

FINAL Scoping Report

PHILLIPS 66 SANTA MARIA REFINERY DEMOLITION AND REMEDIATION PROJECT

Case No: C-DRC2022-00048

SCH Number: 2023050020

CEQA Lead Agency:
San Luis Obispo County
Planning and Building Dept.
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FINAL July 2023

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Introduction

This scoping report documents the public scoping effort conducted San Luis Obispo County Planning and Building (County) for the Phillips 66 Santa Maria Refinery Demolition and Remediation Project (Project). Phillips 66, the Project applicant, has filed an application with the County to demolish and remediate the Santa Maria Refinery (SMR) site. In compliance with California Environmental Quality Act (CEQA), the County held a 30-day public scoping period to allow the members of the public, regulatory agencies, and interested parties an opportunity to comment on the scope of the Environmental Impact Report (EIR) and to identify issues that should be addressed in the environmental document. This report documents the notification that occurred, the Scoping Workshop that was held, and the written comments received during the scoping period.

Project Scoping

This section describes the methods used to notify the public and agencies about the scoping process conducted for the Project. It outlines how information was made available for public and agency review and identifies the different avenues available for providing comments on the Project. The 30-day scoping period began on May 4, 2023 and ended on June 5, 2023.

Notice of Preparation

On May 4, 2023, the County issued a Notice of Preparation (NOP) consistent with CEQA Guidelines Section 15082, which summarized the proposed Project, stated its intention to prepare an EIR, and requested comments from interested parties (the NOP is provided in Attachment A). NOPs were sent to responsible agencies, trustee agencies and organizations via certified mail and email, potential AB52 tribal interested parties via certified mail and email, the State Clearinghouse electronically uploaded, and mailed to residential parcels located within approximately 2 miles of the affected project parcels using the County Land Use View system.

Scoping Workshop

On the evening of May 17, 2023, the County held a Scoping Meeting at the Black Lake Golf Course Banquet Room, 1490 Golf Course Lane, Nipomo. Susan Strachan, Cindy Chambers and Greg Chittick (consultant) with the County were at the meeting representing the County. Susan Strachan and Greg Chittick provided a presentation that discussed the intent of the Scoping Workshop, the EIR timeline, the approval process, and a brief overview of the Project.

Attendees were then able to provide verbal comments. Attachment B includes the sign-in sheet documenting the stakeholders who signed in as attending the workshop, and the speaker sheets that document the stakeholders who spoke at the meeting. No formal verbal comments were received, but a

number of questions were asked and discussion of the project was entertained. Transcripts of the meeting are included in Attachment B.

In addition, two virtual meetings were held, one on May 13, 2023 and one in the morning of May 17, 2023. Susan Strachan and Greg Chittick also provided a presentation that discussed the intent of the Scoping Workshop, the EIR timeline, the approval process, and a brief overview of the Project (same presentation as provided at the Black Lake Golf Course). Some comments were provided verbally and these are included in Attachment B.

Internet Website

The County has established a Project-specific website to provide ongoing information about the Project. The website includes an electronic version of the NOP, which provides a description of the proposed Project. The website also includes information about the scoping meetings, documents that have been submitted to the County by the applicant, and County staff's contact information. The website will continue to provide Project information to the public throughout the application process. The website address is:

<https://www.slocounty.ca.gov/Departments/Planning-Building/Grid-Items/Community-Engagement/Active-Planning-Projects/Phillips-66-Santa-Maria-Refinery-Demolition-and-Re.aspx>

Email Address

Susan Strachan is the County Planner who is managing the EIR for the Project. The Project website provides a direct link to Ms. Strachan's email address, as well as the p66refinery@co.slo.ca.us email address which is provided as another means of submitting comments on the scope and content of the EIR. Comments received by email will be considered in the EIR and have been incorporated into this Scoping Report.

Distribution List

The County has compiled a Project-specific mailing list for the Project. This list includes responsible and trustee agencies, tribal contacts, the State Clearinghouse, and all residents within approximately 2 miles of the project boundaries, and individuals on the County's potentially interested parties/organizations list based on previous EIRs.

To the extent feasible, the mailing list will be updated based on the comment letters received during the scoping comment period. This mailing or distribution list will continue to be used throughout the environmental review process for the project to distribute public notices and will continue to be updated to ensure all interested parties are notified of key project milestones.

Scoping Comments

This section provides a summary of the comments received on the NOP for the Project. Comments on the Project were received verbally at the scoping meetings and well as in writing.

Verbal Scoping Meeting Comments

Table 1 provides a summary of the verbal comments that were received at the scoping meetings on May 13th and 17th, 2023. Comment summaries are provided for each stakeholder that spoke at the scoping meeting. Detailed transcripts are included in Attachment B.

Commenter	Summary of Comments	
Jeff Edwards	<ul style="list-style-type: none"> Recreation and Coastal Access: existing offer to dedicate, project triggers the need under section of code to provide access and actually build the access, EIR should provide a more intensive discussion of this topic 	<ul style="list-style-type: none"> Section 4.11 Land Use
Cory Hahn, City of Pismo Beach	<ul style="list-style-type: none"> How will various hauling locations be determined and whats going to be considered 	<ul style="list-style-type: none"> Section 2 Project Description
Jeanne Hastings	<ul style="list-style-type: none"> Phillips plans to sell the property, and could there be residential development? Or public trail or camping? 	<ul style="list-style-type: none"> Section 2 Project Description Section 4.11 Land Use

Written Comments Received on the NOP

Table 2 summarizes the written comments that were received on the NOP. A total of 15 written letters and emails were received on the NOP. Attachment C contains copies of all the written comments received on the NOP for the Project.

Commenter	Summary of Comments	Location Comment Addressed in the EIR
CalFIRE Email dated June 2, 2023 from Kevin Mclean	<ul style="list-style-type: none"> All construction/ demolition plans and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of Building Permit issuance 	<ul style="list-style-type: none"> Section 4.9, WildFire Impacts
	<ul style="list-style-type: none"> A registered Fire Protection Engineer is required to provide a written technical analysis of the fire protection requirements for the demolition of the structures 	<ul style="list-style-type: none"> Section 4.9, WildFire Impacts
	<ul style="list-style-type: none"> Project has existing water service that will need to be maintained and tested to NFPA 25 California addition 	<ul style="list-style-type: none"> Section 4.9, WildFire Impacts
	<ul style="list-style-type: none"> Access roads shall be maintained to support apparatus weighing 75,000 lbs. Access to structures during decommissioning will remain open 	<ul style="list-style-type: none"> Section 4.9, WildFire Impacts
	<ul style="list-style-type: none"> Provide fire department access roads to within 150 feet of any exterior portion of the buildings as measured by an approved route around the exterior of the building or facility 	<ul style="list-style-type: none"> Section 4.9, WildFire Impacts

Table 2 Written Comments Received on the NOP

Commenter	Summary of Comments	Location Comment Addressed in the EIR
	<ul style="list-style-type: none"> • Gates for driveways and/or roadways shall comply with the C.F.C Sec. 503 	<ul style="list-style-type: none"> • Section 4.9, WildFire Impacts
	<ul style="list-style-type: none"> • Fire hydrants shaft be tested and maintained per NFPA 25 2016 edition during demolition 	<ul style="list-style-type: none"> • Section 4.9, WildFire Impacts
	<ul style="list-style-type: none"> • Commercial - Fire Department Connections (FDC) for automatic sprinkler systems shall be located fully visible and recognizable from the street or fire apparatus access roads 	<ul style="list-style-type: none"> • Section 4.9, WildFire Impacts
	<ul style="list-style-type: none"> • Fire equipment to remain in service until last possible minute. Ex. Fire Sprinklers/standpipes/hydrants etc. CFC 905 & Ch 33 buildings being demolished will require fire protection systems to remain in operations with NFPA 25- California for testing and maintenance. 	<ul style="list-style-type: none"> • Section 4.9, WildFire Impacts
	<ul style="list-style-type: none"> • All buildings shall comply with California Fire Code, Chapter 10 Means of Egress requirements. Including but not limited to; exit signs, exit doors, exit hardware and exit illumination. Additional egress requirements for demolition will be referenced in C.F.C Chapter 33. 	<ul style="list-style-type: none"> • Section 4.9, WildFire Impacts
	<ul style="list-style-type: none"> • Provide 100 feet of defensible space around all structures. This project will develop and maintain a wildland fuel management program to provide fire safe zones around the facility and access roads. C.F.C. Ch. 49 Wildland-Urban Interface Areas 	<ul style="list-style-type: none"> • Section 4.9, WildFire Impacts
	<ul style="list-style-type: none"> • All demolition will meet C.F.C. Chapter 33 and NFPA 241 references 	<ul style="list-style-type: none"> • Section 4.9, WildFire Impacts
	<ul style="list-style-type: none"> • Project shall have a Hazardous Material Plan that addresses C.F.C. Chapter 50. C.F.C. 5001 and Facility Closer. 5001.5.2 Inventory Statement 	<ul style="list-style-type: none"> • Section 4.9, WildFire Impacts
	<ul style="list-style-type: none"> • Cutting and welding shall comply with C.F.C 3304.6 and NFPA 51B 	<ul style="list-style-type: none"> • Section 4.9, WildFire Impacts
	<ul style="list-style-type: none"> • Fire Watch shall conform to C.F.C 3304.5 	<ul style="list-style-type: none"> • Section 4.9, WildFire Impacts
	<ul style="list-style-type: none"> • Approved vehicle access for firefighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet (30 480 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available. 	<ul style="list-style-type: none"> • Section 4.9, WildFire Impacts
	<ul style="list-style-type: none"> • Include with plans upon submittal the signed agreed upon "operational plan" stated in Project Description 	<ul style="list-style-type: none"> • Section 4.9, WildFire Impacts
	<ul style="list-style-type: none"> • Fire extinguishers are required in accordance with C.F.C 3315 and 906 	<ul style="list-style-type: none"> • Section 4.9, WildFire Impacts
<p>California Coastal Commission, letter dated June 1, 2023 and March 23, 2023 from Devon Jackson and Ryan Moroney</p>	<ul style="list-style-type: none"> • Ensure that all applicable jurisdictional and permitting pathways for Coastal Act and/or LCP consistency are identified, including in terms of which agency has lead coastal development permit (CDP) jurisdiction (i.e., the Commission or San Luis Obispo County), and what might provide the most appropriate application review path or paths (e.g., federal consistency review, CDP review, both), including as it relates to potential appellate oversight. In any event, it is imperative and required that that any CEQA document clearly disclose, consider and analyze such jurisdictional issues and alternatives, as well as our comments (see, for example, Banning Ranch Conservancy v. City of Newport Beach (2017) 2 Cal.5th 918). 	<ul style="list-style-type: none"> • Section 4.11 Land Use

Table 2 Written Comments Received on the NOP

Commenter	Summary of Comments	Location Comment Addressed in the EIR
	<ul style="list-style-type: none"> The project materials refer to leaving "essential infrastructure required to be kept in place by regulatory authorities or for use by subsequent site occupants", and specifically identifies outfall lines. Please specify all such infrastructure proposed to be left in place, and please identify the regulatory program that might require such infrastructure to be kept in place and/or the subsequent use that might be proposed to potentially use such infrastructure in the future. Further, please ensure that any analysis of the project, including any alternatives that are evaluated, includes evaluation of the removal of all such infrastructure, including to account for the fact that there may in fact not be subsequent site occupants. 	<ul style="list-style-type: none"> Section 2 Project Description, Section 4.11 Land Use Section 5 Alternatives
	<ul style="list-style-type: none"> The proposed project description identifies soil remediation that "meets applicable risk based standards," and the referral documents identify the fact that the site is currently zoned "industrial", and thus such standards would be developed based on accommodating industrial uses. Please ensure that any analysis of the site includes a thorough description of the level of remediation that might be applicable for industrial uses, but also for a reasonable range of alternative uses that may follow, including to account for the fact that the property may be abandoned or used for non-industrial purposes in the future, and that land use and zoning designations can change, particularly at environmentally contaminated legacy sites such as this. We would suggest that a variety of remediation levels be evaluated, including to provide decisionmakers with adequate information to understand the ramifications of choosing any particular remediation level in terms of what the site may be able to subsequently accommodate. 	<ul style="list-style-type: none"> Section 2 Project Description, Section 4.11 Land Use Section 5 Alternatives
	<ul style="list-style-type: none"> The proposed project must demonstrate effective oil and hazardous material spill prevention and response measures. As such, please ensure that the project includes an Oil/Hazardous Material Spill Contingency Plan (including provisions for spill prevention, control, and countermeasures/responses) that demonstrates that effective prevention, protection, containment, and clean-up equipment and procedures will be in place to protect coastal resources in the event of such spills. The Plan must, at a minimum include/identify: (1) the sources of potential spills; (2) spill prevention measures to minimize the risk of such spills; (3) a worst-case spill assessment, and identification of the coastal resources at risk from spill impacts at representative levels up to and including the worst-case spill; (4) a response capability analysis of the equipment, personnel, and strategies (both onsite and under contract) capable of responding to spills, again at representative levels up to and including the worst case spill; and (5) spill notification procedures to be implemented in the event of a spill. The Plan must adequately cover all activities related to facility demolition and remediation (both above ground and below ground), as well as the handling, transfer, and transportation of materials (e.g., via truck and/or train, etc.) to offsite locations. 	<ul style="list-style-type: none"> Section 4.9 Hazards
	<ul style="list-style-type: none"> Please ensure that the site is thoroughly characterized for sensitive habitat types, including thoroughly evaluating special status species 	<ul style="list-style-type: none"> Section 4.4 Biological Resources

Table 2 **Written Comments Received on the NOP**

Commenter	Summary of Comments	Location Comment Addressed in the EIR
	<p>and habitats as has been directed in this case by the California Department of Fish and Wildlife, and including taking into account the Coastal Act/LCP one-parameter wetland delineation methodology and definition of environmentally sensitive habitat areas (ESHA). For areas determined to be wetlands and/or ESHA, appropriate Coastal Act/LCP-consistent development/use buffers and provisions/parameters for treatment of those wetlands/ESHA and buffers must be identified. If you have any questions about these methodologies and/or requirements, please contact us before undertaking any such evaluations and/or identifying corresponding protective provisions. For now, please note that our past involvement with CDP applications at this site has shown that the vast majority of the site qualifies (or at least qualified at that time) as dune ESHA, including at the very least, everything outside of the developed portion of the site. And both the Coastal Act and the LCP limit development/use in such areas to resource-dependent development/use, and only if that development/use does not significantly disrupt the ESHA resource (e.g., dune restoration). Other more intensive developments/uses (e.g., industrial, commercial, residential, etc.) are not allowed in these areas. Please ensure that site evaluation and Applicant (and other) expectations are grounded in this Coastal Act/LCP reality.</p>	
	<ul style="list-style-type: none"> Both the Coastal Act and LCP require that public access and recreational opportunities be maximized. Critically, that does not mean that such opportunities are just provided, or just protected, but that they be maximized. Accordingly, please ensure that any future analysis of the proposed project, including in terms of evaluation of project alternatives, permutations, mitigation measures, and requirements, responds to such Coastal Act/LCP requirement. 	<ul style="list-style-type: none"> Section 2 Project Description, Section 4.11 Land Use Section 5 Alternatives
	<ul style="list-style-type: none"> All prior CDP terms and conditions applicable to the subject property must be identified and addressed, including to ensure that any project undertaken is consistent with same. For example, the referral documents include a prior CDP authorization (provided to the Applicant's predecessor in interest) that requires (via abandonment condition ABN 2) that: "Site restoration required. Within 270 days of cessation of petroleum processing ... applicant shall have dismantled and removed all approved facilities and equipment ... Abandonment shall include restoring facility sites approved herein to pre-project conditions, including recontouring and revegetating with local native plant materials, excavating contaminated soil and mitigating abandonment impacts." Such a requirement must be adhered to by the project, as well as similar requirements as may emanate from this CDP or other CDPs that are identified as applicable to the site. Relatedly, if there are any outstanding Coastal Act/LCP/CDP violations associated with the property, or if new violations are discovered during the pendency of the project application process, please ensure that the project resolves such violations consistent with the Coastal Act and the LCP; including 	<ul style="list-style-type: none"> Section 4.11 Land Use

Table 2 **Written Comments Received on the NOP**

Commenter	Summary of Comments	Location Comment Addressed in the EIR
	<p>where the LCP does not allow CDP approval unless violations are appropriately resolved.</p>	
<p>California Department of Fish and Wildlife Letter dated June 26, 2023 From Julie Vance</p>	<ul style="list-style-type: none"> • CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code 	<ul style="list-style-type: none"> • Section 2 Project Description
	<ul style="list-style-type: none"> • CDFW is concerned regarding potential impacts to special-status species, including but not limited to, the State and federally endangered marsh sandwort (<i>Arenaria paludicola</i>) and Nipomo Mesa lupine (<i>Lupinus nipomensis</i>), the State and federally endangered and fully protected California least tern (<i>Sternula antillarum brownii</i>), the State threatened and fully protected California black rail (<i>Laterallus jamaicensis coturniculus</i>), the State threatened and federally endangered La Graciosa thistle (<i>Cirsium scariosum</i> var. <i>loncholepis</i>), the State species of special concern and federally threatened California red-legged frog (<i>Rana draytonii</i>), the State candidate-listed as endangered western bumble bee (<i>Bombus occidentalis</i>), and the federally proposed candidate for listing monarch butterfly (<i>Danaus plexippus plexippus</i>). 	<ul style="list-style-type: none"> • Section 4.4 biological Resources
	<ul style="list-style-type: none"> • The African veldt grass (<i>Ehrharta calycina</i> Smith) is the primary invasive species of concern as it is rapidly invading the Guadalupe Nipomo Dunes Complex, taking vital habitat away from the already limited specialized habitat for this lupine (Whitaker 2016). This Project could further propagate this already problematic invasive plant through soil disturbance, as this invasive grass can propagate not only through seed but through their roots. Unless certain precautions are taken, this grass could take over lupine habitat (Alba and Chapman 2019). 	<ul style="list-style-type: none"> • Section 4.4 biological Resources
	<ul style="list-style-type: none"> • CDFW recommends having a qualified biologist conduct additional botanical surveys. CDFW strongly recommends conducting two consecutive years of botanical surveys to determine the presence of special status plants at the Project site. Although botanical surveys were conducted in March 2022 and in June 2022, CDFW recommends conducting a late bloom survey (May to December) for late blooming Nipomo Mesa lupine to maximize detection. Consultation with CDFW would be warranted for guidance on take avoidance, minimization, and mitigation measures. CDFW recommends referring to the United States Fish and Wildlife Service’s Nipomo Mesa Recovery Plan (USFWS 2021). 	<ul style="list-style-type: none"> • Section 4.4 biological Resources
	<ul style="list-style-type: none"> • California black rail (CBR) has the potential to be found at the Project site. Aerial photos show that there is suitable habitat around the Project site and records from the California Natural Diversity Database (CNDDDB) document occurrences (CDFW 2023a). Most recorded populations have been found from San Pablo Bay to southern California and Arizona. CBR lives predominately near water in marsh areas where plants such as pickleweed, gumplant, alkali bulrush, and cattails are found (Evens et al. 1991; Conway and Sulzman 2007). They typically place their nests a couple of inches above shallow water, on moist soil, and or among dense vegetation 	<ul style="list-style-type: none"> • Section 4.4 biological Resources

Table 2 **Written Comments Received on the NOP**

Commenter	Summary of Comments	Location Comment Addressed in the EIR
	<p>(Spautz et al. 2005). CDFW recommends that a habitat assessment for CBR be conducted by a qualified biologist, knowledgeable with CBR, and that any potentially suitable habitat areas be surveyed by a qualified biologist for the potential presence of this species as part of the biological technical studies conducted in support of the CEQA document. If the species is found, CDFW should be consulted to identify and implement appropriate avoidance and minimization measures to avoid any impacts to this species. CBR is fully protected, therefore, no “take”, incidental or otherwise, can be authorized by CDFW.</p>	
	<ul style="list-style-type: none"> California least tern (CLTE) has the potential to be found adjacent to the Project site. This species’ breeding habitat includes the Pacific Coast ranging from San Francisco to Baja California, Mexico, and CNDDDB occurrences indicate that that the CLTE has the potential to be found near the Project site (CDFW 2023a). These migrating birds arrive to their breeding grounds around late April and begin nesting mid-May and migrate south of the U.S./Mexico border for winter in late July or early August (Massey 1971). CLTE nest in colonies on open beaches where their nests are simply made, with either a scrape in the sand or with shell fragments (USFWS 2006). CDFW recommends that a habitat assessment be conducted by a qualified biologist knowledgeable with CLTE during the biological technical studies conducted in support of the CEQA document. If the species is found, CDFW should be consulted to identify and implement appropriate avoidance and minimization measures to avoid any impacts to this species. CLTE is fully protected, therefore, no “take”, incidental or otherwise, can be authorized by CDFW. 	<ul style="list-style-type: none"> Section 4.4 biological Resources
	<ul style="list-style-type: none"> Occurrences from the CNDDDB document California red-legged frog (CRLF) approximately 1 mile west of the Project site (CDFW 2023a). In addition, there is suitable habitat adjacent to the Project site; CRLF could potentially be found at the Project site’s run-off basin or pond. CRLF requires a variety of habitats including aquatic breeding habitats and upland dispersal habitats. Breeding sites of the CRLF are in aquatic habitats including pools and backwaters within streams and creeks, ponds, marshes, springs, sag ponds, dune ponds, lagoons and the species will also breed in ephemeral waters (Thomson et al. 2016). Additionally, CRLF frequently breed in artificial impoundments such as stock ponds (USFWS 2005). Breeding sites are generally found in deep, still, or slow-moving water (greater than 2.5 feet) and can have a wide range of edge and emergent cover amounts. CRLF can breed at sites with dense shrubby riparian or emergent vegetation, such as cattails or overhanging willows or can proliferate in ponds devoid of emergent vegetation and any apparent vegetative cover (i.e., stock ponds). CRLF habitat includes nearly any area within 1 to 2 miles of a breeding site that stays moist and cool through the summer; this includes non-breeding aquatic habitat in pools of slow-moving streams, perennial or ephemeral ponds, and upland sheltering habitat such as rocks, small mammal burrows, logs, densely 	<ul style="list-style-type: none"> Section 4.4 biological Resources

Table 2 **Written Comments Received on the NOP**

Commenter	Summary of Comments	Location Comment Addressed in the EIR
	<p>vegetated areas, and even, man-made structures (i.e., culverts, livestock troughs, spring-boxes, abandoned sheds) (USFWS 2017).</p> <ul style="list-style-type: none"> • CDFW recommends that a qualified biologist conduct a habitat assessment as part of the biological technical studies conducted in support of the CEQA document, to determine if the Project site or the immediate vicinity contain suitable habitat for CRLF. If suitable habitat is present, CDFW recommends that a qualified biologist conduct protocol surveys for CRLF as part of the biological technical studies conducted in support of the CEQA document. Depending on the results of the protocol surveys and the time period between them and the beginning of construction, CDFW recommends conducting pre-construction surveys within 48 hours prior to commencing work (two-nights of surveys immediately prior to Project implementation or as otherwise required by USFWS) in accordance with the USFWS Revised Guidance on Site Assessment and Field Surveys for the California Red-legged Frog (USFWS 2005). If any CRLF are found during pre-Project surveys or at any time during Project activities, CDFW recommends that Project activities cease and that CDFW be contacted to discuss avoidance measures. CDFW advises that initial ground-disturbing activities be timed to avoid the period when CRLF are most likely to be moving through upland areas (November 1 and March 31). 	
	<ul style="list-style-type: none"> • Western bumble bee (WBB) has the potential to be found on or within the vicinity of the Project site. WBB was once commonly found in western United States, Canada, North Dakota, and throughout Alaska, however, it now appears to be absent from most of these areas as there has been a 93% decline in occupancy in the last two decades. • WBB primarily nest in late February through late October underground in abandoned small mammal burrows but may be found under brush piles, in old bird nests, and in dead trees or hollow logs (Williams et al. 2014, Hatfield et al. 2015). Overwintering sites utilized by WBB mated queens include soft, disturbed soil (Goulson 2010), or under leaf litter or other debris (Williams et al. 2014). Therefore, potential ground disturbance and vegetation removal associated with project implementation may significantly impact local WBB populations. • CDFW recommends that a qualified biologist conduct focused surveys for WBB and their requisite habitat features using the CDFW survey protocol during their colony active period (highest detection probability) from April to September (CDFW 2023b) as part of the biological technical studies conducted in support of the CEQA document. CDFW recommends that the CEQA document then evaluate impacts resulting from potential ground- and vegetation-disturbing activities that may result from this Project. • If WBB need to be captured or handled as part of the survey effort, please note that a 2081(a) Memorandum of Understanding (MOU) with CDFW will be needed (CDFW 2023b). If any WBB are killed in 	<ul style="list-style-type: none"> • Section 4.4 biological Resources

Table 2 **Written Comments Received on the NOP**

Commenter	Summary of Comments	Location Comment Addressed in the EIR
	<p>the process of being captured or handled stop all work and contact CDFW for further guidance.</p> <ul style="list-style-type: none"> • Project-related activities have the potential to impact monarch butterfly and its overwintering habitat. Monarch butterfly is a candidate species under the federal Endangered Species Act (FESA). Monarchs can be found overwintering along the California coast in groves of trees primarily dominated by non-native eucalyptus (<i>Eucalyptus</i> spp.), with additional native species including Monterey pine (<i>Pinus radiata</i>) and Monterey cypress (<i>Hesperocyparis macrocarpa</i>) (Griffiths and Villablanca 2015, Pelton et al. 2016). Overwintering groves have specific microclimatic conditions that support monarch populations (Fisher et al. 2018). Overwintering monarchs have been documented 300 ft and 1 mile from the Project site (CDFW 2023a). • During the last three decades, the western migratory monarch population that overwinters along the California coast has declined by more than 99% (Marcum and Darst 2021). Habitat loss and fragmentation, including grove senescence, are among the primary threats to the population (Thogmartin et al. 2017). Monarch overwintering sites have specific microclimate conditions that are influenced by the configuration of trees and other foliage near the site (Griffiths and Villablanca 2015). Alteration of the site and surrounding areas could impact microclimate conditions, thereby reducing the suitability of the site for monarchs (Weiss et al. 1991). CDFW recommends that the CEQA document for this Project address potential impacts to monarch butterflies. • CDFW recommends a qualified biologist be retained to conduct a habitat assessment as part of the biological technical studies conducted in support of the CEQA document. The qualified biologist may need to determine if the Project site or its immediate vicinity contains habitat suitable to support monarchs or if monarchs have been known to historically use the Project site. CDFW recommends the qualified biologist assess habitat following the Xerces Management Guidelines for Monarch Butterfly Overwintering Habitat (Xerces Society 2017) or other protocols. If suitable habitat for monarch butterflies is present, CDFW advises determining the primary roosting trees and other structural components and identifying the flora integral to maintaining microclimate conditions. These areas should then be marked and avoided during Project activities. If monarch butterflies are detected within the Project site, CDFW advises that the monarch overwintering habitat be avoided by delineating and observing a no-disturbance buffer of at least ½ mile from the outer edge of the habitat (Marcum and Darst 2021). • CDFW encourages that Project ground-disturbing activities occur during the bird non-nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the nesting season (February 1st through September 15th), the Project applicant is responsible for ensuring that implementation of the Project does not 	<ul style="list-style-type: none"> • Section 4.4 biological Resources • Section 4.4 biological Resources

Table 2 **Written Comments Received on the NOP**

Commenter	Summary of Comments	Location Comment Addressed in the EIR
	<p>result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above.</p> <ul style="list-style-type: none"> To evaluate Project-related impacts on nesting birds, CDFW recommends that a general habitat assessment for nesting birds be conducted as part of the biological technical studies conducted in support of the CEQA document. Depending on the results of that assessment, CDFW further recommends that the CEQA document for this Project include that a qualified biologist conduct a pre-construction survey for active nests no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the Project site to identify nests and determine their status. A sufficient area means any area potentially affected, either directly or indirectly, by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. CDFW recommends that a qualified biologist establish a behavioral baseline of all identified nests. Once Project activities begin, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures. If continuous monitoring of identified nests by a qualified biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is a compelling biological or ecological reason to do so, such as when the Project area would be concealed from a nest site by topography. CDFW recommends that a qualified biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance. 	
	<ul style="list-style-type: none"> There is potential for multiple special status plant species to occur on the Project site. CDFW recommends that the Project site be surveyed for special-status plants by a qualified botanist following the “Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities” (CDFG 2018) during biological technical studies completed in support of the CEQA document and these plant surveys are recommended to be repeated for two survey seasons to maximize detectability. CDFW further recommends that, depending on the time between these initial survey efforts and project construction, the special status plant surveys be repeated the survey season prior to construction as a minimization measure to be included in the CEQA document due to 	<ul style="list-style-type: none"> Section 4.4 biological Resources

Table 2 Written Comments Received on the NOP

Commenter	Summary of Comments	Location Comment Addressed in the EIR
	<p>the difficulty in detecting special status plants species and the variability of climatic conditions conducive to special status plant growth.</p> <ul style="list-style-type: none"> This protocol, which is intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. Further, CDFW recommends special status plant species be avoided whenever possible by delineating and observing a no disturbance buffer of at least 50 feet from the outer edge of the plant population(s) or specific habitat type(s) required by special status plant species. If buffers cannot be maintained, then consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plant species. If a State or federally listed plant species is identified during botanical surveys, it is recommended that consultation with CDFW and/or the USFWS be conducted to determine permitting needs. 	
	<ul style="list-style-type: none"> CDFW recommends consulting with the USFWS on potential impacts to federally listed species including, but not limited to, marsh sandwort, Nipomo Mesa lupine, California least tern, La Graciosa thistle, California red-legged frog, and monarch butterfly. Take under the FESA is more broadly defined than CESA; take under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with FESA is advised well in advance of any ground-disturbing activities. 	<ul style="list-style-type: none"> Section 4.4 biological Resources
	<ul style="list-style-type: none"> The Project may be subject to CDFW's regulatory authority pursuant to Fish and Game Code section 1600 et seq. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake; or (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent, as well as those that are perennial in nature. For additional information on notification requirements, please contact our staff in the Lake and Streambed Alteration Program at (559) 243-4593 or R4LSA@wildlife.ca.gov. It is important to note, CDFW is required to comply with CEQA, as a Responsible Agency, when issuing a Lake or Streambed Alteration Agreement (LSA Agreement). If inadequate or no environmental review has occurred for Project activities that are subject to notification under Fish and Game Code 1602, CDFW will not be able to issue the Final LSA Agreement until the CEQA analysis for the Project is complete. This may lead to considerable Project delays. 	<ul style="list-style-type: none"> Section 4.4 biological Resources
	<ul style="list-style-type: none"> CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, 	<ul style="list-style-type: none"> Section 4.4 biological Resources

Table 2 Written Comments Received on the NOP

Commenter	Summary of Comments	Location Comment Addressed in the EIR
	<p>subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals.</p> <ul style="list-style-type: none"> • If it is determined that the Project has the potential to impact biological resources, an assessment of filing fees will be necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089). • CDFW appreciates the opportunity to comment on the Project to assist the County of San Luis Obispo Department of Planning and Building in scoping the necessary efforts related to biological resources and identifying and mitigating the Project’s impacts on resources that may be present. 	<ul style="list-style-type: none"> • Section 4.4 biological Resources
<p>City of Pismo Beach Email May 23, 2023 From Cory Hanh</p>	<ul style="list-style-type: none"> • The City of Pismo Beach asks that the EIR includes studies and consideration for the potential impacts to traffic, air quality, and coastal resources in determining the appropriateness and selection of the off-site haul routes and disposal/transfer locations. It appears that use of the routes and locations south of the project site (towards Guadalupe and Santa Maria) would result in less potential impacts to traffic, air quality, and coastal resources, as (a) such locations are in closer proximity to the project site than those north of the project site; (b) the routes to such locations are more conducive to an increase in hauling volume, since they consist of higher number of traffic lanes, wider traffic lanes, and less of a need to travel through residential neighborhoods; and (c) in the potential event of a traffic accident, the materials to be hauled would not spill in close proximity to the coast. 	<ul style="list-style-type: none"> • Section 4.15 Transportation • Section 4.3 Air Quality
<p>California State Lands Commission Letter dated May 18, 2023 From Nicole Dobroski</p>	<ul style="list-style-type: none"> • The Commission has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The Commission also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6009, subd. (c); 6009.1; 6301; 6306) All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the common law Public Trust Doctrine. • Although outside of the scope of the proposed Project, Commission Lease 1449, which expires on October 24, 2028, includes one 18-inch-diameter and one 14-inch-diameter wastewater outfall pipeline that extend into tidal waters (Pacific Ocean) offshore of Oceano Dunes State Vehicular Recreation Area. The 18-inch line is currently in use and services the upland Santa Maria refinery, while the 14-inch line has been out of service for many years. Commission 	<ul style="list-style-type: none"> • Section 2 Project Description, • Section 4.11 Land Use • Section 2 Project Description, • Section 4.11 Land Use

Table 2 Written Comments Received on the NOP

Commenter	Summary of Comments	Location Comment Addressed in the EIR
	<p>approval for the ultimate disposition of both pipelines will be required prior to commencing any removal or repurposing activities. Commission staff understand that as proposed, the Project would not affect any facilities on State lands. The wastewater outfall pipelines under Commission Lease 1449 are proposed to be left in place for potential reuse. However, if these pipelines are not used by subsequent site occupants, the Commission may require their removal in the future.</p> <ul style="list-style-type: none"> As noted in the NOP, the wastewater outfall pipelines (Commission Lease 1449) are proposed to be left in place for potential reuse. Should future reuse of the pipelines not occur, the Commission may require their removal. For this reason, Commission staff request that an alternative be presented in the EIR addressing the removal of the wastewater outfall pipelines. 	<ul style="list-style-type: none"> Section 2 Project Description, Section 4.11 Land Use Section 5 Alternatives
<p>California Department of Conservation Geologic Energy Management Division, letter dated June 5, 2023, from Trey Powell and Miguel Cabrera</p>	<ul style="list-style-type: none"> There are approximately eleven or more plugged and abandoned oil and gas prospect wells located throughout the Nipomo Area. These wells, most of which are labeled as “Dry Hole” in CalGEM records, have the potential to be impacted by development activities. The approximate locations and records for these wells can be viewed at: https://www.conservation.ca.gov/calgem/Pages/WellFinder.aspx The location of Well Beckett 1 - API 0407900501 is uncertain and may be in or near parcel 092-411-005 east of the decommissioning work. Our records indicate there are no known oil or gas wells located within the project boundary as identified in the application. No well work may be performed on any oil, gas, or geothermal well without written approval from the Division. 	<ul style="list-style-type: none"> Section 4.9 Hazards
<p>Native American Heritage Commission Letter dated May 2, 2023 from Cody Campagne</p>	<ul style="list-style-type: none"> The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. [In the NAHC letter, see Attachment C] is a brief summary of portions of AB 52 and SB 18 as well as the NAHC’s recommendations for conducting cultural resources assessments. 	<ul style="list-style-type: none"> Section 4.5 Cultural and Tribal Resources
<p>Salinian Tribe email dated May 24, 2023 from Patti Dunton</p>	<ul style="list-style-type: none"> We have concerns that cultural resources may be impacted by the proposed project and are requesting that all ground disturbing activities for the project be monitored by a cultural resource specialist from our tribe. 	<ul style="list-style-type: none"> Section 4.5 Cultural and Tribal Resources
<p>Santa Barbara County Air Pollution Control District letter dated May 26, 2023 from Emily Waddington</p>	<ul style="list-style-type: none"> District staff reviewed the Initial Study and NOP of a Draft EIR and concurs that air quality impacts should be addressed in the EIR. Based on the project description and information that has been provided, the proposed project may include equipment or operations subject to District permit requirements and prohibitory rules. Therefore, the District may be a responsible agency under the California Environmental Quality Act (CEQA) and will rely on the EIR when evaluating any District permits for proposed equipment. Air Quality Impacts. The proposed project will involve air quality impacts in Santa Barbara County associated with approximately 415 heavy-duty truck haul trips to recycling/demolition facilities in Santa 	<ul style="list-style-type: none"> Section 2 Project Description Section 4.3 Air Quality

Table 2 Written Comments Received on the NOP

Commenter	Summary of Comments	Location Comment Addressed in the EIR
	<p>Maria and pigging operations to clean out Line 300. Emissions from these operations should be fully quantified and disclosed in the EIR to avoid additional CEQA documentation requirements related to District permit issuance. The EIR should present significance thresholds for criteria pollutant and greenhouse gas emissions and determine whether the proposed project will produce emissions in excess of the thresholds. If an evaluation of health risk is required for District permitting, we recommend including the health risk assessment (HRA) results in the EIR to ensure that project-related equipment will not result in a significant impact. The potential for other project emissions (such as odors and dust) to adversely affect a substantial number of people should also be evaluated in the EIR.</p>	
	<ul style="list-style-type: none"> • If the proposed project exceeds the significance thresholds for air quality, mitigation should be applied to reduce those emissions as appropriate under CEQA. Section 6 of the District's Scope and Content document offers ideas for air quality mitigation. However, project-specific measures should be developed that are pertinent to the specific project. Mitigation measures should be enforceable through permit conditions, agreements, or other legally binding instruments. The EIR should include a Mitigation Monitoring and Reporting Plan that explicitly states the required mitigations and establishes a mechanism for enforcement. 	<ul style="list-style-type: none"> • Section 4.3 Air Quality
	<ul style="list-style-type: none"> • Existing Facilities: There are several pump stations and pipelines associated with Line 300 that are currently under permit with the District. Proposed activities may require District permit modifications. 	<ul style="list-style-type: none"> • Section 2 Project Description
	<ul style="list-style-type: none"> • All portable diesel-fired construction engines rated at 50 brake horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or District permits prior to grading/building permit issuance. Construction engines with PERP certificates are exempt from the requirement to obtain a District permit, provided they will be on-site for less than 12 months. 	<ul style="list-style-type: none"> • Section 4.3 Air Quality
	<ul style="list-style-type: none"> • New pig launchers and/or receivers will require a District permit. Proposals to increase pigging activity onsite that exceed permissible activities under the current District permit will require a permit modification. 	<ul style="list-style-type: none"> • Section 4.3 Air Quality
	<ul style="list-style-type: none"> • There is the potential for odor generation during pipeline purging operations. The applicant should consider using a degassing unit to control odors. Some companies already have District permits with the District for such equipment. The applicant could consider utilizing an already permitted unit through a company, or could contact the District to obtain a permit or permit exemption for the use of a degassing unit. 	<ul style="list-style-type: none"> • Section 4.3 Air Quality
<p>San Luis Obispo Air Pollution Control District email dated March 14, 2023</p>	<ul style="list-style-type: none"> • The APCD previously submitted a comment letter for this project on November 18, 2022 (copy attached), and on January 4, 2023, we submitted some clarifications to our comments via email (copy attached). [The March 14, 2023] comment letter updates and supersedes the APCD's previous comments. 	<ul style="list-style-type: none"> • Section 4.3 Air Quality

Table 2 Written Comments Received on the NOP

Commenter	Summary of Comments	Location Comment Addressed in the EIR
<p>from Vince Kirkhuff</p>	<ul style="list-style-type: none"> Modeling provided by the project proponent indicates that project emission estimates for ozone precursors (ROG + NOx), diesel particulate matter (DPM), and fugitive dust above baseline are unlikely to exceed APCD thresholds of significance; therefore, APCD is not recommending the preparation of a Remediation Activity Management Plan (RAMP) at this time. However, the emission estimates are based on a given set of circumstances and an assumed volume of impacted soil which was based on the available, but incomplete site information. If in the future, the scope or duration of the project should change substantially, implementation of a RAMP may be appropriate. The RAMP would present detailed information on all demolition, remedial, and restoration components of the project, track on-site and off-site equipment usage and emissions, and provide quarterly reports for the duration of the demolition and remediation, to inform the APCD, County Planning and the public. 	
	<ul style="list-style-type: none"> The baseline project emissions are based on facility emissions as well as on- and off-site truck and rail transport for the 5-year period from 2017 – 2021. Emissions modeling provided by the project proponent estimates that project emissions above baseline are unlikely to exceed APCD thresholds of significance, and for some pollutants, may be substantially reduced relative to baseline. However, if work at the project site is halted for a substantial amount of time, it would be appropriate to reset the project baseline to the then-current emission levels and reassess the project's emission impacts and applicable mitigation measures. Because of the possibility of unforeseen delays due to environmental, logistical, legal, or other challenges which could in part be caused by the uncertainty in the scope and duration of the remediation, APCD recommends that County Planning establishes a plan outlining the circumstances and timing for a baseline reset. APCD notes that extended delays in other remediation projects in SLO County have occurred which is a key reason for our project baseline comment. 	<ul style="list-style-type: none"> Section 4.3 Air Quality
	<ul style="list-style-type: none"> South County Particulate Matter Expanded Air Quality Mitigation Measures The updated Project Description and Air Quality Report both present a partial list of the APCD fugitive dust mitigation measures. Because of this project's location in one of the south county highimpact zones for particulate matter, APCD recommends the inclusion of the full list of South County Particulate Matter Expanded Air Quality Mitigation Measures as presented in our November 18 letter. This mitigation, as well as the following Odor Control Plan, may be included in the future APCD remediation permit which must be applied for, approved and issued prior to the start of remediation activities. 	<ul style="list-style-type: none"> Section 4.3 Air Quality
	<ul style="list-style-type: none"> An odor control plan must be reviewed and approved by the APCD prior to issuance of the remediation permit, and must include proactive measures to eliminate or reduce objectionable odors emanating from construction, decommissioning and remediation activities, as well as an action plan if odor issues or complaints arise. 	<ul style="list-style-type: none"> Section 4.3 Air Quality

Table 2 Written Comments Received on the NOP

Commenter	Summary of Comments	Location Comment Addressed in the EIR
<p>Santa Ynez Band of Chumash Indians letter dated May 12, 2023 from Sam Cohen</p>	<ul style="list-style-type: none"> Requesting AB52 consultation 	<ul style="list-style-type: none"> Section 4.5 Cultural and Tribal Resources
<p>United States Fish and Wildlife Service Letter dated June 16, 2023 From Sara Guiltinan</p>	<ul style="list-style-type: none"> As such, we are expressing our concerns regarding several important resources located within and adjacent to the Project location that may be directly or indirectly impacted by Project actions. Our review of the proposed Project location indicates the following listed species and critical habitat may be directly or indirectly affected: <p>Listed Species: California red-legged frog <i>Rana draytonii</i> Threatened Nipomo Mesa lupine <i>Lupinus nipomensis</i> Endangered Marsh sandwort <i>Arenaria paludicola</i> Endangered Western snowy plover <i>Charadrius nivosus nivosus</i> Threatened</p> <p>Critical Habitat: La Graciosa thistle <i>Cirsium scariosum</i> var. <i>loncholepis</i> Endangered</p>	<ul style="list-style-type: none"> Section 4.4 biological Resources
	<ul style="list-style-type: none"> The species of most concern to us at this site is Nipomo Mesa lupine. There is currently only one known population of Nipomo Mesa lupine that occupies a relatively small, narrow range (approximately 2.4 kilometers). The Project area contains at least 90 percent of the species, which is an annual in the Fabaceae (legume; pea and bean) family restricted to the stabilized coastal dune scrub habitat derived from the Nipomo Mesa landform, in southwestern San Luis Obispo County, California. Current threats to Nipomo Mesa lupine and its habitat include invasive species, development, seed predation, stochastic loss and extinction, and climate change (Service 2019). Therefore, any potential effects on the species and its habitat resulting from Project-related activities requires careful review of all plausible direct and indirect impacts. We recommend that the County begin coordinating with our office staff to incorporate Project elements designed to reduce potential impacts to Nipomo Mesa lupine and other federally listed plant and wildlife species. Specifically, we suggest you plan to conduct floristic surveys for federally listed (and other sensitive) plants during their appropriate blooming periods for at least three years prior to project implementation following Service (and other responsible agency) guidelines (Service 2000). This is important to establish a baseline of annual species' distributions because the spatial extent of occupied areas can expand and contract with varying environmental conditions. We also want to emphasize that annual plants like Nipomo Mesa lupine are present in the landscape year-round as dormant seeds within the seedbank, not just as vegetative and flowering plants clearing visible above-ground during the typical growing season. Project activities such as ground disturbance and 	<ul style="list-style-type: none"> Section 4.4 biological Resources

Table 2 Written Comments Received on the NOP

Commenter	Summary of Comments	Location Comment Addressed in the EIR
	<p>vegetation clearing can stimulate areas where the seedbank is suppressed, and the species was not recently observed. We are available to assist the County in development of habitat restoration plans, if necessary, to ensure that Nipomo Mesa lupine and its coastal dune scrub habitat are not affected by the Project. It is also important to include measures in the Project to prevent introductions, expansion, and proliferation of non-native, invasive weeds that may result from Project activities, which would further affect listed species and their habitats.</p> <ul style="list-style-type: none"> • We recently finalized a recovery plan for Nipomo Mesa lupine (Service 2021). This document includes both downlisting and delisting criteria for the species, as well as several identified actions needed for its recovery. We look forward to collaborating with you to achieve this species' recovery goals. • Nipomo Mesa lupine is also listed by the State of California as endangered (California Natural Diversity Database 2023). Therefore, we recommend that the County fully comply with all pertinent state laws for this species, and any other state-listed plant and wildlife species potentially affected by the Project. 	<ul style="list-style-type: none"> • Section 4.4 biological Resources
<p>Individual: Dale Beebe</p>	<ul style="list-style-type: none"> • I've read your refinery demolition meeting notice and I have a few issues I would like to see addressed: • Page 9, figure 3, Areas 5 and 6, "Site Features to Remain", showing a sulfur dump and a coke dump. I realize these are both elements on the periodic chart, but I don't know what the environmental implications are regarding dumps of these materials in our neighborhood. Will the EIR cover these concerns? 	<ul style="list-style-type: none"> • Section 2 Project Description
<p>Individual: Dale Beebe email dated May 18, 2023</p>	<ul style="list-style-type: none"> • I live in the Phillips 66 refinery neighborhood and I have read your recent flyer on the refinery demolition. I have 2 concerns that I would like to see addressed; • 1) On the 9th page, Fig. 3, "Site Features to Remain", there is "Area 6 - Coke Storage". Does this mean we are inheriting a pile of Coke? And what is Coke, exactly? Why is it being abandoned there and will the EIR address this? • 2) Same question for "Area 5 - Sulfur" on the same page. What is Sulfur's impact on the environment and why is it being left there? 	<ul style="list-style-type: none"> • Section 2 Project Description
<p>Individual: James Bianchi email dated May 9, 2023</p>	<p>There must be public access to the dunes and beachfront as a part of this project. There is a complete absence of public access between the foot of Grand Avenue in Grover Beach, and the Guadalupe Dunes park just west and south of Guadalupe, a distance of perhaps 20 miles. In failing to consider a public access corridor as part of this project, the County actually precluding that from every happening. Doing a half-way job in remediation of the Phillips property "...risk-based industrial standards," whatever that is, would require a subsequent remediation with attendant costs, delays, and other issues that would make it unlikely to happen. Now is the time.</p> <ul style="list-style-type: none"> • Just guessing, the funds to do a proper job that would permit a public access corridor, would be supplied by Phillips 66, and/or the US Government. The cost to the County would be minimal, if any cost at all. A later remediation for public access would have fewer and 	<ul style="list-style-type: none"> • Section 4.11 Land Use

Table 2 Written Comments Received on the NOP

Commenter	Summary of Comments	Location Comment Addressed in the EIR
	<p>smaller options for cost sharing, making it fiscally difficult and perhaps impossible. Phillips 66 got this land in pristine natural condition, it should be returned to that level.</p> <ul style="list-style-type: none"> • In the order in which these issues arise in this document: • p. 3 Who and/or what are considered to be “subsequent site occupants?” They must include some open public access corridor to the ocean; • p. 4 Why is the soil remediation limited to, “...applicable risk-based industrial standards?” What are those standards? Why are they not inclusive of public access? If standards are below those required for a public access corridor, who is making the choice to comply with lesser standards? • p.5 Statement that, “...future uses of the site are not considered in this Project.” Why not? Isn’t public access a persistent issue in California? We have a separate government body, the California Coastal Commission devoted to that enterprise. • Please make these comments part of the official record of this project 	<ul style="list-style-type: none"> • Section 4.11 Land Use • Section 5 Alternatives

Attachment A

Notice of Preparation (NOP)

(filed with the State Clearinghouse on May 1, 2023)



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
TREVOR KEITH, *DIRECTOR*

Notice of Preparation and Notice of Scoping Meeting

Phillips 66 Santa Maria Refinery Demolition and Remediation Project ED23-054 / C-DRC2022-00048

Date: May 4, 2023
To: Interested Agencies, Organizations, and Individuals
Lead Agency: San Luis Obispo County
Applicant: Phillips 66 Company

I. INTRODUCTION

This is a notice for solicitation of agency, organization, and public input and initiation of scoping for the preparation of an Environmental Impact Report (EIR) for the Phillips 66 Santa Maria Refinery Demolition and Remediation Project (SMR Demolition Project or the “Project”).

San Luis Obispo County (County) is the Lead Agency under the California Environmental Quality Act (CEQA) for the preparation and review of the SMR Demolition Project EIR. Pursuant to Section 15082 of the State CEQA Guidelines, the County is soliciting the views of responsible, trustee, and interested agencies, organizations, and individuals on the scope and content of the environmental analysis in the EIR. Agencies should comment on the elements of the scope and content of the EIR that are relevant to the agencies’ statutory responsibilities, as provided under State CEQA Guidelines Section 15082(b). A summary of the Project and environmental effects that may result from implementation are provided below. Additionally, information about the SMR Demolition Project may be accessed via the County’s website: <https://www.slocounty.ca.gov/Departments/Planning-Building/Grid-Items/Community-Engagement/Active-Planning-Projects/Phillips-66-Santa-Maria-Refinery-Demolition-and-Re.aspx>

Comment Period: Written comments or questions regarding the scope and content of the EIR can be sent anytime during the Notice of Preparation (NOP) public comment period. The comment period begins May 4, 2023, and ends June 5, 2023 (30 days) at 5:00 p.m.. Please include the name of the contact person for your agency or organization, if applicable. Please send all comments via U.S. mail or email to:

Susan Strachan
Decommissioning Project Manager
San Luis Obispo County
Department of Planning and Building
976 Osos St. #300, San Luis Obispo, CA 93408

Email: p66refinery@co.slo.ca.us
Subject Line: SMR Demolition Project NOP
Comments

Scoping Meetings: The County will hold two virtual scoping meetings using Zoom, and one in-person meeting (presented at a local venue), to give the agencies, organizations, and the public an opportunity to learn about the Project, to ask questions regarding the Project, and provide oral comments on the scope and content of the EIR. These meetings will be transcribed and posted on the County’s website (see link above) for later viewing. Each meeting will include the same presentation. Comments received at each meeting will become part of the public record for the Project.

The meeting times and login details are as follows:

Saturday May 13, 2023 at 10:00 a.m.	Wednesday May 17, 2023 at 10:00 a.m.
Zoom link: https://swca.zoom.us/j/98440487828 or by Phone: (669) 900-6833 then enter Webinar ID: 984 4048 7828	Zoom link: https://swca.zoom.us/j/93248269924 or by Phone: (669) 900-6833 then enter Webinar ID: 932 4826 9924
Wednesday May 17, 2023 at 7:00 p.m.	
In person Black Lake Golf Course Banquet Room 1490 Golf Course Lane, Nipomo	

II. DESCRIPTION OF THE PROJECT

Phillips 66 proposes to demolish the Santa Maria Refinery and remediate the site. The Project is located at 2555 Willow Road (State Route 1) in an unincorporated area of San Luis Obispo County, near Arroyo Grande and Nipomo, and approximately five miles west of U.S. Highway 101. The SMR site is located within the coastal zone.

The Project site consists of refinery facilities that occupy approximately 245 acres within portions of two adjoining parcels: Assessor’s Parcel Number (APN) 092-401-011, and APN 092-401-005. Phillips 66 also owns contiguous undeveloped properties that are not part of the Project (see Figure 1 below).

The SMR was built in 1955. The SMR includes petroleum storage and processing facilities, primarily for high-sulfur heavy crude oil. The crude oil was delivered primarily from offshore platforms along the California coast and oil fields in and near the Santa Maria Valley. The majority of crude oil was delivered to the SMR by pipeline. The remainder, which was approximately 2,000 barrels per day of petroleum-based products, was delivered by truck. Semi-refined liquid products from the SMR were transported by pipeline as feedstocks to the Rodeo Refinery in Contra Costa County, California, for upgrading into finished petroleum products. Other SMR products included petroleum coke (a byproduct of oil refining), which was shipped to off-site market destinations by rail and truck, and granular sulfur (recovered from the crude oil), which was shipped to off-site market destinations by truck.

Phillips 66 recently obtained approval to transform the Rodeo Refinery, located in the community of Rodeo, in Contra Costa County, into a repurposed facility that will process renewable feedstocks into renewable diesel fuel, renewable components for blending with other transportation fuels, and renewable fuel gas. Because the Rodeo Renewed Project will

discontinue the processing of crude oil at the Rodeo Refinery, the SMR is no longer necessary to provide feedstock to the Rodeo Refinery. Consequently, Phillips 66 has ceased operations of the SMR in January 2023.

The California Coastal Act (CCA) is the principal planning and regulatory program for the coastal zone of California. Section 23.01.031 of the County's Coastal Zone Land Use Ordinance (CZLUO) requires a Coastal Development Permit (CDP) for development projects in accordance with the CCA and the above-referenced section of the CZLUO. In addition, Section 23.02.034 of the CZLUO requires a CDP to enable public review of significant land use proposals and to ensure consistency with local ordinance and policy. The area of the site in the coastal zone is located within the California Coastal Commission (CCC) appeal jurisdiction, meaning that County decisions on the project may be appealed to the CCC.

Project Summary. The Project involves demolition of aboveground and belowground refinery facilities, equipment, and associated infrastructure except for certain infrastructure or utilities proposed to be kept in place for potential use by subsequent site occupants.

Refinery decommissioning (i.e., facility shut-down) is currently underway under existing permits; these activities are not a part of this CDP application. During facility shut-down, the SMR will cease operations, isolate process-related equipment and piping, remove bulk materials, and decontaminate process equipment and piping. Once these activities are completed, the SMR will remain in an idled condition until demolition and remediation can proceed under the CDP.

The project activities involve removal of aboveground facilities; removal of belowground facilities and remediation/restoration of the site. The main activities during aboveground demolition include:

- Demolition of buildings and refinery structures to ground level;
- Segregation and stockpiling of demolition materials; and
- Loading and hauling of demolition materials by truck and rail to offsite facilities and landfills for proper handling, management, or disposal.

Belowground demolition and remediation will begin in individual sub-areas as the aboveground demolition is completed in those sub-areas. The main activities during belowground demolition and remediation include:

- Site characterization to determine areas of contamination and soil remediation (soil clean up);
- Soil remediation (soil excavation, stockpiling, testing, and offsite hauling);
- Removal of belowground infrastructure not supporting retained facilities (e.g., roads, parking areas);
- Grading and restoration of impacted land; and
- Restoration monitoring.

Conventional demolition and remediation equipment will be used. Aboveground demolition is anticipated to take place over a period of six to eight months. Existing access, staging, and material stockpiling areas will be used.

Anticipated waste types that would be generated during the combined demolition and remediation activities include asbestos and other regulated building materials, mixed metals, treated wood, mixed debris, concrete, asphalt, and impacted soil. Mixed metals and other recyclable materials will be hauled to regional recycling facilities, and non-recyclable materials such as mixed debris (e.g., insulation, wood framing, ceiling tiles, carpet, vinyl tile, ceramic tile, stone tile, and drywall) will be hauled to regional landfills or other waste facilities, as appropriate (see Figure 2 below).

Belowground demolition, characterization of soil conditions, and excavation of impacted soil will begin in one area at a time after completion of aboveground demolition in that area. Belowground demolition will include excavation and removal of concrete sub-structures and other belowground infrastructure. Hardscapes (concrete, asphalt, compacted base/gravel, or asphalt emulsion coating) may remain for potential future development by others where ground disturbance is not required for belowground demolition or remediation.

The timing, sequence, and duration of belowground demolition and remediation will vary within each functional area depending on site conditions. A substantial amount of the remediation work will be completed in the first three years. Remediation will likely continue, but at a slower pace, over additional years (potentially up to 10 years), to finalize remediation depending on site conditions and work plans.

Impacted soil will be remediated to a level that meets applicable risk-based industrial standards in a cost-effective manner. Impacted soil will be excavated and stockpiled onsite at an existing rail spur, loaded into rail cars, and then hauled by rail to an approved landfill. For planning purposes, it is assumed that a small percentage of the waste soil, and potentially other wastes such as asbestos, will be hauled by truck to a regional waste management facility such as Waste Management, located at 56533 Highway 58 West in McKittrick. Asphalt and concrete that is removed during demolition will be crushed and reused onsite.

Demolition- and remediation-related equipment and material delivery vehicles and waste hauling trucks will use the existing designated haul route between the refinery entry/exit points and the Willow Road/U.S. Highway 101 interchange.

Grading and restoration of impacted land will occur directly after belowground demolition and remediation. Grading will target a balance of on-site cut and fill (final grade will be achieved with available soil). Existing drainage patterns, soil absorption, and surface runoff patterns will generally be retained. Restoration measures will include a combination of short-term and long-term erosion and sediment control measures, dust control measures, and revegetation.

Demolition and remediation activities will occur within the refinery fence line (Figure 1 below). No physical work is planned on the contiguous parcels owned by Phillips 66 or on other parcels. Outside the refinery fence line, a bundle of pipelines (8-inch gas fuel line, 8-inch oil line, and 4-inch diluent line) that extends approximately 1,200 feet southwesterly from the western fence line to the Phillips 66 property line will be abandoned in place. This area is a designated sensitive

habitat. The lines were previously nitrogen purged and capped in compliance with regulatory requirements. Therefore, these pipelines are already abandoned and safe, and no additional demolition efforts are needed.

No physical work is planned on the wastewater treatment system ocean outfall pipeline. This line originates at the wastewater plant and runs west through the Oceano dunes for two miles to the shoreline and then terminates at a seafloor diffuser located 0.5 mile offshore. Phillips 66's lease with the California State Lands Commission is valid through October 2028. Phillips is not proposing to remove the outfall line at this time. Disposition of the outfall will ultimately be determined by the California State Lands Commission.

Disposition of offsite pipelines is not a part of the Project. The existing Common Carrier pipelines will continue to be regulated by the U.S. Department of Transportation and the California Office of the State Fire Marshal.

Potential future uses of the SMR site are unknown and are speculative at this time; therefore, future uses of the site are not considered in this Project. Facilities that would remain in place per regulatory authorities (for groundwater monitoring wells, for example) or for potential future use include:

- Rail spurs;
- Truck scale;
- Main substation and Pacific Gas and Electric (PG&E) power poles and lines to the substation;
- Perimeter security fencing and solar-powered perimeter lighting;
- Guard shacks;
- Groundwater production wells #2, #4, #5 and #6 (used for potable water, fire water, and industrial water at the SMR);
- Groundwater monitoring wells;
- Slop oil line release remediation system (remediation is in progress under separate permit);
- Pig receivers/launcher at north boundary for maintenance of off-site pipelines;
- Maintenance roads for maintenance of remaining facilities;
- Hardscapes (concrete, asphalt, compacted base/gravel, or asphalt emulsion coating) beyond 100 feet of County-designated sensitive habitat where ground disturbance is not required for belowground demolition or remediation;
- Wastewater outfall line;
- Natural gas lines and crude and product lines (four lines total); these lines will remain in place from the pig receiver/launcher to the property line; and
- Belowground pipelines (former 8-inch gas fuel line, 8-inch oil line, and 4-inch diluent line) previously abandoned in place in an approximately 1,200-foot segment extending southwesterly from within the refinery fence line near the wastewater treatment plant to the Phillips 66 property line.

These facilities are shown in Figure 3 below. Phillips 66 would continue to manage the structures that would remain onsite. After demolition and remediation/restoration, activities would be limited to site restoration and general maintenance of the remaining facilities.

III. AREAS OF POTENTIAL IMPACT FOR THE PROJECT

The County has determined that an EIR will be required to satisfy environmental review for the Project. Therefore, as allowed under CEQA Guidelines Section 15060(d), the County has not prepared an Initial Study and will instead begin work directly on the EIR. The EIR will focus on the potentially significant effects of the Project, discuss any effects found not to be significant (CEQA Guidelines Section 15128) and will assess the direct, indirect, and cumulative impacts, as well as growth-inducing effects.

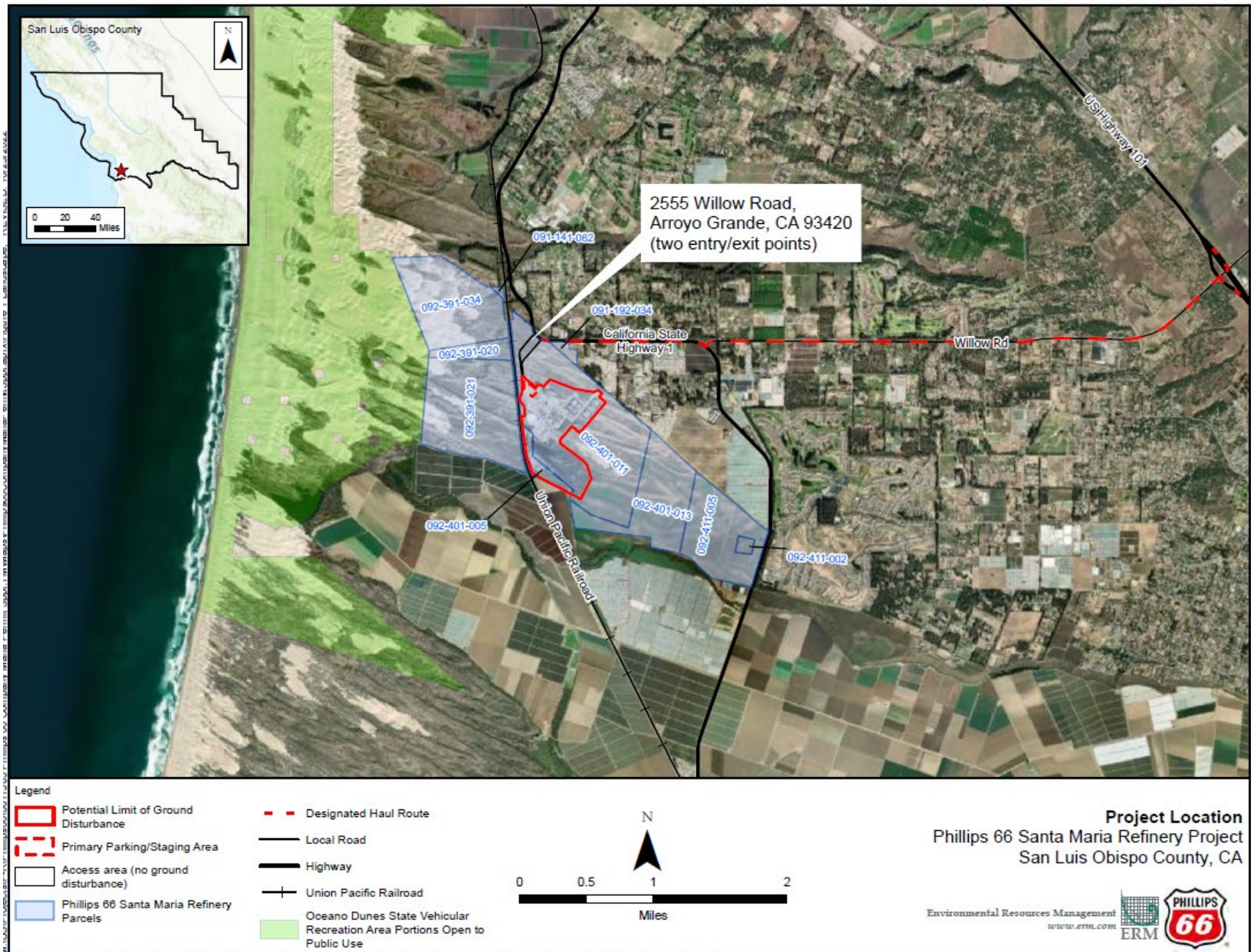
The EIR will include an evaluation of the following environmental issues:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural and Tribal Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services, Utilities, Service Systems
- Recreation and Coastal Access
- Transportation
- Wildfire

Other issues areas to be considered will include climate change and sea level rise, growth inducing impacts, and issue areas determined to have no impact, and findings of significance.

No determinations have been made as to the significance of these potential effects, or the final listing of alternatives to be evaluated. Such determinations will be made in the EIR after the issues are thoroughly analyzed. The County invites interested parties, and all affected, responsible, and trustee agencies, to suggest specific areas of analysis to be addressed within these general categories, or other issues not included above, to be considered in the EIR.

Figure 1 Santa Maria Refinery Demolition and Remediation Project Location



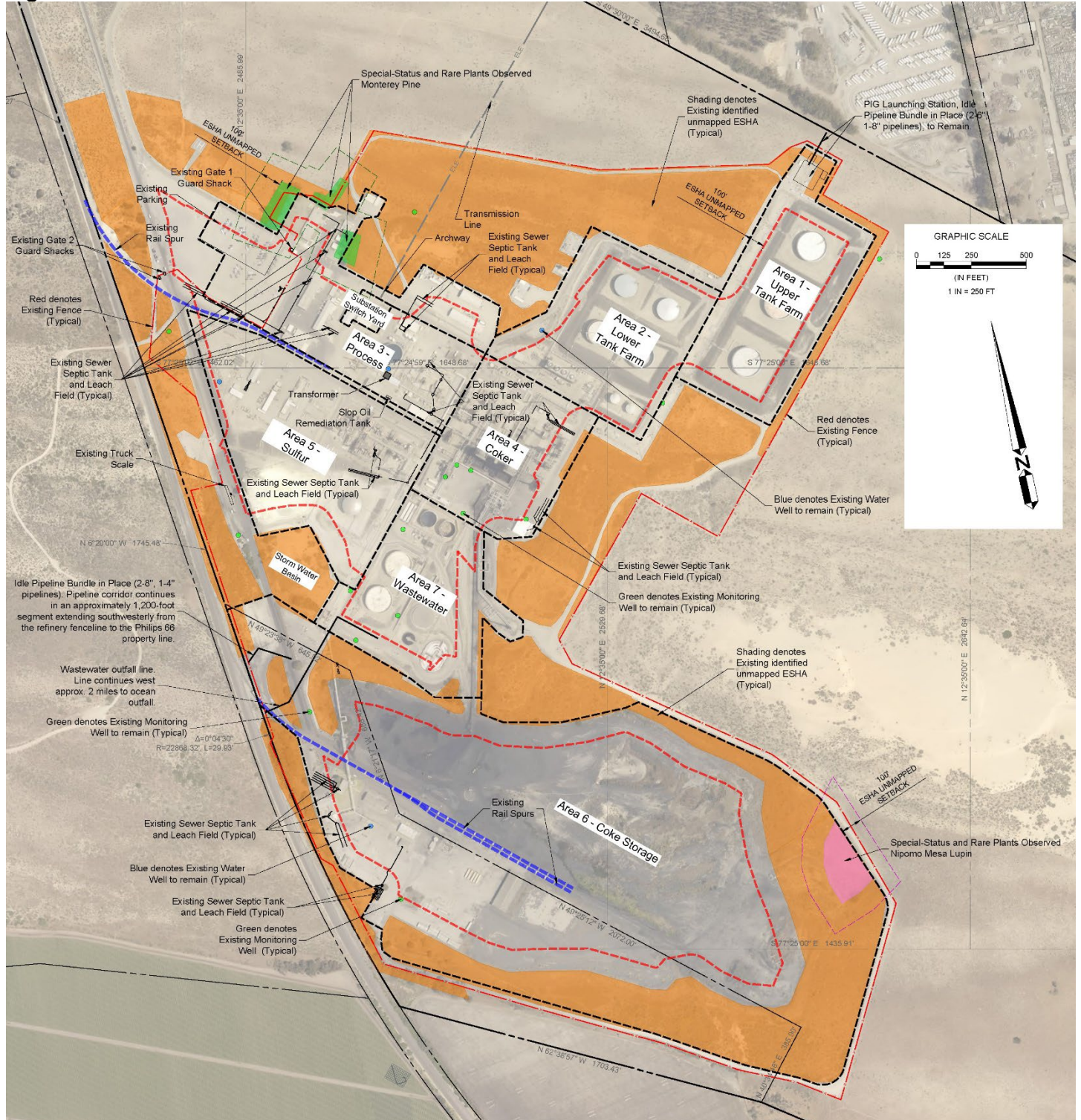
Source: Applicant, 2023.

Figure 2 Offsite Haul Route and Potential Disposal/Transfer Locations



Source: Applicant, 2023.

Figure 3 Site Features to Remain



Source: Applicant, 2023.



1010 Marsh St., San Luis Obispo, CA 93401
(805) 546-8208 • FAX (805) 546-8641

PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA,
County of San Luis Obispo,
I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party interested in the above entitled matter. I am the principal clerk of the printer of the *New Times*, a newspaper of general circulation, printed and published weekly in the City of San Luis Obispo, County of San Luis Obispo, and which has been adjudged a newspaper of general circulation by the Superior Court of the County of San Luis Obispo, State of California, under the date of February 5, 1993, Case number CV72789: that notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

May 4 & 11
in the year 2023.

I certify (or declare) under the the penalty of perjury that the foregoing is true and correct.

Dated at San Luis Obispo, California, this day
11 of May, 2023.
Patricia Horton

Patricia Horton, *New Times* Legals

Proof of Publication of

COUNTY OF SAN LUIS OBISPO • DEPARTMENT OF PLANNING & BUILDING • **TREVOR KEITH, DIRECTOR**

Notice of Preparation and Notice of Scoping Meeting

Phillips 66 Santa Maria Refinery Demolition and Remediation Project • C-DRC2022-00048 / ED23-054

To evaluate a request from Phillips 66 (Applicant), the County of San Luis Obispo as Lead Agency will prepare an Environmental Impact Report (EIR) for the Phillips 66 Santa Maria Refinery Demolition and Remediation Project (SMR Demolition Project or the "Project") and the associated County Development Plan/Coastal Development Permit (DP/CDP).

Agencies and interested members of the public have the opportunity to obtain information about the project, ask questions, and provide oral comments on the scope and content of the EIR during two virtual scoping meetings and one in person meeting:

Saturday May 13, 2023 at 10:00 a.m.
Zoom link: <https://swca.zoom.us/j/98440487828>
or by Phone: (669) 900-6833
then enter Webinar ID: 984 4048 7828

Wednesday May 17, 2023 at 10:00 a.m.
Zoom link: <https://swca.zoom.us/j/93248269924>
or by Phone: (669) 900-6833
then enter Webinar ID: 932 4826 9924

Wednesday May 17, 2023 at 7:00 p.m.
In person
Black Lake Golf Course Banquet Room
1490 Golf Course Lane, Nipome

NOTE: Each meeting will include the same presentation of project information.

Description of Proposed Project

Phillips 66 intends to demolish and remediate the site of the Santa Maria Refinery, which includes oil processing facilities spanning approximately 245 acres located at 2555 Willow Road (State Route 1) in an unincorporated area of San Luis Obispo County within the Coastal Zone, approximately five miles west of U.S. Highway 101. Phillips 66 has proposed to demolish existing refinery facilities, equipment, and associated infrastructure. Shutdown of the refinery (isolation of process-related equipment and piping, removal of bulk materials, and decontamination of process equipment and pipeline) is already underway through existing permits. In its application for a County DC/CDP, Phillips 66 has proposed to demolish and remove facilities and remediate/restore the site. Aboveground demolition includes:

- Demolition of buildings and refinery structures to ground level;
- Segregation and stockpiling of demolition materials; and
- Loading and hauling of demolition materials by truck and rail to offsite facilities and landfills for proper handling, management, or disposal.

Belowground demolition and remediation will begin in individual sub-areas as the aboveground demolition is completed in those sub-areas. The main activities during belowground demolition and remediation include:

- Site characterization to determine areas of contamination and soil remediation (soil clean up);
- Soil remediation (soil excavation, stockpiling, testing, and offsite hauling);
- Removal of belowground infrastructure not supporting retained facilities (e.g., roads parking areas);
- Grading and restoration of impacted land; and
- Restoration monitoring

Conventional demolition and remediation equipment will be used. Aboveground demolition is anticipated to take place over a period of six to eight months. Existing access, staging, and material stockpiling areas on site will be used.

Belowground remediation will be initiated following characterization of soil conditions and excavation of impacted soil in one area at a time, after completion of aboveground demolition in that area. Belowground remediation will include excavation and removal of concrete sub-structures and other belowground infrastructure. Hardscapes (concrete, asphalt, compacted base/gravel, or asphalt emulsion coating) may remain for potential future development by others where ground disturbance is not required for belowground demolition or remediation.

The timing, sequence, and duration of belowground remediation and remediation will vary within each functional area depending on site conditions. A substantial amount of the remediation work will be completed in the first three years. Remediation will likely continue, but at a slower pace, over additional years (potentially up to 10 years), to finalize remediation depending on site conditions and work plans.

Impacted soil will be remediated to a level that meets applicable risk-based industrial standards in a cost-effective manner. Impacted soil will be excavated and stockpiled onsite at an existing rail spur, loaded into rail cars, and then hauled by rail to an approved landfill. For planning purposes, it is assumed that a small percentage of the waste soil, and potentially other wastes such as asbestos, will be hauled by truck to a regional waste management facility such as Waste Management, located at 56533 Highway 58 West in McKittrick. Asphalt and concrete that is removed during demolition will be crushed and reused onsite.

Demolition and remediation activities will occur within the refinery fence line. No physical work is planned on the contiguous parcels owned by Phillips 66 or on other parcels. Outside the refinery fence line, a bundle of pipelines (8-inch gas fuel line, 8-inch oil line, and 4-inch diluent line) that extends approximately 1,200 feet southwesterly from the western fence line to the Phillips 66 property line will be abandoned in place. This area is a designated sensitive habitat. The lines were previously nitrogen purged and capped in compliance with regulatory requirements. Therefore, these pipelines are already abandoned and safe, and no additional demolition efforts are needed.

Disposition of offsite pipelines is not a part of the Project. The existing Common Carrier pipelines will continue to be regulated by the U.S. Department of Transportation and the California Office of the State Fire Marshal.

Potential future uses of the SMR site are unknown and are speculative at this time; therefore, future uses of the site are not considered as part of the Project. Facilities that would remain in place per regulatory authorities (for groundwater monitoring wells, for example) or for potential future use include:

- Rail spurs;
- Truck scale;
- Main substation and Pacific Gas and Electric (PG&E) power poles and lines to the substation;
- Perimeter security fencing and solar-powered perimeter lighting;
- Guard shacks;
- Groundwater production wells #2, #4, #5 and #6 (used for potable water, fire water, and industrial water at the SMR);
- Groundwater monitoring wells;
- Slop oil line release remediation system (remediation is in progress under separate permit);
- Pig receivers/launcher at north boundary for maintenance of off-site pipelines;
- Maintenance roads for maintenance of remaining facilities;
- Hardscapes (concrete, asphalt, compacted base/gravel, or asphalt emulsion coating) beyond 100 feet of County-designated sensitive habitat where ground disturbance is not required for belowground demolition or remediation;
- Wastewater outfall line;
- Natural gas lines and crude and product lines (four lines total); these lines will remain in place from the pig receiver/launcher to the property line; and
- Belowground pipelines (former 8-inch gas fuel line, 8-inch oil line, and 4-inch diluent line) previously abandoned in place in an approximately 1,200-foot segment extending southwesterly from within the refinery fence line near the wastewater treatment plant to the Phillips 66 property line.

Phillips 66 will continue to manage any structures that will remain onsite. After demolition and remediation/restoration, activities will be limited to site restoration and general maintenance of the remaining facilities.

Pursuant to Appendix G of the California Environmental Quality Act Guidelines, the EIR will consider Alternatives, Cumulative Effects, and Growth Inducement. No decisions have been made at this time, and all determinations about the Project will be included in the EIR after these issues are thoroughly analyzed. The County invites interested parties, and all affected, responsible, and trustee agencies, to suggest specific areas of analysis to be addressed within these general categories, or other issues not included above, to be considered in the EIR.

FURTHER INFORMATION:

The project's full Notice of Preparation and Phillip 66's application including a detailed Project Description, Map Exhibits, and studies can be accessed on the County's website: <https://www.slocounty.ca.gov/Departments/Planning-Building/Grid-Items/Community-Engagement/Active-Planning-Projects/Phillips-66-Santa-Maria-Refinery-Demolition-and-Re.aspx>

Written Scoping comments can be submitted anytime during the Notice of Preparation comment period. The comment period begins May 4, 2023, and ends June 5, 2023, at 5:00 p.m. Please include the name of the contact person for your agency or organization, if applicable. Comments may be submitted via email to: p66refinery@co.slo.ca.us, or via USPS mail to: County of San Luis Obispo Planning & Building, Room 300, Attention: Susan Strachan, 976 Osos Street, San Luis Obispo, CA 93408. Please contact Susan Strachan at (805) 788- 2129, or Cindy Chambers at (805) 781-5608, or via the email above, for additional information.

May 4 & 11, 2023



1010 Marsh St., San Luis Obispo, CA 93401
 (805) 546-8208 • FAX (805) 546-8641

PROOF OF PUBLICATION
 (2015.5 C.C.P.)

Proof of Publication of

STATE OF CALIFORNIA,
 County of San Luis Obispo,
 I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party interested in the above entitled matter. I am the principal clerk of the printer of the *New Times*, a newspaper of general circulation, printed and published weekly in the City of San Luis Obispo, County of San Luis Obispo, and which has been adjudged a newspaper of general circulation by the Superior Court of the County of San Luis Obispo, State of California, under the date of February 5, 1993, Case number CV72789: that notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

May 11

in the year 2023.

I certify (or declare) under the the penalty of perjury that the foregoing is true and correct.

Dated at San Luis Obispo, California, this day 11 of May, 2023.

Patricia Horton

Patricia Horton, *New Times* Legals



COUNTY OF SAN LUIS OBISPO
 DEPARTMENT OF
 PLANNING & BUILDING
NOTICE OF PUBLIC HEARING

WHO
 County of San Luis Obispo Planning Commission

WHEN
 Thursday, May 25, 2023 at 09:00 AM. All items are advertised for 09:00 AM. To verify agenda placement, please call the Department of Planning & Building at (805) 781-5600.

WHAT
 Hearing to consider a request by **John Gardner** for a Tentative Tract Map (C-SUB2022-00001/ Tract No. 3189) and a Development Plan/ Coastal Development Permit to construct a mixed-use commercial and residential development project on a vacant, approximately 6,000 sq. ft. site, and the subdivision of two, approximately 3,000 sq. ft. parcels into eight air-space condominium units. The three-level, 25-foot-tall mixed-use building will consist of: approximately 4,944 sq. ft. ground floor (Front Street) commercial floor level (containing up to four commercial units); 4,464 sq. ft. second floor (containing four residential units); 5,497 sq. ft. basement level containing parking garage, storage, waste facilities and circulation; and 3,685 sq. ft. private residential roof deck area with mechanical equipment storage and screening. The project includes a request to establish up to four residential vacation rentals within the residential condominium units. The project will be served by an existing 20-foot-wide private access driveway and will provide six dedicated on-site parking spaces for the residential units. The project includes a modification request to waive adjusted commercial parking spaces pursuant to Section 23.04.162(h), a voluntary contribution to the parking in-lieu fee fund, and an adjustment to the design criteria of Section 21.03.010.4 (g) to allow a private access easement to serve more than five (5) parcels. The project will establish an outdoor dining patio on Front Street and includes grading of the entire approximately 6,000 sq. ft. site for infrastructure improvements and appurtenances. The proposed project is within the Commercial Retail land use category and is located at 490 and 498 Front Street, within the community of Avila Beach (Front Street Commercial District). The site is in the San Luis Bay Coastal Planning Area of the Coastal Zone.

Also to be considered is the determination that the project is consistent with the Avila Beach Specific Plan EIR. A Final Environmental Impact Report was certified by the Board of Supervisors for the Avila Beach Specific Plan on April 11, 2000. Pursuant to California Environmental Quality Act Guidelines Section 15184, an EIR prepared for a Specific Plan can be used for a project that is determined to be consistent with that Plan. No significant impacts of the project have been identified and pursuant to CEQA Guidelines section 15182, no project specific mitigation measures are necessary. The mitigation measures identified in the certified Final EIR prepared for the Specific Plan are adequate.

County File Number: **C-SUB2022-00001**
 Supervisorial District: District 3
 Assessor Parcel Number(s): 076-216-014, -021
 Date Accepted: 05/26/2022

WHERE
 The hearing will be held in the San Luis Obispo County Board of Supervisors Chambers, 1055 Monterey Street, Room #D170, County Government Center, San Luis Obispo, CA. The Board of Supervisors Chambers are located on the corner of Santa Rosa and Monterey Streets. At the meeting all interested persons may express their views for or against, or to change the proposal.

ADDITIONAL INFORMATION
 A copy of the staff report will be made available on the Planning Department website at www.sloplanning.org. You may also contact **Nicole Ellis, Project Manager**, in the Department of Planning and Building at the address below or by telephone at 805 781-5157.

If you challenge this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this public notice or in written correspondence delivered to the appropriate authority at or before the public hearing.

COASTAL APPEALABLE
 If the County approves this project, that action may be eligible for appeal to the California Coastal Commission. An applicant or aggrieved party may appeal to the Coastal Commission only after all possible local appeals have been exhausted pursuant to Coastal Zone Land Use Ordinance Section 23.01.043(b). Local appeals must be filed using the required Planning Department form as provided by Coastal Zone Land Use Ordinance Section 23.01.042(a)(1).

Ysabel Eighth, Secretary Planning Commission
 May 11, 2023



1010 Marsh St., San Luis Obispo, CA 93401
 (805) 546-8208 • FAX (805) 546-8641

PROOF OF PUBLICATION
 (2015.5 C.C.P.)

STATE OF CALIFORNIA,
 County of San Luis Obispo,

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party interested in the above entitled matter. I am the principal clerk of the printer of the *New Times*, a newspaper of general circulation, printed and published weekly in the City of San Luis Obispo, County of San Luis Obispo, and which has been adjudged a newspaper of general circulation by the Superior Court of the County of San Luis Obispo, State of California, under the date of February 5, 1993, Case number CV72789; that notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

May 11
 in the year 2023.

I certify (or declare) under the the penalty of perjury that the foregoing is true and correct.

Dated at San Luis Obispo, California, this day 11 of May, 2023.

Patricia Horton
 Patricia Horton, *New Times* Legals

Proof of Publication of

COUNTY OF SAN LUIS OBISPO
 DEPARTMENT OF
 PLANNING & BUILDING
NOTICE OF PUBLIC HEARING

WHO
 County of San Luis Obispo Planning Commission

WHEN
Thursday, May 25, 2023 at 09:00 AM. All items are advertised for 09:00 AM. To verify agenda placement, please call the Department of Planning & Building at (805) 781-5600.

WHAT
 Hearing to consider a request by **Mid-State Properties** for a Vesting Tentative Tract Map (Tract 2383) to subdivide a 37-acre parcel into 11 new residential parcels, ranging in size from 2.5 acres to 6 acres. Each residential lot would range from 2.5 acres to 4.56 acres, and a building envelope ranging from 6,620 square feet (sf) to 15,850 sf in size would be located within each lot. The project would require 51,000 cubic yards of cut and 51,000 cubic yards of fill (102,000 total cubic yards of earthwork) and would result in 12.5 acres of site disturbance. The project requires a variance due to grading on slopes greater than 30% and an adjustment to Title 21 (Real Property Division Ordinance) to allow more than 5 parcels to take access off a private easement. The project site is located approximately 1.25 miles northeast of the City of Arroyo Grande on the north side of Lopez Drive. The project site is located in the Residential Suburban land use category, within the San Luis Bay (Inland) Sub Area (South) of the South County (Inland) Planning Area.

Also to be considered is the adoption of the Mitigated Negative Declaration prepared for this item. The Environmental Coordinator, after completion of the Initial Study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been prepared for this project. Mitigation measures are proposed to address Aesthetics, Agriculture and Forestry, Air Quality, Biological Resources, Geology & Soils, Hazards & Hazardous Materials, Land Use and Planning, Hydrology & Water Quality, Noise, Utilities & Service Systems, and Mandatory Findings of Significance, and are included as conditions of approval.

A copy of the Environmental Document is also available on the Planning and Building Department website at https://energov.sloplanning.org/EnergGov_Prod/SelfService#/plan/740708FA-9A23-40CC-B62D-0A8431529804?tab=attachments Anyone interested in commenting on the proposed Environmental Document should submit a written statement and/or speak at the public hearing. Comments will be accepted up until completion of the public hearing(s).

County File Number: **S000300T**
 Supervisorial District: District 3
 Assessor Parcel Number(s): 047-182-002
 Date Accepted: 02/07/2003

WHERE
 The hearing will be held in the San Luis Obispo County Board of Supervisors Chambers, 1055 Monterey Street, Room #D170, County Government Center, San Luis Obispo, CA. The Board of Supervisors Chambers are located on the corner of Santa Rosa and Monterey Streets. At the meeting all interested persons may express their views for or against, or to change the proposal.

ADDITIONAL INFORMATION
 A copy of the staff report will be made available on the Planning Department website at www.sloplanning.org. You may also contact **Eric Hughes, Project Manager**, in the Department of Planning and Building at the address below or by telephone at +1-805-781-1591, or by email at ehughes@co.slo.ca.us

If you challenge this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this public notice or in written correspondence delivered to the appropriate authority at or before the public hearing.

Ysabel Eighthy, Secretary Planning Commission
 May 11, 2023



1010 Marsh St., San Luis Obispo, CA 93401
 (805) 546-8208 • FAX (805) 546-8641

PROOF OF PUBLICATION
 (2015.5 C.C.P.)

STATE OF CALIFORNIA,
 County of San Luis Obispo,
 I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party interested in the above entitled matter. I am the principal clerk of the printer of the *New Times*, a newspaper of general circulation, printed and published weekly in the City of San Luis Obispo, County of San Luis Obispo, and which has been adjudged a newspaper of general circulation by the Superior Court of the County of San Luis Obispo, State of California, under the date of February 5, 1993, Case number CV72789: that notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

May 11

in the year 2023.

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Dated at San Luis Obispo, California, this day 11 of May, 2023.

Patricia Horton

Patricia Horton, *New Times* Legals

Proof of Publication of

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF
PLANNING & BUILDING
NOTICE OF PUBLIC HEARING

WHO
 County of San Luis Obispo Planning Commission

WHEN
Thursday, May 25, 2023 at 09:00 AM. All items are advertised for 09:00 AM. To verify agenda placement, please call the Department of Planning & Building at (805) 781-5600.

WHAT
 Hearing to consider a request by **Peoples' Self-Help Housing** for a Development Plan/Coastal Development Permit (C-DRC2023-00018) to allow the construction of 33 deed-restricted apartments located within seven buildings with a total floor area of 34,850 square feet, a community services building of 2,880 square feet and related site improvements. The project includes requests for setback waivers and height concessions pursuant to the State Density Bonus Law Section 65915(d)(2).
 This application was previously approved under SLO County Development Plan/ Coastal Development Permit (DRC2012-00052) and California Coastal Commission Coastal Development Permit (A-SLO-19-0033) and is seeking re-approval of lapsed entitlements. The proposed project will disturb approximately 2.04 acres and place 2.83 acres into dedicated open space on a 5.88-acre parcel. The project is in the Residential Multi-family land use category and is located at 2845 Schoolhouse Lane, within the community of Cambria. The site is in the North Coast Planning Area.
 Also to be considered is the environmental determination. The Environmental Coordinator finds that the previously adopted Mitigated Negative Declaration (SLOCO ED17-280, SCH Posting #2018111048) adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted.

County File Number: **C-DRC2023-00018**
 Supervisorial District: District 2
 Assessor Parcel Number(s): 013-151-034
 Date Accepted: 04/21/2023

WHERE
 The hearing will be held in the San Luis Obispo County Board of Supervisors Chambers, 1055 Monterey Street, Room #D170, County Government Center, San Luis Obispo, CA. The Board of Supervisors Chambers are located on the corner of Santa Rosa and Monterey Streets. At the meeting all interested persons may express their views for or against, or to change the proposal.

ADDITIONAL INFORMATION
 A copy of the staff report will be made available on the Planning Department website at www.sloplanning.org. You may also contact **Ana Luvera**, Project Manager, in the Department of Planning and Building at the address below or by telephone at 805-781-5600.

If you challenge this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this public notice or in written correspondence delivered to the appropriate authority at or before the public hearing.

COASTAL APPEALABLE
 If the County approves this project, that action may be eligible for appeal to the California Coastal Commission. An applicant or aggrieved party may appeal to the Coastal Commission only after all possible local appeals have been exhausted pursuant to Coastal Zone Land Use Ordinance Section 23.01.043(b). Local appeals must be filed using the required Planning Department form as provided by Coastal Zone Land Use Ordinance Section 23.01.042(a)(1).

Ysabel Eighmy, Secretary Planning Commission
 May 11, 2023



1010 Marsh St., San Luis Obispo, CA 93401
(805) 546-8208 • FAX (805) 546-8641

PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA,
County of San Luis Obispo,
I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party interested in the above entitled matter. I am the principal clerk of the printer of the *New Times*, a newspaper of general circulation, printed and published weekly in the City of San Luis Obispo, County of San Luis Obispo, and which has been adjudged a newspaper of general circulation by the Superior Court of the County of San Luis Obispo, State of California, under the date of February 5, 1993, Case number CV72789; that notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

May 11

in the year 2023.


I certify (or declare) under the the penalty of perjury that the foregoing is true and correct.

Dated at San Luis Obispo, California, this day 11 of May, 2023.

Patricia Horton

Patricia Horton, *New Times* Legals

Proof of Publication of

 COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
NOTICE OF PUBLIC HEARING

WHO
County of San Luis Obispo Planning Commission

WHEN
Thursday, May 25, 2023 at 09:00 AM. All items are advertised for 09:00 AM. To verify agenda placement, please call the Department of Planning & Building at (805) 781-5600.

WHAT
Hearing to consider a request by **Timothy and Carol Reding** for a Variance / Minor Use Permit / Coastal Development Permit (DRC2015-00058) to allow grading on slopes in excess of 30% for a four-level single family residence of approximately 3,844 square feet of living space, 786 square feet of deck, and a 986 square foot garage on a 11,200-square foot lot. The proposal includes the following components: (1) grading and excavation for the lower level, garage, driveway and building foundation; (2) site disturbance of approximately 5,600 square feet including on-site drainage improvements; and (3) development of the residence, including landscaping. The proposed project is within the Residential Single-Family land use category and is located at 260 Cerro Gordo Avenue, in the community of Cayucos. The site is in the Estero planning area.

Also to be considered is the determination that this project is categorically exempt from environmental review under CEQA.

County File Number: **DRC2015-00058**
Supervisorial District: District 2
Assessor Parcel Number(s): 064-372-067
Date Accepted: 09/30/2022

WHERE
The hearing will be held in the San Luis Obispo County Board of Supervisors Chambers, 1055 Monterey Street, Room #D170, County Government Center, San Luis Obispo, CA. The Board of Supervisors Chambers are located on the corner of Santa Rosa and Monterey Streets. At the meeting all interested persons may express their views for or against, or to change the proposal.

ADDITIONAL INFORMATION
A copy of the staff report will be made available on the Planning Department website at www.sloplanning.org. You may also contact **Terry Wahler, Project Manager**, in the Department of Planning and Building at the address below or by telephone at 805-781-5621.

If you challenge this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this public notice or in written correspondence delivered to the appropriate authority at or before the public hearing.

COASTAL APPEALABLE
If the County approves this project, that action may be eligible for appeal to the California Coastal Commission. An applicant or aggrieved party may appeal to the Coastal Commission only after all possible local appeals have been exhausted pursuant to Coastal Zone Land Use Ordinance Section 23.01.043(b). Local appeals must be filed using the required Planning Department form as provided by Coastal Zone Land Use Ordinance Section 23.01.042(a)(1).

Ysabel Eighmy, Secretary Planning Commission
May 11, 2023

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Phillips 66 Santa Maria Refinery Demolition and Remediation Project

Lead Agency: San Luis Obispo County Department of Planning and Building

Contact Person: Susan Strachan, Decommissioning Project Manager

Mailing Address: 976 Osos Street #300

Phone: 805-788-2129

City: San Luis Obispo

Zip: 93408

County: San Luis Obispo

Project Location: County: San Luis Obispo

City/Nearest Community: Arroyo Grande

Cross Streets: Willow Road (State Route 1)

Zip Code: 93420

Longitude/Latitude (degrees, minutes and seconds): 35 ° 02 ' 20 " N / 120 ° 35 ' 20 " W Total Acres: ~245

Assessor's Parcel No.: 092-401-011 and 092-401-005

Section: _____

Twp.: _____

Range: _____

Base: _____

Within 2 Miles: State Hwy #: State Route 1

Waterways: Pacific Ocean

Airports: N/A

Railways: Union Pacific Railroad

Schools: Nipomo Elementary School, Pacific View Academy, Lopa

Document Type:

CEQA: NOP

Early Cons

Neg Dec

Mit Neg Dec

Draft EIR

Supplement/Subsequent EIR

(Prior SCH No.) _____

Other: _____

NEPA: NOI

EA

Draft EIS

FONSI

Other: Joint Document

Final Document

Other: _____

Local Action Type:

General Plan Update

General Plan Amendment

General Plan Element

Community Plan

Specific Plan

Master Plan

Planned Unit Development

Site Plan

Rezone

Prezone

Use Permit

Land Division (Subdivision, etc.)

Annexation

Redevelopment

Coastal Permit

Other: _____

Development Type:

Residential: Units _____ Acres _____

Office: Sq.ft. _____ Acres _____ Employees _____

Commercial: Sq.ft. _____ Acres _____ Employees _____

Industrial: Sq.ft. _____ Acres 245 Employees _____

Educational: _____

Recreational: _____

Water Facilities: Type _____ MGD _____

Transportation: Type _____

Mining: Mineral _____

Power: Type _____ MW _____

Waste Treatment: Type _____ MGD _____

Hazardous Waste: Type _____

Other: _____

Project Issues Discussed in Document:

Aesthetic/Visual

Agricultural Land

Air Quality

Archeological/Historical

Biological Resources

Coastal Zone

Drainage/Absorption

Economic/Jobs

Fiscal

Flood Plain/Flooding

Forest Land/Fire Hazard

Geologic/Seismic

Minerals

Noise

Population/Housing Balance

Public Services/Facilities

Recreation/Parks

Schools/Universities

Septic Systems

Sewer Capacity

Soil Erosion/Compaction/Grading

Solid Waste

Toxic/Hazardous

Traffic/Circulation

Vegetation

Water Quality

Water Supply/Groundwater

Wetland/Riparian

Growth Inducement

Land Use

Cumulative Effects

Other: _____

Present Land Use/Zoning/General Plan Designation:

Industrial

Project Description: (please use a separate page if necessary)

Phillips 66 proposes to demolish the Santa Maria Refinery (SMR) and remediate the site. The Project is located at 2555 Willow Road (State Route 1) in an unincorporated area of San Luis Obispo County, near Arroyo Grande and Nipomo, and approximately five miles west of U.S. Highway 101. The SMR site is located within the coastal zone. The Project site consists of refinery facilities that occupy approximately 245 acres within portions of two adjoining parcels: Assessor's Parcel Number (APN) 092-401-011, and APN 092-401-005. Phillips 66 also owns contiguous undeveloped properties that are not part of the Project.

The SMR was built in 1955. The SMR includes petroleum storage and processing facilities, primarily for high-sulfur heavy crude oil. The crude oil was delivered primarily from offshore platforms along the California coast and oil fields in and near the Santa Maria Valley. The majority of crude oil was delivered to the SMR by pipeline. The remainder, which was approximately 2,000 barrels per day of petroleum-based products, was delivered by truck. Semi-refined liquid products from the SMR were transported by pipeline as feedstocks to the Rodeo Refinery in Contra Costa County, California, for upgrading into finished petroleum products. Other SMR products included petroleum coke (a byproduct of oil refining), which was shipped to off-site market destinations by rail and truck, and granular sulfur (recovered from the crude oil), which was shipped to off-site market destinations by truck.

Phillips 66 recently obtained approval to transform the Rodeo Refinery, located in the community of Rodeo, in Contra Costa County, into a repurposed facility that will process renewable feedstocks into renewable diesel fuel, renewable components for blending with other transportation fuels, and renewable fuel gas. Because the Rodeo Renewed Project will discontinue the processing of crude oil at the Rodeo Refinery, the SMR is no longer necessary to provide feedstock to the Rodeo Refinery. Consequently, Phillips 66 ceased operations of the SMR in January 2023.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X". If you have already sent your document to the agency please denote that with an "S".

- | | |
|---------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input checked="" type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input checked="" type="checkbox"/> Caltrans District # 5 | <input checked="" type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> Regional WQCB # 3 |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input checked="" type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input checked="" type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input checked="" type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region # 4 | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input checked="" type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | |
| <input type="checkbox"/> Health Services, Department of | <input checked="" type="checkbox"/> Other: <u>Local Cities and Counties</u> |
| <input type="checkbox"/> Housing & Community Development | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date May 4, 2023 Ending Date June 5, 2023

Lead Agency (Complete if applicable):

Consulting Firm: <u>MRS Environmental, Inc.</u>	Applicant: <u>Phillips 66</u>
Address: <u>1306 Santa Barbara Street</u>	Address: <u>2555 Willow Road</u>
City/State/Zip: <u>Santa Barbara, CA 93101</u>	City/State/Zip: <u>Arroyo Grande, CA 93420</u>
Contact: <u>Greg Chittick</u>	Phone: <u>805-343-3264</u>
Phone: <u>805-289-3924</u>	

Signature of Lead Agency Representative:  Date: 28 April 2023

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Attachment B

Scoping Meeting Materials

Sign-in Sheets

Transcripts

Presentation

May 13, 2023 Virtual Meeting

Attendee Report,

Report Generated:,"May 13, 2023 12:42 PM"

Topic	Webinar ID	Actual Start Time	Actual Duration (minutes)	Unique Viewers	Total Users	Max Concurrent Views	Enable Registration	
Phillip 66 Santa Maria Refinery Demolition and Remediation Project	984 4048 7828	"May 13	2023 10:18 AM"	72	13	25	16	No

Host Details,

Attended	User Name (Original Name)	Email	Join Time	Leave Time	Time in Session (minutes)	Is Guest	Country/Region Name		
Yes	Webinar Admin# SWCA (Jessica Sams)	jessica.sams@swca.com	"May 13	2023 10:18:07"	"May 13	2023 11:29:20"	72	No	United States

Panelist Details,

Attended	User Name (Original Name)	Email	Join Time	Leave Time	Time in Session (minutes)	Is Guest	Country/Region Name		
Yes	Susan Strachan# San Luis Obispo County (Susan Strachan)	sstrachan@co.slo.ca.us	"May 13	2023 10:23:32"	"May 13	2023 11:29:19"	66	Yes	United States
Yes	Cindy Chambers# San Luis Obispo	cchambers@co.slo.ca.us	"May 13	2023 10:27:42"	"May 13	2023 11:29:19"	62	Yes	United States

Attended	User Name (Original Name)	Email	Join Time	Leave Time	Time in Session (minutes)	Is Guest	Country/Region Name		
	County (Cindy Chambers)								
Yes	Greg Chittick# MRS Environmental (Greg Chittick)	greg.chittick@mrsenv.com	"May 13	2023 10:38:02"	"May 13	2023 11:29:18"	52	Yes	United States
Yes	Emily Creel# SWCA (Emily Creel)	ecreel@swca.com	"May 13	2023 10:34:31"	"May 13	2023 11:29:19"	55	No	United States
Attendee Details									
Attended	User Name (Original Name)	Email	Join Time	Leave Time	Time in Session (minutes)	Is Guest	Country/Region Name		
Yes	Brent Eastep	brent.p.eastep@p66.com	"May 13	2023 10:59:08"	"May 13	2023 11:29:19"	31	Yes	United States
Yes	15105570012		"May 13	2023 11:02:23"	"May 13	2023 11:04:23"	2	Yes	United States
Yes	Jo	freeallorcas@icloud.com	"May 13	2023 10:59:29"	"May 13	2023 11:29:18"	30	Yes	United States
Yes	Yvonne Williams	williams.yvonne.e@verizon.net	"May 13	2023 11:00:00"	"May 13	2023 11:29:19"	30	Yes	United States
Yes	Tomas Zambrano	tomas.zambrano@p66.com	"May 13	2023 10:59:11"	"May 13	2023 11:29:19"	31	Yes	United States
Yes	Martin Akel	akelassoc@earthlink.net	"May 13	2023 10:59:28"	"May 13	2023 11:29:19"	30	Yes	United States
Yes	R Gonzales	ronald.a.gonzales@p66.com	"May 13	2023 10:59:07"	"May 13	2023 11:29:06"	30	Yes	United States
Yes	18058955420		"May 13	2023 11:00:23"	"May 13	2023 11:29:19"	29	Yes	United States
Yes	kkopp	kristen.m.kopp@p66.com	"May 13	2023 10:59:24"	"May 13	2023 11:29:19"	30	Yes	United States
Yes	Tim Murphy	tim.murphy@erm.com	"May 13	2023 11:01:07"	"May 13	2023 11:29:18"	29	Yes	United States
Yes	18055388973		"May 13	2023 10:59:18"	"May 13	2023 11:00:18"	1	Yes	United States

Attended	User Name (Original Name)	Email	Join Time	Leave Time	Time in Session (minutes)	Is Guest	Country/Region Name		
Yes	Mitch & Don	tuesdayart39@outlook.com	"May 13	2023 10:59:19"	"May 13	2023 11:29:19"	30	Yes	United States
Yes	Carrie Sisto	csisto@co.slo.ca.us	"May 13	2023 10:59:22"	"May 13	2023 11:29:20"	30	Yes	United States
Yes	18055388973		"May 13	2023 11:01:37"	"May 13	2023 11:02:42"	2	Yes	United States
Yes	pam finn	pamhfinn@gmail.com	"May 13	2023 11:02:25"	"May 13	2023 11:03:42"	2	Yes	United States
Yes	pam finn	pamhfinn@gmail.com	"May 13	2023 11:03:48"	"May 13	2023 11:29:19"	26	Yes	United States
Yes	pam finn	pamhfinn@gmail.com	"May 13	2023 11:23:01"	"May 13	2023 11:29:19"	7	Yes	United States
Yes	Jeff Edwards	jhedwardscompany@gmail.com	"May 13	2023 10:59:30"	"May 13	2023 11:29:19"	30	Yes	United States
Yes	15105570012		"May 13	2023 11:05:12"	"May 13	2023 11:29:19"	25	Yes	United States
Yes	Brennan	jocelyn@thehrmcorp.com	"May 13	2023 10:59:49"	"May 13	2023 11:29:19"	30	Yes	United States

May 13, 2023 Virtual Meeting
Transcript
WEBVTT

1

00:00:55.920 --> 00:00:59.030

Cindy Chambers, San Luis Obispo County: Do we all want to be? Do? I want to be on mute? I probably do. Huh?

2

00:01:03.210 --> 00:01:05.530

Susan Strachan, San Luis Obispo County: Okay. So do you want to advance the first slide.

3

00:01:11.230 --> 00:01:22.710

Susan Strachan, San Luis Obispo County: Good morning. I want to welcome everyone to the scoping meeting for the Phillips 66 Santa Maria refinery demolition and remediation project looks like things

4

00:01:23.850 --> 00:01:30.870

Susan Strachan, San Luis Obispo County: I will first want to go through the agenda on what we're going to go over today. We'll start with introductions.

5

00:01:30.870 --> 00:01:52.100

Susan Strachan, San Luis Obispo County: We'll get into the purpose of the meeting and the purpose of scoping. We'll have an overview of the Phillip. 66 santa maria demolition and and remediation project will discuss the environmental impact report process and compliance with the California Environmental Quality Act, and then we'll open it up to public scoping comments.

6

00:01:53.980 --> 00:02:07.680

Susan Strachan, San Luis Obispo County: So first the introductions. My name is Susan Strachen I'm, the decommissioning division manager for the sales of Theisco County Planning and building department. With me is Cindy Chambers Senior Planner. Within the division

7

00:02:07.680 --> 00:02:37.670

Susan Strachan, San Luis Obispo County: we have our Environmental consultants. Greg. Get Greg. My goodness, Shit! Shit! I I apologize. Greg Greg is our Eir Project manager with Mrs. Environmental and Emily Kreyel with with the C. SW. Ca: who's our deputy project manager. We also have representatives from Phillip, 66 with us we have Tomas Zambrono, the technical services manager, and Ron Gonzales

8

00:02:37.670 --> 00:02:39.330

an operation.

9

00:02:40.900 --> 00:02:51.400

Susan Strachan, San Luis Obispo County: Now, since this is a Zoom Meeting, I want to go over the meeting participation. First of all, all attendees will be muted during the presentation.

10

00:02:51.400 --> 00:03:19.820

Susan Strachan, San Luis Obispo County: When we get to the scoping comment phase of our meeting. If you could please use the raise hand feature, and we will call on you to speak. If you are joining by phone Press Star 9 to raise your hand, and when called on Press Star 6 to unmute. I want to point out that this meeting is being recorded, and for those interested in close captioning it is available. If you press the CC button at the bottom of your screen.

11

00:03:22.330 --> 00:03:41.420

Susan Strachan, San Luis Obispo County: So now, what? Why are we here? What is the purpose of the meeting and scoping? So for projects like this project where it's been determined that an environmental impact report will be prepared. The California Environmental Quality Act requires that a notice of preparation be issued.

12

00:03:41.420 --> 00:03:45.160

Susan Strachan, San Luis Obispo County: and a 30 day scoping period be initiated.

13

00:03:45.160 --> 00:04:09.200

Susan Strachan, San Luis Obispo County: and what this what that scoping period does is provides an opportunity for agencies in the public to provide input and comment on the scope and content of the environmental impact report. These comments can be provided verbally at a scoping meeting, such as the one we're having right now, or they can be provided in writing via email or our regular mail.

14

00:04:09.420 --> 00:04:21.690

Susan Strachan, San Luis Obispo County: The scoping period also provides an opportunity for people to provide input on project concerns, evaluations and mitigation measures associated with the development of the environmental impact report.

15

00:04:24.080 --> 00:04:36.510

Susan Strachan, San Luis Obispo County: So next we're going to go provide an overview of the project that'll consist of the project background. What are the refinery plants shut down and dem demolition activities.

16

00:04:36.560 --> 00:04:50.810

Susan Strachan, San Luis Obispo County: elements to remain soil, remediation is site, restoration. We'll discuss the waste types and haul routes for and disposal transportation routes, and then we'll discuss the site. Restoration.

17

00:04:53.200 --> 00:05:10.040

Susan Strachan, San Luis Obispo County: So Phillips 66 applied for a coastal development permit and a development Plan for their refinery Demolition remediation project. They submitted an application to the county on August eighth, 2,022.

18

00:05:10.040 --> 00:05:38.890

Susan Strachan, San Luis Obispo County: And then there was several back and forth of a county, asking for additional information, and Phillips providing that additional information until the application was accepted by the county meeting. The application had enough information for the county to then move forward in the next phase of the process, which is the initiation of the preparation of the environmental impact report. So the county accepted the application is complete on March fifteenth, 2,023.

19

00:05:42.410 --> 00:05:55.400

Susan Strachan, San Luis Obispo County: Now, to give some information on. Where is the the project site located? It's outlined in red in the in the slide in front of you, and that's the project site. It's located off of Willow Road.

20

00:05:55.490 --> 00:06:02.140

Susan Strachan, San Luis Obispo County: It's west of us 101 south of highway one.

21

00:06:02.550 --> 00:06:16.710

Susan Strachan, San Luis Obispo County: It is bisected by the Union Pacific Railroad tracks east of the Oceano Doone State part which is shown in green. It is the calendar Garrett neighborhood is to the north of the site.

22

00:06:16.810 --> 00:06:30.400

Susan Strachan, San Luis Obispo County: and the monarch Dunes neighborhood is to the east of the site, and then that shading in blue is demarcating other parcels that are owned by Philip 66. In addition to the project site.

23

00:06:33.020 --> 00:06:51.940

Susan Strachan, San Luis Obispo County: what this slide is showing is land uses in and around the site, so the site again identified in red is zone industrial. Those areas shaded in that grayish color are also zoned industrial. Over to the left we have open space.

24

00:06:52.030 --> 00:06:57.510

Susan Strachan, San Luis Obispo County: The dark green is the recreational area for the Oceano State Park.

25

00:06:57.510 --> 00:07:16.040

Susan Strachan, San Luis Obispo County: There's Ag down to the bottom, and then over on the right side is different. Zoning is associated with residential. The blue line that's going through the middle of the slide demarcates the coastal zone, so the site is located entirely within the the coastal zone.

26

00:07:18.920 --> 00:07:37.580

Susan Strachan, San Luis Obispo County: Now the the refinery was built in 1,955. The area within the red boundary is consists of the project site, area, which comprises 245 acres. The refinery property itself, owned by Phillips is 1,650 acres.

27

00:07:37.590 --> 00:07:52.270

Susan Strachan, San Luis Obispo County: as I mentioned on the previous site, the slide, the slides, excuse me. The site is zone industrial, and it's surrounded by industrial, agricultural, and open space designated land. And again it is located in the coastal zone.

28

00:07:52.380 --> 00:08:07.230

Susan Strachan, San Luis Obispo County: Some of the other things shown on the site. This is a of a figure from Phillips application, which is available on the county's web page for the project. Online blue circles are our designating stockpile locations for

29

00:08:07.290 --> 00:08:09.390

Susan Strachan, San Luis Obispo County: demolition debris.

30

00:08:12.810 --> 00:08:23.780

Susan Strachan, San Luis Obispo County: So some more background in history on the project. The Santa Maria refinery received a heavy, crude oil by pipeline and truck from offshore platforms in the Santa Maria Valley.

31

00:08:24.010 --> 00:08:35.360

Susan Strachan, San Luis Obispo County: The semi refined oil product that was produced by the refinery was sent via Pipeline is feedstock. To this Phillip 66 rodeo refinery in contrast to county.

32

00:08:35.460 --> 00:08:45.940

Susan Strachan, San Luis Obispo County: The santa maria refinery also produce petroleum, coke and granular sulfur and these are by products, of the refining process, and these are shipped off site for sale.

33

00:08:46.400 --> 00:09:07.730

Susan Strachan, San Luis Obispo County: So in. If Phillip, 66 received approval from contra Costa County in 2,022 for its rodeo refinery, renewed project, and what this project will do it'll repurpose the redale refinery in contrast to county to process renewable feed stocks into renewable fuels

34

00:09:09.880 --> 00:09:19.360

Susan Strachan, San Luis Obispo County: So with the rodeo refinery no longer processing crude oil. The Philips 66 Santa Maria refinery is no longer needed.

35

00:09:19.490 --> 00:09:30.580

Susan Strachan, San Luis Obispo County: The refinery cease receiving crude oil in january of 2,023, and it's now shut down in doing decommissioning activities under existing permits

36

00:09:30.580 --> 00:09:49.920

Susan Strachan, San Luis Obispo County: and these decommissioning activities entail isolation and decontamination of process equipment and segregating removal of bulk materials. The facility that will then be idled until the coastal development permit and development plan application are approved by the county.

37

00:09:52.190 --> 00:10:10.340

Susan Strachan, San Luis Obispo County: Now there's 3 stages for the project, and the stages overlap. The first stage is the above ground. Demolition. The removal of facilities and structures to ground level, and the side will be divided up into sections, and work will be going on in each section.

38

00:10:10.340 --> 00:10:30.260

Susan Strachan, San Luis Obispo County: It'll as as the this facilities and structures are removed, they'll be segregated, and then the start, the material, the demolition materials will be stockpiled. They'll but then be loaded on to trucks and rail cars for offsite disposal, and it's anticipated that that activity will take 8 months

39

00:10:30.620 --> 00:10:41.190

Susan Strachan, San Luis Obispo County: then once, and the above ground features are removed in a particular area below ground. Demolition into remediation will

begin.

40

00:10:41.550 --> 00:10:48.150

Susan Strachan, San Luis Obispo County: and that'll consist of site characterization to assess. If there is any soil, contamination.

41

00:10:48.200 --> 00:11:06.780

Susan Strachan, San Luis Obispo County: removal of below ground infrastructure, and then soil remediation where it's been determined that there is contamination, and the duration for this activity is estimated to be approximately 3 plus years, and it would overlap with above ground work going on in other areas.

42

00:11:06.880 --> 00:11:14.360

Susan Strachan, San Luis Obispo County: and the the the duration is tied to the soil, remediation, and ultimately what? How long that activity would take.

43

00:11:14.450 --> 00:11:33.820

Susan Strachan, San Luis Obispo County: And then, lastly, once everything is removed, the areas will be graded, and they'll. They'll be site. They'll be restored, and which consists of re vegetating and then site monitoring of the re vegetation and the duration, for that is again, it's it's estimated to be approximately 3, plus years.

44

00:11:36.390 --> 00:11:56.000

Susan Strachan, San Luis Obispo County: in terms of the facilities to be removed. There's the Tank Farm, the cooling towers, other other storage tanks, buildings on site the Coke Plant and it's Associated Stockpile, the sulfur plant, and it's associated stockpile the industrial wastewater, affluent treatment plant

45

00:11:56.000 --> 00:12:06.460

Susan Strachan, San Luis Obispo County: on site, equipment and pipelines and associated fixtures. In some areas the culverts and the drainage features, and then in some areas pavement and concrete.

46

00:12:08.780 --> 00:12:18.980

Susan Strachan, San Luis Obispo County: So this slide just gives a depiction of where the features that I had just for mentioned are located in in the project site.

47

00:12:21.260 --> 00:12:27.580

Susan Strachan, San Luis Obispo County: Okay, next, thank you there are. There is also infrastructure that's proposed to remain.

48

00:12:27.630 --> 00:12:41.230

Susan Strachan, San Luis Obispo County: and this includes the rails for the truck scale, existing parking roads needed for access and maintenance. The substation, and lines of polls associated with that

49

00:12:41.230 --> 00:12:51.080

Susan Strachan, San Luis Obispo County: perimeter fencing, lighting, and guard shacks, groundwater production, wells and water, monitoring wells, maintenance equipment for offsite pipelines

50

00:12:51.080 --> 00:13:08.630

Susan Strachan, San Luis Obispo County: there's a wastewater outfall line which extends from the site to the to the to the shoreline, and then a half mile offshore, and the slop swap oil remediation system which is under I ongoing under an existing permit.

51

00:13:08.730 --> 00:13:29.590

Susan Strachan, San Luis Obispo County: One thing is that is important to point out is that the permitting for site reuse is not proposed as part of this project. So Phillips is proposing again to demolish and remediate the site. They are not proposing to rezone the site, so it's currently zoned industrial, and that that that would remain.

52

00:13:29.590 --> 00:13:41.520

Phillips is planning to sell the site, and so given this there, some of these, the infrastructure could be considered to be an asset by a potential buyer, and therefore is proposed to remain

53

00:13:41.520 --> 00:13:59.270

Susan Strachan, San Luis Obispo County: There's also some project features associated with the existing groundwater, monitoring and remedy nation efforts, and that is also proposed to remain so. What's important to note that any future use of the site would require permitting and environmental review by the county

54

00:14:01.490 --> 00:14:11.390

Susan Strachan, San Luis Obispo County: next slide, please. And so this slide just shows of those features the infrastructure to remain where where that is located on on the site.

55

00:14:12.550 --> 00:14:22.820

Susan Strachan, San Luis Obispo County: and the outfall line is just showing again

the direction it would go underground, and then to the to the shore, and extending off site.

56

00:14:26.200 --> 00:14:41.450

Susan Strachan, San Luis Obispo County: So just some more details on the above ground. Demolition following county approval of the coastal development permit and development plan the to all the demolition activities are would occur within the refinery fence line.

57

00:14:41.670 --> 00:15:00.230

Susan Strachan, San Luis Obispo County: the demolition debris would be sorted for recycling and waste management. Existing roads would be used, utilized during the demolition. Again, the site would be broken up into sub areas, and standard equipment would be used like excavators, skid steers, and mobile cranes.

58

00:15:00.260 --> 00:15:03.720

There is no use of explosives that are anticipated.

59

00:15:04.060 --> 00:15:19.410

Susan Strachan, San Luis Obispo County: and it's estimated that approximately 60 truck trips per week maximum would be used to haul off the debris during the above ground demolition. It's important to note that this number will not exceed the historical average

60

00:15:19.410 --> 00:15:24.610

Susan Strachan, San Luis Obispo County: of 39. Excuse me 37 trucks per day, when the plant was operating

61

00:15:28.590 --> 00:15:42.780

Susan Strachan, San Luis Obispo County: in terms of below ground demolition. These are material, the infrastructure that would be removed below ground concrete building slabs, perimeter footings, pad footings, underground utilities, and piping

62

00:15:42.780 --> 00:16:03.000

Susan Strachan, San Luis Obispo County: pipe rack pedestals, tankering columns, containment walls, and asphalt services. It is the maps estimated truck trips per week is 92 trips and that's not in addition to the 60 that would be an ultimate absolute maximum, and then up to 2,005 rail cars

63

00:16:05.660 --> 00:16:07.670

Susan Strachan, San Luis Obispo County: for site remediation

64

00:16:07.670 --> 00:16:30.570

Susan Strachan, San Luis Obispo County: there again our ongoing remediation and monitoring under existing water board permits, and then again. They would be the assessment and site characterization of site soil, and there would be excavation in areas of identified. It identified contaminated soils, and those soils would be stockpiled and then loaded on to trucks around for hauling off signs.

65

00:16:30.810 --> 00:16:36.260

Susan Strachan, San Luis Obispo County: and it is not anticipated that groundwater remediation would be required

66

00:16:38.840 --> 00:16:43.070

Susan Strachan, San Luis Obispo County: now. Some of the waste types, and where it would be ha to are listed here.

67

00:16:43.070 --> 00:17:12.520

Susan Strachan, San Luis Obispo County: so there would be asbestos that would be transported by rail or truck to a disposal facility in Utah or a Zoosa. California treated wood would be truck to the Santa Maria, called canyon landfills. Mixed materials would be sent by truck or rail to regional recycling facilities, and there is one located close by the essay. Recycling Facility. Mixed debris would be truck to Santa Maria transfer sidation.

68

00:17:12.700 --> 00:17:30.490

Susan Strachan, San Luis Obispo County: and then concrete and asphalt would be tested and crushed, and could be used on site if it's clean, or could also go to the gator trucking. Excuse me, gator crushing and recycling. If there any impacted concrete or as fall would be hauled off site, though with the contaminated soils

69

00:17:30.490 --> 00:17:37.870

Susan Strachan, San Luis Obispo County: and then impacted soils contaminated, soils would be transported by truck or rail to Utah or in the kitchen California.

70

00:17:39.790 --> 00:17:53.040

Susan Strachan, San Luis Obispo County: So this slide shows where these people are. These facilities are located. If you're looking north of the site. You've got the gator crushing, which is very, very close to the site down below site is identified in red.

71

00:17:53.120 --> 00:18:07.450

Susan Strachan, San Luis Obispo County: and then moving north. The cold canyon landfill, which is located just off of highway, 227 in San Lucille County, and then

off of a state route 33, is where the Mi. M. Ketric waste management facility is located.

72

00:18:09.150 --> 00:18:13.590

Susan Strachan, San Luis Obispo County: heading south with the Santa Maria Transfer station off of 101,

73

00:18:13.820 --> 00:18:21.100

Susan Strachan, San Luis Obispo County: and then the Santa Maria Landfill, and then the that Bedford enterprises is located also in Santa Maria

74

00:18:24.140 --> 00:18:27.360

Susan Strachan, San Luis Obispo County: in terms of final grading and site restoration.

75

00:18:27.360 --> 00:18:49.270

Susan Strachan, San Luis Obispo County: This just provides some grading estimates in terms of what would be export exported and reconciled. Amount of soil, then that would be used for fill, including contouring and the total amount of earth work in terms of the site Restoration goals. There'll be stabilization and re re-vegetation for long term dust. Control.

76

00:18:49.270 --> 00:19:00.530

Susan Strachan, San Luis Obispo County: They'll propose to use native plants which are compatible with the surrounding areas, and then any storm water it will be our drainage would be retained on site.

77

00:19:02.970 --> 00:19:26.690

Susan Strachan, San Luis Obispo County: and this last slide just shows what the final site grading is going to look like over on the left those that's the refinery areas to be disturbed. Esha refers to environmentally sensitive habitat areas. So those it shows the areas in orange that would remain undisturbed. And then over on the right shows the proposed final topography.

78

00:19:29.370 --> 00:19:39.710

Susan Strachan, San Luis Obispo County: And with that I'm. Going to turn it over to Greg Chittick, who's going to give an overview of the Environmental Impact Report process and compliance with the California Environmental Quality Act.

79

00:19:44.020 --> 00:19:45.620

Susan Strachan, San Luis Obispo County: Craig, you're muted.

80

00:19:49.010 --> 00:20:03.580

Greg Chittick, MRS Environmental: Thank you, Susan. I wanted to give a a brief overview of sequel and and the er process that this project wanted to go. The California Environmental quality act requires an analysis and environmental impacts of a project.

81

00:20:03.740 --> 00:20:20.380

Greg Chittick, MRS Environmental: It only applies to discretionary projects, meeting pro projects that might come before the Planning Commission and the Board of Supervisors. and you require to prepare an environmental impact report when there's the possibility that significant impacts of the environment could occur

82

00:20:20.830 --> 00:20:26.440

Greg Chittick, MRS Environmental: Next slide. This this slide gives an overview of the schedule.

83

00:20:26.620 --> 00:20:41.770

Greg Chittick, MRS Environmental: As Susan had mentioned, the application was submitted last year the application process was completed in March of this year. Right now we're having public scoping meetings, which is an opportunity for the public to give comment.

84

00:20:42.000 --> 00:20:52.300

Greg Chittick, MRS Environmental: Then we'll prepare the draft, environmental impact report and issue that for a period of public comment and review. That's another opportunity for the public to give comments

85

00:20:52.380 --> 00:21:10.520

Greg Chittick, MRS Environmental: that will be finalized. Addressing all the comments that we receive here today, as well as the comments received on the draft Ir. And then the Finally, I will come before the planning commission for certification, and we estimate that that will occur down the the first quarter, so of 2024

86

00:21:11.540 --> 00:21:12.450

Greg Chittick, MRS Environmental: next slide.

87

00:21:13.090 --> 00:21:23.640

Greg Chittick, MRS Environmental: So the content and purpose of an eir but essentially builds on to, and different different building blocks. You have a detailed description of the proposed project

88

00:21:23.670 --> 00:21:43.780

Greg Chittick, MRS Environmental: in the environmental and regulatory setting which is what you assess. The potential impacts against you look at the impacts of the proposed project, using thresholds that have been developed by the county or other EIS and sequel analyses. You also look at alternatives. That's one of the requirements of sequel

89

00:21:43.780 --> 00:21:59.260

Greg Chittick, MRS Environmental: which are other ways to achieve the project Objectives that could reduce potentially significant impacts, and part of this process is soliciting the public input on what some alternatives or different approaches might be.

90

00:21:59.370 --> 00:22:06.240

Greg Chittick, MRS Environmental: as well as mitigation measures that that try to reduce or avoid potentially significant impacts

91

00:22:06.590 --> 00:22:19.710

Greg Chittick, MRS Environmental: the purpose of the Er. To provide independent information for decision makers to consider the project and also to provide full disclosure to the public and the decision makers about the components of the project and the potential impacts.

92

00:22:19.820 --> 00:22:20.700

Greg Chittick, MRS Environmental: Next site

93

00:22:22.390 --> 00:22:35.430

Greg Chittick, MRS Environmental: we're proposing to look at a number of different environmental issues listed here on this slide from aesthetics and air quality to greenhouse gas emissions, noise, recreation, transportation.

94

00:22:35.430 --> 00:22:48.270

Greg Chittick, MRS Environmental: Once again, as part of the scoping meeting we're soliciting impact input from the public about different environmental issues that we should be examining. But this is the preliminary list that we're going to be looking at

95

00:22:49.010 --> 00:22:49.950

Greg Chittick, MRS Environmental: next slide.

96

00:22:50.480 --> 00:23:07.670

Greg Chittick, MRS Environmental: The impact analysis will be based on changes to the environment. Compared to the existing or baseline conditions. Sequel requires the analysis focus on areas which might generate significant impacts, meaning impacts that exceed certain thresholds.

97

00:23:07.700 --> 00:23:21.620

Greg Chittick, MRS Environmental: Mitigation Measures are proposed also to reduce those impacts, and it's important to note that social and economic impacts are generally not considered under SQL sequences on impacts of the environment

98

00:23:22.460 --> 00:23:36.160

Greg Chittick, MRS Environmental: that slides any. We also we're looking at alternatives and soliciting input from the public about alternatives. We the alternatives need to be consistent with most of the project objectives.

99

00:23:36.170 --> 00:23:46.990

Greg Chittick, MRS Environmental: and they they need to be focused on avoiding the significant impacts of the project, and they also need to be feasible Alternatives may include changes to the proposed project.

100

00:23:47.340 --> 00:23:58.070

Greg Chittick, MRS Environmental: Sequel requires also an evaluation of the No project alternative which is not be essentially not doing the project as proposed next slide.

101

00:23:58.160 --> 00:24:12.480

Susan Strachan, San Luis Obispo County: and then i'll turn it back over to Susan about some of the details of scoping, scoping comments.

102

00:24:12.480 --> 00:24:30.930

Susan Strachan, San Luis Obispo County: the key with the scoping comments, is, there is a scoping period which ends on Monday, June fifth, at 5 Pm. And again the the comments should address the scope of the Eir. What do you think we should be evaluating in the environmental impact report for the project?

103

00:24:30.930 --> 00:24:48.560

Susan Strachan, San Luis Obispo County: The comments can be given verbally as part of this meeting. They can also be emailed to the email address that the county is established for the project which is written here. It's. P. 66 refinery@co.slo.ca.us.

104

00:24:48.650 --> 00:24:54.390

Susan Strachan, San Luis Obispo County: or it can be it said, Regular mail to me at the address listed on your on your screen.

105

00:24:56.500 --> 00:25:13.940

Susan Strachan, San Luis Obispo County: with the scoping comments. I want to point out that that meeting is being recorded and transcribed, so that any comments we receive will be registered as official eir scoping comments. If you are making a comment, please identify yourself before beginning your comment and spell your name.

106

00:25:13.940 --> 00:25:21.830

Susan Strachan, San Luis Obispo County: and please limit your comment to 3 min, and we will have a have a timer going for the for each speaker.

107

00:25:23.710 --> 00:25:39.870

Susan Strachan, San Luis Obispo County: and just as a reminder, if you are wanting to make a comment, please use the raise hand feature, and we will call on you to speak if you're joining by phone Press Star 9 to raise your hand, and when called on Press Star 6 to unmute.

108

00:25:40.060 --> 00:25:44.600

Susan Strachan, San Luis Obispo County: So with that, Emily, do we have anyone wishing to make comment?

109

00:25:47.770 --> 00:25:52.430

Susan Strachan, San Luis Obispo County: And, Cindy? Why, don't you stop sharing so we can get the the timer up if you could. Please.

110

00:25:52.550 --> 00:25:53.370

Susan Strachan, San Luis Obispo County: Thank you.

111

00:25:54.240 --> 00:26:02.520

Emily Creel, SWCA: We currently do not have any hands raised. so I will just give us a moment. Okay, Thank you.

112

00:26:04.070 --> 00:26:11.150

Emily Creel, SWCA: Okay, I see Jeff Edwards would like to speak. Jeff. I'm going to unmute you.

113

00:26:14.280 --> 00:26:15.350

Emily Creel, SWCA: Please go ahead.

114

00:26:16.090 --> 00:26:19.530

Jeff Edwards: Thank you. Good morning. My name is Jeff Edwards.

115

00:26:19.960 --> 00:26:25.030

Jeff Edwards: and I have one particular interest in this project

116

00:26:25.090 --> 00:26:28.780

Jeff Edwards: that I've also expressed as historically in the past.

117

00:26:28.880 --> 00:26:37.060

Jeff Edwards: relative to the throughput increase for Phillip 66. Then, subsequently with the rails per project.

118

00:26:37.240 --> 00:26:49.660

Jeff Edwards: and then, more recently, with the preliminary cleanup plan, where some, I believe, some 15,000 cubic yards of material was taken by rail to Utah.

119

00:26:49.910 --> 00:26:56.130

Jeff Edwards: The the interest that I have is in connection with C. Glo Section

120

00:26:56.250 --> 00:27:08.620

Jeff Edwards: 23, point 0, 4 point, 420, a 2, and C. And this is related to recreation and coastal access

121

00:27:08.650 --> 00:27:16.650

Jeff Edwards: which I see from the preliminary outline is included in the areas of potential impact for the project.

122

00:27:17.010 --> 00:27:29.750

Jeff Edwards: I wanted to note that there is a chapter in the rail spur project that deals extensively with the coastal access at this point. and i'm referencing vertical access by the way. Sorry to mention that not to mention.

123

00:27:30.910 --> 00:27:35.820

Jeff Edwards: And i'd also like to point out there is an existing offer to dedicate

124

00:27:36.260 --> 00:27:45.800

Jeff Edwards: that is in play, and I forget the expiration, but I believe there's

just a few years left on the the period of time to

125

00:27:45.840 --> 00:27:48.440

Jeff Edwards: except the offer of dedication.

126

00:27:50.020 --> 00:27:53.250

Jeff Edwards: But, moreover, I believe this project

127

00:27:53.540 --> 00:28:05.730

Jeff Edwards: triggers the need under that Section Ccl. Use Section I mentioned the requirement to not only provide the access which it actually has been done by way of the Otd.

128

00:28:05.790 --> 00:28:08.870

Jeff Edwards: but actually build the public access.

129

00:28:08.880 --> 00:28:13.930

Jeff Edwards: which was a requirement of the throughput project, but never was realized.

130

00:28:14.760 --> 00:28:17.440

Jeff Edwards: So with with that

131

00:28:17.870 --> 00:28:27.570

Jeff Edwards: I'll just close by, saying, I hope that the the Eir does a a further and more intensive discussion of this topic, and i'll look forward to that.

132

00:28:27.660 --> 00:28:28.470

Jeff Edwards: Thank you.

133

00:28:28.850 --> 00:28:31.020

Susan Strachan, San Luis Obispo County: Thank you, Mr. Edwards, for your comment.

134

00:28:34.170 --> 00:28:36.220

Susan Strachan, San Luis Obispo County: Emily, do we have any other speakers?

135

00:28:37.450 --> 00:28:41.840

Emily Creel, SWCA: I do not see any other hands raised at this time.

136

00:28:45.330 --> 00:28:50.590

Emily Creel, SWCA: And again, If you're calling on phone, it is Star 9 to raise your hand.

137

00:29:00.470 --> 00:29:03.530

Susan Strachan, San Luis Obispo County: Why, don't. We just give it a another another minute.

138

00:29:26.810 --> 00:29:28.640

Susan Strachan, San Luis Obispo County: No, no further hands.

139

00:29:30.930 --> 00:29:32.460

Emily Creel, SWCA: no further hands.

140

00:29:32.830 --> 00:29:49.680

Susan Strachan, San Luis Obispo County: Okay? Well, I think with that we will preclude this meeting. We have 2 other scoping meetings scheduled, one for another virtual meeting for May seventeenth, at 100'clock, and then we have a an in person meeting

141

00:29:49.740 --> 00:30:08.160

Susan Strachan, San Luis Obispo County: in person, meeting on May seventeenth at 70'clock at the Black Lake golf course, banquet room. So with that I really want to thank everyone for taking time out on their Saturday morning to join us for this meeting today.

142

00:30:08.160 --> 00:30:11.070

Susan Strachan, San Luis Obispo County: I hope everyone has a good weekend. Thank you.

May 17, 2023 Virtual Meeting

Attendee Report,

Report Generated:,"May 17, 2023 1:41 PM"

Topic	Webinar ID	Actual Start Time	Actual Duration (minutes)	Unique Viewers	Total Users	Max Concurrent Views	Enable Registration	
Phillip 66 Santa Maria Refinery Demolition and Remediation Project	932 4826 9924	"May 17	2023 10:18 AM"	72	15	21	16	No

Host Details,

Attended	User Name (Original Name)	Email	Join Time	Leave Time	Time in Session (minutes)	Is Guest	Country/Region Name		
Yes	Webinar Admin# SWCA (Jessica Sams)	jessica.sams@swca.com	"May 17	2023 10:18:11"	"May 17	2023 11:29:50"	72	No	United States

Panelist Details,

Attended	User Name (Original Name)	Email	Join Time	Leave Time	Time in Session (minutes)	Is Guest	Country/Region Name		
Yes	Greg Chittick# MRS Environmental (Greg Chittick)	greg.chittick@mrsenv.com	"May 17	2023 10:28:53"	"May 17	2023 11:29:50"	61	Yes	United States
Yes	Cindy Chambers# San Luis Obispo County (Cindy Chambers)	cchambers@co.slo.ca.us	"May 17	2023 10:31:17"	"May 17	2023 11:29:50"	59	Yes	United States

Attended	User Name (Original Name)	Email	Join Time	Leave Time	Time in Session (minutes)	Is Guest	Country/Region Name		
Yes	Susan Strachan# San Luis Obispo County (Susan Strachan)	sstrachan@co.slo.ca.us	"May 17	2023 10:36:42"	"May 17	2023 11:29:49"	54	Yes	United States
Yes	Emily Creel# SWCA Environmental Consultants (Emily Creel)	ecreel@swca.com	"May 17	2023 10:31:32"	"May 17	2023 11:29:50"	59	No	United States
Attendee Details									
Attended	User Name (Original Name)	Email	Join Time	Leave Time	Time in Session (minutes)	Is Guest	Country/Region Name		
Yes	Carrie Sisto	csisto@co.slo.ca.us	"May 17	2023 10:58:21"	"May 17	2023 11:29:49"	32	Yes	United States
Yes	Amber Sellinger	amber.sellinger@waterboards.ca.gov	"May 17	2023 10:58:25"	"May 17	2023 11:29:49"	32	Yes	United States
Yes	Kevin McLean	kevin.mclean@fire.ca.gov	"May 17	2023 10:59:44"	"May 17	2023 11:29:50"	31	Yes	United States
Yes	Cory Hanh# City of Pismo Beach	chanh@pismobeach.org	"May 17	2023 11:05:55"	"May 17	2023 11:29:47"	24	Yes	United States
Yes	kkopp	kristen.m.kopp@p66.com	"May 17	2023 10:59:45"	"May 17	2023 11:29:49"	31	Yes	United States
Yes	brianna.pilkinton	brianna.pilkinton@erm.com	"May 17	2023 11:02:31"	"May 17	2023 11:29:50"	28	Yes	United States
Yes	R Gonzales	ronald.a.gonzales@p66.com	"May 17	2023 11:02:24"	"May 17	2023 11:29:49"	28	Yes	United States
Yes	Mike	mdscese@yahoo.com	"May 17	2023 10:58:04"	"May 17	2023 11:22:04"	24	Yes	United States
Yes	18056197674		"May 17	2023 10:59:23"	"May 17	2023 11:29:50"	31	Yes	United States
Yes	RonP	coffeedude@gmx.com	"May 17	2023 11:00:57"	"May 17	2023 11:29:50"	29	Yes	United States
Yes	Tomas Zambrano	tomas.zambrano@p66.com	"May 17	2023 10:58:01"	"May 17	2023 11:29:50"	32	Yes	United States

Attended	User Name (Original Name)	Email	Join Time	Leave Time	Time in Session (minutes)	Is Guest	Country/Region Name		
Yes	Jeff Edwards	jhedwardscompany@gmail.com	"May 17	2023 10:58:19"	"May 17	2023 11:29:49"	32	Yes	United States
Yes	Jocelyn Brennan	jocelyn@thehrmcorp.com	"May 17	2023 10:59:28"	"May 17	2023 11:29:49"	31	Yes	United States
Yes	Brent Eastep	brent.p.eastep@p66.com	"May 17	2023 10:59:31"	"May 17	2023 11:29:49"	31	Yes	United States
Yes	Tim Murphy	tim.murphy@erm.com	"May 17	2023 10:58:56"	"May 17	2023 11:29:50"	31	Yes	United States
Yes	Gregg Kellenberger	groupbq@gmail.com	"May 17	2023 11:05:43"	"May 17	2023 11:29:50"	25	Yes	United States

May 17, 2023 Virtual Meeting
Transcript
WEBVTT

1
00:02:08.169 --> 00:02:26.920
Susan Strachan, San Luis Obispo County: Good morning. Everyone. It's 100'clock, so we're going to go ahead and get started with this virtual scoping meeting for the Phillips 66 Santa Maria Refinery Demolition and Remediation Project I'm. Susan Strachen, I'm with the San Lu Fiscal County planning and building department

2
00:02:28.780 --> 00:02:30.110
Susan Strachan, San Luis Obispo County: next slide, sending

3
00:02:33.800 --> 00:02:35.080
Susan Strachan, San Luis Obispo County: and next one please

4
00:02:40.080 --> 00:02:56.400
Susan Strachan, San Luis Obispo County: Okay, so for our agenda today we'll to be doing introductions. We'll talk about why we're having this meeting, and what is the purpose of scoping? We'll give an overview of the Santa Maria Phillip. 66 category refinery, demolition and remediation project.

5
00:02:56.400 --> 00:03:08.290
Susan Strachan, San Luis Obispo County: We'll talk about the environmental impact report process and compliance under the California environmental Quality Act, and then we'll really opening up the meeting for public scoping comments.

6
00:03:09.790 --> 00:03:25.870
Susan Strachan, San Luis Obispo County: If, before we get started, let's do some introductions again. My name is Susan Strachen I'm. With Samuel's Biscuit County Planning and Building department, and I'm. A decommissioning division manager within the department with me is Cindy Chambers, Who's a Senior Planner with the division.

7
00:03:25.870 --> 00:03:43.080
Susan Strachan, San Luis Obispo County: and we also have our environmental consultants who will be preparing the environmental impact report. We have Greg Chittick and he's the environmental impact report project manager, with Mrs. Environmental. And then we also have Emily Creole. She's the deputy project manager with Swica

8
00:03:43.250 --> 00:03:54.430

Susan Strachan, San Luis Obispo County: We also have representatives with us from Philip 66 we have Tomas some bronco technical services manager and Ron Gonzales operations manager.

9

00:03:56.550 --> 00:04:01.350

Susan Strachan, San Luis Obispo County: So let's want to talk a minute about meeting participation via zoom

10

00:04:01.500 --> 00:04:05.150

All attendees will be muted during the presentations

11

00:04:05.150 --> 00:04:29.480

Susan Strachan, San Luis Obispo County: us for scoping comments. Please use the raise hand feature, and we'll call in you to speak. If you are joining by phone Press Star 9 to raise your hand, and when called upon, Press Star 6 to unmute. I want to point out that this meeting is being recorded. In addition, close captioning is available by pressing the CC button at the bottom of your screen.

12

00:04:32.680 --> 00:05:00.160

Susan Strachan, San Luis Obispo County: So now the purpose of the of the meeting and scoping the California Environmental call Quality Act requires that a notice of preparation be issued for projects for which an environmental impact report is going to be prepared, and that there, then be a 30 day scoping period through that scoping period. It provides an opportunity for agencies in the public to provide input and comment on the scope and content of the environmental impact report.

13

00:05:00.160 --> 00:05:29.030

Susan Strachan, San Luis Obispo County: Those comments can be provided orally at a scoping meeting like the one we're having right now, or they can be pr provided in writing via email or mail, and we'll be able to. We. We will provide you with the email, address and mailing address toward the end of the presentation. Scoping also provides an opportunity for agencies in the public to provide input on project concerns, evaluation methods and mitigation measures.

14

00:05:32.600 --> 00:05:46.100

Susan Strachan, San Luis Obispo County: Now, i'm gonna go into a project overview. I'll provide some background of this of the project and discuss the refinery plant, shut down and demolition activities project elements that are proposed to remain.

15

00:05:46.100 --> 00:05:56.450

Susan Strachan, San Luis Obispo County: We'll discuss soil, remediation, and site restoration, the waste types, and how routes for disposal, and then we'll talk about site restoration.

16

00:05:59.110 --> 00:06:14.600

Susan Strachan, San Luis Obispo County: So Phillips has applied for a hostel development permit and development plan. They submitted their application to the county on August eighth 2,022. After it was submitted. There were a few rounds of

17

00:06:14.600 --> 00:06:39.540

Susan Strachan, San Luis Obispo County: information request by the county, and then responses from Phillips, so that the county had enough information so that it could then continue on to the next step of the process, which is preparation of the environmental impact Report on March fifteenth of 2,023. We accepted the application as complete, which meant we had all of the information that we needed to continue forward.

18

00:06:42.160 --> 00:06:51.100

Susan Strachan, San Luis Obispo County: The site is located on 2 5 5 5 willow road. It is west of us, 101

19

00:06:51.430 --> 00:07:02.900

Susan Strachan, San Luis Obispo County: and south of Highway one it's bisected by the Union Pacific Railroad tracks it's east of the Oceano Doom State Park.

20

00:07:03.410 --> 00:07:22.530

Susan Strachan, San Luis Obispo County: and it's the calendar. Garrett neighborhood is to the north, and the monarch do. This neighborhood is to the east, and that the site is shown in this slide in the red outline, and then that gray shading is our additional parcels owned by Philip 66

21

00:07:24.850 --> 00:07:39.600

Susan Strachan, San Luis Obispo County: This slide shows some different land uses that are in and around the site. So the site is zoned industrial. It's a a surrounded by industrial zone, land, open space, agriculture.

22

00:07:39.600 --> 00:08:00.380

Susan Strachan, San Luis Obispo County: You've got the recreation which is the Oceano Dunes State Park, and then there is also residential zoning over on the right side of the slide. That blue line that goes through the middle of the slide denotes the coastal zone, and the project site is located within the coastal zone.

23

00:08:03.970 --> 00:08:11.970

Susan Strachan, San Luis Obispo County: So the site, the refinery, which is shown again outlined in red is was built in 1,955

24

00:08:12.050 --> 00:08:19.680

Susan Strachan, San Luis Obispo County: the project site area meaning that area within that red boundary it comp comprises 245 acres.

25

00:08:19.700 --> 00:08:32.450

Susan Strachan, San Luis Obispo County: The refinery property itself is 1,650 acres. Again, the land use designations of the site itself are, and surrounding our industrial agriculture and open space.

26

00:08:32.450 --> 00:08:51.470

Susan Strachan, San Luis Obispo County: It's low, and it's located within the coastal zone. The blue circles that you see on this figure. This figure did come from the application, and all of those application materials are on our way. County web page for the project. Those are just noting different stockpile locations of of

27

00:08:51.470 --> 00:08:54.020

Susan Strachan, San Luis Obispo County: a demolition. Materials.

28

00:08:57.490 --> 00:09:06.400

Susan Strachan, San Luis Obispo County: So the Santa Maria refinery received heavy, crude oil by pipeline and truck from offshore pipelines, and the Santa Maria Valley.

29

00:09:06.580 --> 00:09:18.110

Susan Strachan, San Luis Obispo County: The refinery produced a semi-refined oil pride product, which was then sent by pipeline as feedstock to Philip. 66 rovidale refinery in contra Costa County.

30

00:09:18.110 --> 00:09:30.690

Susan Strachan, San Luis Obispo County: The refinery, also the santa Maria refinery also produce petroleum, hydrocarbon, coke, and granular sulfur. These are by products of the refining process and these are shipped off site for sale.

31

00:09:30.690 --> 00:09:50.290

Susan Strachan, San Luis Obispo County: Philip, 66 received from Contra Costa approval from Contra Costa County in 2,022 for its rodeo refinery renewed project, and that project will re purpose the rodeo refinery to process renewable feed stocks into renewable fuels.

32

00:09:52.110 --> 00:10:22.110

Susan Strachan, San Luis Obispo County: So with the redeco refinery being repurposed and then no longer going to be processing crude oil. The Phillips 66 Santa Maria refinery is no longer needed. Santa Maria refinery stopped receiving crude oil. In January of 2023. The refinery is now shut down, and decommissioning activities are underway under existing permits, and these activities consist of isolation and decommissioning our

33

00:10:22.110 --> 00:10:40.630

Susan Strachan, San Luis Obispo County: contamination of processing process, equipment, and then segregating and removing bulk materials facility that'd be idle idled into the Cdp. The coastal development permit, and Development plan application are approved by the county

34

00:10:43.310 --> 00:10:54.930

Susan Strachan, San Luis Obispo County: now in terms of the specifics of the demolition and remediation project. There are 3 over stages which are consist of overlapping processes.

35

00:10:54.930 --> 00:11:19.820

Susan Strachan, San Luis Obispo County: So the first stage is the above ground. Demolition, which is removal of facilities and structures to the to ground level and the project. The site will be broken up into sections, and the work will be done in sections. It'll also consist of segregating and stockpiling demolition materials, and then loading those materials on to truck and rail for offsite disposal.

36

00:11:19.820 --> 00:11:25.910

Susan Strachan, San Luis Obispo County: The duration of this above ground demolition is estimated to be approximately 8 months.

37

00:11:25.920 --> 00:11:47.660

Susan Strachan, San Luis Obispo County: When above ground demolition is completed in a section then below ground, demolition and remediation activities may will begin in that area. So one area could be moving on to below ground demolition and remediation, while above ground demolition would be continuing in another area. That's that overlapping process.

38

00:11:47.820 --> 00:12:06.630

Susan Strachan, San Luis Obispo County: So with the below ground. Demolition and remediation. There'll be site characterization. This will determine if there is soil, contamination, the a below ground infrastructure will be removed, and then, if there is any soil, contamination, soil, remediation will happen.

39

00:12:06.700 --> 00:12:24.740

Susan Strachan, San Luis Obispo County: This stage is estimated to last approximately 3 plus years. It would again overlap with the above ground work, and that timeframe is going to be dependent on soil remediation activities which will not be fully known until the site characterization happens.

40

00:12:24.920 --> 00:12:40.300

Susan Strachan, San Luis Obispo County: Lastly, the third stage is final site, grading site, restoration, and site monitoring. So this is when you have the above ground features removed below ground infrastructure removed.

41

00:12:40.300 --> 00:12:52.110

Susan Strachan, San Luis Obispo County: the remediation finished, you get into these final site activities. Site. Restoration consists of re vegetation of the of the site and then monitoring of that re vegetation effort.

42

00:12:52.110 --> 00:13:01.840

The duration of that is estimated to be approximately 3 plus years. And again it could be overlapping with above, ground and below groundwork and other areas.

43

00:13:03.860 --> 00:13:19.090

Susan Strachan, San Luis Obispo County: Now, to talk further about above ground demolition. This slide gives a list of what are the above ground facilities that would be removed. So it includes the Tank farm and cooling towers.

44

00:13:19.090 --> 00:13:35.280

Susan Strachan, San Luis Obispo County: other storage tanks like water storage tanks, different buildings, the coke plant, and the associated stockpile with that plant, the sulfur plant and its stockpile the industrial wastewater, affluent treatment plant.

45

00:13:35.280 --> 00:13:47.070

Susan Strachan, San Luis Obispo County: There'll be on site, equipment, pipelines, and associated fixtures will be removed, culverts and drainage in some locations and then rove paid road pavement and concrete in some locations.

46

00:13:49.260 --> 00:14:04.140

Susan Strachan, San Luis Obispo County: And then this slide basically just is pointing out to those different items on the list that I read off. So you can see where all of that demolition activity will be occurring for the above ground demolition.

47

00:14:06.750 --> 00:14:23.680

Susan Strachan, San Luis Obispo County: Now Phillips is also proposing that some infrastructure will remain, and this slide provides a list of what that is. So it includes the rail spurs, the truck scale existing, parking we, and roads needed for access and maintenance.

48

00:14:23.700 --> 00:14:35.340

Susan Strachan, San Luis Obispo County: pg. And e. Substation and service lines and polls perimeter security, fencing, lighting, and guard sheds groundwater production wells and water, monitoring wells.

49

00:14:35.340 --> 00:14:57.230

Susan Strachan, San Luis Obispo County: maintenance equipment for off-site pipelines to rodeo. There's a wastewater outfall line that extends a couple of miles from the site, and then offshore about half a mile, and then the slop oil remediation system, which is an ongoing remediation project under it, existing in an in existing permit, will continue.

50

00:14:57.230 --> 00:15:14.690

Susan Strachan, San Luis Obispo County: I do want to point out that the permitting for site. Reuse is not proposed with this project Phillips is proposing to demolish and remediate the site. The site is zoned industrial, and Phillips is not proposing to change that zoning.

51

00:15:14.690 --> 00:15:29.720

Susan Strachan, San Luis Obispo County: They are all planning to sell the site, so given that there are some project features, the ones of the infrastructure to remain which could be considered an asset by a potential buyer, and therefore these features are proposed to remain.

52

00:15:29.740 --> 00:15:48.660

Susan Strachan, San Luis Obispo County: There's also some project features that are to remain which are associated with the existing groundwater, monitoring and remediation. What's important to note that any future you reuse of the site would require permitting, and the appropriate environmental review by the county.

53

00:15:52.240 --> 00:16:03.620

Susan Strachan, San Luis Obispo County: And so this slide shows again of those features that the infrastructure proposed to remain gives an idea of where those features are located within the site

54

00:16:03.620 --> 00:16:16.050

and the outfall line it gives a it shows a an arrow. It doesn't show where it extends actually to the to the ocean, but it extends in the direction from where it's shown on this slide.

55

00:16:19.270 --> 00:16:27.720

Susan Strachan, San Luis Obispo County: So, following in terms of above ground demolition following the approval of the coastal Development Development plan.

56

00:16:27.720 --> 00:16:48.500

Susan Strachan, San Luis Obispo County: the demolition activities would occur within the refinery fence line. There's debris sorting for recycling and waste management. Existing roads would be used during the surface demolition. Again, the work would be done in different areas, using standard equipment like excavators, skid steers, mobile cranes.

57

00:16:48.550 --> 00:17:11.740

Susan Strachan, San Luis Obispo County: There will be no use of explosives are anticipated with the demolition effort, and for the above ground demolition. It's estimated that there would be a maximum of 60 truck trips per week. This is less than the historical average. When the plant was operating of approximately 37 trucks a day

58

00:17:13.980 --> 00:17:29.380

Susan Strachan, San Luis Obispo County: for below ground demolition. This this was the infrastructure that would be removed. We have concrete building slabs, perimeter footings, pad footings, underground utilities, and piping

59

00:17:29.380 --> 00:17:35.490

Susan Strachan, San Luis Obispo County: pipe rack pedestals, tank ring columns containment walls and asphalt surfaces.

60

00:17:35.490 --> 00:17:55.210

Susan Strachan, San Luis Obispo County: So the maximum truck trips during a below ground demolition would be 92 trucks per year, but that it's not just so. You know, not additive with the 60 for above ground. It will be a max of 92 trucks, trips which could also include above ground demolition, truck trips.

61

00:17:55.210 --> 00:18:00.700

Susan Strachan, San Luis Obispo County: and that's a a weekly maximum, and then up to 2,005 real card loads

62

00:18:02.690 --> 00:18:16.440

Susan Strachan, San Luis Obispo County: for remediation. Those activities include again the ongoing remediation and remote monitoring under existing permits. As I mentioned, it, includes the assessment and site characterization

63

00:18:16.440 --> 00:18:36.080

Susan Strachan, San Luis Obispo County: of site soil. This could include excavation in areas of identified contaminated soils, and then it includes the stock piling and loading and hauling off site for disposal of those contaminated soils. Additional groundwater remediation is not anticipated to be required as part of the project.

64

00:18:38.540 --> 00:18:41.600

Susan Strachan, San Luis Obispo County: This slide lists the waste types and hauling

65

00:18:41.620 --> 00:18:53.920

Susan Strachan, San Luis Obispo County: locations for the different demolition debris. So in terms of asbestos, it would be transport off site by truck or rail, and go to Utah, or a Zoosa

66

00:18:54.020 --> 00:19:06.890

Susan Strachan, San Luis Obispo County: treated wood would go to the Santa Maria, or Cold canyon landfills, Mex metals could be trucked or railed off site to regional recycling facilities, such as the essay recycling Bedford enterprises. Facility.

67

00:19:07.220 --> 00:19:20.590

Susan Strachan, San Luis Obispo County: mixed debris would be truck to the Santa Maria transfer, station concrete and asphalt would be tested and crushed for reuse on site or it could go to the gator crushing and recycling, which is located right by the site.

68

00:19:20.590 --> 00:19:32.530

Susan Strachan, San Luis Obispo County: or, if it is contaminated, would be hauled off site with contaminated soil, and then, lastly, the contaminated soil would be sent by truck or rail to Utah, or in the kitchen California.

69

00:19:34.990 --> 00:19:46.990

Susan Strachan, San Luis Obispo County: So this slide shows in relation to the project site going north where these disposal destinations are. So up to the north we have Cold Canyon landfill.

70

00:19:47.050 --> 00:20:03.230

and then, going down, you can see in red is the project site, and the gator crushing and recycling, is there, as I said, right by the project site, and then over to the right off of State route. 33 is the Ketrick waste management facility.

71

00:20:04.660 --> 00:20:18.140

Susan Strachan, San Luis Obispo County: Looking south, we have at the top of the page again in red is the project site and gator, crushing and recycling. Then the Santa Maria Transfer Station. the Bedford Enterprises facility. I mentioned

72

00:20:18.280 --> 00:20:27.920

Susan Strachan, San Luis Obispo County: the Santa Maria Landfill, and then headed for the south. Is that facility that would accept the asbestos in a zoo of California.

73

00:20:31.470 --> 00:20:48.150

Susan Strachan, San Luis Obispo County: Here we have some a grading estimates in terms of how much cut and fill, how much it there would be associated with removal of soil and recon touring, and then the total earthwork amounts that would be associated with the project

74

00:20:48.150 --> 00:21:03.770

Susan Strachan, San Luis Obispo County: for site, restoration goals. The plan is to stabilize and re-vegetate the site for long term dust control. The proposed to use native plant cover, which is compatible with species in the surrounding areas.

75

00:21:03.770 --> 00:21:08.560

and then all stormwater runoff would be retained on site.

76

00:21:11.240 --> 00:21:27.480

Susan Strachan, San Luis Obispo County: And this slide just gives an example on the left, in green of areas to be disturbed from the project. The area in orange is the is it? Asia stands for environmentally sensitive habitat areas?

77

00:21:27.480 --> 00:21:37.860

Susan Strachan, San Luis Obispo County: And then over on the right side of the site is showing what the final topography of the site would look like after the final grading and site restorations are free.

78

00:21:41.140 --> 00:21:52.240

Susan Strachan, San Luis Obispo County: And so next we're gonna I'm going to turn it over to Greg, who's going to talk about the Environmental Impact report process

and compliance under the California Environment Quality Act. Right?

79

00:21:52.900 --> 00:22:01.240

Greg Chittick, MRS Environmental: Thank you, Susan. Once again it great check with Mrs. Environmental Consultant helping the the county with this process and sequel.

80

00:22:01.370 --> 00:22:14.620

Greg Chittick, MRS Environmental: and I want to give a little bit of background on the California Environmental Quality Act sequel requires an analysis of the environmental impacts of a project. Hence kind of the purpose of the of the meeting here today See.

81

00:22:14.640 --> 00:22:22.950

Greg Chittick, MRS Environmental: it's equal, applies only to discretionary projects which in general, our projects would need to come before the planning commission on the Board of supervisors.

82

00:22:23.370 --> 00:22:31.580

Greg Chittick, MRS Environmental: It also requires a preparation of environmental impact report when a project might have significant impact on the environment.

83

00:22:32.190 --> 00:22:33.200

Greg Chittick, MRS Environmental: Next slide.

84

00:22:33.480 --> 00:22:51.390

Greg Chittick, MRS Environmental: This gives an overview of the pro process and schedule that we're anticipating. You see, on the left there. The application was submitted in august 2,022, As Susan had indicated, it went through a number of different reviews, and was deemed complete in this in March of this year.

85

00:22:51.580 --> 00:22:59.690

Greg Chittick, MRS Environmental: This is the second scoping meeting that we're having here in May 2023. This is an opportunity for public comment.

86

00:22:59.790 --> 00:23:18.890

Greg Chittick, MRS Environmental: Then we'll move into the draft environmental impact report which is anticipated to really be released in the third quarter of this year and then draft environmental impact report is an opportunity for the public once again to comment on the on this on the sequel process and the contents, as well as the the project.

87

00:23:19.170 --> 00:23:30.170

Greg Chittick, MRS Environmental: Then we'll move into a finally ir preparation, where we address the comments both gathered as part of this in up scoping as well as part of the drafty our process.

88

00:23:30.250 --> 00:23:41.670

Greg Chittick, MRS Environmental: and we anticipate a Finally, I are the beginning of 2,024, and then it will move into the planning commission meetings there after. And that's another opportunity for the public to give comment

89

00:23:42.360 --> 00:23:43.380

Greg Chittick, MRS Environmental: next slide.

90

00:23:43.790 --> 00:23:53.730

Greg Chittick, MRS Environmental: So the content and purpose of an Ei are a different number of sections that build upon each other. There's a detailed description of the proposed project.

91

00:23:53.760 --> 00:24:11.060

Greg Chittick, MRS Environmental: environmental and regulatory setting which establishes what the project is compared to to determine impacts. Then we look at the potential environmental impacts of the project based on thresholds that have been developed both by the county or other historical Eis.

92

00:24:11.210 --> 00:24:31.510

Greg Chittick, MRS Environmental: We also are required by secret to look at alternatives. They could potentially reduce significant impacts. and as well as mitigation measures that might reduce or avoid significant impacts. And part of this No. P scoping process is to is to solicit input from the public and decision makers about

93

00:24:31.580 --> 00:24:36.630

Greg Chittick, MRS Environmental: what alternatives are mitigation measures they feel might be good ideas.

94

00:24:37.330 --> 00:24:51.100

Greg Chittick, MRS Environmental: The purpose of the project is the purpose of this is to provide independent information for decision makers to consider, as well as to provide full disclosure to the public and the decision makers about the project and the potential impacts.

95

00:24:51.210 --> 00:24:52.220

Greg Chittick, MRS Environmental: Next slide

96

00:24:53.050 --> 00:25:03.220

Greg Chittick, MRS Environmental: a number of environmental issues will be examined, including aesthetics, air quality, biological resources listed here in this slide.

97

00:25:03.240 --> 00:25:13.110

Greg Chittick, MRS Environmental: including hydrology, land use and planning and land use and planning may also look at coastal access issues which which have been a concern historically with the site

98

00:25:13.150 --> 00:25:23.670

Greg Chittick, MRS Environmental: as well as recreation, transportation and wildfire. We're also listening comments on other issue areas that you feel a report that we should look at as well.

99

00:25:24.150 --> 00:25:25.090

Greg Chittick, MRS Environmental: Next slide.

100

00:25:26.000 --> 00:25:38.600

Greg Chittick, MRS Environmental: The impact analysis will be based on changes to the environment based on historical or existing conditions of the site. Sequel requires the analysis to focus on the significant impacts based on the thresholds.

101

00:25:38.660 --> 00:25:49.980

Greg Chittick, MRS Environmental: Mitigation Measures are can then be proposed to reduce or avoid significant impacts and mitigation measures, maybe changes to the project, or different scheduling or different approaches.

102

00:25:50.280 --> 00:25:55.960

Greg Chittick, MRS Environmental: Note that social and economic impacts are generally not considered as part of sequel.

103

00:25:56.860 --> 00:25:57.750

Greg Chittick, MRS Environmental: Thanks.

104

00:25:57.760 --> 00:26:17.290

Greg Chittick, MRS Environmental: Then we also look at alternatives. Alternatives are determined by sequel requirements which require that they will be consistent with most of the project objectives that they have ability to avoid or reduce

significant impacts of the proposed project, and that also they are feasible.

105

00:26:18.680 --> 00:26:22.100

Greg Chittick, MRS Environmental: feasible alternatives that could actually be implemented.

106

00:26:22.200 --> 00:26:35.330

Greg Chittick, MRS Environmental: Alternatives may include changes to the project. Sequel also requires looking at different locations which might not be as applicable in this project, but there are a number of requirements Well, alternatives, and sequel that we will need to follow.

107

00:26:35.470 --> 00:26:45.220

Greg Chittick, MRS Environmental: Sequel also requires an evaluation of what's called the No project alternative, which is, what if what would occur if this project were not to move forward

108

00:26:45.990 --> 00:26:56.510

Greg Chittick, MRS Environmental: next slide at this point? I'll turn it back over to Susan. We'll give a a overview of some of the scoping comments, and how those can be submitted. Thank you.

109

00:26:56.730 --> 00:27:17.020

Susan Strachan, San Luis Obispo County: Thank you, Greg. So we are going to move into the scoping re comment portion of our our our our meeting today. So for the Nope scoping comments, the comments need to be provided within the timeframe, the scoping period, which is that it closes on Monday, June fifth. At 5

110

00:27:17.100 --> 00:27:40.920

Susan Strachan, San Luis Obispo County: The comments should address scope of the environmental impact report. They can be given again verbally during this meeting. They can also be emailed to our county email address, and that is P. 66 refinery@co.slow.ca.us.

111

00:27:40.940 --> 00:27:49.640

Susan Strachan, San Luis Obispo County: or they can be mailed Regular mail to me. Susan Strachen, decommissioning project manager San Lucabiso County

112

00:27:49.640 --> 00:28:19.500

Susan Strachan, San Luis Obispo County: department of planning and building 900 and 76; also Street, you know, of the suite, 300, San Luc. So California, 9, 3, 408. This information is also listed on our website. What under the there's a web page

for the project under the county planning and building page, and it lists Santoria refinery, demolition, and

113

00:28:19.500 --> 00:28:25.500

Susan Strachan, San Luis Obispo County: mediation project that, and the information was also listed in the notice of preparation.

114

00:28:27.220 --> 00:28:37.910

Susan Strachan, San Luis Obispo County: So for the scoping comments, the meeting is being recorded and transcribed, so any comments will be registered as official Eir scoping comments.

115

00:28:37.910 --> 00:28:54.440

Susan Strachan, San Luis Obispo County: If you're going to make a comment, please identify yourself and organization. If applicable before beginning your comment, please also spell your name that helps us with the record, and then comments will be limited to 3 min per person

116

00:28:55.620 --> 00:29:13.080

Susan Strachan, San Luis Obispo County: again. I just want to go over the meet, how to participate. If you wish to make a scoping comment, please use the raise hand feature, and we will call on you to speak. If you're joining by phone Press Star 9 to raise your hand, and when called on Press Star 6 to unmute.

117

00:29:13.080 --> 00:29:24.120

Susan Strachan, San Luis Obispo County: So with that i'm going to turn it over to Emily, who is going to be and doing the allowing people to to comment Emily, do we have any? If people wish anyone wishing to speak.

118

00:29:26.390 --> 00:29:32.530

Emily Creel, SWCA Environmental Consultants: we have no hands raised currently, so we'll just give folks a minute. That sounds good. That sounds great.

119

00:29:51.700 --> 00:29:58.680

Emily Creel, SWCA Environmental Consultants: Okay, I have a hand raised. Corey Han. I'm gonna allow you to unmute yourself.

120

00:30:03.070 --> 00:30:08.940

Cory Hanh, City of Pismo Beach: beach just one to ask question as to how will the

121

00:30:09.380 --> 00:30:20.570

Cory Hanh, City of Pismo Beach: various hauling locations be determined, or what's going to be considered in determining which hall and station which home, station or location will be. This decided on

122

00:30:22.920 --> 00:30:38.650

Susan Strachan, San Luis Obispo County: it will the top? The calling locations will be evaluated in the Eir, but the proposed locations are those that we went over during the presentation that I listed out on those on the slides, and that were shown in them in the map.

123

00:30:40.680 --> 00:30:41.850

Cory Hanh, City of Pismo Beach: Got it. Thank you, bye.

124

00:30:49.700 --> 00:30:51.510

Susan Strachan, San Luis Obispo County: and any other speakers

125

00:30:52.570 --> 00:30:53.850

Susan Strachan, San Luis Obispo County: for commenters.

126

00:31:00.280 --> 00:31:02.340

Emily Creel, SWCA Environmental Consultants: No other hands are raised.

127

00:31:07.480 --> 00:31:18.980

Susan Strachan, San Luis Obispo County: Well, I think if we don't have any other comments, then we we can adjourn this meeting again. There is opportunity to make comment in in writing

128

00:31:18.980 --> 00:31:36.740

Susan Strachan, San Luis Obispo County: either via email or regular mail. In addition, we do have another scoping meeting tonight in person at 70'clock at the Black Lake Golf course, meeting room, and comments can be given verbally at that. At that meeting Also.

129

00:31:36.890 --> 00:31:40.880

Susan Strachan, San Luis Obispo County: i'll just check one more time, Emily, to see if we have any anyone wishing to speak

130

00:31:42.390 --> 00:31:50.500

Susan Strachan, San Luis Obispo County: no hands. Okay? Well, I want to thank everyone for participating, and with that we will adjourn the meeting. Thank you so much.



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING

TREVOR KEITH, DIRECTOR

C-DRC2022-00048/ ED23-054

Phillips 66 Santa Maria Refinery Demolition and Remediation Project

May 17, 2023 – PUBLIC SCOPING MEETING

SIGN-IN SHEET

Name	Agency/ Organization (if applicable)
Jim ANDERSON	RETIRED
Jeanne Hastings	resident Blacklake



County of San Luis Obispo
Department of Planning and Building

Phillips 66 Santa Maria Refinery C-DRC2022-00048 Scoping Meeting

In the interest of time, three (3) minutes will be reserved for your presentation.
Please submit this completed form to the Clerk of the Subdivision Review Board prior to the item.

Public Comment remarks should be directed to the Chairperson and the Board as a whole and not to any individual thereof. No person will be permitted to make slanderous, profane or personal remarks against any individual.

NAME: JEANNE HASTINGS

SCOPING ISSUES: FUTURE OWNER(S) OF PHILLIPS 66
PROPERTY [eg. sold to conservation group,
Coastal Commission?]

SIGNATURE: [Signature] DATE: 5/17/23

May 17, 2023 in-Person Meeting
Transcription

Unknown 0:00

While we're here, we'll have an overview of what the project is. We'll talk about the environmental impact report process and compliance under the California Environmental Quality Act. And then we'll open it up for public scoping comments, and I'll explain what those comments are. So first, as I mentioned, I'm Susan Strachan. I'm the decommissioning manager with the county. With me here is Sidney chambers. She's a senior planner in our division. And then over to the right is Greg Chittick. He's with Mrs. Environmental. Mrs. Is the consulting firm that's preparing the environmental impact report. And then Emily Creel, who is not with us today. She's the deputy project manager with us. So why are we here? So the California Environmental Quality Act requires that a notice of preparation, the provided that's that big 10 one page document you've got that describe the project that that be sent out for all projects for which an environmental impact report is going to be prepared, and when that notice of preparation is submitted or released. It starts in 30 day scoping period. And what that scoping period is, is it provides an opportunity for agencies in the public to make comments on the project. So what for example, what should be the scope of the environmental impact report? What should be the content of the environmental impact report and you can also provide comments on concerns, evaluation methods and mitigation measure measures with the scoping period then we have scoping meetings like this one. So we have this one in person. And then we did two virtual ones one this morning and then one Saturday. If we take comments or verbally so when we get to the scoping period, comment period made comments to us and we'll be writing them down and they're being recorded. There's also an opportunity to email them or to send them regularly. So I'm gonna go through a project background. It's it is a demolition project. So we'll talk about those demolition activities. There are some project elements which are proposed to remain so we'll go through those. We'll talk about the soil remediation and site restoration that's proposed to be done. And then talk about the waste types. That will come out of the demolition process and the haul routes for sending those those rail cars and trucks off site for disposal. And then we'll close with the background on the rest of site restoration. So Phillips apply for what's referred to as a coastal development target slash development plan. And they submitted their application to the county on August 8 2022. So once an application is submitted, the county reviews it for completeness. In other words, does the application include all the information that we need to then go into the next phase of the project, which is where we are now where we're starting to work on the environmental impact report. And so on March 15 2023, the county determined that the application was complete. So now we're moving on to the next phase which are use the scoping period

Unknown 3:24

so the site facility, it's on 2555 Willow road, it's Westfield highway, one on one in salvo the site itself as outlined in its western 101 south of Highway One, bisected by the railroad tracks which burnish is pointing to east of the oceanic dune State Park which is identified in green and then it's the calendar Gareth even administer the North and the monarch dunes neighborhood is to the east. And then those that kind of gray shaded area those are additional parcels that are owned by by Phillips. This next slide just shows the surrounding land uses so again the site is in red. The gray is and that Sony industrial the gray is also zoned industrial. Over to the left is open space. And then beyond that is recreation which is the Oceania didn't state park then going to the bottom is zoned agriculture. And then over when you go to the right you have parcels that are zoned residential. And oh sorry, I forgot one. One last important fact. The blue line going through the middle is the coastal zone. So the project is in, in the coastal zone, which and basically what that means is there's different from a permitting standpoint, different regulations, etc, that apply for projects that are in the coastal zone compared to those that are on the other side of that line. So again, the facility outlined in red was built in 1955. The area marked in red consists of 245 acres, but the refinery overall property is 1650 acres. As I mentioned, land use designations are industrial it within the site and adjacent to it agriculture and open space and it's it is located in the coastal zone. So the salary of refinery received heavy crude oil by pipeline and truck from offshore pipelines in the Santa Maria Valley. And then it produced a semi refined oil product which was sent by pipeline as feedstock to this Phillips 66 Rodale refinery in Contra Costa County. And then the cemetery refinery also produced petroleum hydrocarbon coke and brand new or sulfur which are byproducts of in refining process and those are shipped shipped off for sale there but the redeem refinery in in well in the backup so 66 received approval in 2022 from Contra Costa County for the ridgedale refinery renewed project and it's approved. They will now repurpose the retail refinery to process renewable feedstocks. into renewable fuels. And so with that change the Rodale refinery is no longer processing crude oil and the SAHMRI refinery deerforce no longer needed it so Santa Maria finally ceased receiving who crude oil

this past January and is now shut down and is in the decommissioning process. So what that means is that they're currently isolating and decontaminated process equipment and segregating and removing bulk materials and that is all done under existing permits. And then the facility we idled until the coastal development permit development plan application is approved so there's three stages to the project, so to demolition prior to let demolition and remediation so you start with the above ground demolition, which is the removal of facilities and structures to ground level and then you're taking all of that debris segregating it and stockpiling it and then loading and hauling it so that it's hauled off by truck and rail for off site disposal. And that duration of that activity is estimated to be a approximately eight months now the project will be divided up into into different areas. So when one area of the above ground demolitions is then I'll move into the below ground demolition and remediation. And that consists of site characterization to determine if there's any soil examinations, removal of below ground against the structure, and then soil remediation and the duration of that activity is approximately three plus acre of three for three plus years. And that's going to be dependent on either the remediation activities. And then lastly, once above ground demolition is finished below ground demolition is finished in an area they'll move into grading, site restoration site monitoring. So it's the final site rating, restoration, the revegetation of the site and monitoring of that revegetation effort. And again the duration of that is approximately three plus years in the total duration is going to depend on the remediation effort. So this is all this the the facilities to be removed. Got the tank farm when we towers, other tanks buildings, the coke plant associated stockpile, the sulfur plant associated stockpile, the industrial wastewater effluent treatment or wet plant on site equipment pipelines, associated fixtures, some of the culverts and drainage ditches and some of the pavement and concrete. And so this slide kind of see the shading and purple and what the arrows are pointing to are the features that I just called out. But this then shows you where all of those are located on the plant site. So as I mentioned earlier, they're also proposing to have some infrastructure remain and this includes rails, furs, trucks scale, existing parking lots need for access and maintenance. There's a PGE substation so that was proposed to remain along with the strict transmission lines and Poles associated with it. perimeter security, fencing lighting guard shacks, groundwater production, wells, water monitoring wells, maintenance equipment for off site pipelines to retail, there's a wastewater outfall line, which extends from the site. Then offshore five about half a mile and the slug oil remediation system which is an existing and mediate remediation project under waterboard permits that would remain. What I want to point out though is that the permitting for site reuse is not proposed as as part of this project. So Philips is proposing to demolish and remediate the site but the end the site, as I mentioned, is zoned industrial. They're not proposing to change the zoning of the site. They are attending to sell the site. And so given that these if this infrastructure could be attractive to a potential buyer, and so that's why it's being proposed to remain and then the other features that are associated with existing remediation projects, those will remain. But the important thing about future issues is airspace reuse. The site has to come before the county for permitting and the appropriate environmental review. So this This slide shows again on the plant those features I mentioned to route that are to remain where those are located on the plant site. And octopus saris, anything about the output the outfall line is just showing the direction it goes but again, it doesn't extend offshore. So just to talk a little more about above ground demolition. Following county approval, all the demolition activities would remain within the fence line. All the debris would be sorted for recycling and waste management. They use the existing roads certainly exists. Standard equipment would be used and they're not intending to use blasphemed or any explosives. From a truck trip standpoint for above ground demolition. It's estimated that there would be 60 truck trips a week maximum. It's important to note that that is less than the average historical average on the planet was running. That number was 30 years on average 37 trucks a day. For below ground demolition, excavation and removal this just lists what is below ground so you have concrete building slabs, perimeter footings pad footings, underground utilities of piping, pipe rack pedestals tank room columns, containment walls and asphalt surfaces. So from again maximum and this this is an additive with the above ground and maximum 92 truck trips per week and then up to 2005 railcar loads. For remediation. Again, we have there's the ongoing remediation and monitoring and their existing waterboard permits. And then as I mentioned when they get to the below ground activities, they would do a site characterization to determine where their soil contamination they didn't excavate any identified contaminated soils stockpile that soil loaded and then haul it off site for disposal is not anticipated they felt the need for groundwater remediation.

Unknown 12:57

So this slide just lists the types of wastes that's anticipated and where it's going to be disposed. So there's asbestos which would be sent by rail or truck to Utah or Azusa California, treated wood would go to the Samory are called Canyon landfills. mixed metals would go via truck or rail to a regional recycling facility like the SA recycling Bedford enterprises in Santa Maria. Mixed debris would go to the Samory transfer station, concrete and asphalt would either be tested impression reused on the site, or go over to just down the road to Gator crushing recycling. However, the concrete

or asphalt had any contamination it would be hauled off site and contaminated soil and then the contaminated soil will be transported by truck or rail to Utah or McKittrick. And then this slide shows where these facilities are. So this is looking at a plant is at the bottom in red. And right next to it you have Gator crushing and recycling. And then if you go up north you've got the cold Canyon landfill which is off of Highway 227. And then that inset photo is where we keep track is off of State Route 33. And then looking south at the top of the page is where the plant site is again data crushing is right there. And then going on down one on one you have the salary of transfer station, Santamaria landfill and the Bedford enterprises facility and then as uses down in Southern California So this slide just gives an estimate of the amount of earthmoving that's going to happen as a result of the project. It just gets different estimates for Pentonville and total earthwork. And then the goals for site restoration are to stabilize and revegetate the site for long term dust control. Then, plan on using native plant covers of the native plants that are compatible with the surrounding areas and then all the stormwater runoff will remain on site. And the slide shows final grading. So the green is areas that will be disturbed. The orange around it, they're environmentally sensitive habitat areas. And then the over on the right side shows the proposed final topography and again with the areas of the environmentally sensitive habitat area that will remain. And with that, I'll turn it over to Greg who's going to talk about the environmental impact report process and compliance with the California Environmental Quality Act.

Unknown 15:43

Thank you, Susan. Once again, my name is Greg Chittick. I'm with Mrs. Environmental we're consultants helping the county with this process. As Susan mentioned, I want to talk a little bit about the sequel process sequence in California law that requires analyzing the environmental impacts of a project. It only applies to discretionary projects which are effectively projects that need to go before a planning commission on board of supervisors requires the preparation of an environmental impact report when the project might have significant impacts on the environment. This is the estimated process and schedule. Susan indicated the Phillips 66 submitted their application back in August 22 It went through a bit of review and back and forth and then was adopted and moved into the public scoping meeting in this month of May 2023. This is an opportunity for public comment on the NOP process as well as the environmental impact report. We'll be drafting the environmental impact report over the course of this next year and expect to release a draft in the third quarter of 2023. The draft comment period is an opportunity for the public to have more comments on the conclusions of the EIR. Those comments will be addressed in the finally IR was We expected the beginning of 2024 and then the ER will come before the Planning Commission for certification. That's another opportunity for the public to have input on the process. The content and purpose of an EIR a number of different components that build upon each other. A detailed description of the proposed project, the environmental and regulatory setting would sort of defines what the increments are. That then end up producing your potential impacts of the project based on thresholds that the county has adopted, or on other ers that have been developed part of seawall so requires alternatives that could reduce significant impacts as well as mitigation measures that could reduce or avoid significant impacts and part of this process is looking to the public if they have employer ideas about any of those alternatives or mitigation measures. The purpose of this process is to provide independent information for decision makers to consider the planning commission or board of supervisors if it gets to that point. So to provide full disclosure to the public in those decision makers. There are a number of issues to be evaluated in the IR listed in this slide, including aesthetics, air quality, biological resources, greenhouse gas emissions hazards, hazards analysis, Land Use and Planning and part of that we may also look at coastal access which has been an historical issue of concern in the area, as well as noise, recreation, transportation, potential impacts. This is also part of what we're looking for at this phase is public input on there are any other environmental issues that the public would like us to look at or if there are any specific issues within the any of these environmental issues that that the public would like us to look at. The impact analysis are based on changes to the environment compared with existing or storage historical conditions, which is called the baseline. SQL requires the analysis to focus on the significant impacts. In other words, those impacts that exceed a certain threshold of of impact. mitigation measures are proposed to reduce or avoid significant impacts mitigation measures, maybe changes in the specifics of the the project or timelines or even location even though that's less applicable to this project, but Sequa has a number of requirements for mitigation measures. Note also that social and economic impacts are not considered significant. The focus is primarily on the environment. alternatives are also examined as part of Sequa. They need to be consistent with most of the project objectives. They also need to be able to reduce or avoid significant impacts of the proposed project. And they also need to be feasible alternatives may include changes to the proposed project or other issues. Sequel also requires an evaluation of what's called the no project alternative, which is what were to happen if the project were not to move forward. And at this point, I want to turn it back over to Susan for some details on the on the scoping comments.

Unknown 20:26

So now we're into scoping. If you have comments on the project, it's that they can be provided today or within the scoping time period. That time period ends on June 5 at 5pm. And there's different ways again, you can do it verbally at today's meeting, or there is an email address that we've established for the project that's listed there, or you can mail it to me at the address listed listed below. I'll keep that on for a minute. If you wanted to get that that address so as I mentioned, the meeting is being recorded so any comments received will be registered as official scoping comments. What we'd like you to do is to fill out the speaker cards if you want to speak so we have that for the record. And then work if you could just limit your comments to three minutes. And that's it. Did you want to make any

Unknown 21:28

comments? I mean, we're pretty my

Unknown 21:30

local questions. I don't know if you can address this or not. You were saying that Phillips proposes to sell the property I just did from that we sent in the mail that they were going to keep part of this of these 1009 acres but they're going to be selling part of the property and its industrial use zone. Is it likely that there would be any kind of residential project

Unknown 22:04

that we can't we don't know? The possibility? Well, no. I mean, if it were if that would have happened that that company, let's say Bob's homebuilder would have to apply to the county for a rezoning. Okay. And they will have to go through that whole process to rezone industrial land as residential. So, so that's why I kept it any anything at Endor even if it was an industrial ag would have to go to the county, so any new use would have to go to the county for approval.

Unknown 22:35

But it's already agriculturally. So it's something it's somewhat industrial.

Unknown 22:39

So the whole I would say there's there's ag nearby I don't understand if you want to run to that slide if it's possible to go back to that and it's got several packages

Unknown 22:52

as part of their their large area. It's pretty good size. It's right at the beginning. Is it possible that any land would be able to the Coastal Commission California books Well, I appreciate that I don't know and left as either some kind of trail for the public or just camp to as site for

Unknown 23:17

I think that we're dependent on the entity wanting to come in and do that, you know but again, that's not this. What we're contemplating is just the demolition and the remediation. Any future use would be dealt with separately.

Unknown 23:32

Okay. So any any writing as far as the artist is? That's irrelevant.

Unknown 23:40

will probably say in the ER the same things were saying tonight that yes, it's zoned industrial. There's no proposal to change that to another rezone. There's no property of another project. It's just what I went through the above ground but demolition below ground demolition, remediation but they are proposing to keep some of the infrastructure because somebody might want a future buyer may want

Unknown 24:07

so as far as you know, there's they're really thinking about selling all the way. I understood that perhaps they were keeping some of the area sales for some reason and they're gonna sell off the part of the brain.

Unknown 24:20

Yeah, that's my knowledge is it's the it's it's not what we're speaking of the society.

Unknown 24:25

Okay. Thank you. Well, it seems like it'd be attractive for a shelter in terms of coastal views like that.

Unknown 24:39

To residential. Yeah, and like I said, residential and it

Unknown 24:43

wasn't every patient would be in a restaurant for obvious reasons. Yeah. And

Unknown 24:47

the Coastal Commission, we work with them. We have projects again that are in the coastal zone. We work with them together. And just project is anything. Our projects in the coastal zone that are approved by the county can be appealed to the Coastal Commission. So we work with them a lot, so that they know what we're doing. And they get involved in that respect.

Unknown 25:12

So it's really more a county decision than anything that would reflect

Unknown 25:16

in the state. Yes, so the county is the lead agency. So we're the lead permitting authority entity for project

Unknown 25:31

funds.

Unknown 25:41

This was all done by the end of the 24. Counties process, not the whole cycle that I completed in the beginning of 24.

Unknown 25:59

is called Page flows.

Unknown 26:03

We our process is paid by the applicant. Yeah. So and that's in any project when the County, the county gets a project application that's got confused for funding. Okay. Then I think that concludes our meeting. We're going to be cleaning up if you come up with more questions just because yes,

Unknown 26:26

ma'am. Would you mind would you mind sending out the speaker slips so we have your name? Since you've provided questions and comments, I'll get you one.

Unknown 26:45

Yeah, sometimes he'll ask. Did you have the largest turnout to say

Unknown 26:58

that people have something to do with to be allowed to have the

Unknown 27:11

opportunity to be more

Unknown 27:19

lively so

Unknown 27:27

much.

Unknown 27:37

This is a

Unknown 27:49

Holy Spirit so I know that they're starting to slip by.

Unknown 27:55

On

Transcribed by <https://otter.ai>



COUNTY OF SAN LUIS OBISPO

**Phillips 66 Santa Maria Refinery
Demolition and Remediation Project**



Public Scoping Meetings

**Development Plan/Coastal Development Permit
C-DRC2022-00048 – ED23-054**

Scoping Meeting Agenda

- Introductions
- Purpose Meeting and Scoping
- Phillips 66 Santa Maria Refinery –Overview of Proposed Project
- EIR Process and CEQA Compliance
- Public Scoping Comments – Please fill out a speaker form



Meeting Participants

County of San Luis Obispo Planning and Building

- **Susan Strachan** – Decommissioning Division Manager
- **Cindy Chambers** – Senior Planner

MRS & SWCA– County Environmental Consultants

- **Greg Chittick** – EIR Project Manager (MRS Environmental)
- **Emily Creel** – Deputy Project Manager (SWCA)



Purpose of Meeting and Scoping

CEQA Requires Notice Of Preparation and 30 -Day Scoping Period

- Opportunity for agencies and public to provide input and comment on the scope and content of the EIR.
 - Provide oral comments at scoping meetings or written comments via email or mail
- Opportunity to provide input on project concerns, evaluation methods, and mitigation measures.



Project Overview

- Background
- Refinery Plant Shutdown & Demolition Activities
- Elements to Remain
- Soil Remediation & Site Restoration
- Waste Types & Haul Routes for Disposal Transport
- Site Restoration



County Land Use Application

Phillips 66 Santa Maria Refinery Demolition & Remediation Project: Coastal Development Permit & Development Plan

Phillips 66 Filed Application C-DRC2022-00048
County Response -Request for Information

August 8, 2022
September 15, 2022

Applicant Submittal (2)
County Response (2) - request for information

October 28, 2022
December 1, 2022

Applicant Submittal (3)
County Response (3) - request for information

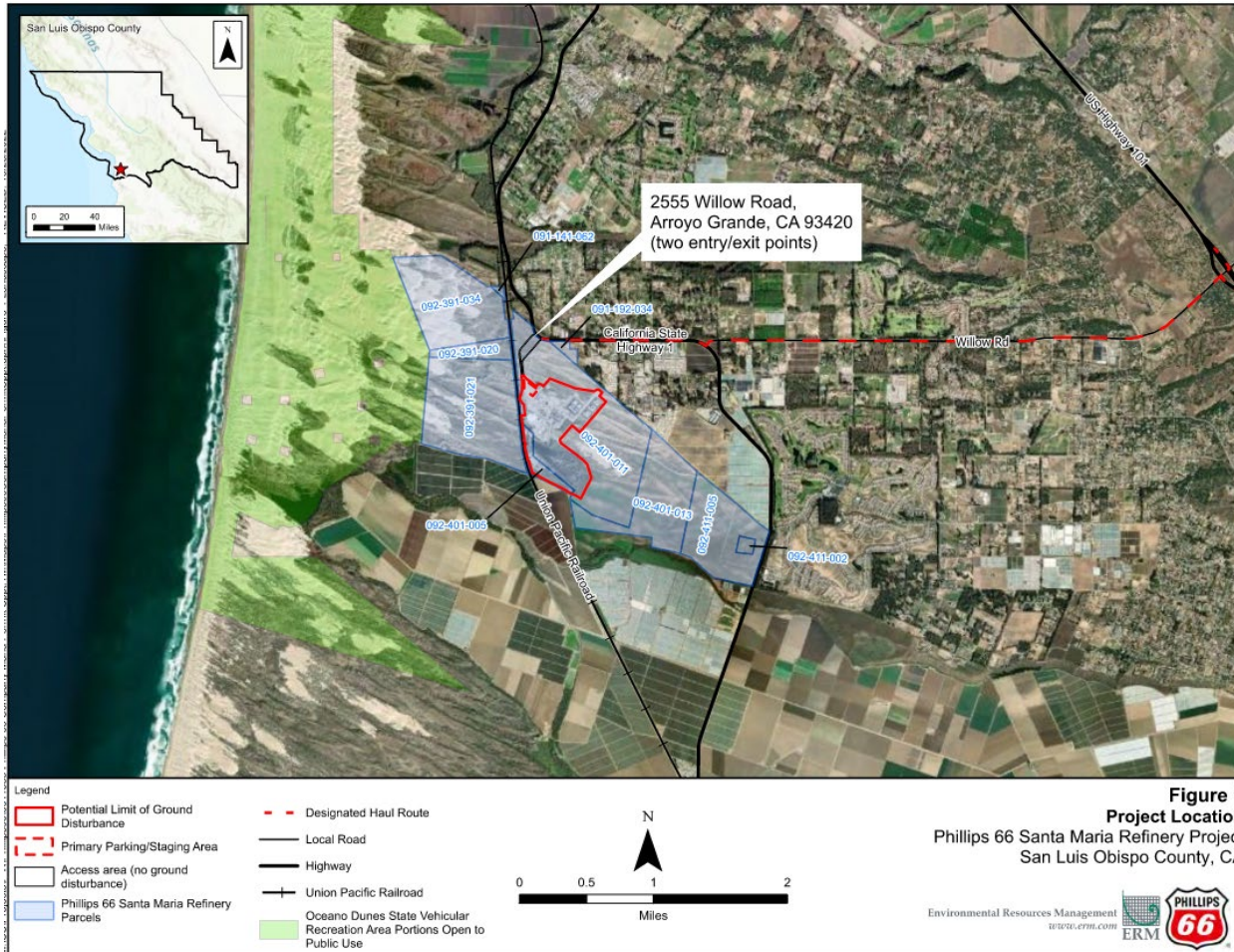
December 15 & 30, 2022
January 13, 2023

Applicant Submittal (4)
County Response (4) – Application Acceptance

February 15, 2023
March 15, 2023



Site Vicinity



Source: Esri - California State Parks, Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, Earthstar Geographics, Esri, USGS; NAD 1983 California Teale Albers
Oceano Dunes State Vehicular Recreation area: http://ohv.parks.ca.gov/pages/1170/files/OceanoDunesMap_01-2020-Draft-3.pdf

2555 Willow Road,
Arroyo Grande

West of US 101
South of US HWY 1

Bisected by UPRR

East of Oceano
Dunes State Park

Callender-Garrett
to the North

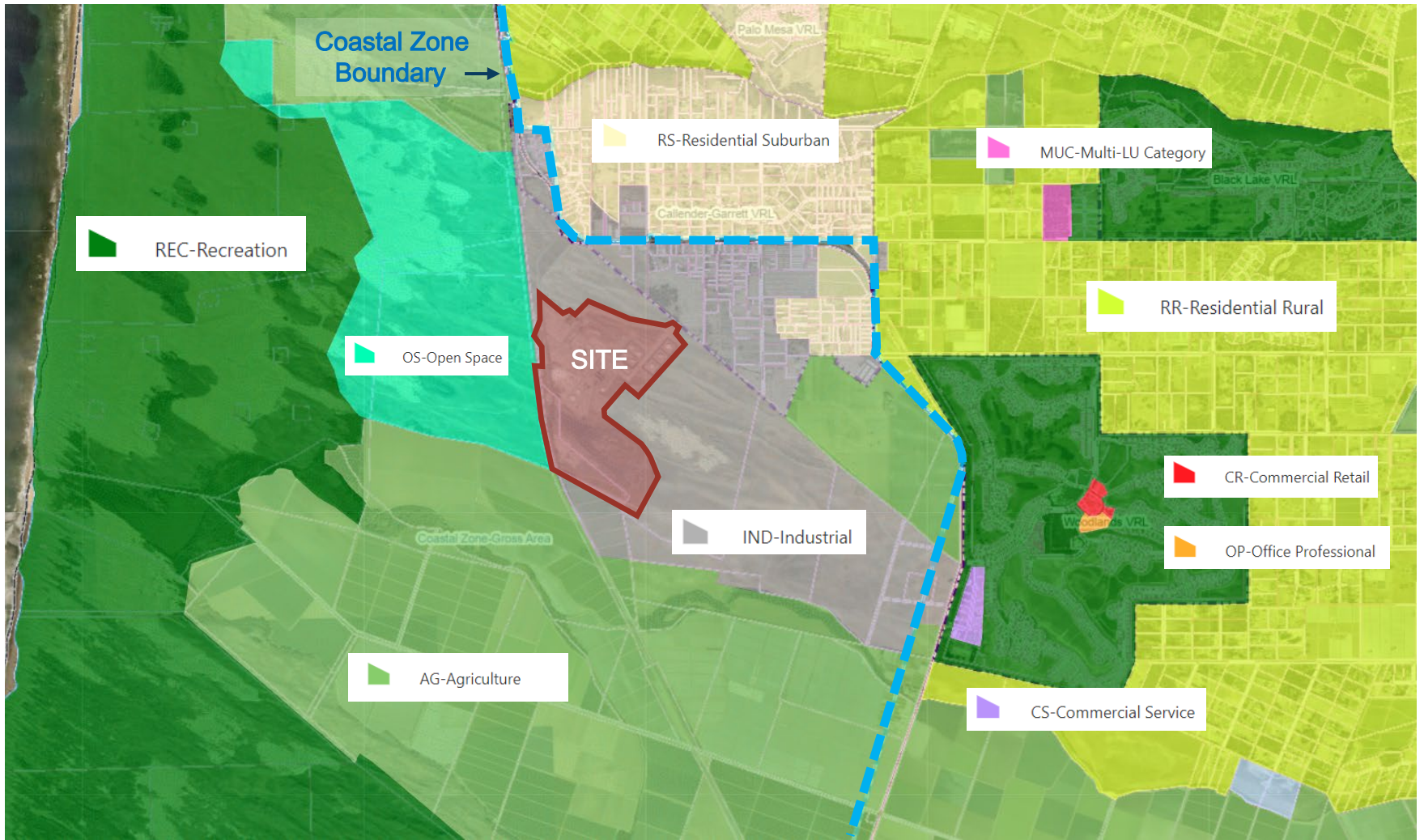
Monarch Dunes to
the east



COUNTY OF SAN LUIS OBISPO

www.slocounty.ca.gov

Surrounding Land Uses









Site Location – Phillips 66 Refinery



- Facility Built in 1955
- Project Site Area ~ 245 Acres
- Refinery Property ~ 1,650 acres
- Land Use Designations: Industrial, Ag, Open Space
- Located Within Coastal Zone

Legend

-  Area of potential ground disturbance
-  Primary Parking/Staging Area
-  Access area (no ground disturbance)
-  Stockpiling Area
-  Highway
-  Union Pacific Railroad

Background & History

- Santa Maria Refinery (SMR) facility received heavy crude oil by pipeline & truck from offshore platforms & Santa Maria Valley
- Semi-refined oil product was sent via pipeline as feedstock to Phillips 66 Rodeo Refinery in Contra Costa County
- SMR also produced petroleum hydrocarbon coke and granular sulphur (by-products of refining process) shipped off-site for sale
- The Rodeo Refinery Renewed Project approved by Contra Costa Co. in 2022, will repurpose the Rodeo refinery to process renewable feedstocks into renewable fuels



Background & History

- With Rodeo Refinery no longer processing crude oil, the Phillips 66 Santa Maria Refinery is no longer needed
- Santa Maria Refinery ceased receiving crude oil in January 2023
- Santa Maria Refinery is shutdown & decommissioning activities now underway under existing permits:
 - Isolation, decontamination of process equipment
 - Segregating & removal of bulk materials
- Facility will be idled until CDP/DP Application approval



Proposed Project

Three-stage, Overlapping Process

- Aboveground demolition, removal of facilities & structures to ground level, working in sections:
 - Segregation, stockpiling of demolition materials
 - Loading & hauling by truck & rail to offsite disposal facilitiesDuration: 8 Months
- Belowground demolition & remediation, in sub -areas as sections of aboveground demolition are completed:
 - Site characterization to assess soil contamination
 - Removal of belowground infrastructure
 - Soil RemediationDuration: approximately 3+ years; would overlap with aboveground work
- Grading, site restoration, and site monitoring
Duration: approximately 3+ years; would overlap with above/belowground work

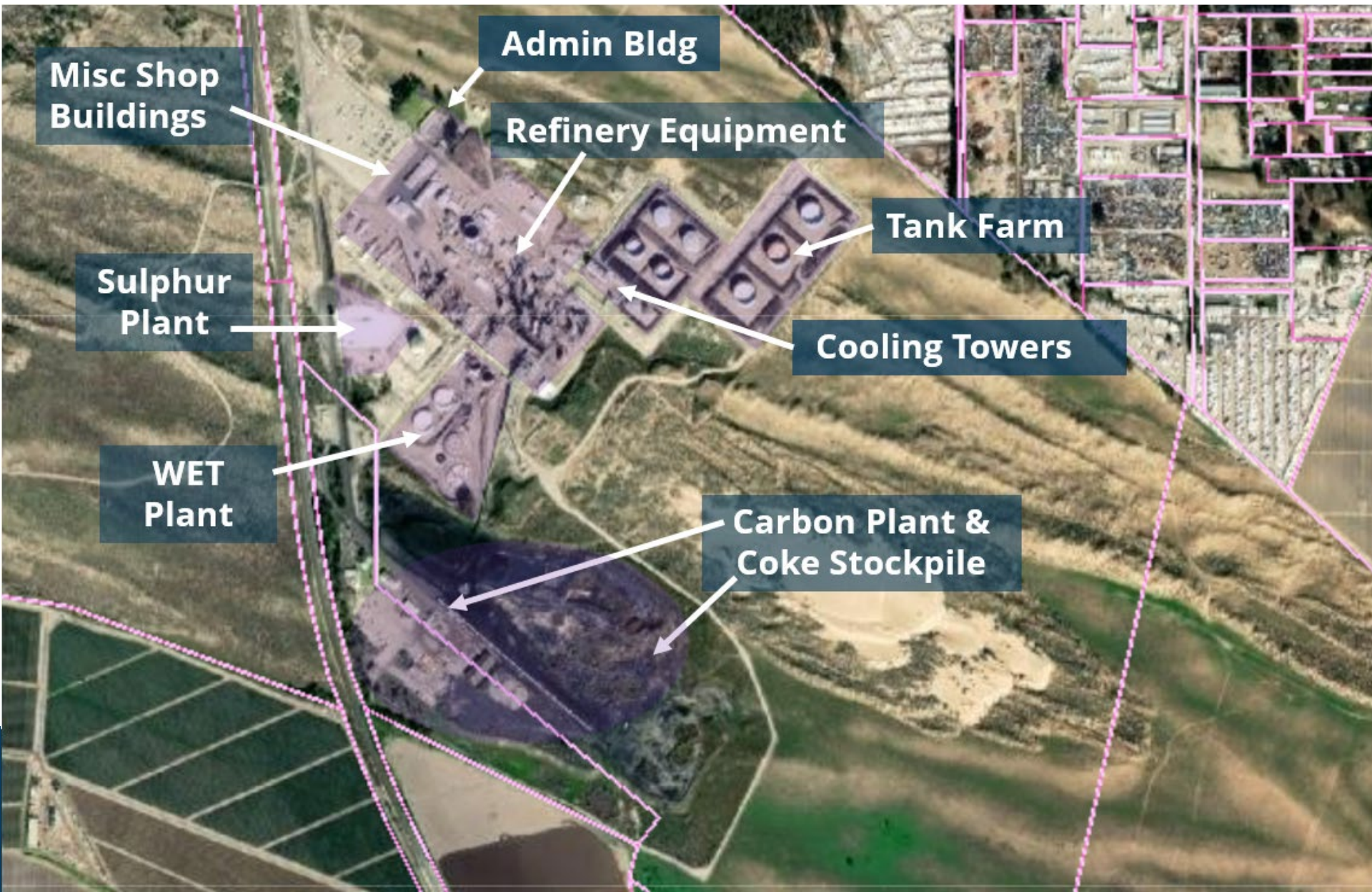


Facilities to be Removed

- Tank farm & cooling towers
- Other assorted storage tanks (i.e., water storage)
- Buildings – Admin. office, shops, storage
- Carbon (Coke) Plant (and associated stockpile)
- Sulphur Plant (and associated stockpile)
- Industrial Wastewater Effluent Treatment (WET) plant
- Onsite equipment, pipelines & associated fixtures
- Culverts & drainage features in some locations
- Road pavement and concrete in some areas



Facilities to be Removed



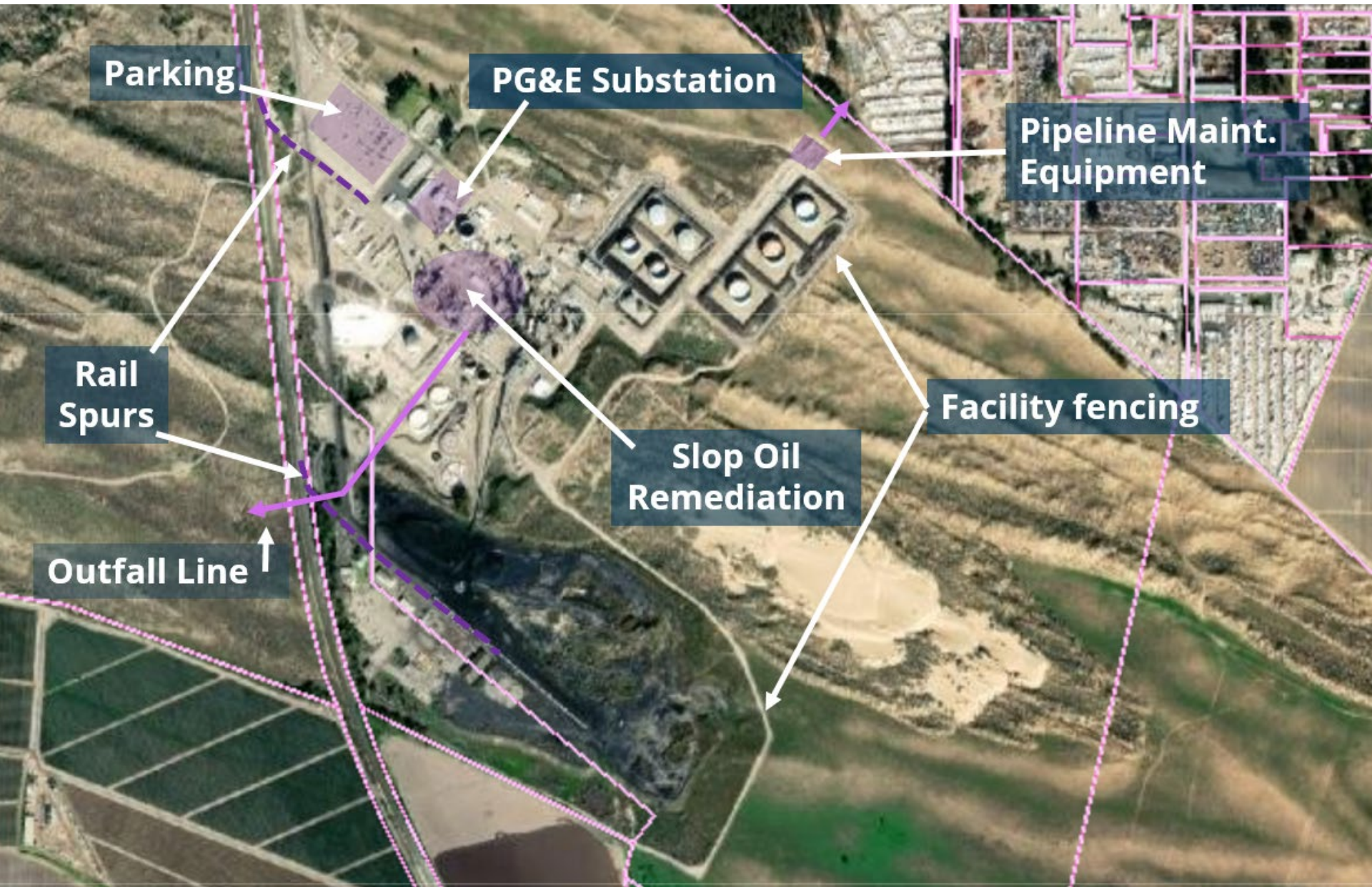
Infrastructure to Remain

- Rail spurs, truck scale
- Existing parking, roads needed for access & maintenance
- PG&E substation, service lines & poles
- Perimeter security fencing, lighting & guard shack
- Groundwater production wells, water monitoring wells
- Maintenance equipment for offsite pipelines to Rodeo
- Wastewater outfall line from site to 0.5 miles offshore
- Slop Oil Remediation system (ongoing under permit)

Permitting for site re-use is not proposed with this project



Infrastructure to Remain



Aboveground Demolition

Following County CDP/DP approval:

- Demolition activities to occur within refinery fenceline
- Debris sorting for recycling & waste management
- Existing roads to be utilized during surface demolition
- Work will be done in sub-areas using standard equipment
- No blasting or use of explosives is anticipated
- Estimated 60 truck trips per week maximum
 - Will not exceed historical average of 37 trucks/day



Belowground Demolition

Belowground Demolition, Excavation & Removal:

- Concrete Building Slabs
- Perimeter Footings
- Pad Footings
- Underground Utilities and Piping
- Pipe Rack Pedestals
- Tank Ring Columns
- Containment Walls
- Asphalt Surfaces (site paving and roads)

Estimated 92 Truck Trips
per week maximum

Up to 2,005 Rail Car Loads



Remediation

Site Remediation Includes:

- Ongoing Remediation and Monitoring Under Existing Water Board Permits
- Assessment & Site Characterization of Site Soil
 - Excavation in areas of identified impacted soils
 - Stockpiling, loading & hauling
- Additional groundwater remediation is not anticipated to be required



Waste Types & Hauling

- Asbestos - rail or truck to disposal facility in Utah (rail) or Veolia in Azusa, CA (truck)
- Treated Wood - truck to Santa Maria or Cold Canyon Landfills
- Mixed Metals - truck or rail to regional recycling facilities (SA Recycling/Bedford Enterprises)
- Mixed Debris –truck to Santa Maria Transfer Station
- Concrete & Asphalt – tested & crushed for re -use on site or to Gator Crushing and Recycling (impacted material to be hauled with contaminated soil)
- Impacted Soils – transport by rail/truck to Utah or McKittrick, CA



Demolition Haul Routes

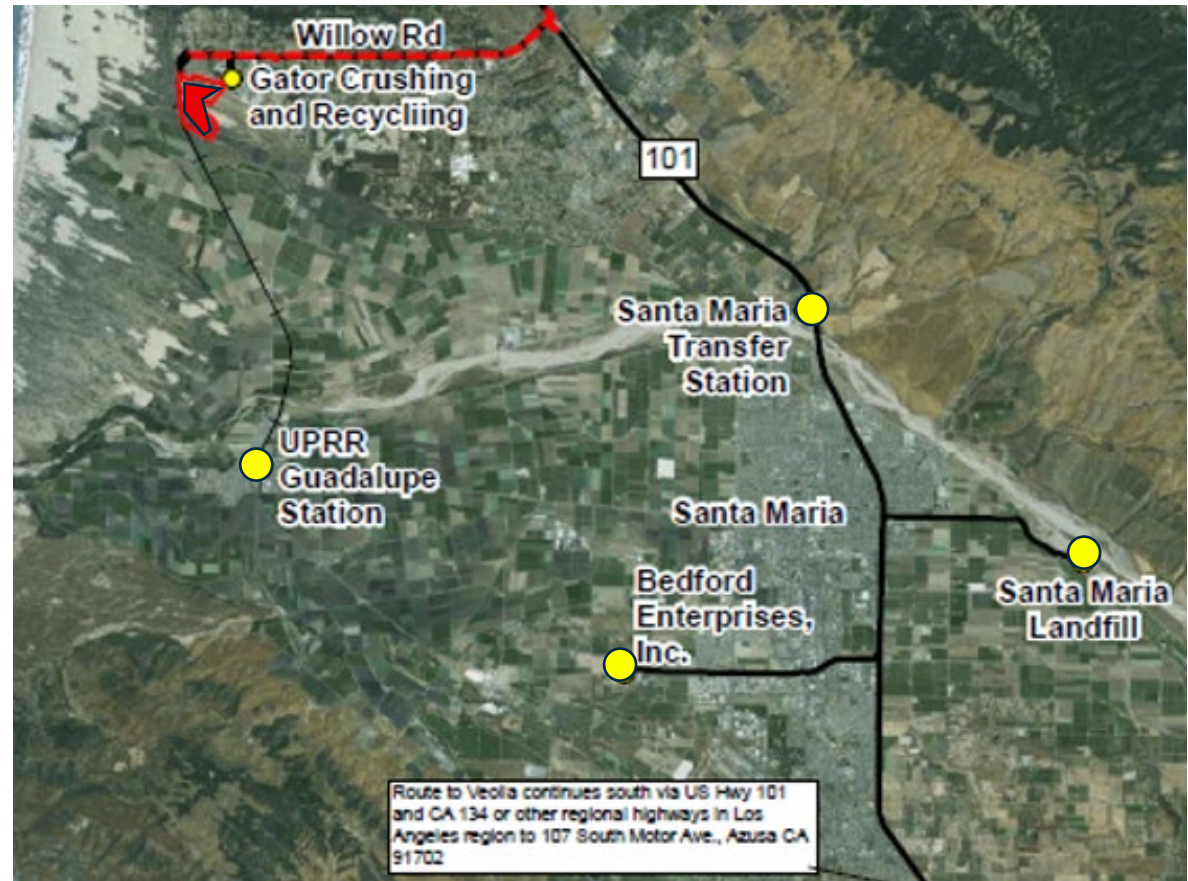
Potential Destinations North

- Gator Crushing (adjacent to site, on Willow Rd.)
- Cold Canyon Landfill (Hwy 227)
- McKittrick Waste Management Facility (101 to SR 46 to SR 33)



Demolition Haul Routes – Destinations South

- UPRR Guadalupe Station;
- Santa Maria Transfer Station (SR 166);
- Bedford Enterprises, East Santa Maria;
- SM Landfill (west);
- Veolia, Azusa CA (south on US 101)



Final Grading & Site Restoration

Grading Estimates:

Total Cut: 677,000 CY (includes export & recontouring)

Total Fill: 476,500 CY (includes recontouring)

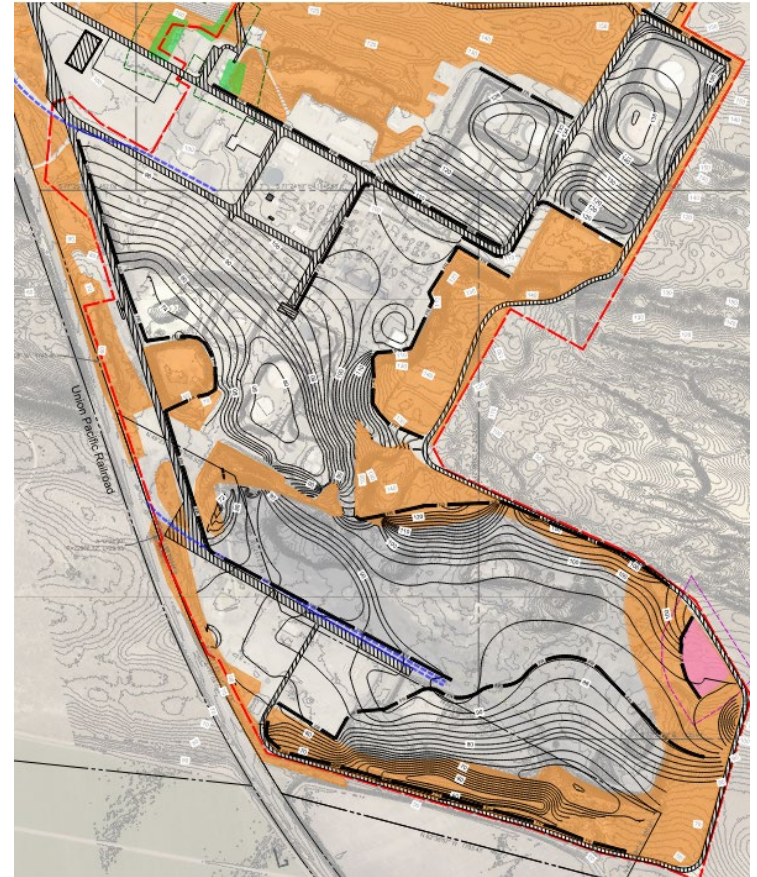
Total Earthwork: 1,153,500 CY

Site Restoration Goals:

- Stabilization & revegetation for long -term dust control
- Native plant cover compatible with surrounding areas
- Drainage to be retained on site



Final Site Grading



- Areas of disturbance
- ESHA to remain undisturbed

- ▨ Proposed Final Topography
- Area of Sensitive Species

EIR Process and CEQA Compliance

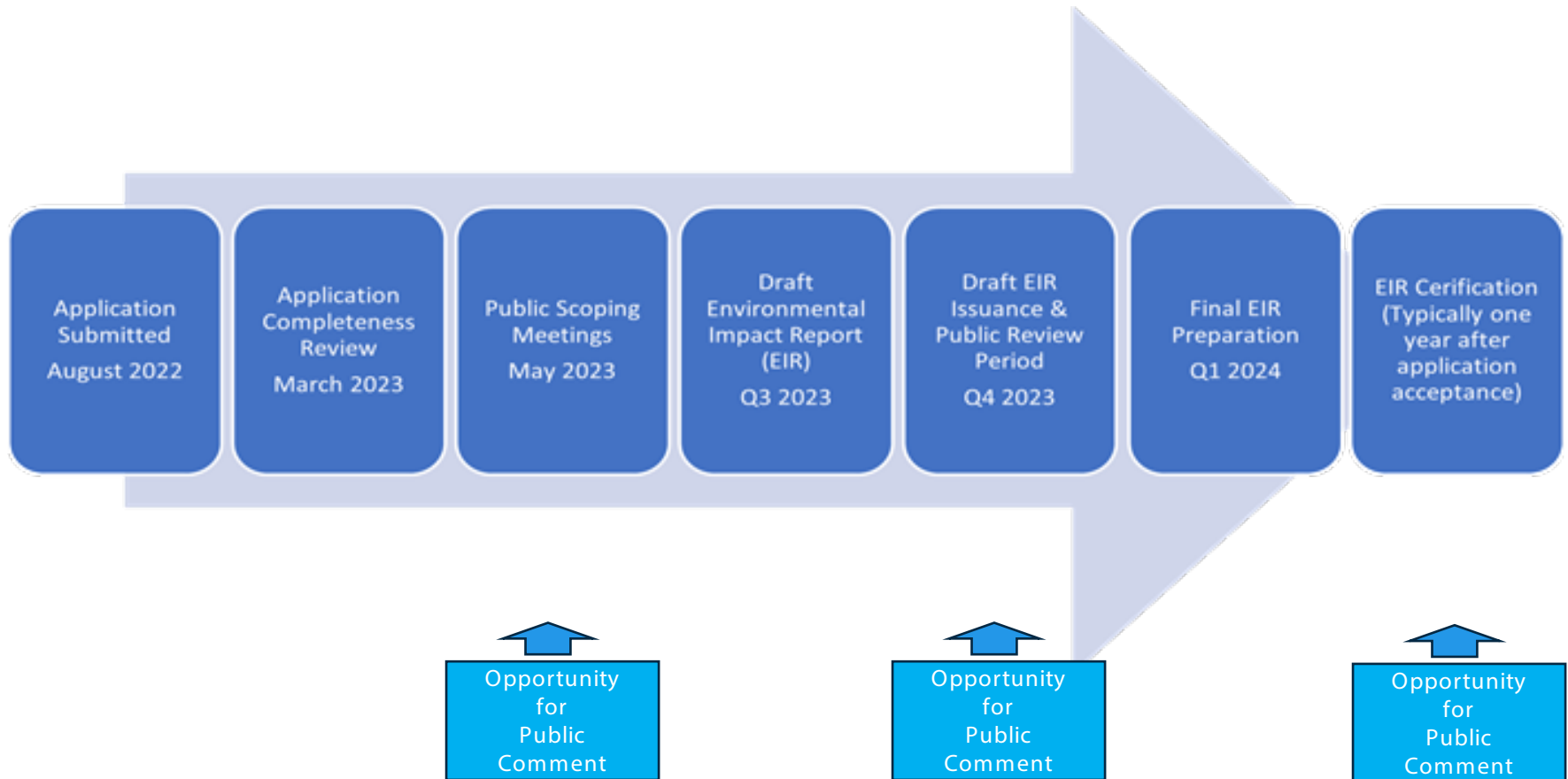


California Environmental Quality Act (CEQA)

- CEQA requires an analysis of the environmental impacts of a project.
- CEQA applies to discretionary projects only
- Preparation of an Environmental Impact Report (EIR) is required when project might have a significant impact(s) on the environment



EIR Process and Schedule



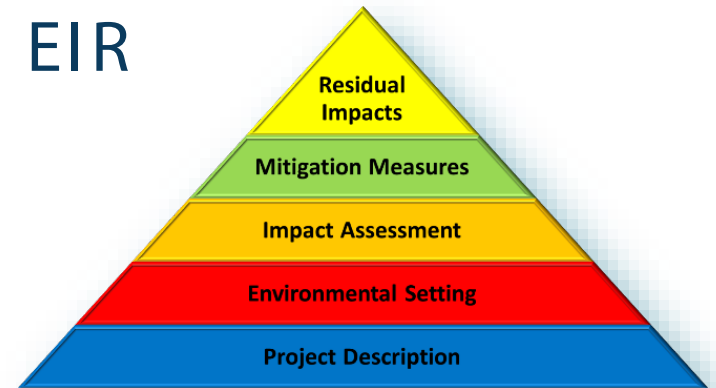
Content and Purpose of an EIR

- **Contents:**

- Description of the proposed project
- Environmental and regulatory setting
- Potential environmental impacts of the proposed project
- Alternatives that could reduce significant impacts
- Mitigation measures that reduce/avoid significant impacts

- **Purpose:**

- Provide independent information for decision makers to consider
- Provide full disclosure to the public and decision makers



Environmental Issues to be Evaluated

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Cultural Resources - Tribal
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous
- Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services and Utilities
- Recreation
- Transportation
- Wildfire



Impact Analysis

- Impacts are based on changes to the environment compared with existing conditions
- CEQA requires the analysis to focus on “significant” impacts
- Mitigation measures are proposed to reduce or avoid significant impacts
- Social and economic impacts are not considered significant



Alternatives

- Alternatives are determined by CEQA requirements:
 - Consistency with most project objectives
 - Ability to reduce or avoid significant impacts of proposed project
 - Feasibility of proposed alternatives
- Alternatives may include changes to the proposed project
- CEQA requires evaluation of the no project alternative



Scoping Written Comments

- **NOP Scoping Comments:**
 - Provide comments within the timeframe
 - Comments should address scope of the EIR
- **Timeframe:** received by Monday June 5th, 5 pm
- **Email to:** p66refinery@co.slo.ca.us
 - With subject Line: SMR Demolition Project NOP Comments
- **or Mail to:** Susan Strachan, Decommissioning Project Manager
San Luis Obispo County , Department of Planning and Building
976 Osos St. #300, San Luis Obispo, CA 93408



Scoping Comments

- The meeting is being recorded, so any comments received will be registered as official EIR Scoping comments.
- Please fill out a speaker form with your name and organization, if applicable, before beginning your comment.
- Please limit your comment to 3 minutes.



Attachment C

Written Comments Received on the NOP

From: [Susan Strachan](#)
To: [Cindy A. Chambers](#); [Greg Chittick](#); [Emily Creel](#)
Subject: Fwd: [EXT]Notice of Preparation and Notice of Scoping Meeting
Date: Friday, June 2, 2023 10:43:48 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Attached are comments we just received from CalFire.

Thanks,

Susan

From: Susan Strachan <ssstrachan@co.slo.ca.us>
Sent: Friday, June 2, 2023 10:42
To: Kevin.McLean_fire.ca.gov <Kevin.McLean@fire.ca.gov>
Subject: Re: [EXT]Notice of Preparation and Notice of Scoping Meeting

Thank you for your comments, Kevin.

Susan

From: Mclean, Kevin@CALFIRE <Kevin.Mclean@fire.ca.gov>
Sent: Friday, June 2, 2023 10:40:56 AM
To: Susan Strachan <ssstrachan@co.slo.ca.us>
Subject: [EXT]Notice of Preparation and Notice of Scoping Meeting

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Hello Susan,

Based on the information provided County ire would just like to re-state our requirements

1. All construction/ demolition plans and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of Building Permit issuance (California Fire Code, California Code of Regulations Title 14 Div. 1.5, Chapter 7 Fire Protection, San Luis Obispo County Title 16).
- 3 A registered Fire Protection Engineer is required to provide a written technical analysis of the fire protection requirements for the demolition of the structures. C.F.C 104.7.2. Technical Assistance.
4. Project has existing water service that will need to be maintained and tested to NFPA 25 California addition.

5. Access roads shall be maintained to support apparatus weighing 75,000 lbs. Access to structures during decommissioning will remain open. County Code Title 16 Fire Prevention.
6. Provide fire department access roads to within 150 feet of any exterior portion of the buildings as measured by an approved route around the exterior of the building or facility. C.F.C. Sec. 503
7. Gates for driveways and/or roadways shall comply with the C.F.C Sec. 503
8. Fire hydrants shall be tested and maintained per NFPA 25 2016 edition during demolition.
9. Commercial - Fire Department Connections (FDC) for automatic sprinkler systems shall be located fully visible and recognizable from the street or fire apparatus access roads.
10. Fire equipment to remain in service until last possible minute. Ex. Fire Sprinklers/standpipes/hydrants etc. CFC 905 & Ch 33 buildings being demolished will require fire protection systems to remain in operations with NFPA 25- California for testing and maintenance.
11. All buildings shall comply with California Fire Code, Chapter 10 Means of Egress requirements. Including but not limited to; exit signs, exit doors, exit hardware and exit illumination. Additional egress requirements for demolition will be referenced in C.F.C Chapter 33.
12. Provide 100 feet of defensible space around all structures. This project will develop and maintain a wildland fuel management program to provide fire safe zones around the facility and access roads. C.F.C. Ch. 49 Wildland-Urban Interface Areas.
13. All demolition will meet C.F.C. Chapter 33 and NFPA 241 references.
14. Project shall have a Hazardous Material Plan that addresses C.F.C. Chapter 50. C.F.C. 5001 Facility Closer. 5001.5.2 Inventory Statement
15. Cutting and welding shall comply with C.F.C 3304.6 and NFPA 51B
16. Fire Watch shall conform to C.F.C 3304.5
17. 3310.1 Required access. Approved vehicle access for firefighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet (30 480 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available.
18. Include with plans upon submittal the signed agreed upon "operational plan" stated in section 5.1.3 on page 25 in the project description.
19. Fire extinguishers are required in accordance with C.F.C 3315 and 906

Thank again for your help

Kevin McLean
Battalion Chief – Fire Marshal



1 50 Laurel Lane Ste. 175
San Luis Obispo, CA 93401
805-593-3422 Cell

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WEB: WWW.COASTAL.CA.GOV



June 1, 2023

Susan Strachan
Nuclear Power Plant Decommissioning Manager
County of San Luis Obispo Department of Planning and Building
1160 Marsh Street
San Luis Obispo, CA 93408
sstrachan@co.slo.ca.gov

Subject: Phillips 66 Santa Maria Refinery Demolition and Remediation Project (C-DRC2022-0048) Notice of Preparation

Dear Ms. Strachan,

Thank you for contacting us regarding the Notice of Preparation (NOP) for the Phillips 66 Santa Maria Refinery Demolition and Remediation Project. We provided comments on this proposed project on March 23, 2023. Please see the attached comment letter and include this in the CEQA record. At this time, we have no further comments on the proposed project. We look forward to working with you on this project as the project description is further defined and more details are provided with respect to the issues raised in our prior letter. As always, please don't hesitate to reach out if you have any questions.

Sincerely,

Devon Jackson
Central Coast District Office
California Coastal Commission

Enclosure: March 23, comment letter re: Phillips 66 Santa Maria Refinery Demolition and Remediation Project

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WEB: WWW.COASTAL.CA.GOV

**March 23, 2023**

Susan Stachan
Nuclear Power Plant Decommissioning Manager
County of San Luis Obispo Department of Planning and Building
1160 Marsh Street
San Luis Obispo, CA 93408
sstachan@co.slo.ca.gov

Subject: **Phillips 66 Santa Maria Refinery Demolition and Remediation Project (C-DRC2022-0048)**

Dear Ms. Stachan:

Thank you for sending us a referral requesting comments from the Coastal Commission for the above-referenced project currently being reviewed by San Luis Obispo County staff. Although it appears that the project parameters are still under development, including it appears that the County is still working with the Applicant (Phillips 66) towards identifying an accurate, stable, and finite project description for CEQA purposes, we would like to provide the following initial comments given the importance of the site and the magnitude of work that appears to be proposed. In general, we are supportive of seeing the site cleaned up and restored to its pre-development condition and agree that is a worthy objective overall. That said, it is not clear to us that all parties see that objective in the same way, and thus the following comments are provided to help provide our perspective, including as it relates to helping to address Coastal Act and Local Coastal Program (LCP) consistency issues as the project (including its CEQA documentation and any CEQA documents) is further refined and developed.

Jurisdiction and Permitting

Please ensure that all applicable jurisdictional and permitting pathways for Coastal Act and/or LCP consistency are identified, including in terms of which agency has lead coastal development permit (CDP) jurisdiction (i.e., the Commission or San Luis Obispo County), and what might provide the most appropriate application review path or paths (e.g., federal consistency review, CDP review, both), including as it relates to potential appellate oversight. In any event, it is imperative and required that that any CEQA document clearly disclose, consider and analyze such jurisdictional issues and alternatives, as well as our comments (see, for example, *Banning Ranch Conservancy v. City of Newport Beach* (2017) 2 Cal.5th 918).

Infrastructure/Outfalls

The project materials refer to leaving “essential infrastructure required to be kept in place by regulatory authorities or for use by subsequent site occupants”, and specifically

Phillips 66 Santa Maria Refinery Demolition and Remediation Project

identifies outfall lines. Please specify all such infrastructure proposed to be left in place, and please identify the regulatory program that might require such infrastructure to be kept in place and/or the subsequent use that might be proposed to potentially use such infrastructure in the future. Further, please ensure that any analysis of the project, including any alternatives that are evaluated, includes evaluation of the removal of all such infrastructure, including to account for the fact that there may in fact not be subsequent site occupants.

Remediation Level

The proposed project description identifies soil remediation that “meets applicable risk-based standards,” and the referral documents identify the fact that the site is currently zoned “industrial”, and thus such standards would be developed based on accommodating industrial uses. Please ensure that any analysis of the site includes a thorough description of the level of remediation that might be applicable for industrial uses, but also for a reasonable range of alternative uses that may follow, including to account for the fact that the property may be abandoned or used for non-industrial purposes in the future, and that land use and zoning designations can change, particularly at environmentally contaminated legacy sites such as this. We would suggest that a variety of remediation levels be evaluated, including to provide decisionmakers with adequate information to understand the ramifications of choosing any particular remediation level in terms of what the site may be able to subsequently accommodate.

Oil/Hazardous Material Spill Contingency Plan

The proposed project must demonstrate effective oil and hazardous material spill prevention and response measures. As such, please ensure that the project includes an Oil/Hazardous Material Spill Contingency Plan (including provisions for spill prevention, control, and countermeasures/responses) that demonstrates that effective prevention, protection, containment, and clean-up equipment and procedures will be in place to protect coastal resources in the event of such spills. The Plan must, at a minimum include/identify: (1) the sources of potential spills; (2) spill prevention measures to minimize the risk of such spills; (3) a worst-case spill assessment, and identification of the coastal resources at risk from spill impacts at representative levels up to and including the worst-case spill; (4) a response capability analysis of the equipment, personnel, and strategies (both onsite and under contract) capable of responding to spills, again at representative levels up to and including the worst case spill; and (5) spill notification procedures to be implemented in the event of a spill. The Plan must adequately cover all activities related to facility demolition and remediation (both above ground and below ground), as well as the handling, transfer, and transportation of materials (e.g., via truck and/or train, etc.) to offsite locations.

ESHA/Wetlands

Please ensure that the site is thoroughly characterized for sensitive habitat types, including thoroughly evaluating special status species and habitats as has been directed in this case by the California Department of Fish and Wildlife, and including taking into account the Coastal Act/LCP one-parameter wetland delineation methodology and definition of environmentally sensitive habitat areas (ESHA). For areas determined to be wetlands and/or ESHA, appropriate Coastal Act/LCP-consistent

Phillips 66 Santa Maria Refinery Demolition and Remediation Project

development/use buffers and provisions/parameters for treatment of those wetlands/ESHA and buffers must be identified. If you have any questions about these methodologies and/or requirements, please contact us before undertaking any such evaluations and/or identifying corresponding protective provisions. For now, please note that our past involvement with CDP applications at this site has shown that the vast majority of the site qualifies (or at least qualified at that time) as dune ESHA, including at the very least, everything outside of the developed portion of the site. And both the Coastal Act and the LCP limit development/use in such areas to resource-dependent development/use, and only if that development/use does not significantly disrupt the ESHA resource (e.g., dune restoration). Other more intensive developments/uses (e.g., industrial, commercial, residential, etc.) are not allowed in these areas. Please ensure that site evaluation and Applicant (and other) expectations are grounded in this Coastal Act/LCP reality.

Public Access and Recreation

Both the Coastal Act and LCP require that public access and recreational opportunities be maximized. Critically, that does not mean that such opportunities are just provided, or just protected, but that they be maximized. Accordingly, please ensure that any future analysis of the proposed project, including in terms of evaluation of project alternatives, permutations, mitigation measures, and requirements, responds to such Coastal Act/LCP requirement.

Prior CDPs

All prior CDP terms and conditions applicable to the subject property must be identified and addressed, including to ensure that any project undertaken is consistent with same. For example, the referral documents include a prior CDP authorization (provided to the Applicant's predecessor in interest) that requires (via abandonment condition ABN 2) that: "Site restoration required. Within 270 days of cessation of petroleum processing... applicant shall have dismantled and removed all approved facilities and equipment ... Abandonment shall include restoring facility sites approved herein to pre-project conditions, including recontouring and revegetating with local native plant materials, excavating contaminated soil and mitigating abandonment impacts." Such a requirement must be adhered to by the project, as well as similar requirements as may emanate from this CDP or other CDPs that are identified as applicable to the site. Relatedly, if there are any outstanding Coastal Act/LCP/CDP violations associated with the property, or if new violations are discovered during the pendency of the project application process, please ensure that the project resolves such violations consistent with the Coastal Act and the LCP; including where the LCP does not allow CDP approval unless violations are appropriately resolved.

Thank you for your consideration of these preliminary comments. Please be sure to reach out and to keep us informed as the project changes and/or is refined in light of these comments or other reasons, including as we want to make sure to provide the County and the Applicant our best possible recommendations for meeting Coastal Act and LCP requirements, and it appears likely that project shifts will require additional assessments and comments to do so. We look forward to collaboratively working with the County and Applicant as this important coastal site is remediated, restored, and

Phillips 66 Santa Maria Refinery Demolition and Remediation Project

potentially used moving forward. If you have any questions, please do not hesitate to contact me.

Sincerely,



Ryan Moroney, District Supervisor
Central Coast District Office
California Coastal Commission

cc: Tim Andreatta, Phillips 66 (via email)
Jimmy Paulding, San Luis Obispo County 4th District Supervisor (via email)



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



June 26, 2023

Cindy Chambers, Senior Planner
County of San Luis Obispo Department of Planning and Building
976 Osos Street
San Luis Obispo, California 93408
805-781-5608
cchambers@co.slo.ca.us

Subject: (NOP) C-DRC2022-00048 Phillips 66 Santa Maria Refinery Demolition & Remediation Project
SCH: 2023050020

Dear Cindy Chambers:

The California Department of Fish and Wildlife (CDFW) received a request for comments from San Luis Obispo County Department of Planning and Building for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code. CDFW appreciates the County granting a short extension to the timeline to reply to the NOP for this Project and hopes that this letter will help the County to adequately scope the Draft Environmental Impact Report (DEIR).

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7,

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Cindy Chambers, Senior Planner
County of San Luis Obispo Department of Planning and Building
June 26, 2023
Page 2

subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

Nesting Birds

CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

PROJECT DESCRIPTION SUMMARY

Proponent(s): Phillips 66

Objective: The Project proposes the demolition of aboveground and belowground facilities, equipment, and associated infrastructure to the Santa Maria Refinery except for any essential infrastructure (e.g., outfall line) or utilities required to be kept in place by regulatory authorities or for use by subsequent site occupants. The Project also includes soil remediation that meets applicable risk-based industrial standards. The proposed Project estimates approximately 243,150 cubic yards of concrete, asphalt, mixed debris, and impacted soil will be demolished and removed from the site.

Location: The Project site is located at 2555 Willow Road, Arroyo Grande, CA at the following parcels: 091-141-062; 091-192-034; 092-391-034, -020, -021; 092-401-011, -005, -013; 092-411-005, -002.

Timeframe: N/A.

Cindy Chambers, Senior Planner
County of San Luis Obispo Department of Planning and Building
June 26, 2023
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COMMENTS AND RECOMMENDATIONS

CDFW is concerned regarding potential impacts to special-status species, including but not limited to, the State and federally endangered marsh sandwort (*Arenaria paludicola*) and Nipomo Mesa lupine (*Lupinus nipomensis*), the State and federally endangered and fully protected California least tern (*Sternula antillarum browni*), the State threatened and fully protected California black rail (*Laterallus jamaicensis coturniculus*), the State threatened and federally endangered La Graciosa thistle (*Cirsium scariosum* var. *loncholepis*), the State species of special concern and federally threatened California red-legged frog (*Rana draytonii*), the State candidate-listed as endangered western bumble bee (*Bombus occidentalis*), and the federally proposed candidate for listing monarch butterfly (*Danaus plexippus plexippus*).

Nipomo Mesa Lupine

Nipomo Mesa lupine and its associated habitat and seedbank has the potential to be impacted by Project activities (CDFW 2023a). Nipomo Mesa lupine is a small, hairy annual lupine with a blooming season from December to May. This species is an edaphically restricted endemic, and it exclusively inhabits stabilized coastal sand dunes in Nipomo Mesa, in San Luis Obispo County (USFWS 2019). Its range of distribution is limited to approximately 5.2 square kilometers (two square miles) within the base of the Nipomo Mesa in the Guadalupe Nipomo Dunes Complex (USFWS 2019). According to the Nipomo Mesa lupine 5-year review, there are clusters of Nipomo Mesa Lupine colonies that occur within the bounds of the Project site.

There are several threats to the Nipomo Mesa lupine including climate change, development activities, seed predation, stochastic loss and extinction, and displacement and habitat loss from invasive species (USFWS 2021). The African veldt grass (*Ehrharta calycina* Smith) is the primary invasive species of concern as it is rapidly invading the Guadalupe Nipomo Dunes Complex, taking vital habitat away from the already limited specialized habitat for this lupine (Whitaker 2016). This Project could further propagate this already problematic invasive plant through soil disturbance, as this invasive grass can propagate not only through seed but through their roots. Unless certain precautions are taken, this grass could take over lupine habitat (Alba and Chapman 2019).

CDFW recommends having a qualified biologist conduct additional botanical surveys. CDFW strongly recommends conducting two consecutive years of botanical surveys to determine the presence of special status plants at the Project site. Although botanical surveys were conducted in March 2022 and in June 2022, CDFW recommends conducting a late bloom survey (May to December) for late blooming Nipomo Mesa lupine to maximize detection. Consultation with CDFW would be warranted for guidance on take avoidance, minimization, and mitigation measures. CDFW recommends

Cindy Chambers, Senior Planner
County of San Luis Obispo Department of Planning and Building
June 26, 2023
Page 4

referring to the United States Fish and Wildlife Service's Nipomo Mesa Recovery Plan (USFWS 2021).

California Black Rail

California black rail (CBR) has the potential to be found at the Project site. Aerial photos show that there is suitable habitat around the Project site and records from the California Natural Diversity Database (CNDDDB) document occurrences (CDFW 2023a). Most recorded populations have been found from San Pablo Bay to southern California and Arizona. CBR lives predominately near water in marsh areas where plants such as pickleweed, gumplant, alkali bulrush, and cattails are found (Evens et al. 1991; Conway and Sulzman 2007). They typically place their nests a couple of inches above shallow water, on moist soil, and or among dense vegetation (Spautz et al. 2005). CDFW recommends that a habitat assessment for CBR be conducted by a qualified biologist, knowledgeable with CBR, and that any potentially suitable habitat areas be surveyed by a qualified biologist for the potential presence of this species as part of the biological technical studies conducted in support of the CEQA document. If the species is found, CDFW should be consulted to identify and implement appropriate avoidance and minimization measures to avoid any impacts to this species. CBR is fully protected, therefore, no "take", incidental or otherwise, can be authorized by CDFW.

California Least Tern

California least tern (CLTE) has the potential to be found adjacent to the Project site. This species' breeding habitat includes the Pacific Coast ranging from San Francisco to Baja California, Mexico, and CNDDDB occurrences indicate that that the CLTE has the potential to be found near the Project site (CDFW 2023a). These migrating birds arrive to their breeding grounds around late April and begin nesting mid-May and migrate south of the U.S./Mexico border for winter in late July or early August (Massey 1971). CLTE nest in colonies on open beaches where their nests are simply made, with either a scrape in the sand or with shell fragments (USFWS 2006). CDFW recommends that a habitat assessment be conducted by a qualified biologist knowledgeable with CLTE during the biological technical studies conducted in support of the CEQA document. If the species is found, CDFW should be consulted to identify and implement appropriate avoidance and minimization measures to avoid any impacts to this species. CLTE is fully protected, therefore, no "take", incidental or otherwise, can be authorized by CDFW.

California Red-Legged Frog

Occurrences from the CNDDDB document California red-legged frog (CRLF) approximately 1 mile west of the Project site (CDFW 2023a). In addition, there is suitable habitat adjacent to the Project site; CRLF could potentially be found at the Project site's run-off basin or pond. CRLF requires a variety of habitats including aquatic

Cindy Chambers, Senior Planner
County of San Luis Obispo Department of Planning and Building
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breeding habitats and upland dispersal habitats. Breeding sites of the CRLF are in aquatic habitats including pools and backwaters within streams and creeks, ponds, marshes, springs, sag ponds, dune ponds, lagoons and the species will also breed in ephemeral waters (Thomson et al. 2016). Additionally, CRLF frequently breed in artificial impoundments such as stock ponds (USFWS 2005). Breeding sites are generally found in deep, still, or slow-moving water (greater than 2.5 feet) and can have a wide range of edge and emergent cover amounts. CRLF can breed at sites with dense shrubby riparian or emergent vegetation, such as cattails or overhanging willows or can proliferate in ponds devoid of emergent vegetation and any apparent vegetative cover (i.e., stock ponds). CRLF habitat includes nearly any area within 1 to 2 miles of a breeding site that stays moist and cool through the summer; this includes non-breeding aquatic habitat in pools of slow-moving streams, perennial or ephemeral ponds, and upland sheltering habitat such as rocks, small mammal burrows, logs, densely vegetated areas, and even, man-made structures (i.e., culverts, livestock troughs, spring-boxes, abandoned sheds) (USFWS 2017).

CDFW recommends that a qualified biologist conduct a habitat assessment as part of the biological technical studies conducted in support of the CEQA document, to determine if the Project site or the immediate vicinity contain suitable habitat for CRLF. If suitable habitat is present, CDFW recommends that a qualified biologist conduct protocol surveys for CRLF as part of the biological technical studies conducted in support of the CEQA document. Depending on the results of the protocol surveys and the time period between them and the beginning of construction, CDFW recommends conducting pre-construction surveys within 48 hours prior to commencing work (two-nights of surveys immediately prior to Project implementation or as otherwise required by USFWS) in accordance with the USFWS Revised Guidance on Site Assessment and Field Surveys for the California Red-legged Frog (USFWS 2005). If any CRLF are found during pre-Project surveys or at any time during Project activities, CDFW recommends that Project activities cease and that CDFW be contacted to discuss avoidance measures. CDFW advises that initial ground-disturbing activities be timed to avoid the period when CRLF are most likely to be moving through upland areas (November 1 and March 31).

Western Bumble Bee

Western bumble bee (WBB) has the potential to be found on or within the vicinity of the Project site. WBB was once commonly found in western United States, Canada, North Dakota, and throughout Alaska, however, it now appears to be absent from most of these areas as there has been a 93% decline in occupancy in the last two decades.

WBB primarily nest in late February through late October underground in abandoned small mammal burrows but may be found under brush piles, in old bird nests, and in dead trees or hollow logs (Williams et al. 2014, Hatfield et al. 2015). Overwintering sites utilized by WBB mated queens include soft, disturbed soil (Goulson 2010), or under leaf

Cindy Chambers, Senior Planner
County of San Luis Obispo Department of Planning and Building
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litter or other debris (Williams et al. 2014). Therefore, potential ground disturbance and vegetation removal associated with project implementation may significantly impact local WBB populations.

CDFW recommends that a qualified biologist conduct focused surveys for WBB and their requisite habitat features using the CDFW survey protocol during their colony active period (highest detection probability) from April to September (CDFW 2023b) as part of the biological technical studies conducted in support of the CEQA document. CDFW recommends that the CEQA document then evaluate impacts resulting from potential ground- and vegetation-disturbing activities that may result from this Project.

If WBB need to be captured or handled as part of the survey effort, please note that a 2081(a) Memorandum of Understanding (MOU) with CDFW will be needed (CDFW 2023b). If any WBB are killed in the process of being captured or handled stop all work and contact CDFW for further guidance.

Monarch Butterfly: Overwintering Site

Project-related activities have the potential to impact monarch butterfly and its overwintering habitat. Monarch butterfly is a candidate species under the federal Endangered Species Act (FESA). Monarchs can be found overwintering along the California coast in groves of trees primarily dominated by non-native eucalyptus (*Eucalyptus* spp.), with additional native species including Monterey pine (*Pinus radiata*) and Monterey cypress (*Hesperocyparis macrocarpa*) (Griffiths and Villablanca 2015, Pelton et al. 2016). Overwintering groves have specific microclimatic conditions that support monarch populations (Fisher et al. 2018). Overwintering monarchs have been documented 300 ft and 1 mile from the Project site (CDFW 2023a).

During the last three decades, the western migratory monarch population that overwinters along the California coast has declined by more than 99% (Marcum and Darst 2021). Habitat loss and fragmentation, including grove senescence, are among the primary threats to the population (Thogmartin et al. 2017). Monarch overwintering sites have specific microclimate conditions that are influenced by the configuration of trees and other foliage near the site (Griffiths and Villablanca 2015). Alteration of the site and surrounding areas could impact microclimate conditions, thereby reducing the suitability of the site for monarchs (Weiss et al. 1991). CDFW recommends that the CEQA document for this Project address potential impacts to monarch butterflies.

CDFW recommends a qualified biologist be retained to conduct a habitat assessment as part of the biological technical studies conducted in support of the CEQA document. The qualified biologist may need to determine if the Project site or its immediate vicinity contains habitat suitable to support monarchs or if monarchs have been known to historically use the Project site. CDFW recommends the qualified biologist assess habitat following the Xerces Management Guidelines for Monarch Butterfly

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County of San Luis Obispo Department of Planning and Building
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Overwintering Habitat (Xerces Society 2017) or other protocols. If suitable habitat for monarch butterflies is present, CDFW advises determining the primary roosting trees and other structural components and identifying the flora integral to maintaining microclimate conditions. These areas should then be marked and avoided during Project activities. If monarch butterflies are detected within the Project site, CDFW advises that the monarch overwintering habitat be avoided by delineating and observing a no-disturbance buffer of at least ½ mile from the outer edge of the habitat (Marcum and Darst 2021).

Nesting birds

CDFW encourages that Project ground-disturbing activities occur during the bird non-nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the nesting season (February 1st through September 15th), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above.

To evaluate Project-related impacts on nesting birds, CDFW recommends that a general habitat assessment for nesting birds be conducted as part of the biological technical studies conducted in support of the CEQA document. Depending on the results of that assessment, CDFW further recommends that the CEQA document for this Project include that a qualified biologist conduct a pre-construction survey for active nests no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the Project site to identify nests and determine their status. A sufficient area means any area potentially affected, either directly or indirectly, by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. CDFW recommends that a qualified biologist establish a behavioral baseline of all identified nests. Once Project activities begin, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is a compelling biological or ecological reason to do so, such as when the Project area would be concealed from a

Cindy Chambers, Senior Planner
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nest site by topography. CDFW recommends that a qualified biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

Special-Status Plant Species

There is potential for multiple special status plant species to occur on the Project site. CDFW recommends that the Project site be surveyed for special-status plants by a qualified botanist following the “Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities” (CDFG 2018) during biological technical studies completed in support of the CEQA document and these plant surveys are recommended to be repeated for two survey seasons to maximize detectability. CDFW further recommends that, depending on the time between these initial survey efforts and project construction, the special status plant surveys be repeated the survey season prior to construction as a minimization measure to be included in the CEQA document due to the difficulty in detecting special status plants species and the variability of climatic conditions conducive to special status plant growth.

This protocol, which is intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. Further, CDFW recommends special status plant species be avoided whenever possible by delineating and observing a no disturbance buffer of at least 50 feet from the outer edge of the plant population(s) or specific habitat type(s) required by special status plant species. If buffers cannot be maintained, then consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plant species. If a State or federally listed plant species is identified during botanical surveys, it is recommended that consultation with CDFW and/or the USFWS be conducted to determine permitting needs.

Federally Listed Species

CDFW recommends consulting with the USFWS on potential impacts to federally listed species including, but not limited to, marsh sandwort, Nipomo Mesa lupine, California least tern, La Graciosa thistle, California red-legged frog, and monarch butterfly. Take under the FESA is more broadly defined than CESA; take under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with FESA is advised well in advance of any ground-disturbing activities.

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Lake and Streambed Alteration

The Project may be subject to CDFW's regulatory authority pursuant to Fish and Game Code section 1600 et seq. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake; or (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent, as well as those that are perennial in nature. For additional information on notification requirements, please contact our staff in the Lake and Streambed Alteration Program at (559) 243-4593 or R4LSA@wildlife.ca.gov. It is important to note, CDFW is required to comply with CEQA, as a Responsible Agency, when issuing a Lake or Streambed Alteration Agreement (LSA Agreement). If inadequate or no environmental review has occurred for Project activities that are subject to notification under Fish and Game Code 1602, CDFW will not be able to issue the Final LSA Agreement until the CEQA analysis for the Project is complete. This may lead to considerable Project delays.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

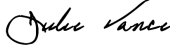
If it is determined that the Project has the potential to impact biological resources, an assessment of filing fees will be necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

CDFW appreciates the opportunity to comment on the Project to assist the County of San Luis Obispo Department of Planning and Building in scoping the necessary efforts related to biological resources and identifying and mitigating the Project's impacts on resources that may be present.

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More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). If you have any questions, please contact Evelyn Barajas-Perez, Environmental Scientist, at the address provided on this letterhead, by telephone at (805) 503-5738, or by electronic mail at Evelyn.Barajas-Perez@wildlife.ca.gov.

Sincerely,

DocuSigned by:

FA83F09FE08945A...
Julie A. Vance
Regional Manager

ec: Patricia Cole, USFWS
patricia_cole@fws.gov

CDFW LSA/1600
R4LSA@wildlife.ca.gov

State Clearinghouse, Governor's Office of Planning and Research
State.Clearinghouse@opr.ca.gov

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Attachment 1

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM
(MMRP)**

**PROJECT: (NOP) Phillips 66 Santa Maria Refinery Demolition &
Remediation (Project)
SCH No.: 2023050020**

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
Mitigation Measure: Nipomo Mesa Lupine	
Nipomo Mesa Lupine consultation	
Nipomo Mesa Lupine take authorization	
Mitigation Measure: California Black Rail (CBR)	
CBR consultation	
CBR surveys	
Mitigation Measure: California Least Tern Bird (CLTE)	
CLTE consultation	
CLTE surveys	
Mitigation Measure: California Red-Legged Frog (CRLF)	
CRLF consultation	
CRLF surveys	
Mitigation Measure: Monarch Butterfly Overwintering Site	
Monarch Butterfly habitat assessment/surveys	
Mitigation Measure: Western Bumble Bee	
Western Bumble Bee habitat assessment/surveys	
Mitigation Measure: Nesting Birds	
Nesting birds habitat assessment	
Mitigation Measure: Special-status plants	
Special-status plants consultation	
Special-status plants take authorization	
<i>Before Impacting the Bed, Bank, or Channel of any Stream or River</i>	
Mitigation Measure: Notification to CDFW's Lake and Streambed Alteration Program	
<i>During Construction</i>	
Mitigation Measure: Special-status plants	
Special-status plants avoidance buffer	
Mitigation Measure: Nipomo Mesa Lupine	

Nipomo Mesa Lupine avoidance buffer	
Mitigation Measure: Nesting Birds	
Nesting birds avoidance buffer	
Mitigation Measure: Monarch Butterfly Overwintering	
Monarch Butterfly avoidance buffer	
Mitigation Measure: Western Bumble Bee	
Western Bumble Bee avoidance buffer	

From: [Cindy A. Chambers](#)
To: [Greg Chittick](#); [Nicole Trezza](#)
Cc: [Emily Creel](#)
Subject: Fw: [EXT]SMR Demolition Project NOP Comments
Date: Wednesday, May 24, 2023 10:08:00 AM
Attachments: [image001.png](#)
[Outlook-1483473689.png](#)

Phillips 66 SMR scoping response

Cindy Chambers
Senior Planner
Diablo Decommissioning Project Team
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From: Cory Hanh <chanh@pismo beach.org>
Sent: Tuesday, May 23, 2023 3:58 PM
To: PL_p66refinery <PL_p66refinery@co.slo.ca.us>
Cc: Matt Downing <mdowning@pismo beach.org>
Subject: [EXT]SMR Demolition Project NOP Comments

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Hi Susan:

The City of Pismo Beach asks that the EIR includes studies and consideration for the potential impacts to traffic, air quality, and coastal resources in determining the appropriateness and selection of the off-site haul routes and disposal/transfer locations. It appears that use of the routes and locations south of the project site (towards Guadalupe and Santa Maria) would result in less potential impacts to traffic, air quality, and coastal resources, as (a) such locations are in closer proximity to the project site than those north of the project site; (b) the routes to such locations are more conducive to an increase in hauling volume, since they consist of higher number of traffic lanes, wider traffic lanes, and less of a need to travel through residential neighborhoods; and (c) in the potential event of a traffic accident, the materials to be hauled would not spill in close proximity to the coast.

Please let me know if you have any questions. Thank you!

Note: Please submit applications and plan check correspondence to permits@pismobeach.org.



Cory Hanh

*Planning Manager
Community Development Department*

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**CALIFORNIA STATE LANDS
COMMISSION**

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Contact Phone: 916.574.1900

May 18, 2023

File Ref: SCH # 2023050020

Susan Strachan
Decommissioning Project Manager
San Luis Obispo County
Department of Planning and Building
976 Osos St. #300
San Luis Obispo, CA 93408

VIA ELECTRONIC MAIL (p66refinery@co.slo.ca.us)

**Subject: Notice of Preparation for an Environmental Impact Report for Phillips 66
Santa Maria Refinery Demolition and Remediation Project, San Luis
Obispo County**

Dear Ms. Strachan:

The California State Lands Commission (Commission) staff has reviewed the subject Notice of Preparation (NOP) for an Environmental Impact Report (EIR) for the Phillips 66 Santa Maria Refinery Demolition and Remediation Project (Project), which is being prepared by San Luis Obispo County (County). The County, with primary authority over the Project, is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq. The Commission is a trustee agency for projects that could directly or indirectly affect State sovereign land and their accompanying Public Trust resources or uses. Commission staff requests that the County consult with us on preparation of the draft EIR as required by CEQA section 21153, subdivision (a) and the State CEQA Guidelines section 15086, subdivisions (a)(1) and (a)(2).

Commission Jurisdiction and Public Trust Lands

The Commission has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The Commission also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6009, subd. (c); 6009.1; 6301; 6306). All tidelands and

submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the common law Public Trust Doctrine.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all people of the state for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. On tidal waterways, the State's sovereign fee ownership extends landward to the mean high tide line, except for areas of fill or artificial accretion or where the boundary has been fixed by agreement or a court.

Although outside of the scope of the proposed Project, Commission Lease 1449, which expires on October 24, 2028, includes one 18-inch-diameter and one 14-inch-diameter wastewater outfall pipeline that extend into tidal waters (Pacific Ocean) offshore of Oceano Dunes State Vehicular Recreation Area. The 18-inch line is currently in use and services the upland Santa Maria refinery, while the 14-inch line has been out of service for many years. Commission approval for the ultimate disposition of both pipelines will be required prior to commencing any removal or repurposing activities. Commission staff understand that as proposed, the Project would not affect any facilities on State lands. The wastewater outfall pipelines under Commission Lease 1449 are proposed to be left in place for potential reuse. However, if these pipelines are not used by subsequent site occupants, the Commission may require their removal in the future.

Project Description

Phillips 66 (Proponent) proposes to demolish the Santa Maria Refinery and remediate the site. The Project is located at 2555 Willow Road (State Route 1) in an unincorporated area of San Luis Obispo County, near Arroyo Grande and Nipomo, and approximately five miles west of U.S. Highway 101.

The Project involves demolition of aboveground and belowground refinery facilities, equipment, and associated infrastructure except for certain infrastructure or utilities proposed to be kept in place for potential use by subsequent site occupants.

Environmental Review

Commission staff requests that the County consider the following comments when preparing the draft EIR to ensure that potential impacts to State sovereign land are adequately analyzed for the Commission's future use.

Wastewater Outfall Pipeline Removal Alternative

As noted in the NOP, the wastewater outfall pipelines (Commission Lease 1449) are proposed to be left in place for potential reuse. Should future reuse of the pipelines not occur, the Commission may require their removal. For this reason, Commission staff request that an alternative be presented in the EIR addressing the removal of the wastewater outfall pipelines.

Thank you for the opportunity to comment on the NOP for the proposed Project. As a trustee agency, Commission staff requests that you consult with us on this Project and keep us advised of changes to the Project Description and all other important developments. Please send additional information on the Project to the Commission staff listed below as the EIR is being prepared.

Please refer questions concerning environmental review to Cynthia Herzog, Senior Environmental Scientist, at (916) 574-1310 or via email at cynthia.herzog@slc.ca.gov. For questions concerning Commission leasing jurisdiction, please contact Kenneth Foster, Public Land Manager, at (916) 574-2555 or via email at kenneth.foster@slc.ca.gov.

Sincerely,



Nicole Dobroski, Chief
Division of Environmental Science,
Planning, and Management

cc: Office of Planning and Research
C. Herzog, Commission
K. Foster, Commission



California
Department of Conservation
Geologic Energy Management Division

Gavin Newsom, Governor
David Shabazian, Director
715 P Street, MS 1803
Sacramento, CA. 95814
T: (916) 445-5986

06/05/2023

County: San Luis Obispo - Planning Division
Susan Strachan
1055 Monterey Street, San Luis Obispo, CA 93408, USA
p66refinery@co.slo.ca.us

Construction Site Well Review (CSWR) ID: 1012794

Assessor Parcel Number(s): 092401011, 092401005, 091141062, 092391034, 092391020, 092391021, 091192034, 092401013, 092411005, 092411002

Property Owner(s): Phillips 66

Project Location Address: 2555 Willow Road Arroyo Grande, California 93420

Project Title: Phillips 66 Santa Maria Refinery Demolition and Remediation Project

Public Resources Code (PRC) § 3208.1 establishes well reabandonment responsibility when a previously plugged and abandoned well will be impacted by planned property development or construction activities. Local permitting agencies, property owners, and/or developers should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near oil, gas, and geothermal wells.

The California Geologic Energy Management Division (CalGEM) has received and reviewed the above referenced project dated 5/30/2023. To assist local permitting agencies, property owners, and developers in making wise land use decisions regarding potential development near oil, gas, or geothermal wells, the Division provides the following well evaluation.

The project is located in San Luis Obispo County, within the boundaries of the following fields:

N/A

There are approximately eleven or more plugged and abandoned oil and gas prospect wells located

throughout the Nipomo Area. These wells, most of which are labeled as "Dry Hole" in CalGEM records, have the potential to be impacted by development activities. The approximate locations and records for these wells can be viewed at: <https://www.conservation.ca.gov/calgem/Pages/WellFinder.aspx>

The location of Well Beckett 1 - API 0407900501 is uncertain and may be in or near parcel 092-411-005 east of the decommissioning work.

Our records indicate there are no known oil or gas wells located within the project boundary as identified in the application.

- Number of wells Not Abandoned to Current Division Requirements as Prescribed by Law and Projected to Be Built Over or Have Future Access Impeded by this project: 0
- Number of wells Not Abandoned to Current Division Requirements as Prescribed by Law and Not Projected to Be Built Over or Have Future Access Impeded by this project: 0
- Number of wells Abandoned to Current Division Requirements as Prescribed by Law and Projected to Be Built Over or Have Future Access Impeded by this project: 0
- Number of wells Abandoned to Current Division Requirements as Prescribed by Law and Not Projected to Be Built Over or Have Future Access Impeded by this project: 0

The Division categorically advises against building over, or in any way impeding access to, oil, gas, or geothermal wells. Impeding access to a well could result in the need to remove any structure or obstacle that prevents or impedes access including, but not limited to, buildings, housing, fencing, landscaping, trees, pools, patios, sidewalks, roadways, and decking. Maintaining sufficient access is considered the ability for a well servicing unit and associated necessary equipment to reach a well from a public street or access way, solely over the parcel on which the well is located. A well servicing unit, and any necessary equipment, should be able to pass unimpeded along and over the route, and should be able to access the well without disturbing the integrity of surrounding infrastructure.

There are no guarantees a well abandoned in compliance with current Division requirements as prescribed by law will not start leaking in the future. It always remains a possibility that any well may start to leak oil, gas, and/or water after abandonment, no matter how thoroughly the well was plugged and abandoned. The Division acknowledges wells plugged and abandoned to the most current Division requirements as prescribed by law have a lower probability of leaking in the future, however there is no guarantees that such abandonments will not leak.

The Division advises that all wells identified on the development parcel prior to, or during, development activities be tested for liquid and gas leakage. Surveyed locations should be provided to the Division in

Latitude and Longitude, NAD 83 decimal format. The Division expects any wells found leaking to be reported to it immediately.

Failure to plug and reabandon the well may result in enforcement action, including an order to perform reabandonment well work, pursuant to PRC § 3208.1, and 3224.

PRC § 3208.1 give the Division the authority to order or permit the re-abandonment of any well where it has reason to question the integrity of the previous abandonment, or if the well is not accessible or visible. Responsibility for re-abandonment costs may be affected by the choices made by the local permitting agency, property owner, and/or developer in considering the general advice set forth in this letter. The PRC continues to define the person or entity responsible for reabandonment as:

1. The property owner - If the well was plugged and abandoned in conformance with Division requirements at the time of abandonment, and in its current condition does not pose an immediate danger to life, health, and property, but requires additional work solely because the owner of the property on which the well is located proposes construction on the property that would prevent or impede access to the well for purposes of remedying a currently perceived future problem, then the owner of the property on which the well is located shall obtain all rights necessary to reabandon the well and be responsible for the reabandonment.
2. The person or entity causing construction over or near the well - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and the property owner, developer, or local agency permitting the construction failed either to obtain an opinion from the supervisor or district deputy as to whether the previously abandoned well is required to be reabandoned, or to follow the advice of the supervisor or district deputy not to undertake the construction, then the person or entity causing the construction over or near the well shall obtain all rights necessary to reabandon the well and be responsible for the reabandonment.
3. The party or parties responsible for disturbing the integrity of the abandonment - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and after that time someone other than the operator or an affiliate of the operator disturbed the integrity of the abandonment in the course of developing the property, then the party or parties responsible for disturbing the integrity of the abandonment shall be responsible for the reabandonment.

No well work may be performed on any oil, gas, or geothermal well without written approval from the Division. Well work requiring approval includes, but is not limited to, mitigating leaking gas or other fluids from abandoned wells, modifications to well casings, and/or any other re-abandonment work. The Division also regulates the top of a plugged and abandoned well's minimum and maximum depth below

final grade. CCR §1723.5 states well casings shall be cut off at least 5 feet but no more than 10 feet below grade. If any well needs to be lowered or raised (i.e. casing cut down or casing riser added) to meet this regulation, a permit from the Division is required before work can start.

The Division makes the following additional recommendations to the local permitting agency, property owner, and developer:

1. To ensure that present and future property owners are aware of (a) the existence of all wells located on the property, and (b) potentially significant issues associated with any improvements near oil or gas wells, the Division recommends that information regarding the above identified well(s), and any other pertinent information obtained after the issuance of this letter, be communicated to the appropriate county recorder for inclusion in the title information of the subject real property.
2. The Division recommends that any soil containing hydrocarbons be disposed of in accordance with local, state, and federal laws. Please notify the appropriate authorities if soil containing significant amounts of hydrocarbons is discovered during development.

As indicated in PRC § 3106, the Division has statutory authority over the drilling, operation, maintenance, and abandonment of oil, gas, and geothermal wells, and attendant facilities, to prevent, as far as possible, damage to life, health, property, and natural resources; damage to underground oil, gas, and geothermal deposits; and damage to underground and surface waters suitable for irrigation or domestic purposes. In addition to the Division's authority to order work on wells pursuant to PRC §§ 3208.1 and 3224, it has authority to issue civil and criminal penalties under PRC §§ 3236, 3236.5, and 3359 for violations within the Division's jurisdictional authority. The Division does not regulate grading, excavations, or other land use issues.

If during development activities, any wells are encountered that were not part of this review, the property owner is expected to immediately notify the Division's construction site well review engineer in the Northern district office, and file for Division review an amended site plan with well casing diagrams. The District office will send a follow-up well evaluation letter to the property owner and local permitting agency.

Should you have any questions, please contact me at (805) 937-7246 or via email at Miguel.Cabrera@conservation.ca.gov.

Sincerely,


Trey Powell

Senior Oil and Gas Engineer

Signature on behalf of

Miguel Cabrera

Northern District Deputy

cc: Susan Strachan - Plan Checker

NATIVE AMERICAN HERITAGE COMMISSION

May 2, 2023

Susan Strachan
San Luis Obispo County Department of Planning and Building
976 Osos St, #300
San Luis Obispo, CA 93408

Re: 2023050020, Phillips 66 Santa Maria Refinery Demolition and Remediation Project, San Luis Obispo County

Dear Ms. Strachan:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.



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COMMISSIONER
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NAHC.ca.gov



May 04 2023

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

 - a.** A brief description of the project.
 - b.** The lead agency contact information.
 - c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).

 - a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

 - a.** Alternatives to the project.
 - b.** Recommended mitigation measures.
 - c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

 - a.** Type of environmental review necessary.
 - b.** Significance of the tribal cultural resources.
 - c.** Significance of the project's impacts on tribal cultural resources.
 - d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

 - a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation**: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation**. There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality**: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation**: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Cody.Campagne@nahc.ca.gov

Sincerely,



Cody Campagne
Cultural Resources Analyst

cc: State Clearinghouse

From: [Cindy A. Chambers](#)
To: [Greg Chittick](#)
Cc: [Emily Creel](#)
Subject: Fw: [EXT]Phillips 66 Santa Maria Refinery Demolition and Remediation Project
Date: Wednesday, May 31, 2023 10:35:18 AM
Attachments: [Outlook-1483473689.png](#)

Forwarding comment.

Cindy Chambers
Senior Planner
Diablo Decommissioning Project Team
(p) 805-781-5608
cchambers@co.slo.ca.us



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PLANNING & BUILDING

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From: info@salinatribe.com <info@salinatribe.com>
Sent: Wednesday, May 24, 2023 3:49 PM
To: PL_p66refinery <PL_p66refinery@co.slo.ca.us>
Subject: [EXT]Phillips 66 Santa Maria Refinery Demolition and Remediation Project

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Greetings Susan, we have previously responded to this project with our comments and concerns. We have concerns that cultural resources may be impacted by the proposed project and are requesting that all ground disturbing activities for the project be monitored by a cultural resource specialist from our tribe. That is all the comments we have for now.

Take Care,
Patti Dunton, Tribal Administrator

May 26, 2023

Susan Strachan
Decommissioning Project Manager
San Luis Obispo County
Department of Planning and Building
976 Osos St. #300
San Luis Obispo, CA 93408

Sent Via Email: p66refinery@co.slo.ca.us

Re: Air Pollution Control District Response to Notice of Preparation of an Environmental Impact Report for the Phillips 66 Santa Maria Refinery Demolition and Remediation Project, ED23-054/C-DRC2022-00048

Dear Susan Strachan:

The Santa Barbara County Air Pollution Control District (District) appreciates the opportunity to provide comments on the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the Santa Maria Refinery Demolition and Remediation Project. Phillips 66 proposes to demolish the Santa Maria Refinery and remediate the site involving demolition of aboveground and belowground refinery facilities, equipment, and associated infrastructure except for certain infrastructure or utilities proposed to be kept in place for potential use by subsequent site occupants. The main activities for aboveground demolition include demolition of buildings and refinery structures to ground level; segregation and stockpiling of demolition materials; and loading and hauling of demolition materials by truck and rail to offsite facilities and landfills. Demolition waste will be hauled to regional recycling facilities, including approximately 415 haul trips to recycling facilities in Santa Maria. Belowground demolition and remediation include soil site characterization, soil remediation, removal of belowground infrastructure not supporting retained facilities, grading and restoration of land, and restoration monitoring. Line 300 which runs through Santa Barbara County would be cleaned with pipeline inspection gauges (PIGs) and taken out of service or sold. Potential future uses of the Santa Maria Refinery are unknown at this time. The project is located at 2555 Willow Road (State Route 1) in an unincorporated area of San Luis Obispo County near Arroyo Grande and Nipomo.

District staff reviewed the Initial Study and NOP of a Draft EIR and concurs that air quality impacts should be addressed in the EIR. Based on the project description and information that has been provided, the proposed project may include equipment or operations subject to District permit requirements and prohibitory rules. Therefore, the District may be a responsible agency under the California Environmental Quality Act (CEQA) and will rely on the EIR when evaluating any District permits for proposed equipment.

The District has the following comments related to the Santa Maria Refinery Demolition and Remediation Project:

1. Air Quality Impacts. The proposed project will involve air quality impacts in Santa Barbara County associated with approximately 415 heavy-duty truck haul trips to recycling/demolition facilities in Santa Maria and pigging operations to clean out Line 300. Emissions from these operations should be fully quantified and disclosed in the EIR to avoid additional CEQA documentation requirements related to District permit issuance. The EIR should present significance thresholds for criteria pollutant and greenhouse gas emissions and determine whether the proposed project will produce emissions in excess of the thresholds. If an evaluation of health risk is required for District permitting, we recommend including the health risk assessment (HRA) results in the EIR to ensure that project-related equipment will not result in a significant impact. The potential for other project emissions (such as odors and dust) to adversely affect a substantial number of people should also be evaluated in the EIR.

If the proposed project exceeds the significance thresholds for air quality, mitigation should be applied to reduce those emissions as appropriate under CEQA. Section 6 of the District's *Scope and Content* document offers ideas for air quality mitigation. However, project-specific measures should be developed that are pertinent to the specific project. Mitigation measures should be enforceable through permit conditions, agreements, or other legally binding instruments. The EIR should include a Mitigation Monitoring and Reporting Plan that explicitly states the required mitigations and establishes a mechanism for enforcement.

2. District Permitting Requirements/Advisories.

- a. Existing Facilities:** There are several pump stations and pipelines associated with Line 300 that are currently under permit with the District. Proposed activities may require District permit modifications. The applicant is advised to contact William Sarraf, Engineering Division Supervisor at SarrafW@sbcapcd.org or (805) 979-8312, to discuss the District permitting requirements for the proposed project.
- b. Diesel Engines:** All portable diesel-fired construction engines rated at 50 brake horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or District permits prior to grading/building permit issuance. Construction engines with PERP certificates are exempt from the requirement to obtain a District permit, provided they will be on-site for less than 12 months. Additional information is available at www.ourair.org/portable-equipment-registration-program-perp/.
- c. Pigging Equipment:** New pig launchers and/or receivers will require a District permit. Proposals to increase pigging activity onsite that exceed permissible activities under the current District permit will require a permit modification.
- d. Pipeline Purging:** There is the potential for odor generation during pipeline purging operations. The applicant should consider using a degassing unit to control odors. Some companies already have District permits with the District for such equipment. The applicant could consider utilizing an already permitted unit through a company, or could contact the District to obtain a permit or permit exemption for the use of a degassing unit.

We hope you find our comments useful. We look forward to reviewing the Draft EIR. Please contact me at (805) 979-8334 or via email at WaddingtonE@sbcapcd.org if you have questions.

May 26, 2023

Page 3 of 3

Sincerely,

A handwritten signature in black ink, appearing to read "Emily Waddington". The signature is written in a cursive, flowing style.

Emily Waddington,
Air Quality Specialist
Planning Division

cc: Planning Chron File
William Sarraf, Supervisor, District Engineering Division [email only]
David Harris, Manager, District Engineering Division [email only]



Air Pollution Control District
San Luis Obispo County

VIA EMAIL ONLY

November 18, 2022

Eric Hughes
County of San Luis Obispo Planning and Building
976 Osos Street, Room 300
San Luis Obispo, CA 93408
ehughes@co.slo.ca.us

SUBJECT: APCD Comments Regarding the Phillips 66 Santa Maria Refinery Demolition and Remediation Project Description and Air Quality Report (October 28, 2022) (C-DRC2022-00048)

Dear Eric Hughes:

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the Project Referral, Project Description, and Air Quality Report for the Coastal Development Permit/Conditional Use Permit application regarding the Phillips 66 Santa Maria Refinery Demolition and Remediation Project located at 2555 Willow Road in Arroyo Grande.

The proposed project includes the demolition of aboveground and belowground facilities, equipment, and associated infrastructure at the 67-year-old oil refinery, except for any essential infrastructure (e.g., outfall line) or utilities required to be kept in place by regulatory authorities or for use by subsequent site occupants, on approximately 245 acres of the 1,600 acre site. The project also includes soil remediation of all impacted areas that meets applicable risk-based industrial standards. The proposed project estimates removal or recycling of approximately 255,950 cubic yards of concrete, asphalt, wood, mixed debris, regulated waste, and soil impacted by hydrocarbons or other contaminants. Of that, an estimated 37,570 cubic yards of concrete and asphalt will be recycled on site to the extent feasible, with the balance of the material being removed from the site, resulting in a maximum estimated 2,135 truck trips and 2,005 rail carloads. An estimated 200,500 cubic yards of waste soil will be removed from the site. Most of the demolition and a substantial amount of the remediation work is expected to be completed in the first 3 years of the project, which is proposed to start in early 2024. The remaining remediation would likely continue at a slower pace over additional years depending on site conditions and work plans.

The following comments are formatted into 3 sections. The **(1) General Comments** section states information pertinent to the applicant, lead agency, and/or public.

The **(2) Air Quality** and **(3) Greenhouse Gas Emissions** sections may state mitigation measures and/or rules and requirements which the APCD recommends be set as conditions of approval for the project.

The **applicant** or **agent** should contact the APCD Engineering & Compliance Division about permitting requirements stated in the (1) General Comments section. The **lead agency** may contact the APCD Planning Division for questions and comments related to proposed conditions of approval in the (2) Air Quality and (3) Greenhouse Gas Emission sections. Both Divisions can be reached at 805-781-5912.

Please Note: The APCD recently updated the [Land Use and CEQA Webpage](#) on the [slocleanair.org](#) website. The information on the webpage displays the most up-to-date guidance from the SLO County APCD, including the [2021 Interim CEQA Greenhouse Gas Guidance](#), [Quick Guide for Construction Mitigation Measures](#) and [Quick Guide for Operational Mitigation Measures](#).

(1) General Comments

The APCD acknowledges and supports the inclusion of Section 7 in the Air Quality Report, dealing with special conditions, including:

- Section 7.1, Sensitive Receptors
- Section 7.2, Diesel Idling Restrictions for Construction Phases
- Section 7.3, Naturally Occurring Asbestos
- Section 7.5, Developmental Burning
- In Section 7.4, the following additional or amended language detailing APCD compliance procedures and requirements should be included in the Air Quality Report:

Proper Abatement of Regulated Asbestos-Containing Material (RACM)

Demolition, renovation, and tenant improvement activities can have potential negative air quality impacts, including issues surrounding proper handling, abatement, and disposal of regulated asbestos-containing material (RACM). RACM could be encountered during the demolition, renovation, and tenant improvement of regulated structures, such as commercial buildings, above or below ground utility pipelines, etc. If a project includes these activities on a regulated structure, it may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standards for Hazardous Air Pollutants (40CFR61, Subpart M – asbestos NESHAP).

NESHAP requirements for regulated structures include but are not limited to:

1. Hire a Certified Asbestos Consultant to conduct asbestos survey report.
2. Submit a notification form and survey to the APCD, at least ten (10) business days prior to demolition, regardless of RACM. For renovation and tenant improvement projects, a notification and survey must be submitted at least ten (10) business days prior to RACM asbestos abatement.
3. Submit a written work plan addressing asbestos handling procedures in order to prevent visible emissions.

Go to slocleanair.org/rules-regulations/asbestos.php for more information.

In addition, the following plans and permits will be required prior to the start of work:

- APCD Permitting of Hydrocarbon Contaminated Soil Processes
This remediation project will require an APCD permit to address proper management of the hydrocarbon contaminated soil prior to the start of any earthwork. This permit will include conditions to minimize emissions from any excavation, disposal, or related process. The project proponent must contact the APCD Engineering & Compliance Division at least 120 days before the start of excavation to begin the permitting process.
- Pipeline Purging Operations
The applicant must submit a Pipeline Purging Plan and permit application to the APCD. If the Pipeline Purging Plan includes the use of APCD permitted degassing systems, the APCD may issue a permit exemption for the project. A permit or permit exemption must be issued by the APCD prior to the start of any pipeline degassing and/or removal activities. Please allow 6 weeks for the permit processing. Information and downloadable application forms are available under the Library section of our website at slocleanair.org. For more information on these requirements, contact the APCD Engineering & Compliance Division.
- Odor Control Plan
An odor control plan must be reviewed and approved by the APCD prior to decommissioning, to include proactive measures to eliminate or reduce objectionable odors emanating from construction and decommissioning activities, and an action plan if odor issues or complaints arise.
- Proper Abatement of Lead-Based Coated Structures
Demolition, remodeling, sandblasting, or removal with a heat gun can result in the release of lead-containing particles from the site. Proper abatement of lead-based paint must be performed to prevent the release of lead particles from the site. An APCD permit is required for sandblasting operations. If sandblasting will occur, please initiate the permit process with the APCD Engineering & Compliance Division 6 weeks prior to the start of these operations. For additional information regarding lead abatement, contact the San Luis Obispo County Environmental Health Department at 805-781-5544 or Cal-OSHA at 818-901-5403. Additional information can also be found online at epa.gov/lead.

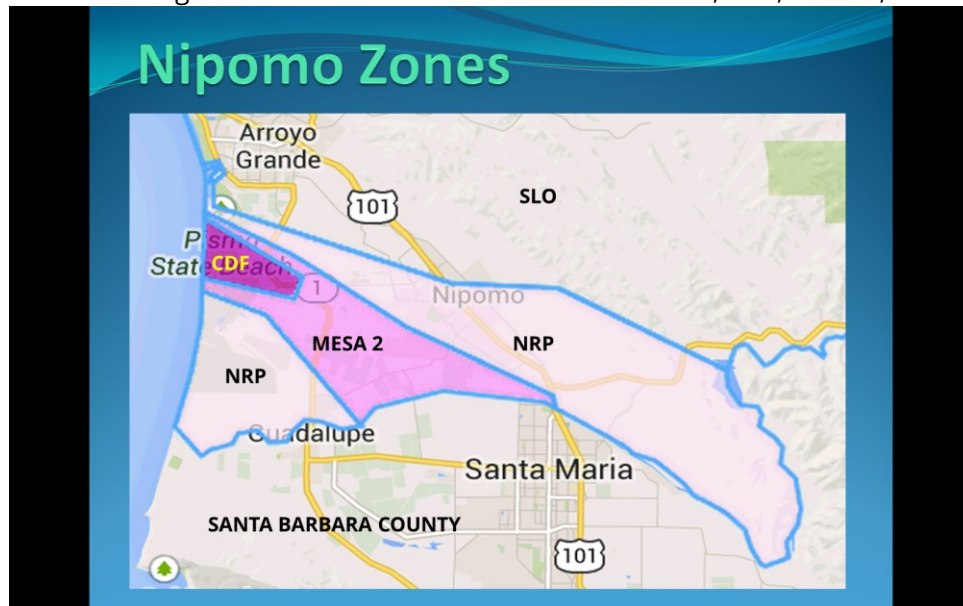
(2) Air Quality

The baseline project emissions are based on facility emissions as well as on- and off-site truck and rail transport for the 5-year period from 2017 – 2021. Modeling estimates provided by the project proponent indicate that any project emissions for ozone precursors (ROG + NO_x), diesel particulate matter (DPM), and fugitive dust above baseline are unlikely to exceed APCD thresholds of significance. For ozone precursor emissions, the modeling results demonstrate emissions to be substantially reduced relative to baseline. If work on the project is halted for a year or more, it would be appropriate to reset the project baseline and reassess the project's emission impacts and applicable mitigation measures. Based on the proposed project, APCD recommends the following mitigation measures to minimize any potential impacts:

South County Particulate Matter Expanded Air Quality Mitigation Measures

Environmental Setting

The proposed project is in an area that is impacted by periods of high particulate matter concentrations during blowing dust events. To keep the public informed of periods of deteriorating air quality, the APCD provides a daily air quality forecast for SLO County, which is partitioned into nine air quality forecast zones. Air quality forecast for a six-day period is provided for each zone. In the Nipomo Mesa area, there are four forecast zones as shown in the map below. The zones are named for the monitoring stations that are located within each zone; CDF, Mesa 2, NRP and SLO:



The darker colors signify the typical location of the dust plume and the greater impacts during a typical blowing dust event. The public can experience adverse health impacts in areas with blowing dust. This proposed project is in the Mesa 2 zone.

The Project Description estimates that fugitive particulate matter emissions from decommissioning and remediation activities will be less than significant. Still, such activities do generate fugitive dust, which could be a nuisance to residents and businesses in close proximity to the proposed project. The C-DRC2022-00048 Project Description addresses fugitive dust in section 5.2.4; however, because the project is located in the Mesa 2 air quality forecast zone, the following expanded list of mitigation measures should be included in the Project Description and implemented to manage fugitive dust emissions such that they minimize nuisance impacts ([APCD Rule 402](#)) and do not exceed the APCD 20% opacity limit ([APCD Rule 401](#)):

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that when water use may be a concern due to drought conditions, the contractor or builder should consider use of a dust suppressant that is effective for the specific site conditions to reduce the amount of water used for dust control. Please refer to the following link from the San Joaquin Valley Air District for a list of potential

dust suppressants: [Products Available for Controlling Dust](#);

- c. All dirt stockpile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- e. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) or otherwise comply with California Vehicle Code (CVC) Section 23114;
- f. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified;
- g. All fugitive dust mitigation measures shall be shown on grading and building plans;
- h. In support of APCD standard fugitive dust mitigation measures, the applicant shall designate a Visible Emission Evaluation certified person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize nuisance violations from dust complaints (Rule 402) and to reduce visible emissions below the APCD's limit of 20% opacity (Rule 401) for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Engineering & Compliance Division prior to the start of any grading, earthwork or demolition.
- i. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- j. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- k. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- l. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- m. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
- n. The APCD recommends construction activities that will generate dust should be limited to periods when good air quality is forecasted. The 6-day forecast for the CDF forecast zone is available from the APCD website, slocleanair.org. This information should be used by all on-site workers to plan construction activities for days when the air quality is forecasted to be good.

- o. Provide training to all site workers regarding dust control policies and practices and maintain records of training; and
- p. Take additional measures as needed to ensure dust from the project site is not impacting areas outside the project boundary.

Standard Mitigation Measures for Construction Equipment

The Project Description estimates that emissions from construction and decommissioning activities will be less than significant; however, APCD recommends reducing potential impacts by implementing the following Standard Mitigation Measures:

- Maintain all construction equipment in proper tune according to manufacturer's specifications;
- Fuel all off-road and portable diesel powered equipment with CARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- Use diesel construction equipment meeting CARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
- Use on-road heavy-duty trucks that meet the CARB's 2010 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NO_x exempt area fleets) may be eligible by proving alternative compliance;
- All on and off-road diesel equipment shall not idle for more than 5-minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;
- Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- Electrify equipment when feasible;
- Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- Use alternatively fueled construction equipment on-site, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

Truck Routing

Demolition and remediation-related equipment, material delivery vehicles, and waste hauling trucks are proposed to use the existing designated haul route between the refinery entry/exit points and the Willow Road/U.S. 101 interchange. The estimated number of trips will be less on a weekly or monthly average than the baseline of 36.6 trips per day, so the emissions generated by the on-road vehicles relative to demolition and remediation activities are anticipated to be significantly less than the emissions from the refinery's baseline operations.

Under the proposed scope of the demolition/remediation project, mitigation of on-road truck emissions does not appear to be necessary. The project description proposes that an estimated 200,500 cubic yards of waste soil will be removed from the site, largely by rail, and that no replacement fill will be imported. If the scope of the project changes significantly, for example, if fill is to be imported or if truck transport is substituted for rail, or if the baseline is reset, a reassessment of transportation emissions and applicable mitigation measures may be necessary.

Remediation Activity Management Plan

As noted above, modeling estimates indicate that any air emissions from project activities above baseline are unlikely to exceed APCD thresholds of significance. However, the emission estimates are based on a given set of circumstances and an assumed volume of impacted soil which was based on the available, but incomplete site information. As explained in Section 4.1.1 of the Project Description, the volumes of impacted soil are assumed to be a conservatively high estimate. The total volume of soil, and therefore the scope of the project and the associated air emissions cannot be accurately gauged until a thorough site assessment is completed, and possibly not until remediation work is underway. The Project Description acknowledges this fact in Section 4.1.2.3, stating, "Phillips 66 plans to conduct a site characterization to investigate and delineate areas that potentially require remediation. Soil volume estimates will be revised accordingly." If the soil remediation volumes are significantly more than the modeled activities or if the baseline is reset, then a reassessment of air quality impacts and applicable mitigation measures may be necessary.

The site has been an oil refinery for more than 65 years, and for a good part of that history, environmental controls were not as robust or comprehensive as they are today. It has been the experience of the APCD with other projects involving the remediation of older oil and gas facilities (e.g., Guadalupe Oil Field) that the volume of impacted soil, the scope of the remediation project, and the remediation timeline can substantially exceed original estimates. Therefore, APCD recommends the implementation of a Remediation Activity Management Plan (RAMP). The RAMP should present detailed information on all demolition, remedial, and restoration components of the project, and track on-site and off-site equipment usage, with quarterly reports to the APCD for the duration of the demolition and remediation, to allow the comparison of actual project emissions with estimates and baseline. This reporting will allow Phillips 66 to demonstrate to the public, APCD, and the county lead agency, that the emissions associated with the remediation activity are below baseline and APCD significance thresholds. Should the project emissions exceed baseline by a significant amount, or if baseline is reset, applicable mitigation measures may be necessary.

(3) Greenhouse Gas Emissions

As a result of this project, the Santa Maria refinery will cease operations, which will eliminate a substantial volume of greenhouse gas (GHG) emissions. By comparison, the GHG emissions generated by the demolition and remediation activities are anticipated to be significantly less than the refinery's current baseline GHG emissions. As such, under the current scope of the demolition/remediation project, GHG mitigation does not appear to be necessary. Should the scope of the project change significantly or if the baseline is reset, a reassessment of GHG emissions and applicable mitigation measures may be necessary.

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

Sincerely,



Vince Kirkhuff

Air Quality Specialist

Project Referral for Phillips 66 Santa Maria Refinery

November 18, 2022

Page 8 of 8

cc: Tim Andreatta, Phillips 66 Santa Maria Refinery, tim.andreatta@p66.com
Tim Murphy, Environmental Resources Management, Tim.Murphy@erm.com
Dora Drexler, APCD, ddrexler@co.slo.ca.us
Carissa Zaragoza, APCD, czaragoza@co.slo.ca.us

Vince Kirkhuff

From: Vince Kirkhuff
Sent: Wednesday, January 4, 2023 2:55 PM
To: Vince Kirkhuff
Subject: RE: Phillips 66 Santa Maria Refinery Decommissioning - DRC2022-00048

From: Vince Kirkhuff
Sent: Wednesday, January 4, 2023 2:54 PM
To: Cindy A. Chambers <cchambers@co.slo.ca.us>; Andrew Mutziger <amutziger@co.slo.ca.us>
Cc: Susan Strachan <sstrachan@co.slo.ca.us>; Eric Hughes <ehughes@co.slo.ca.us>
Subject: RE: Phillips 66 Santa Maria Refinery Decommissioning - DRC2022-00048

Hi Cindy,

Thanks for your questions, and thanks for alerting us to the December 15 response to the County's Information-Hold letter. I met with some of our Engineering & Compliance team to get clarification on the permit situation. In short, any operations that are not covered by P66's current Title V permit will require APCD permits. This includes a decommissioning permit and a remediation permit. Activities that are part of the refinery's regular operation, such as pipeline purging and tank cleaning, can be covered under their existing permits. To date, we have only received a permit application for a diesel engine-driven pump. We are also waiting to hear from EPA on the status of the facility's Title V permit, which if it is cancelled will change the permitting landscape considerably.

Other items that we would want to see as conditions of approval are:

- An odor control plan, as part of the remediation permit.
- The implementation of a Remediation Activity Management Plan (RAMP). The RAMP should present detailed information on all demolition, remedial, and restoration components of the project, and track on-site and off-site equipment usage and emissions, with quarterly reports to the APCD for the duration of the demolition and remediation, to allow the comparison of actual project emissions with estimates and baseline.
- The emissions baseline, as discussed with P66 and County Planning, is based on overall facility emissions for 2017-2021. We are fine with that, but if work on the project is delayed or suspended for a substantial amount of time, the baseline should be reset to whatever the current emissions are. The definition of "a substantial amount of time" is up to the County, but we feel it should be defined and we have suggested one year. If we wanted to be more specific, a possible suggestion is "no truck trips in or out for one year".
- The Initial Study (August 8, 2022) and the updated Air Quality Report (Project Description Appendix A (October 28, 2022)) both present a partial list of the APCD fugitive dust mitigation measures. Because of this project's location in one of the south county high-impact zones for particulate matter, APCD recommends the inclusion of the full list of South County Particulate Matter Expanded Air Quality Mitigation Measures as presented in our November 18 letter.

In the November 18 letter, I listed our standard mitigation measures for construction equipment as a recommendation, but since the project is unlikely to exceed any of our emission thresholds, they are not required.

Thanks again and let me know if you have any questions, or if you'd like to set up a phone call or Teams meeting.

Vince Kirkhuff | *Air Quality Specialist*
SLO County Air Pollution Control District
3433 Roberto Court, SLO 93401
805-781-4247 • SLOCleanAir.org



Cindy Chambers

Senior Planner

Diablo Decommissioning Project Team

(p) 805-781-5608

cchambers@co.slo.ca.us



COUNTY OF SAN LUIS OBISPO
PLANNING & BUILDING

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Air Pollution Control District
San Luis Obispo County

VIA EMAIL ONLY

March 14, 2023

Cindy Chambers
County of San Luis Obispo Planning and Building
976 Osos Street, Room 300
San Luis Obispo, CA 93408
cchambers@co.slo.ca.us

SUBJECT: APCD Comments Regarding the Coastal Development Permit/Conditional Use Permit application for the Phillips 66 Santa Maria Refinery Demolition and Remediation Project (updated application information uploaded February 15, 2023) (C-DRC2022-00048)

Dear Cindy Chambers:

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the Project Referral, Project Description, and Air Quality Report for the Coastal Development Permit/Conditional Use Permit application (updated February 15, 2023) regarding the Phillips 66 Santa Maria Refinery Demolition and Remediation Project located at 2555 Willow Road in Arroyo Grande.

The APCD previously submitted a comment letter for this project on November 18, 2022 (copy attached), and on January 4, 2023, we submitted some clarifications to our comments via email (copy attached). Today's comment letter updates and supersedes the APCD's previous comments.

Remediation Activity Management Plan

Modeling provided by the project proponent indicates that project emission estimates for ozone precursors (ROG + NOx), diesel particulate matter (DPM), and fugitive dust above baseline are unlikely to exceed APCD thresholds of significance; therefore, APCD is not recommending the preparation of a Remediation Activity Management Plan (RAMP) at this time. However, the emission estimates are based on a given set of circumstances and an assumed volume of impacted soil which was based on the available, but incomplete site information. If in the future, the scope or duration of the project should change substantially, implementation of a RAMP may be appropriate. The RAMP would present detailed information on all demolition, remedial, and restoration components of the project, track on-site and off-site equipment usage and emissions, and provide quarterly reports for the duration of the demolition and remediation, to inform the APCD, County Planning and the public.

Project Baseline Emissions

The baseline project emissions are based on facility emissions as well as on- and off-site truck and rail transport for the 5-year period from 2017 – 2021. Emissions modeling provided by the project proponent estimates that project emissions above baseline are unlikely to exceed APCD thresholds of significance, and for some pollutants, may be substantially reduced relative to baseline. However, if work at the project site is halted for a substantial amount of time, it would be appropriate to reset the project baseline to the then-current emission levels and reassess the project's emission impacts and applicable mitigation measures.

Because of the possibility of unforeseen delays due to environmental, logistical, legal, or other challenges which could in part be caused by the uncertainty in the scope and duration of the remediation, APCD recommends that County Planning establishes a plan outlining the circumstances and timing for a baseline reset. APCD notes that extended delays in other remediation projects in SLO County have occurred which is a key reason for our project baseline comment.

South County Particulate Matter Expanded Air Quality Mitigation Measures

The updated Project Description and Air Quality Report both present a partial list of the APCD fugitive dust mitigation measures. Because of this project's location in one of the south county high-impact zones for particulate matter, APCD recommends the inclusion of the full list of South County Particulate Matter Expanded Air Quality Mitigation Measures as presented in our November 18 letter. This mitigation, as well as the following Odor Control Plan, may be included in the future APCD remediation permit which must be applied for, approved and issued prior to the start of remediation activities.

Odor Control Plan

An odor control plan must be reviewed and approved by the APCD prior to issuance of the remediation permit, and must include proactive measures to eliminate or reduce objectionable odors emanating from construction, decommissioning and remediation activities, as well as an action plan if odor issues or complaints arise.

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

Sincerely,



VINCE KIRKHUFF

Air Quality Specialist

cc: Eric Hughes, SLO County Planning Department, (ehughes@co.slo.ca.us)
Tim Andreatta, Phillips 66 Santa Maria Refinery, (tim.andreatta@p66.com)
Tim Murphy, Environmental Resources Management, (Tim.Murphy@erm.com)
Dora Drexler, APCD Engineering & Compliance Manager, (ddrexler@co.slo.ca.us)

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BUSINESS COMMITTEE

KENNETH KAHN, CHAIRMAN
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MAXINE LITTLEJOHN, SECRETARY-TREASURER
RAUL ARMENTA, COMMITTEE MEMBER
GARY PACE, COMMITTEE MEMBER

Susan Strachan, Decommissioning PM
SLO County Dept. of Planning and Building
976 Osos Street #300
San Luis Obispo, CA 93408
P66refinery@co.slo.ca.us

May 12, 2023

RE: SMR Demolition Project--California Environmental Quality Act Public Resources Code section 21080.3, subd. (b) ("AB 52") Request for Formal Notification of Proposed Projects Within the Chumash Tribe's Geographic Area of Traditional and Cultural Affiliation

Dear Ms. Strachan:

In accordance with Public Resources Code Section 21080.3.1, subd. (b), the Santa Ynez Band of Chumash Indians ("Chumash"), requests formal notice of and information on proposed projects for which your agency will serve as a lead agency under the California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq., in the Chumash traditionally and culturally affiliated geographic area from Paso Robles south to Malibu and inland to Bakersfield. We also request, without limitation, AB 52 consultation as to the SMR Demolition Project. We appreciate you have scheduled a site visit.

Pursuant to Public Resources Code section 21080.3.1, subd. (b), and until further notice, we hereby designate the following person as the tribe's lead contact person for purposes of receiving notices of proposed projects from your agency:

Kenneth Kahn, Tribal Chairman
P.O. Box 517
Santa Ynez, CA 93460
Phone: 805-688-7997
Fax: 805-686-9578
Email: Kkeever@sybmi.org

CC: Sam Cohen, Government Affairs and Legal Officer, scohen@sybmi.org, cell: 805-245-9083

We request that all notices be sent via certified U.S. Mail with return receipt and by email. Following receipt and review of the information your agency provides, within the 30-day period proscribed by Public Resources Code section 21080.3.1, subd. (d), the Chumash may request consultation, as defined by Public Resources Code section 21080.3.1, subd. (b), pursuant to Public Resources Code section 21080.3.2 to mitigate any project impacts a specific project may cause to tribal cultural resources.

If you have any questions or need additional information, please contact me at 805-245-9083.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Cohen", is written over a light blue horizontal line.

Sam Cohen
Government Affairs and Legal Officer



United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE

Ecological Services
Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003



IN REPLY REFER TO:
08EVEN00-2023-0082377

June 16, 2023

Susan Strachan
Decommissioning Project Manager
San Luis Obispo County
Department of Planning and Building
976 Osos Street #300
San Luis Obispo, California 93408

Subject: Comments on the Notice of Preparation and Notice of Scoping Meeting for the Phillips 66 Santa Maria Refinery Demolition and Remediation Project ED23-054/C-DRC2022-00048

Dear Susan Strachan:

On May 4, 2023, we received a Notice of Preparation and Notice of Scoping Meeting for the Phillips 66 Santa Maria Refinery Demolition and Remediation Project (Project) indicating that San Luis Obispo County, Department of Planning and Building (County) is the Lead Agency under the California Environmental Quality Act and is soliciting the views of interested agencies.

The U.S. Fish and Wildlife Service's (Service) mission is to work with others to conserve, protect, and enhance the Nation's fish, wildlife, and plant resources and their habitats for the continued benefit of the American people. As part of this mandate, the Service coordinates with partners and provides comments on public notices issued for projects that may have an effect on these resources, especially federally listed plants and wildlife and their designated critical habitats.

As such, we are expressing our concerns regarding several important resources located within and adjacent to the Project location that may be directly or indirectly impacted by Project actions. Our review of the proposed Project location indicates the following listed species and critical habitat may be directly or indirectly affected:

Listed Species

<u>Common name</u>	<u>Scientific Name</u>	<u>Threatened or Endangered</u>
California red-legged frog	<i>Rana draytonii</i>	Threatened
Nipomo Mesa lupine	<i>Lupinus nipomensis</i>	Endangered

Marsh sandwort	<i>Arenaria paludicola</i>	Endangered
Western snowy plover	<i>Charadrius nivosus nivosus</i>	Threatened

Critical Habitat

<u>Common name</u>	<u>Scientific Name</u>	<u>Threatened or Endangered</u>
La Graciosa thistle	<i>Cirsium scariosum</i> var. <i>loncholepis</i>	Endangered

The species of most concern to us at this site is Nipomo Mesa lupine. There is currently only one known population of Nipomo Mesa lupine that occupies a relatively small, narrow range (approximately 2.4 kilometers). The Project area contains at least 90 percent of the species, which is an annual in the Fabaceae (legume; pea and bean) family restricted to the stabilized coastal dune scrub habitat derived from the Nipomo Mesa landform, in southwestern San Luis Obispo County, California. Current threats to Nipomo Mesa lupine and its habitat include invasive species, development, seed predation, stochastic loss and extinction, and climate change (Service 2019). Therefore, any potential effects on the species and its habitat resulting from Project-related activities requires careful review of all plausible direct and indirect impacts.

We recommend that the County begin coordinating with our office staff to incorporate Project elements designed to reduce potential impacts to Nipomo Mesa lupine and other federally listed plant and wildlife species. Specifically, we suggest you plan to conduct floristic surveys for federally listed (and other sensitive) plants during their appropriate blooming periods for at least three years prior to project implementation following Service (and other responsible agency) guidelines (Service 2000). This is important to establish a baseline of annual species' distributions because the spatial extent of occupied areas can expand and contract with varying environmental conditions. We also want to emphasize that annual plants like Nipomo Mesa lupine are present in the landscape year-round as dormant seeds within the seedbank, not just as vegetative and flowering plants clearing visible above-ground during the typical growing season. Project activities such as ground disturbance and vegetation clearing can stimulate areas where the seedbank is suppressed, and the species was not recently observed. We are available to assist the County in development of habitat restoration plans, if necessary, to ensure that Nipomo Mesa lupine and its coastal dune scrub habitat are not affected by the Project. It is also important to include measures in the Project to prevent introductions, expansion, and proliferation of non-native, invasive weeds that may result from Project activities, which would further affect listed species and their habitats.

We recently finalized a recovery plan for Nipomo Mesa lupine (Service 2021). This document includes both downlisting and delisting criteria for the species, as well as several identified actions needed for its recovery. We look forward to collaborating with you to achieve this species' recovery goals.

Nipomo Mesa lupine is also listed by the State of California as endangered (California Natural Diversity Database 2023). Therefore, we recommend that the County fully comply with all pertinent state laws for this species, and any other state-listed plant and wildlife species potentially affected by the Project.

Thank you for providing this opportunity to comment on the Project. We look forward to working with you as it develops. If you have any questions regarding this matter, please contact Christina Boser of my staff by electronic mail at christina_boser @fws.gov.

Sincerely,

Sara Gultinan
Acting Deputy Field Supervisor
For
Stephen P. Henry
Field Supervisor

REFERENCES

- California Natural Diversity Database California Natural Diversity Database. 2023. State and Federally Listed Endangered, Threatened, and Rare Plants of California. California Department of Fish and Wildlife, Biogeographic Data Branch, Sacramento, California.
- U.S. Fish and Wildlife Service. (Service). 2021. Recovery Plan for Nipomo Mesa lupine (*Lupinus nipomensis*). U.S. Fish and Wildlife Service, Pacific Southwest Region. Ventura, California.
- U.S. Fish and Wildlife Service (Service). 2019. 5-Year review: summary and evaluation for Nipomo Mesa lupine (*Lupinus nipomensis*). Ventura, California.
- U.S. Fish and Wildlife Service. (Service). 2000. Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed, and Candidate Plants.

Susan:

I've read your refinery demolition meeting notice and I have a few issues I would like to see addressed:

Page 9, figure 3, Areas 5 and 6, "Site Features to Remain", showing a sulfur dump and a coke dump.

I realize these are both elements on the periodic chart, but I don't know what the environmental implications are regarding dumps of these materials in our neighborhood.

Will the EIR cover these concerns?

Dale Beebe

1885 Calle Laguna

Arroyo Grande, Ca 93420

(714) 408-7574

From: [Cindy A. Chambers](#)
To: [Greg Chittick](#); [Nicole Trezza](#)
Cc: [Emily Creel](#)
Subject: Fw: [EXT]Coke and sulfur dumps
Date: Wednesday, May 24, 2023 10:07:09 AM
Attachments: [Outlook-1483473689.png](#)

Phillips 66 SMR scoping response

Cindy Chambers
Senior Planner
Diablo Decommissioning Project Team
(p) 805-781-5608
cchambers@co.slo.ca.us



www.slocounty.ca.gov
www.sloplanning.org
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[Follow us on Twitter](#)
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[Subscribe on YouTube](#)

From: Dale Beebe <pentooling@gmail.com>
Sent: Thursday, May 18, 2023 1:17 PM
To: PL_p66refinery <PL_p66refinery@co.slo.ca.us>
Subject: [EXT]Coke and sulfur dumps

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Susan:

I live in the Phillips 66 refinery neighborhood and I have read your recent flyer on the refinery demolition. I have 2 concerns that I would like to see addressed;

- 1) On the 9th page, Fig. 3, "Site Features to Remain", there is "Area 6 - Coke Storage". Does this mean we are inheriting a pile of Coke? And what is Coke, exactly? Why is it being abandoned there and will the EIR address this?
- 2) Same question for "Area 5 - Sulfur" on the same page. What is Sulfur's impact on the environment and why is it being left there?

--

Thanks,
Dale Beebe

PENTOOILING™

From: PL_p66refinery
To: [Greg Chittick](mailto:Greg.Chittick); [Nicole Trezza](mailto:Nicole.Trezza)
Subject: FW: [EXT]SMR Demolition Project NOP Comments
Date: Tuesday, May 9, 2023 6:26:37 PM

FYI

-----Original Message-----

From: James Bianchi <jim.bianchi@sbcglobal.net>
Sent: Tuesday, May 9, 2023 2:01 PM
To: PL_p66refinery <PL_p66refinery@co.slo.ca.us>
Subject: [EXT]SMR Demolition Project NOP Comments

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Trevor Keith, Director:

There are serious concerns I have concerning the content of your Notice of Preparation and Notice of Scoping Meeting, dated May 4, 2023.

There must be public access to the dunes and beachfront as a part of this project. There is a complete absence of public access between the foot of Grand Avenue in Grover Beach, and the Guadalupe Dunes park just west and south of Guadalupe, a distance of perhaps 20 miles. In failing to consider a public access corridor as part of this project, the County actually precluding that from every happening. Doing a half-way job in remediation of the Phillips property "...risk-based industrial standards," whatever that is, would require a subsequent remediation with attendant costs, delays, and other issues that would make it unlikely to happen. Now is the time.

Just guessing, the funds to do a proper job that would permit a public access corridor, would be supplied by Phillips 66, and/or the US Government. The cost to the County would be minimal, if any cost at all. A later remediation for public access would have fewer and smaller options for cost sharing, making it fiscally difficult and perhaps impossible. Phillips 66 got this land in pristine natural condition, it should be returned to that level.

In the order in which these issues arise in this document:

p. 3 Who and/or what are considered to be "subsequent site occupants?" They must include some open public access corridor to the ocean;

p. 4 Why is the soil remediation limited to, "...applicable risk-based industrial standards?" What are those standards? Why are they not inclusive of public access? If standards are below those required for a public access corridor, who is making the choice to comply with lesser standards?

p.5 Statement that, "...future uses of the site are not considered in this Project." Why not? Isn't public access a persistent issue in California? We have a separate government body, the California Coastal Commission devoted to that enterprise.

Please make these comments part of the official record of this project. I am a resident of San Luis Obispo County, with mailing address of Arroyo Grande.

James Bianchi

Attachment D

State Clearinghouse NOP Form and Postings

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Phillips 66 Santa Maria Refinery Demolition and Remediation Project

Lead Agency: San Luis Obispo County Department of Planning and Building

Contact Person: Susan Strachan, Decommissioning Project Manager

Mailing Address: 976 Osos Street #300

Phone: 805-788-2129

City: San Luis Obispo

Zip: 93408

County: San Luis Obispo

Project Location: County: San Luis Obispo

City/Nearest Community: Arroyo Grande

Cross Streets: Willow Road (State Route 1)

Zip Code: 93420

Longitude/Latitude (degrees, minutes and seconds): 35 ° 02 ' 20 " N / 120 ° 35 ' 20 " W Total Acres: ~245

Assessor's Parcel No.: 092-401-011 and 092-401-005

Section: _____

Twp.: _____

Range: _____

Base: _____

Within 2 Miles: State Hwy #: State Route 1

Waterways: Pacific Ocean

Airports: N/A

Railways: Union Pacific Railroad

Schools: Nipomo Elementary School, Pacific View Academy, Lopa

Document Type:

CEQA: NOP

Draft EIR

NEPA: NOI

Other: Joint Document

Early Cons

Supplement/Subsequent EIR

EA

Final Document

Neg Dec

(Prior SCH No.) _____

Draft EIS

Other: _____

Mit Neg Dec

Other: _____

FONSI

Local Action Type:

General Plan Update

Specific Plan

Rezone

Annexation

General Plan Amendment

Master Plan

Prezone

Redevelopment

General Plan Element

Planned Unit Development

Use Permit

Coastal Permit

Community Plan

Site Plan

Land Division (Subdivision, etc.)

Other: _____

Development Type:

Residential: Units _____ Acres _____

Office: Sq.ft. _____

Acres _____

Employees _____

Transportation: Type _____

Commercial: Sq.ft. _____

Acres _____

Employees _____

Mining: Mineral _____

Industrial: Sq.ft. _____

Acres 245

Employees _____

Power: Type _____ MW _____

Educational: _____

Waste Treatment: Type _____ MGD _____

Recreational: _____

Hazardous Waste: Type _____

Water Facilities: Type _____

MGD _____

Other: _____

Project Issues Discussed in Document:

Aesthetic/Visual

Fiscal

Recreation/Parks

Vegetation

Agricultural Land

Flood Plain/Flooding

Schools/Universities

Water Quality

Air Quality

Forest Land/Fire Hazard

Septic Systems

Water Supply/Groundwater

Archeological/Historical

Geologic/Seismic

Sewer Capacity

Wetland/Riparian

Biological Resources

Minerals

Soil Erosion/Compaction/Grading

Growth Inducement

Coastal Zone

Noise

Solid Waste

Land Use

Drainage/Absorption

Population/Housing Balance

Toxic/Hazardous

Cumulative Effects

Economic/Jobs

Public Services/Facilities

Traffic/Circulation

Other: _____

Present Land Use/Zoning/General Plan Designation:

Industrial

Project Description: (please use a separate page if necessary)

Phillips 66 proposes to demolish the Santa Maria Refinery (SMR) and remediate the site. The Project is located at 2555 Willow Road (State Route 1) in an unincorporated area of San Luis Obispo County, near Arroyo Grande and Nipomo, and approximately five miles west of U.S. Highway 101. The SMR site is located within the coastal zone. The Project site consists of refinery facilities that occupy approximately 245 acres within portions of two adjoining parcels: Assessor's Parcel Number (APN) 092-401-011, and APN 092-401-005. Phillips 66 also owns contiguous undeveloped properties that are not part of the Project.

The SMR was built in 1955. The SMR includes petroleum storage and processing facilities, primarily for high-sulfur heavy crude oil. The crude oil was delivered primarily from offshore platforms along the California coast and oil fields in and near the Santa Maria Valley. The majority of crude oil was delivered to the SMR by pipeline. The remainder, which was approximately 2,000 barrels per day of petroleum-based products, was delivered by truck. Semi-refined liquid products from the SMR were transported by pipeline as feedstocks to the Rodeo Refinery in Contra Costa County, California, for upgrading into finished petroleum products. Other SMR products included petroleum coke (a byproduct of oil refining), which was shipped to off-site market destinations by rail and truck, and granular sulfur (recovered from the crude oil), which was shipped to off-site market destinations by truck.

Phillips 66 recently obtained approval to transform the Rodeo Refinery, located in the community of Rodeo, in Contra Costa County, into a repurposed facility that will process renewable feedstocks into renewable diesel fuel, renewable components for blending with other transportation fuels, and renewable fuel gas. Because the Rodeo Renewed Project will discontinue the processing of crude oil at the Rodeo Refinery, the SMR is no longer necessary to provide feedstock to the Rodeo Refinery. Consequently, Phillips 66 ceased operations of the SMR in January 2023.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

- | | |
|---------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input checked="" type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input checked="" type="checkbox"/> Caltrans District # 5 | <input checked="" type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> Regional WQCB # 3 |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input checked="" type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input checked="" type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input checked="" type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region # 4 | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input checked="" type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | <input checked="" type="checkbox"/> Other: <u>Local Cities and Counties</u> |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Housing & Community Development | |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date May 4, 2023 Ending Date June 5, 2023

Lead Agency (Complete if applicable):

Consulting Firm: <u>MRS Environmental, Inc.</u>	Applicant: <u>Phillips 66</u>
Address: <u>1306 Santa Barbara Street</u>	Address: <u>2555 Willow Road</u>
City/State/Zip: <u>Santa Barbara, CA 93101</u>	City/State/Zip: <u>Arroyo Grande, CA 93420</u>
Contact: <u>Greg Chittick</u>	Phone: <u>805-343-3264</u>
Phone: <u>805-289-3924</u>	

Signature of Lead Agency Representative:  Date: 28 April 2023

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.



1010 Marsh St., San Luis Obispo, CA 93401
(805) 546-8208 • FAX (805) 546-8641

PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA,
County of San Luis Obispo,
I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party interested in the above entitled matter. I am the principal clerk of the printer of the *New Times*, a newspaper of general circulation, printed and published weekly in the City of San Luis Obispo, County of San Luis Obispo, and which has been adjudged a newspaper of general circulation by the Superior Court of the County of San Luis Obispo, State of California, under the date of February 5, 1993, Case number CV72789: that notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

May 4 & 11

in the year 2023.

I certify (or declare) under the the penalty of perjury that the foregoing is true and correct.

Dated at San Luis Obispo, California, this day 11 of May, 2023.

Patricia Horton

Patricia Horton, *New Times* Legals

Proof of Publication of

COUNTY OF SAN LUIS OBISPO • DEPARTMENT OF PLANNING & BUILDING • **TREVOR KEITH, DIRECTOR**

Notice of Preparation and Notice of Scoping Meeting

Phillips 66 Santa Maria Refinery Demolition and Remediation Project • C-DRC2022-00048 / ED23-054

To evaluate a request from Phillips 66 (Applicant), the County of San Luis Obispo as Lead Agency will prepare an Environmental Impact Report (EIR) for the Phillips 66 Santa Maria Refinery Demolition and Remediation Project (SMR Demolition Project or the "Project") and the associated County Development Plan/Coastal Development Permit (DP/CDP).

Agencies and interested members of the public have the opportunity to obtain information about the project, ask questions, and provide oral comments on the scope and content of the EIR during two virtual scoping meetings and one in person meeting:

Saturday May 13, 2023 at 10:00 a.m.
Zoom link: <https://swca.zoom.us/j/98440487828>
or by Phone: (669) 900-6833
then enter Webinar ID: 984 4048 7828

Wednesday May 17, 2023 at 10:00 a.m.
Zoom link: <https://swca.zoom.us/j/93248269924>
or by Phone: (669) 900-6833
then enter Webinar ID: 932 4826 9924

Wednesday May 17, 2023 at 7:00 p.m.
In person
Black Lake Golf Course Banquet Room
1490 Golf Course Lane, Nipome

NOTE: Each meeting will include the same presentation of project information.

Description of Proposed Project

Phillips 66 intends to demolish and remediate the site of the Santa Maria Refinery, which includes oil processing facilities spanning approximately 245 acres located at 2555 Willow Road (State Route 1) in an unincorporated area of San Luis Obispo County within the Coastal Zone, approximately five miles west of U.S. Highway 101. Phillips 66 has proposed to demolish existing refinery facilities, equipment, and associated infrastructure. Shutdown of the refinery (isolation of process-related equipment and piping, removal of bulk materials, and decontamination of process equipment and pipeline) is already underway through existing permits. In its application for a County DC/CDP, Phillips 66 has proposed to demolish and remove facilities and remediate/restore the site. Aboveground demolition includes:

- Demolition of buildings and refinery structures to ground level;
- Segregation and stockpiling of demolition materials; and
- Loading and hauling of demolition materials by truck and rail to offsite facilities and landfills for proper handling, management, or disposal.

Belowground demolition and remediation will begin in individual sub-areas as the aboveground demolition is completed in those sub-areas. The main activities during belowground demolition and remediation include:

- Site characterization to determine areas of contamination and soil remediation (soil clean up);
- Soil remediation (soil excavation, stockpiling, testing, and offsite hauling);
- Removal of belowground infrastructure not supporting retained facilities (e.g., roads parking areas);
- Grading and restoration of impacted land; and
- Restoration monitoring

Conventional demolition and remediation equipment will be used. Aboveground demolition is anticipated to take place over a period of six to eight months. Existing access, staging, and material stockpiling areas on site will be used.

Belowground remediation will be initiated following characterization of soil conditions and excavation of impacted soil in one area at a time, after completion of aboveground demolition in that area. Belowground remediation will include excavation and removal of concrete sub-structures and other belowground infrastructure. Hardscapes (concrete, asphalt, compacted base/gravel, or asphalt emulsion coating) may remain for potential future development by others where ground disturbance is not required for belowground remediation or restoration.

The timing, sequence, and duration of belowground remediation and restoration will vary within each functional area depending on site conditions. A substantial amount of the remediation work will be completed in the first three years. Remediation will likely continue, but at a slower pace, over additional years (potentially up to 10 years), to finalize remediation depending on site conditions and work plans.

Impacted soil will be remediated to a level that meets applicable risk-based industrial standards in a cost-effective manner. Impacted soil will be excavated and stockpiled onsite at an existing rail spur, loaded into rail cars, and then hauled by rail to an approved landfill. For planning purposes, it is assumed that a small percentage of the waste soil, and potentially other wastes such as asbestos, will be hauled by truck to a regional waste management facility such as Waste Management, located at 56533 Highway 58 West in McKittrick. Asphalt and concrete that is removed during demolition will be crushed and reused onsite.

Demolition and remediation activities will occur within the refinery fence line. No physical work is planned on the contiguous parcels owned by Phillips 66 or on other parcels. Outside the refinery fence line, a bundle of pipelines (8-inch gas fuel line, 8-inch oil line, and 4-inch diluent line) that extends approximately 1,200 feet southwesterly from the western fence line to the Phillips 66 property line will be abandoned in place. This area is a designated sensitive habitat. The lines were previously nitrogen purged and capped in compliance with regulatory requirements. Therefore, these pipelines are already abandoned and safe, and no additional demolition efforts are needed.

Disposition of offsite pipelines is not a part of the Project. The existing Common Carrier pipelines will continue to be regulated by the U.S. Department of Transportation and the California Office of the State Fire Marshal.

Potential future uses of the SMR site are unknown and are speculative at this time; therefore, future uses of the site are not considered as part of the Project. Facilities that would remain in place per regulatory authorities (for groundwater monitoring wells, for example) or for potential future use include:

- Rail spurs;
- Truck scale;
- Main substation and Pacific Gas and Electric (PG&E) power poles and lines to the substation;
- Perimeter security fencing and solar-powered perimeter lighting;
- Guard shacks;
- Groundwater production wells #2, #4, #5 and #6 (used for potable water, fire water, and industrial water at the SMR);
- Groundwater monitoring wells;
- Slop oil line release remediation system (remediation is in progress under separate permit);
- Pig receivers/launcher at north boundary for maintenance of off-site pipelines;
- Maintenance roads for maintenance of remaining facilities;
- Hardscapes (concrete, asphalt, compacted base/gravel, or asphalt emulsion coating) beyond 100 feet of County-designated sensitive habitat where ground disturbance is not required for belowground remediation or restoration;
- Wastewater outfall line;
- Natural gas lines and crude and product lines (four lines total); these lines will remain in place from the pig receiver/launcher to the property line; and
- Belowground pipelines (former 8-inch gas fuel line, 8-inch oil line, and 4-inch diluent line) previously abandoned in place in an approximately 1,200-foot segment extending southwesterly from within the refinery fence line near the wastewater treatment plant to the Phillips 66 property line.

Phillips 66 will continue to manage any structures that will remain onsite. After demolition and remediation/restoration, activities will be limited to site restoration and general maintenance of the remaining facilities.

Pursuant to Appendix G of the California Environmental Quality Act Guidelines, the EIR will consider Alternatives, Cumulative Effects, and Growth Inducement. No decisions have been made at this time, and all determinations about the Project will be included in the EIR after these issues are thoroughly analyzed. The County invites interested parties, and all affected, responsible, and trustee agencies, to suggest specific areas of analysis to be addressed within these general categories, or other issues not included above, to be considered in the EIR.

FURTHER INFORMATION:

The project's full Notice of Preparation and Phillip 66's application including a detailed Project Description, Map Exhibits, and studies can be accessed on the County's website: <https://www.slocounty.ca.gov/Departments/Planning-Building/Grid-Items/Community-Engagement/Active-Planning-Projects/Phillips-66-Santa-Maria-Refinery-Demolition-and-Re.aspx>

Written Scoping comments can be submitted anytime during the Notice of Preparation comment period. The comment period begins May 4, 2023, and ends June 5, 2023, at 5:00 p.m. Please include the name of the contact person for your agency or organization, if applicable. Comments may be submitted via email to: p66refinery@co.slo.ca.us, or via USPS mail to: County of San Luis Obispo Planning & Building, Room 300, Attention: Susan Strachan, 976 Osos Street, San Luis Obispo, CA 93408. Please contact Susan Strachan at (805) 788- 2129, or Cindy Chambers at (805) 781-5608, or via the email above, for additional information.

May 4 & 11, 2023



1010 Marsh St., San Luis Obispo, CA 93401
 (805) 546-8208 • FAX (805) 546-8641

PROOF OF PUBLICATION
 (2015.5 C.C.P.)

Proof of Publication of

STATE OF CALIFORNIA,
 County of San Luis Obispo,
 I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party interested in the above entitled matter. I am the principal clerk of the printer of the *New Times*, a newspaper of general circulation, printed and published weekly in the City of San Luis Obispo, County of San Luis Obispo, and which has been adjudged a newspaper of general circulation by the Superior Court of the County of San Luis Obispo, State of California, under the date of February 5, 1993, Case number CV72789: that notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

May 11


in the year 2023.

I certify (or declare) under the the penalty of perjury that the foregoing is true and correct.

Dated at San Luis Obispo, California, this day 11 of May, 2023.

Patricia Horton

Patricia Horton, *New Times* Legals



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF
PLANNING & BUILDING
NOTICE OF PUBLIC HEARING**

WHO
County of San Luis Obispo Planning Commission

WHEN
Thursday, May 25, 2023 at 09:00 AM. All items are advertised for 09:00 AM. To verify agenda placement, please call the Department of Planning & Building at (805) 781-5600.

WHAT
Hearing to consider a request by **John Gardner** for a Tentative Tract Map (C-SUB2022-00001/ Tract No. 3189) and a Development Plan/ Coastal Development Permit to construct a mixed-use commercial and residential development project on a vacant, approximately 6,000 sq. ft. site, and the subdivision of two, approximately 3,000 sq. ft. parcels into eight air-space condominium units. The three-level, 25-foot-tall mixed-use building will consist of: approximately 4,944 sq. ft. ground floor (Front Street) commercial floor level (containing up to four commercial units); 4,464 sq. ft. second floor (containing four residential units); 5,497 sq. ft. basement level containing parking garage, storage, waste facilities and circulation; and 3,685 sq. ft. private residential roof deck area with mechanical equipment storage and screening. The project includes a request to establish up to four residential vacation rentals within the residential condominium units. The project will be served by an existing 20-foot-wide private access driveway and will provide six dedicated on-site parking spaces for the residential units. The project includes a modification request to waive adjusted commercial parking spaces pursuant to Section 23.04.162(h), a voluntary contribution to the parking in-lieu fee fund, and an adjustment to the design criteria of Section 21.03.010.4 (g) to allow a private access easement to serve more than five (5) parcels. The project will establish an outdoor dining patio on Front Street and includes grading of the entire approximately 6,000 sq. ft. site for infrastructure improvements and appurtenances. The proposed project is within the Commercial Retail land use category and is located at 490 and 498 Front Street, within the community of Avila Beach (Front Street Commercial District). The site is in the San Luis Bay Coastal Planning Area of the Coastal Zone.

Also to be considered is the determination that the project is consistent with the Avila Beach Specific Plan EIR. A Final Environmental Impact Report was certified by the Board of Supervisors for the Avila Beach Specific Plan on April 11, 2000. Pursuant to California Environmental Quality Act Guidelines Section 15184, an EIR prepared for a Specific Plan can be used for a project that is determined to be consistent with that Plan. No significant impacts of the project have been identified and pursuant to CEQA Guidelines section 15182, no project specific mitigation measures are necessary. The mitigation measures identified in the certified Final EIR prepared for the Specific Plan are adequate.

County File Number: **C-SUB2022-00001**
 Supervisorial District: District 3
 Assessor Parcel Number(s): 076-216-014, -021
 Date Accepted: 05/26/2022

WHERE
 The hearing will be held in the San Luis Obispo County Board of Supervisors Chambers, 1055 Monterey Street, Room #D170, County Government Center, San Luis Obispo, CA. The Board of Supervisors Chambers are located on the corner of Santa Rosa and Monterey Streets. At the meeting all interested persons may express their views for or against, or to change the proposal.

ADDITIONAL INFORMATION
 A copy of the staff report will be made available on the Planning Department website at www.sloplanning.org. You may also contact **Nicole Ellis, Project Manager**, in the Department of Planning and Building at the address below or by telephone at 805 781-5157.

If you challenge this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this public notice or in written correspondence delivered to the appropriate authority at or before the public hearing.

COASTAL APPEALABLE
 If the County approves this project, that action may be eligible for appeal to the California Coastal Commission. An applicant or aggrieved party may appeal to the Coastal Commission only after all possible local appeals have been exhausted pursuant to Coastal Zone Land Use Ordinance Section 23.01.043(b). Local appeals must be filed using the required Planning Department form as provided by Coastal Zone Land Use Ordinance Section 23.01.042(a)(1).

Ysabel Eighthy, Secretary Planning Commission
 May 11, 2023



1010 Marsh St., San Luis Obispo, CA 93401
(805) 546-8208 • FAX (805) 546-8641

PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA,
County of San Luis Obispo,
I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party interested in the above entitled matter. I am the principal clerk of the printer of the *New Times*, a newspaper of general circulation, printed and published weekly in the City of San Luis Obispo, County of San Luis Obispo, and which has been adjudged a newspaper of general circulation by the Superior Court of the County of San Luis Obispo, State of California, under the date of February 5, 1993, Case number CV72789; that notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

May 11
in the year 2023.

I certify (or declare) under the the penalty of perjury that the foregoing is true and correct.

Dated at San Luis Obispo, California, this day 11 of May, 2023.

Patricia Horton

Patricia Horton, *New Times* Legals

Proof of Publication of

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF
PLANNING & BUILDING
NOTICE OF PUBLIC HEARING

WHO
County of San Luis Obispo Planning Commission

WHEN
Thursday, May 25, 2023 at 09:00 AM. All items are advertised for 09:00 AM. To verify agenda placement, please call the Department of Planning & Building at (805) 781-5600.

WHAT
Hearing to consider a request by **Mid-State Properties** for a Vesting Tentative Tract Map (Tract 2383) to subdivide a 37-acre parcel into 11 new residential parcels, ranging in size from 2.5 acres to 6 acres. Each residential lot would range from 2.5 acres to 4.56 acres, and a building envelope ranging from 6,620 square feet (sf) to 15,850 sf in size would be located within each lot. The project would require 51,000 cubic yards of cut and 51,000 cubic yards of fill (102,000 total cubic yards of earthwork) and would result in 12.5 acres of site disturbance. The project requires a variance due to grading on slopes greater than 30% and an adjustment to Title 21 (Real Property Division Ordinance) to allow more than 5 parcels to take access off a private easement. The project site is located approximately 1.25 miles northeast of the City of Arroyo Grande on the north side of Lopez Drive. The project site is located in the Residential Suburban land use category, within the San Luis Bay (Inland) Sub Area (South) of the South County (Inland) Planning Area.

Also to be considered is the adoption of the Mitigated Negative Declaration prepared for this item. The Environmental Coordinator, after completion of the Initial Study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been prepared for this project. Mitigation measures are proposed to address Aesthetics, Agriculture and Forestry, Air Quality, Biological Resources, Geology & Soils, Hazards & Hazardous Materials, Land Use and Planning, Hydrology & Water Quality, Noise, Utilities & Service Systems, and Mandatory Findings of Significance, and are included as conditions of approval.

A copy of the Environmental Document is also available on the Planning and Building Department website at https://energov.sloplanning.org/EnergGov_Prod/SelfService#/plan/740708FA-9A23-40CC-B62D-0A8431529804?tab=attachments Anyone interested in commenting on the proposed Environmental Document should submit a written statement and/or speak at the public hearing. Comments will be accepted up until completion of the public hearing(s).

County File Number: **S000300T**
Supervisorial District: District 3
Assessor Parcel Number(s): 047-182-002
Date Accepted: 02/07/2003

WHERE
The hearing will be held in the San Luis Obispo County Board of Supervisors Chambers, 1055 Monterey Street, Room #D170, County Government Center, San Luis Obispo, CA. The Board of Supervisors Chambers are located on the corner of Santa Rosa and Monterey Streets. At the meeting all interested persons may express their views for or against, or to change the proposal.

ADDITIONAL INFORMATION
A copy of the staff report will be made available on the Planning Department website at www.sloplanning.org. You may also contact **Eric Hughes, Project Manager**, in the Department of Planning and Building at the address below or by telephone at +1-805-781-1591, or by email at ehughes@co.slo.ca.us

If you challenge this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this public notice or in written correspondence delivered to the appropriate authority at or before the public hearing.

Ysabel Eighthy, Secretary Planning Commission
May 11, 2023



1010 Marsh St., San Luis Obispo, CA 93401
 (805) 546-8208 • FAX (805) 546-8641

PROOF OF PUBLICATION
 (2015.5 C.C.P.)

STATE OF CALIFORNIA,
 County of San Luis Obispo,
 I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party interested in the above entitled matter. I am the principal clerk of the printer of the *New Times*, a newspaper of general circulation, printed and published weekly in the City of San Luis Obispo, County of San Luis Obispo, and which has been adjudged a newspaper of general circulation by the Superior Court of the County of San Luis Obispo, State of California, under the date of February 5, 1993, Case number CV72789: that notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

May 11

in the year 2023.

I certify (or declare) under the the penalty of perjury that the foregoing is true and correct.

Dated at San Luis Obispo, California, this day 11 of May, 2023.

Patricia Horton

Patricia Horton, *New Times* Legals

Proof of Publication of

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF
PLANNING & BUILDING
NOTICE OF PUBLIC HEARING

WHO
 County of San Luis Obispo Planning Commission

WHEN
Thursday, May 25, 2023 at 09:00 AM. All items are advertised for 09:00 AM. To verify agenda placement, please call the Department of Planning & Building at (805) 781-5600.

WHAT
 Hearing to consider a request by **Peoples' Self-Help Housing** for a Development Plan/Coastal Development Permit (C-DRC2023-00018) to allow the construction of 33 deed-restricted apartments located within seven buildings with a total floor area of 34,850 square feet, a community services building of 2,880 square feet and related site improvements. The project includes requests for setback waivers and height concessions pursuant to the State Density Bonus Law Section 65915(d)(2).
 This application was previously approved under SLO County Development Plan/ Coastal Development Permit (DRC2012-00052) and California Coastal Commission Coastal Development Permit (A-SLO-19-0033) and is seeking re-approval of lapsed entitlements. The proposed project will disturb approximately 2.04 acres and place 2.83 acres into dedicated open space on a 5.88-acre parcel. The project is in the Residential Multi-family land use category and is located at 2845 Schoolhouse Lane, within the community of Cambria. The site is in the North Coast Planning Area.
 Also to be considered is the environmental determination. The Environmental Coordinator finds that the previously adopted Mitigated Negative Declaration (SLOCO ED17-280, SCH Posting #2018111048) adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted.

County File Number: **C-DRC2023-00018**
 Supervisorial District: District 2
 Assessor Parcel Number(s): 013-151-034
 Date Accepted: 04/21/2023

WHERE
 The hearing will be held in the San Luis Obispo County Board of Supervisors Chambers, 1055 Monterey Street, Room #D170, County Government Center, San Luis Obispo, CA. The Board of Supervisors Chambers are located on the corner of Santa Rosa and Monterey Streets. At the meeting all interested persons may express their views for or against, or to change the proposal.

ADDITIONAL INFORMATION
 A copy of the staff report will be made available on the Planning Department website at www.sloplanning.org. You may also contact **Ana Luvera**, Project Manager, in the Department of Planning and Building at the address below or by telephone at 805-781-5600.

If you challenge this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this public notice or in written correspondence delivered to the appropriate authority at or before the public hearing.

COASTAL APPEALABLE
 If the County approves this project, that action may be eligible for appeal to the California Coastal Commission. An applicant or aggrieved party may appeal to the Coastal Commission only after all possible local appeals have been exhausted pursuant to Coastal Zone Land Use Ordinance Section 23.01.043(b). Local appeals must be filed using the required Planning Department form as provided by Coastal Zone Land Use Ordinance Section 23.01.042(a)(1).

Ysabel Eighmy, Secretary Planning Commission
 May 11, 2023



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(805) 546-8208 • FAX (805) 546-8641

PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA,
County of San Luis Obispo,
I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party interested in the above entitled matter. I am the principal clerk of the printer of the *New Times*, a newspaper of general circulation, printed and published weekly in the City of San Luis Obispo, County of San Luis Obispo, and which has been adjudged a newspaper of general circulation by the Superior Court of the County of San Luis Obispo, State of California, under the date of February 5, 1993, Case number CV72789: that notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

May 11

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I certify (or declare) under the the penalty of perjury that the foregoing is true and correct.

Dated at San Luis Obispo, California, this day 11 of May, 2023.

Patricia Horton

Patricia Horton, *New Times* Legals

Proof of Publication of

 COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
NOTICE OF PUBLIC HEARING

WHO
County of San Luis Obispo Planning Commission

WHEN
Thursday, May 25, 2023 at 09:00 AM. All items are advertised for 09:00 AM. To verify agenda placement, please call the Department of Planning & Building at (805) 781-5600.

WHAT
Hearing to consider a request by **Timothy and Carol Reding** for a Variance / Minor Use Permit / Coastal Development Permit (DRC2015-00058) to allow grading on slopes in excess of 30% for a four-level single family residence of approximately 3,844 square feet of living space, 786 square feet of deck, and a 986 square foot garage on a 11,200-square foot lot. The proposal includes the following components: (1) grading and excavation for the lower level, garage, driveway and building foundation; (2) site disturbance of approximately 5,600 square feet including on-site drainage improvements; and (3) development of the residence, including landscaping. The proposed project is within the Residential Single-Family land use category and is located at 260 Cerro Gordo Avenue, in the community of Cayucos. The site is in the Estero planning area.

Also to be considered is the determination that this project is categorically exempt from environmental review under CEQA.

County File Number: **DRC2015-00058**
Supervisory District: District 2
Assessor Parcel Number(s): 064-372-067
Date Accepted: 09/30/2022

WHERE
The hearing will be held in the San Luis Obispo County Board of Supervisors Chambers, 1055 Monterey Street, Room #D170, County Government Center, San Luis Obispo, CA. The Board of Supervisors Chambers are located on the corner of Santa Rosa and Monterey Streets. At the meeting all interested persons may express their views for or against, or to change the proposal.

ADDITIONAL INFORMATION
A copy of the staff report will be made available on the Planning Department website at www.sloplanning.org. You may also contact **Terry Wahler, Project Manager**, in the Department of Planning and Building at the address below or by telephone at 805-781-5621.

If you challenge this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this public notice or in written correspondence delivered to the appropriate authority at or before the public hearing.

COASTAL APPEALABLE
If the County approves this project, that action may be eligible for appeal to the California Coastal Commission. An applicant or aggrieved party may appeal to the Coastal Commission only after all possible local appeals have been exhausted pursuant to Coastal Zone Land Use Ordinance Section 23.01.043(b). Local appeals must be filed using the required Planning Department form as provided by Coastal Zone Land Use Ordinance Section 23.01.042(a)(1).

Ysabel Eighmy, Secretary Planning Commission
May 11, 2023