport Land Use Plan
- ☐ Energy Wise Plan
- ☒ San Luis Bay Coastal Area Plan and Update EIR
- ☐ Design Plan
- ☐ Specific Plan
- ☒ Annual Resource Summary Report
- ☐ Circulation Study

Other documents

- ☒ Clean Air Plan/APCD Handbook
- ☒ Regional Transportation Plan
- ☒ Uniform Fire Code
- ☒ Water Quality Control Plan (Central Coast Basin – Region 3)
- ☒ Archaeological Resources Map
- ☒ Area of Critical Concerns Map
- ☒ Special Biological Importance Map
- ☒ CA Natural Species Diversity Database
- ☒ Fire Hazard Severity Map
- ☒ Flood Hazard Maps
- ☒ Natural Resources Conservation Service Soil Survey for SLO County
- ☒ GIS mapping layers (e.g., habitat, streams, contours, etc.)
- ☐ Other

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

SWCA Environmental Consultants, January 2016, Diablo Canyon Power Plant 500 kV Transmission Tower and OCA Camera Tower Access Phase I Archaeological Survey

SWCA Environmental Consultants, January 2016, Diablo Canyon Power Plant 500 kV Transmission Tower and OCA Camera Tower Access Biological Resources Assessment

Cannon Corporation, 500 kV Transmission Tower Access Pathway Drainage Report

Joseph I. Sun, November 16, 2015, Geotechnical Design Recommendation for DCPP 500 kV Tower Access Road and Security Fence

Exhibit B - Mitigation Summary Table

BIO-1 To the maximum extent feasible, site preparation, vegetation removal, ground-disturbing, and construction activities shall be conducted outside of avian nesting season (March 15 – September 15). If such activities are required during this period, the applicant shall retain a qualified biologist to conduct a nesting bird survey and verify that special-status or migratory birds are not occupying the site. If nesting activity is detected, the following measures shall be implemented:

a. The project shall be modified or delayed as necessary to avoid direct take of identified nests, eggs, and/or young protected under the MBTA;
b. A construction avoidance buffer of 100 feet for passerines and/or 300 feet for raptors shall be established around the nest until young have fledged the nest or the qualified biologist has confirmed that the nest is no longer active. If work must be conducted within the avoidance buffer, the qualified biologist shall contact CDFW to determine an appropriate reduction in the buffer zone around active nest sites and shall conduct monitoring of the nest until it has fledged or construction has ended; and,
c. The qualified biologist shall document all active nests and submit a letter report to the County documenting project compliance with the applicable project mitigation measures.

BIO-2 If project grading activities are scheduled in the winter months (November–February), a qualified biologist shall survey the anticipated grading areas and a 100-foot buffer to determine if burrowing owl(s) are wintering in the project area. If wintering burrowing owls are not detected, additional avoidance efforts are not necessary. If wintering burrowing owl(s) are detected, the following shall be implemented:

a. The project shall be modified or delayed as necessary to avoid direct take of the identified burrow.
b. A construction avoidance buffer of 100 feet shall be established around the burrow until the qualified biologist has confirmed that the burrow is no longer in use by the burrowing owl(s). If work must be conducted within the avoidance buffer, the biologist shall erect a highly visible barrier of construction fencing around the burrow to facilitate avoidance of accidental damage of the burrow. The goal of the barrier shall be to minimize the potential for the burrow to be collapsed by grading, materials staging, or other project related activities.

BIO-3 Prior to the commencement of site preparation, ground-disturbing, or construction activities in the two camera tower access path project areas (Phase 2), the applicant shall retain a biologist to conduct a botanical survey in late April to mid-May to confirm the presence or absence of special-status plant species. No botanical survey is necessary in the Phase 1 500 kV Tower Access Road project area. The monitoring biologist shall conduct the following:

a. The biologist shall prepare a survey memo documenting the timing, methods, and results of the survey and identifying which of the following measures are applicable (if any).
b. If special-status plant species are identified during the survey, the occurrences shall be flagged for avoidance and all necessary adjustments in the project alignment shall be made in the field to shift the access paths and associated workspaces away from the occurrence(s).
    a. All flagged occurrences of special-status plant species shall be monitored by a qualified biologist for the duration of construction to facilitate avoidance.
c. If complete avoidance of perennial special-status plant species is not possible, individuals of the species shall be relocated by a qualified botanist to adjacent suitable habitat. If determined appropriate by the qualified botanist, the relocated individuals shall be maintained through the dry season or until seasonal rains occur. Maintenance shall

include site weed management within 3 feet of the plantings and watering.

d. If complete avoidance of annual special-status species is not possible, construction activities shall be delayed until the plant has matured and seed has set. The biologist shall collect seed from the mature plants and broadcast the seed in adjacent suitable habitat. The seed receiver site shall be scarified, cleared of weeds prior to broadcasting seed, and the seed shall be covered with native soil, jute netting, or a similar cover to deter foraging.

BIO-4 Prior to the commencement of site preparation, ground-disturbing, or construction activities, the applicant shall retain a biologist to prepare and deliver a worker orientation and training program for all construction staff. This program shall include information on the biology of special-status species and sensitive habitats that have been identified as having potential to occur in the project area, as well as identify all potentially suitable habitat for each species within the project site. Project boundaries and avoidance areas shall also be noted. Those applicable regulatory policies and provisions regarding species and habitat protection and minimization measures to be implemented shall be discussed.

BIO-5 Prior to the commencement of site preparation, ground-disturbing, or construction activities, the applicant shall identify BMPs on all construction plans. These practices shall be implemented prior to, during, and following construction activities as necessary to ensure their intended function.

BIO-6 Access to the project areas shall be from existing roads or designated access routes. Offroad travel outside of designated workspaces shall be avoided. Staging areas and extra workspaces shall be sited in previously disturbed areas to the greatest extent feasible.

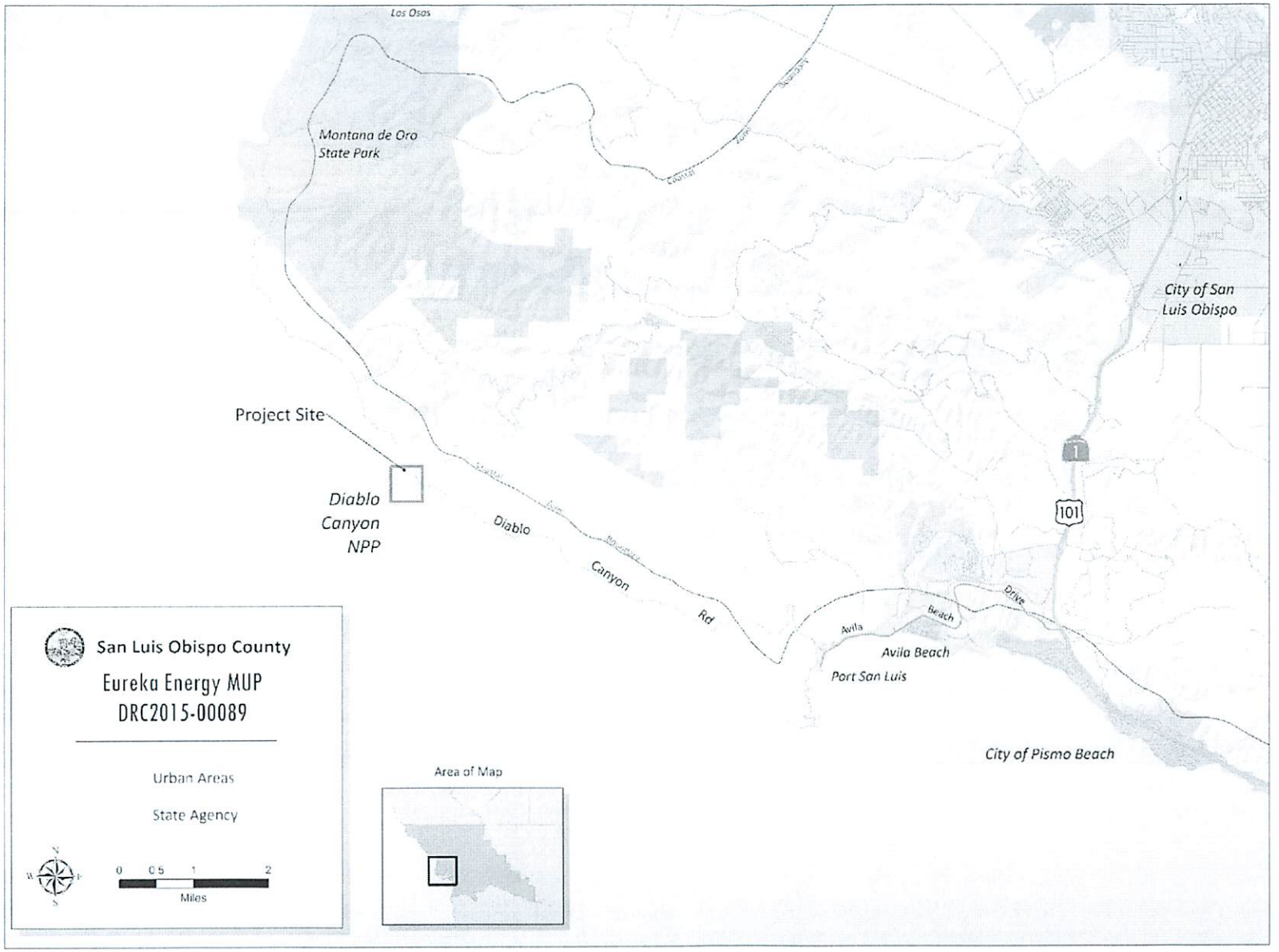
BIO-7 All stockpiled materials shall be managed to minimize potential for erosion, dust, or dispersal into surrounding habitat. This includes, but is not limited to, placement of materials on plastic sheeting or tarps to minimize mixing with native soils, covering stockpiles with plastic sheeting, and installing straw wattles free of plastic monofilament materials that could entrap wildlife around the base of stockpiles.

BIO-8 Construction crews shall provide for secondary containment of hazardous materials to prevent hazardous material contact with stormwater or waterways.

BIO-9 Vehicle speeds on unpaved access routes shall not exceed 15 miles per hour and crews shall check for wildlife when driving to avoid collision.

BIO-10 Vehicle and equipment parking shall be confined to existing cleared, previously disturbed areas to the extent feasible. Construction crews shall look under parked vehicles for wildlife before moving.

BIO-11 All trash shall be properly contained and removed from the project work areas on a daily basis to avoid attracting predators and scavengers to the work areas.


Los Osos
Montana de Oro
State Park
City of San
Luis Obispo
Project Site
Diablo
Canyon
NPP
Diablo
Canyon
Rd
101
Avila
Beach
Drive
Avila Beach
Port San Luis
City of Pismo Beach
San Luis Obispo County
Eureka Energy MUP
DRC2015-00089
Urban Areas
State Agency
0 0.5 1 2
Miles
Area of Map

DATE: April 21, 2016

DEVELOPER'S STATEMENT & MITIGATION MONITORING/REPORTING PROGRAM FOR EUREKA ENERGY VARIANCE ED15-211(DRC2015-00089)

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.

Note:	The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

Biological Resources

BIO-1 To the maximum extent feasible, site preparation, vegetation removal, ground-disturbing, and construction activities shall be conducted outside of avian nesting season (March 15 – September 15). If such activities are required during this period, the applicant shall retain a qualified biologist to conduct a nesting bird survey and verify that special-status or migratory birds are not occupying the site. If nesting activity is detected, the following measures shall be implemented:

a. The project shall be modified or delayed as necessary to avoid direct take of identified nests, eggs, and/or young protected under the MBTA;
b. A construction avoidance buffer of 100 feet for passerines and/or 300 feet for raptors shall be established around the nest until young have fledged the nest or the qualified biologist has confirmed that the nest is no longer active. If work must be conducted within the avoidance buffer, the qualified biologist shall contact CDFW to determine an appropriate reduction in the buffer zone around active nest sites and shall conduct monitoring of the nest until it has fledged or construction has ended; and,
c. The qualified biologist shall document all active nests and submit a letter report to the County documenting project compliance with the applicable project mitigation measures.

BIO-2 If project grading activities are scheduled in the winter months (November–February), a qualified biologist shall survey the anticipated grading areas and a 100-foot buffer to determine if burrowing owl(s) are wintering in the project area. If wintering burrowing owls are not detected, additional avoidance efforts are not necessary. If wintering burrowing owl(s) are detected, the following shall be implemented:

a. The project shall be modified or delayed as necessary to avoid direct take of the identified burrow.
b. A construction avoidance buffer of 100 feet shall be established around the burrow

until the qualified biologist has confirmed that the burrow is no longer in use by the burrowing owl(s). If work must be conducted within the avoidance buffer, the biologist shall erect a highly visible barrier of construction fencing around the burrow to facilitate avoidance of accidental damage of the burrow. The goal of the barrier shall be to minimize the potential for the burrow to be collapsed by grading, materials staging, or other project related activities.

BIO-3 Prior to the commencement of site preparation, ground-disturbing, or construction activities in the two camera tower access path project areas (Phase 2), the applicant shall retain a biologist to conduct a botanical survey in late April to mid-May to confirm the presence or absence of special-status plant species. No botanical survey is necessary in the Phase 1 500 kV Tower Access Road project area. The monitoring biologist shall conduct the following:

a. The biologist shall prepare a survey memo documenting the timing, methods, and results of the survey and identifying which of the following measures are applicable (if any).
b. If special-status plant species are identified during the survey, the occurrences shall be flagged for avoidance and all necessary adjustments in the project alignment shall be made in the field to shift the access paths and associated workspaces away from the occurrence(s).
    a. All flagged occurrences of special-status plant species should be monitored by a qualified biologist for the duration of construction to facilitate avoidance.
c. If complete avoidance of perennial special-status plant species is not possible, individuals of the species shall be relocated by a qualified botanist to adjacent suitable habitat. If determined appropriate by the qualified botanist, the relocated individuals shall be maintained through the dry season or until seasonal rains occur. Maintenance shall include site weed management within 3 feet of the plantings and watering.
d. If complete avoidance of annual special-status species is not possible, construction activities shall be delayed until the plant has matured and seed has set. The biologist shall collect seed from the mature plants and broadcast the seed in adjacent suitable habitat. The seed receiver site shall be scarified, cleared of weeds prior to broadcasting seed, and the seed shall be covered with native soil, jute netting, or a similar cover to deter foraging.

BIO-4 Prior to the commencement of site preparation, ground-disturbing, or construction activities, the applicant shall retain a biologist to prepare and deliver a worker orientation and training program for all construction staff. This program shall include information on the biology of special-status species and sensitive habitats that have been identified as having potential to occur in the project area, as well as identify all potentially suitable habitat for each species within the project site. Project boundaries and avoidance areas shall also be noted. Those applicable regulatory policies and provisions regarding species and habitat protection and minimization measures to be implemented shall be discussed.

BIO-5 Prior to the commencement of site preparation, ground-disturbing, or construction activities, the applicant shall identify BMPs on all construction plans. These practices shall be implemented prior to, during, and following construction activities as necessary to ensure their intended function.

Monitoring: Required at the time of application for construction permits. Compliance will be verified by the County Department of Planning and Building.

BIO-6 Access to the project areas shall be from existing roads or designated access routes. Offroad travel outside of designated workspaces shall be avoided. Staging areas and extra workspaces shall be sited in previously disturbed areas to the greatest extent feasible.

BIO-7 All stockpiled materials shall be managed to minimize potential for erosion, dust, or dispersal into surrounding habitat. This includes, but is not limited to, placement of materials on plastic sheeting or tarps to minimize mixing with native soils, covering stockpiles with plastic sheeting, and installing straw wattles free of plastic monofilament materials that could entrap wildlife around the base of stockpiles.

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BIO-10 Vehicle and equipment parking shall be confined to existing cleared, previously disturbed areas to the extent feasible. Construction crews shall look under parked vehicles for wildlife before moving.

BIO-11 All trash shall be properly contained and removed from the project work areas on a daily basis to avoid attracting predators and scavengers to the work areas.

Monitoring: Required during grading and construction activities. Compliance will be verified by the County Department of Planning and Building.

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.

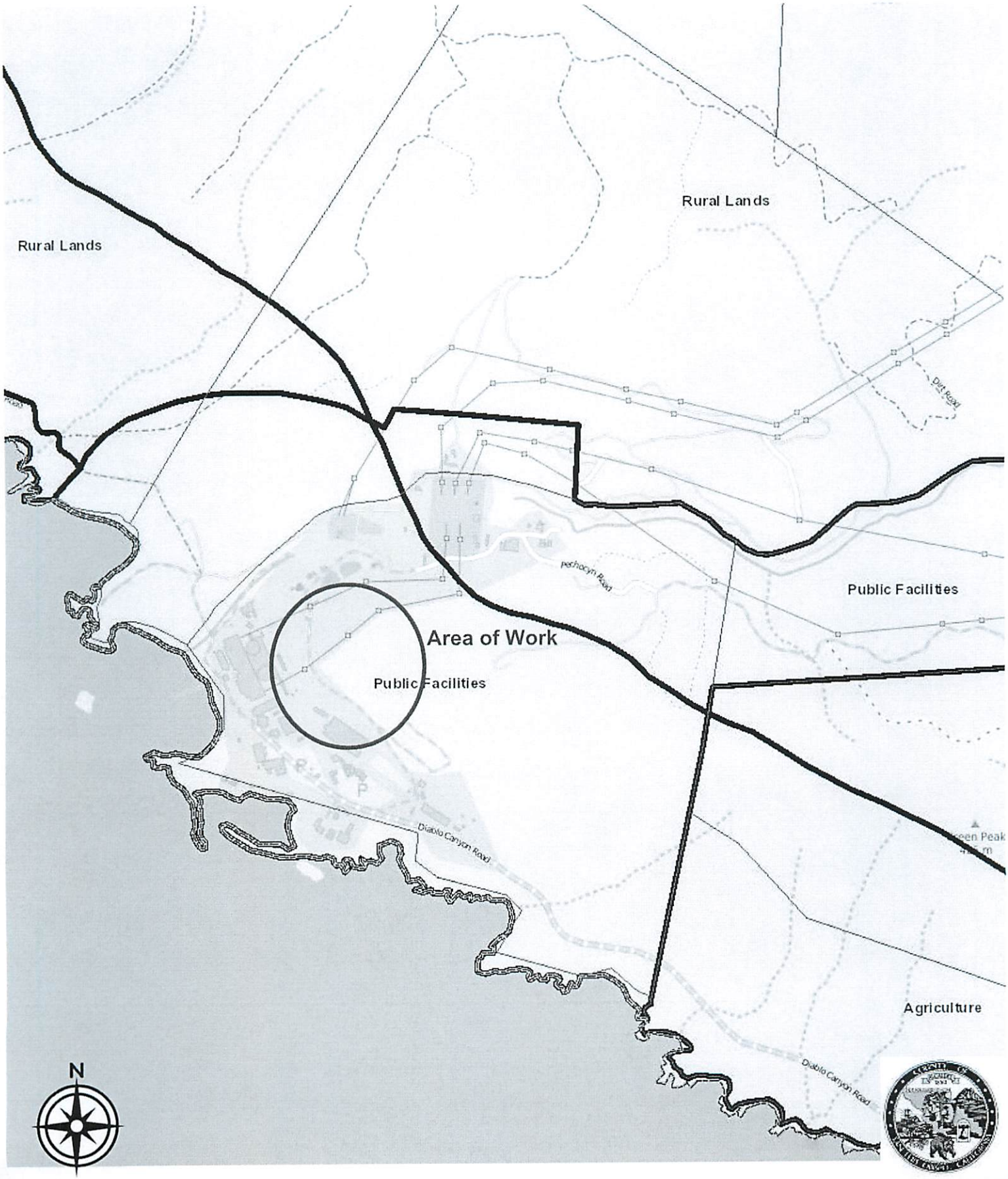
Signature of Owner(s)	Name (Print)	Date
	Thomas P. Jones	4/19/2016

PROJECT

Eureka Energy Variance
DRC2015-00089

EXHIBIT

Site Map



PROJECT

Eureka Energy Variance
DRC2015-00089

EXHIBIT

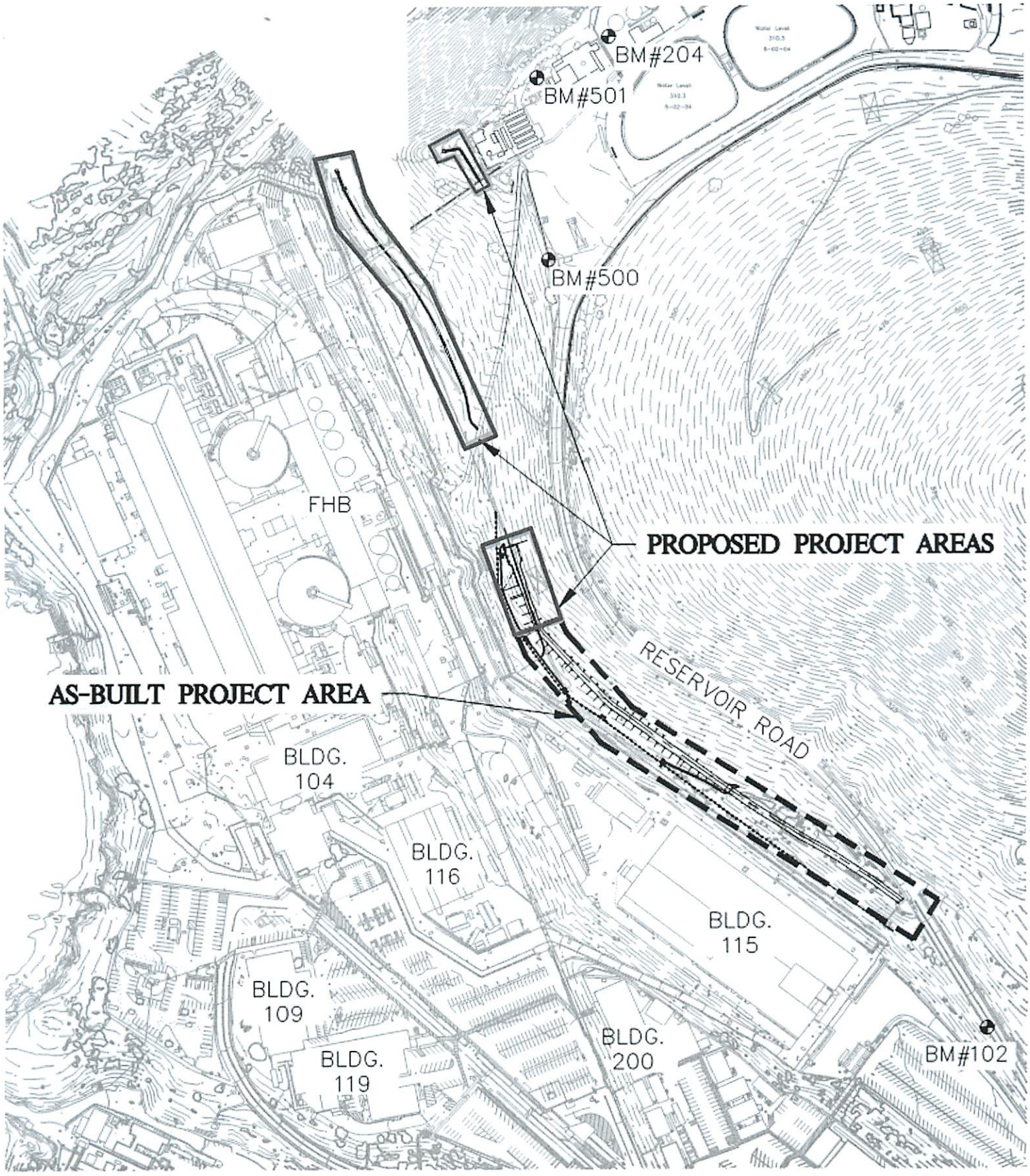
Land Use Categories

PROJECT

Eureka Energy Variance
DRC2015-00089

EXHIBIT

Aerial View



PROJECT

Eureka Energy Variance
DRC2015-00089

EXHIBIT

Site Plan