Initial Study – Environmental Checklist

Project Title & No. Caballero CA Storage, LLC Battery Energy Storage System (BESS) Project ED23-018 DRC2019-00258

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

☐ Aesthetics	☐ Greenhouse Gas Emissions	☐ Public Services
☐ Agriculture & Forestry Resources	☒ Hazards & Hazardous Materials	☐ Recreation
☒ Air Quality	☐ Hydrology & Water Quality	☐ Transportation
☒ Biological Resources	☐ Land Use & Planning	☒ Tribal Cultural Resources
☒ Cultural Resources	☐ Mineral Resources	☐ Utilities & Service Systems
☐ Energy	☐ Noise	☐ Wildfire
☐ Geology & Soils	☐ Population & Housing	☒ Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

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

☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Jeff Oliveira, Principal Oliveira Environmental Consulting, LLC			5/18/2023
Prepared by (Print)	Signature		Date
Eric Hughes		Eric Hughes, Principal Environmental Specialist	
Reviewed by (Print)	Signature		Date

Initial Study – Environmental Checklist

Project Environmental Analysis

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

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

A. Project

DESCRIPTION: Hearing to consider a request by Caballero CA Storage, LLC for a Conditional Use Permit (DRC2019-00258) to allow the construction of a 100-megawatt (MW), or 400 MW hours, Battery Energy Storage System (BESS). The proposed project would include BESS container units to house battery banks and store electricity for dispatch into the local Pacific Gas and Electric (PG&E) grid via the existing PG&E Mesa Substation. At full buildout, the project would consist of 68 BESS 5.882 MWh BESS containers, 34 2.968 MW inverters, and 34 3.3 Megavolt amperes (MVA) pad-mounted transformers. The project will disturb approximately 6-acres on an approximately 20.4-acre parcel located at 650 and 696 Joshua Street, approximately 1000 feet west of Highway 101 and 1.5 miles south of the community of Nipomo within the South County Planning Area and South County Inland Sub Area.

Elevations at the site range from approximately 89 to 93 meters and the topography is generally flat. The site currently supports agricultural (cultivated strawberries), residential, and equipment storage uses and consists of disturbed and ruderal areas. The area surrounding the site supports agricultural, residential, and industrial uses. The site is bounded by the PG&E 230 kilovolt (kV) Mesa substation to the northeast, Joshua Street to the southeast, and agricultural uses.

The project site would also include a 230- kV project substation and the main power transformer to match the voltage of the PG&E Mesa Substation that the project will interconnect with. A new overhead generation tie line (gen-tie-line) is proposed for connecting the proposed project with the existing PG&E Mesa Substation that will extend from the project substation into the PG&E substation on the adjacent parcel. The route of the 0.1-mile gen-tie-line will connect into the northwest side of the substation and will be routed to avoid existing power lines. The gen-tie-line will be constructed using similar material as the existing power lines on the PG&E Mesa Substation property. PG&E will install and maintain one to two tubular steel poles and two to three spans of line from the substation Dead-End structure up to the Customer provided tubular steel pole, at the PG&E substation property line. PG&E will also install, terminate, and test new fiber cables from the Caballero project line to the PG&E control building within the Mesa Substation. PG&E intends to expand the existing breaker and half bay to allow the BESS Project to connect to the Mesa Substation, which will include:

- One 230kV power circuit breaker, SF6 gas type, rated 230kV, 3000 ACC Continuous, 63kAIC, with two or three current transformers (CT's) as required on each bushing
- Two 230kV disconnect switch, manually operated, for breaker disconnect, and mounted on low profile support structure
- One (1) Dead-end/pull off structure
- Ground conductors, ground rods, and associated hardware for a complete grounding system, including ground wells if needed
- Underground conduits, pull boxes, and junction boxes
- Installing three single phase line capacitor coupled voltage transformer for the new Gen-Tie line protection
- Install one line dead-end structure and line disconnect switch.
- Civil foundations and ground connections

Additional work within the PG&E Mesa Substation consists of installing telecommunications, monitoring, and metering equipment.

One HVAC system per BESS enclosure will adjust the internal temperature of the battery cabinet automatically. The fire suppression tank for the BESS is expected to be built outside the Project security fencing, and at the entrance of the Project site so that it is easily accessible to first responders. Fire suppression systems are expected to be complaint to the latest version of the National Electric Code, as well as all other federal (NFPA 1, 855, 68 and 69), state, and local codes, including the in-force revision of the California Fire Code.

Safety will be incorporated in all stages of BESS design to the highest available international standards. The BESS would include a battery protection circuit to improve safety by making accidents less likely or by minimizing their severity when they do occur; fire protection system suitable for the chemistry of the battery and the type of chemical fire that could result, and water supply; ventilation and temperature control systems; gas detection and smoke detection systems; Emergency Response Procedures; Occupational and Health and Safety (OHS) Plan; and a maintenance plan. A 20 m safety zone will be provided around the perimeter of the BESS facility.

The Project will be an unmanned facility and does not require full-time employees to perform operation and maintenance activities. Routine maintenance will be performed by regional staff, typically on an annual basis. Maintenance may include replacing batteries that are not performing at their peak, changing the oil in the transformers, and maintenance of all ancillary systems (fire suppression, storm water, access roads, etc.).

Table 1. Key Project Components

Project Component	Description/ Definition
Project Substation	A substation supports the interface between the BESS site and the electrical grid and can step up or down the voltage to connect to the grid as appropriate. For this site, it will facilitate the connection to the PG&E Mesa substation. The

Table 1. Key Project Components

Project Component	Description/ Definition
	Project substation serves as the point of interconnection for the BESS. It also houses some monitoring, communication, and controls equipment.
Substation Component: Main Power Transformer	The transformer is a device that will change the voltage of electricity that flows within the BESS facility. This transformer is responsible for stepping up the voltage of electricity between the medium voltage collection system and the high voltage system at the Point of Interconnection (POI).
BESS Cabinet	The BESS cabinet houses batteries as well as other system components such as the battery cabinets, battery management system (BMS), HVAC system, system controller, fire suppression system, and electrical distribution panel. Cabinets are typically made of steel. Such cabinets are considered unoccupied, with access only by approved personnel for maintenance or repair of any of the BESS system components. The BESS cabinet is located outside on its own, not included inside a building room or area. The cabinet will be designed to UL 9540 standards, which is a BESS system where personnel cannot enter the enclosure other than reaching into access components for maintenance purposes.
Lithium-ion (Li-ion) or Other Battery	Although the batteries have not yet been selected for this project, Lithium ion (Li-ion) batteries are the most common batteries by installation, accounting for more than 90% of energy storage installations. Li-ion batteries use the exchange of lithium ions between electrodes to charge and discharge the battery. Li-ion batteries are typically characterized as power devices capable of short durations or stacked to form longer durations of power. This Project would be considered a long duration system. Li-ion energy storage systems are generally appropriate for serving energy applications, moderate power applications, and applications requiring a short response time (i.e. back-up power or supporting a black start). The three most common Li-ion chemistries are Lithium Nickel Cobalt Manganese Oxide (NCM), Lithium Iron Phosphate (LFP), and Lithium Titanate Oxide (LTO). The BESS battery for the project will use LFP batteries. Lithium iron phosphate batteries are less prone to combustion and thermal runaway.
Pad Mounted Transformer	These transformers are used to interface the underground medium voltage collection cables at points in which the BESS service drops are connected to step down the primary voltage on the collection system to a lower voltage that is supplied by the BESS inverters.

Table 1. Key Project Components

Project Component	Description/ Definition
BESS Inverter (PV Inverter)	This inverter converts the variable direct current (DC) output of the BESS to alternating current (AC).
AUX Transformer	Another type of power transformer that provides power to the auxiliary equipment of the BESS site during its normal operation. Auxiliary equipment includes things like air conditioning units that keep batteries and other equipment cool, power for internal lighting, and other internal equipment needs for the Project to operate safely.
Fire Suppression	The BESS incorporates heat and smoke detection along with fire suppression systems. Optional integrated hot aerosol fire suppression system.
Fire Suppression Tank	The fire water tank provides a source of water that is dedicated to suppressing the fire and for use by first responders in case of a fire. The design of the fire suppression system is not yet finalized, but will be designed in accordance with federal, state, and local regulations.
Heating, Ventilation, and Air Conditioning (HVAC) Units	The HVAC units will be included with each BESS container. The HVAC system maintains the BESS container internal temperature and interlocked into the internal fire system. During charge and discharge, cell temperature is maintained between 20 degrees Celsius -35 degrees Celsius.

The proposed Project would be built as one-system with the following tasks being performed in this anticipated order:

- Clearing and grubbing of the site,
- Rough grading the entire site (with focus on development area and retention basin),
- Install site fencing,
- Coordinate with PG&E to ensure interconnection facilities are being constructed,
- Project substation ground grid, which will be installed as part of the Project fence,
- Excavate Medium Voltage (MV) collection trenching,
- Install Storm drain culverts,
- Trenching to support fire suppression system,
- Install MV collection cables,
- Construct equipment pads,
- Install equipment,
- Install water tank and connect to fire suppression infrastructure,
- Construct gen-tie line to interconnect BESS Project substation with the existing PG&E Mesa Substation,

- Complete access road class 2 base and driveway improvements,
- Conduct final commissioning of all equipment,
- Conduct training and coordination with Operations and Maintenance team and local first responders, and
- Initiate Project Commercial Operations

Project Objectives

The Caballero BESS Project site was selected as a location in order to benefit the California electrical grid. The PG&E Mesa Substation is important to PG&E's electrical system for the California Central Coast and in the PG&E Kern Interconnection Area. While the project is physically located in San Luis Obispo County, electrically it is within what is known as the Kern Interconnection Area, which includes parts of San Luis Obispo, Santa Barbara, Kern and Kings Counties. The project will support implementation of SB100 and is intended to help defer additional upgrades to the electrical transmission system by allowing energy to be stored during off-peak hours and dispatched during peak demand.

The Project does not require any full-time employees and will be operated remotely and require annual maintenance to service the Project.

Fire and Hazard Protection

The proposed BESS will include a battery protection circuit to improve safety by making accidents less likely or by minimizing their severity when they do occur; fire protection system suitable for the chemistry of the battery and the type of chemical fire that could result, and water supply; ventilation and temperature control systems; gas detection and smoke detection systems; Emergency Response Procedures; Occupational and Health and Safety (OHS) Plan; and a maintenance plan. A 20-meter safety zone will be provided around the perimeter of the BESS facility.

The proposed project BESS system will meet nationally recognized industry safety standards for lithium-ion battery energy storage systems (BESS).

The standards that the project will be designed to are as follows:

- California Fire Code-2019, 01JUL2021 Supplement: Section 1206
- NFPA 855 (2020): Standard for the Installation of Stationary Energy Storage Systems (with TIA 20-2)
- NFPA 69
- NFPA 70 (2020): National Electric Code
- NFPA 72 (2019): National Fire Alarm and Signaling Code
- UL 9540 (2020): Standard for Safety – Energy Storage Systems and Equipment
- UL 9540A (2019): Standard for Safety – Test Method for Evaluating Thermal Runaway Fire Propagation in Battery Energy Storage Systems

The applicant is proposing to prepare an Emergency Response Plan prior to operations. This will also be a required mitigation measure as discussed in detail below, under Section IX, Hazardous Materials. The Emergency Response Plan (ERP) would provide general guidance, organizational structure, and specific direction on preparedness, response, and communication disciplines that are to be followed for managing major emergencies that may threaten the health and safety of the Caballero BESS. The ERP ensures that responders are prepared for "unexpected" events to protect operational personnel and the local community. The ERP identifies departments and personnel that are directly responsible and accountable for

emergency response and critical support services. It also provides a structure for coordinating and deploying essential resources. All operational personnel share an individual responsibility for preparedness. The ERP will address potential:

- Response to a fire incident – either external to the container or internal, or associated with the project substation.
- What to do after an incident
- General site maintenance to avoid fires and other emergencies
- Spill response procedures and reporting
- Medical emergencies and reporting
- Response to weather events
- General security

Prior to operations, Caballero will meet with the local fire department and education them on the BESS. The fire department will be informed of appropriate fire suppression methods for the energy storage system type as identified by the equipment manufacturer.

In addition to the above, the project applicant has stipulated project consistency with the California Fire Code (CFC)-2019 Section 1206 and National Fire Protection Act 855, 70, 72, and UL9540.

Thermal Management and Controls: As described in Table 1, a thermal management system or HVAC system is expected be utilized, that maintains the system within the demonstrated (per test data of battery) appropriate ranges of the battery cells. The thermal management system is intended to control temperatures at a battery module level, with circulation providing consistent temperature within each container and within the safe operating temperature ranges of the battery, and control humidity within the safe operating ranges of the battery. The controls system is expected to include both the BMS and higher-level controllers including balance of system (BoS) controllers and/or programmable logic controllers (PLCs). The BMS should be capable of balancing the state of charge (SOC) between cells and modules and monitoring current and voltage between cells and modules, shutting the system or sub-components down automatically in the case of abnormal conditions. The controller should be capable of receiving information from the BMS and should be proven to operate the battery for only the applications and conditions the battery is capable of.

Monitoring and Alarms: The system is anticipated to have sensors allowing for the detection at a minimum of temperature, current, and voltage, at least at the battery module level. Also, battery cell monitoring is expected to include voltage and as many temperature measurements as practical in the battery module. In addition, the system should have ambient temperature sensors, as applicable to larger containers, and smoke and thermal detectors for fire detection in compliance with NFPA 72. This information will be monitored remotely to ensure values remain within acceptable ranges. Ranges are manufacturer determined. Test data previously noted can confirm that these ranges are appropriate. In the event of abnormal conditions, an alarm will be sent to the monitoring facility, and systems or sub-systems will be automatically shut down. Additionally, system status will be clearly visible on the outside of unit, indicating status via indicator light or screen (e.g., Off, Idle/Standby, Active/on, Faulted).

ASSESSOR PARCEL NUMBER(S): 090-281-011

Latitude: ° 35.006570 N **Longitude:** º-120.454369 W **SUPERVISORIAL DISTRICT #** 4

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B. Existing Setting

Plan Area: South County **Sub:** South County Inland **Comm:** Rural

Land Use Category: Rural Lands

Combining Designation: None

Parcel Size: 20.4 acres

Topography: Nearly level to gently sloping

Vegetation: Agriculture Ruderal

Existing Uses: Agricultural uses

Surrounding Land Use Categories and Uses:

North: Rural Lands; agricultural uses

East: Rural Lands; agricultural uses

South: Rural Lands; agricultural uses single-family residence(s)

West: Rural Lands; agricultural uses

C. Environmental Analysis

The Initital Study Checklist provides detailed information about the environmental impacts of the proposed project and mitigation measures to lessen the impacts.

Initial Study – Environmental Checklist

I. AESTHETICS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:					
(a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
(b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
(c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
(d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Setting

The proposed project is located in southwestern San Luis Obispo County and part of the Nipomo mesa. The project site is approximately 20.4 acres; however, the proposed construction footprint size is approximately six acres in size. Elevation at the site ranges from approximately 89 to 93 meters and the topography is flat. The site currently supports agricultural (cultivated strawberries), residential, and equipment storage uses and consists of disturbed and ruderal areas. The area surrounding the site supports agricultural, residential, and industrial uses. The site is bounded by the PG&E 230 kilovolt Mesa substation to the northeast, Joshua Street to the southeast, and agricultural uses. U.S. Highway 101 is located 0.25-mile northeast of the site. No native habitats are present on or adjacent to the site.

CEQA establishes that it is the policy of the state to take all action necessary to provide people of the state "with… enjoyment of aesthetic, natural, scenic and historic environmental qualities" (Public Resources Code Section 21001(b)).

A scenic vista is generally defined as a high-quality view displaying good aesthetic and compositional values that can be seen from public viewpoints. A substantial adverse effect on a scenic vista would occur if the project would significantly degrade the scenic landscape as viewed from public roads or other public areas.

California's Scenic Highway Program was created by the State Legislature in 1963 with the intention of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors. There are

several officially designated state scenic highways and several eligible state scenic highways within the county. State Route 1 is an Officially Designated State Scenic Highway and All-American Road from the City of San Luis Obispo to the northern San Luis Obispo County boundary. A portion of Nacimiento Lake Drive is an Officially Designated County Scenic Highway. Portions of Highway 101, Highway 46, Highway 41, Highway 166, and Highway 33 are also classified as Eligible State Scenic Highways – Not Officially Designated. The proposed project is not within designated California Scenic Highways.

The County of San Luis Obispo Coastal Zone Land Use Ordinance (LUO) establishes regulations for exterior lighting (LUO 22.10.060), height limitations for each land use category (LUO 22.10.090), scenic highway corridor standards (LUO 22.10.095), and other visual resource protection policies.

The LUO also maps portions of the Salinas River Highway Corridor, the San Luis Obispo Highway Corridor, and the South County Highway Corridor to comply with County highway corridor design standards. These standards include but are not limited to setbacks from highway rights-of-way, guidelines for development along ridgelines, limitations on graded slopes, protection of landmark features, and standards for building height and color (LUO 22.10.095). The proposed project is not within a San Luis Obispo Highway Corridor.

The Land Use Element (LUE) Framework for Planning (Coastal) contains policy statements that serve as a framework for evaluating proposed projects for their aesthetic merit in areas designated as Sensitive Resource Areas (SRAs). It should be noted that the SRA combining designation does not occur on the project site.

The County General Plan Open Space Element contains policies for development in scenic corridor areas. The Open Space Element states that no officially designated scenic highways or roads to be studied to determine their scenic value are located in the vicinity of the project site.

The proposed project is located in a semi-rural, agricultural setting. The surrounding visual character consists of agricultural fields with few industrial facilities (PG&E substation) and rural residences scattered throughout. Surrounding parcels are moderately large and include agricultural lots, large lot rural residences, and industrial lots. Adjacent lots to the south, east, and west are occupied by agricultural fields with rural residences, and the lot to the north contains the PG&E 230 kV Mesa substation. The topography of the project site and surrounding area is generally flat. The project site currently contains cultivated crop fields and developed open space with two residential structures. The project site is visible from Joshua Street, a public roadway. No nearby roadways have been officially designed as scenic highways.

Discussion

(a) Have a substantial adverse effect on a scenic vista?

For the purpose of determining significance under CEQA, a scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public.

The proposed project is located in a semi-rural, agricultural setting. The surrounding visual character consists of agricultural fields with few industrial facilities and rural residences scattered throughout. Surrounding parcels are moderately large and include agricultural lots, large lot rural residences, and industrial lots. Adjacent lots to the south, east, and west are occupied by agricultural fields with rural residences, and the lot to the north contains the PG&E 230 kV Mesa substation. The project site is not visible from a Designated State Scenic Highway. The proposed project is a battery energy storage system and related activities, and is consistent with the surrounding semi-rural, and industrial landscape.

In order to provide for a better determination of the proposed project impacts related to scenic vistas, a Visual Simulation was prepared for the proposed development (see attached). This also includes renderings of the proposed structural development, showing the building massing and detailed elevations.

The Visual Simulation provides a detailed depiction of views of the project site from four key vantage points along Joshua Street and Highway 101. In addition, the visual analysis includes an overlay of simulated project development onto each of the viewing areas in order to show existing views of the site and the simulated conditions that would be viewed upon project implementation. As shown in the Visual Simulations, the proposed project development is not prominently visible from the public vantage points. The most significant views of the proposed development would be from Joshua Street in the vicinity of the existing PG&E substation, near the southeast corner of the project site; however, the project remains primarily obscured from views and would be considered consistent with the neighboring industrial land use.

As such, the project site is not visible from any State or locally designated scenic highways. The site does not include unique geological or physical features. Therefore, the project would not result in a substantial adverse effect on a scenic vista, and impacts would be less than significant. In addition, consistency with the County Land Use Ordinance regulations for exterior lighting (LUO 22.10.060), height limitations for each land use category (LUO 22.10.090), scenic highway corridor standards (LUO 22.10.095), and other visual resource protection policies would address the potential for visual impacts related to the project site. Therefore, the project would not have a substantial adverse effect on a scenic vista and impacts are considered *less than significant*.

(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The project is not located within the viewshed of a designated or eligible state scenic highway and implementation of the project would not result in damage to scenic resources within the viewshed of a state scenic highway. Please refer to the discussion under item (a), above, for additional details on project site visibility from public vantage points, visual simulations of project development and project consistency with neighboring land uses. Impacts are considered *less than significant*.

(c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

The project is located in a non-urbanized area and would be visually consistent with the type and extent of development in the surrounding area. The project would not result in a noticeable change to public views of the area and, therefore, would not result in the degradation of the existing visual character or quality of public views of the site and its surroundings. *No impacts* would occur.

(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

The project does not propose the use or installation of highly reflective materials that would create a substantial source of glare. The project would generally be consistent with the level of existing development in the project vicinity and does not propose the installation or use of outdoor lighting that would differ substantially from other proximate development. In addition, consistency with the

County Land Use Ordinance regulations for exterior lighting (LUO 22.10.060) will ensure that light and glare impacts will be further reduced. Therefore, the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area and potential impacts would *be less than significant*.

Conclusion

The project is not located within view of a scenic vista and would not result in a substantial change to scenic resources in the area. The project would be consistent with existing policies and standards in the County LUO and COSE related to the protection of scenic resources. Potential impacts to aesthetic resources would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

II. AGRICULTURE AND FORESTRY RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
(a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☒	☐
(b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
(c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
(e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☒	☐

Setting

California is the leading state in agricultural production in the United States and San Luis Obispo County consistently ranks within the top 20 counties of the State in overall agricultural productivity.

The County of San Luis Obispo supports a unique, diverse, and valuable agricultural industry that can be attributed to its Mediterranean climate, fertile soils, and sufficient water supply. In addition, the County functions as an important center for agricultural commerce, both locally and beyond.

Agriculture makes a substantial contribution to the county economy annually. According to the Annual Crop Report for San Luis Obispo County (2018), San Luis Obispo County agricultural production totaled $1,035,499,000. The top five crops, by value in San Luis Obispo County in 2018 included: wine grapes ($276,002,000), strawberries ($268,356,000), broccoli ($48,348,000), avocados ($46,145,000), and cattle and calves ($43,761,000).

The agricultural use of the site consists of an existing strawberry farm. As discussed in the project Biological Resource Assessment (SWCA, October 2020), according to the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey, soils on the project site consist mainly of Garey sandy loam (2-9% slopes, land capability classification 3e) and Oceano sand (0-9% slopes, land capability classification 4s irrigated and 6s non-irrigated) (USDA NRCS 2019). Sandy soil conditions were observed as dominant throughout the project site.

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and current land use. For environmental review purposes under CEQA, the FMMP categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land are considered 'agricultural land'. Other non-agricultural designations include Urban and Built-up Land, Other Land, and Water. Based on the FMMP, soils at the project site are within the "Farmland of Local Potential", "Other Land" and "Prime Farmland" farmland types and the site is not considered to be Prime Farmland, Farmland of Statewide Importance. As such, the project is considered to be agricultural land; however, the project site is not zoned for agricultural use.

The Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agriculture or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full

market value. The project site does not include land within the Agriculture land use designation and is not within lands subject to a Williamson Act contract.

According to Public Resources Code Section 12220(g), forest land is defined as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Timberland is defined as land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. The project site does not support any forest land or timberland.

Discussion

(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Based on information provided by the Farmland Mapping and Monitoring Program of the California Resources Agency, the proposed project would be located on a parcel partially containing soils which are designated as " Prime Farmland"; however, on-site soils are classified as 3e, 4s and 6s, which are listed as non-prime soils based on the NRCS soil survey. The site currently supports an existing strawberry farming operation. However, it is important to note that the project is limited to an approximately 6-acre portion of the subject property, with approximately 14-acres remaining for continued agricultural use.

The project was referred to the County Agricultural Department in order to better determine the nature of potential impacts to agricultural resources. As discussed by County Agricultural Department staff (Lynda Auchinachie, February 3, 2020), the project is proposed adjacent to an existing PG&E substation and will be situated on the project site in a manner that minimizes impacts to on and off-site agricultural resources. As discussed above, approximately 14 acres of the 20-acre site would remain undeveloped and would support the continued use of the property for viable agricultural production. As such, impacts are considered *less than significant*.

(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

The project site does not include land within the Agriculture land use designation or land subject to a Williamson Act contract. Therefore, the project would not result in a conflict with existing zoning for agricultural use or a Williamson Act contract and *no impacts would occur.*

(c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

The project site does not include land use designations or zoning for forest land or timberland; *no impacts would occur.*

(d) Result in the loss of forest land or conversion of forest land to non-forest use?

The project site does not support forest land or timberland and would not result in the loss or conversion of these lands to non-forest use; no impacts would occur.

(e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

The project is not located in close proximity to forest land and the nature of the project would not conflict with any existing agricultural uses. As provided by the County Agricultural Department review, the proposed project footprint has been situated on-site to minimize impacts to the agricultural operation both on and off-site. The project would not increase demand on agricultural water supplies or facilities and would not affect proximate agricultural support facilities. Additionally, per Section 22.32.040 of the LUO, the project will be required, as a condition of approval, to provide a restoration plan and a performance agreement to restore the site once operations have ceased. Therefore, the project would not result in changes in the existing environment that could result in the conversion of Farmland to non-agricultural uses or forest land to non-forest uses. *Impacts are considered less than significant.*

Conclusion

The project would not directly or indirectly result in the conversion of forest land, or timber land to non-forest uses and would not conflict with agricultural zoning or otherwise adversely affect agricultural resources or uses. Because the proposed development footprint has been situated to minimize impacts to existing on and off-site agricultural uses, potential impacts to agricultural resources would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

III. AIR QUALITY

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:					
(a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
(b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☒	☐	☐
(c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
(d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Initial Study – Environmental Checklist

Setting

Air quality is defined by the concentration of pollutants in relation to their impact on human health. Concentrations of air pollutants are determined by the rate and location of pollutant emissions released by pollution sources, and the atmosphere's ability to transport and dilute such emissions. Natural factors that affect transport and dilution include terrain, wind, and sunlight. Therefore, ambient air quality conditions within the local air basin are influenced by natural factors such as topography, meteorology, and climate, in addition to the amount of air pollutant emissions released by existing air pollutant sources.

The project site is part of the South Central Coast Air Basin (SCCAB) which includes all of San Luis Obispo, Santa Barbara, and Ventura counties. The climate of San Luis Obispo County and all the SCCAB is strongly influenced by its proximity to the Pacific Ocean and the location of the semi-permanent high-pressure cell in the northeastern Pacific. With a Mediterranean-type climate, the project area is characterized by warm, dry summers and cool winters with occasional rainy periods. Maximum summer temperatures in the County average about 70 degrees Fahrenheit near the coast, while inland valleys are often in the high 90's. Average minimum winter temperatures range from the low 30's along the coast to the low 20's inland.

Airflow around the County plays an important role in the movement and dispersion of pollutants. The speed and direction of local winds are controlled by the location and strength of the Pacific high-pressure system and other global patterns, topographical factors, and circulation patterns resulting from temperature differences between the land and the sea. The region is also subject to seasonal "Santa Ana" winds. These are typically hot, dry northerly winds which blow offshore at 15-20 mph, but can reach speeds over 60 mph. Two types of temperature inversions (warmer air on top of cooler air) are created in the area: subsidence and radiational. The subsidence inversion generally forms at about 1,000 to 2,000 feet and can occur throughout the year, but it is most evident during the summer months. Surface inversions are formed by the more rapid cooling of air near the ground during the night, especially during winter. Both types of inversions limit the dispersal of air pollutants within the regional airshed due to low winds and stable temperatures.

Air quality within the SCCAB is regulated by several jurisdictions including the U.S. Environmental Protection Agency (EPA), California Air Resources Board (ARB), and the San Luis Obispo County Air Pollution Control District (SLOAPCD). Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. The California ARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA) of 1988. The State Department of Public Health established California Ambient Air Quality Standards (CAAQS) in 1962 to define the maximum amount of a pollutant (averaged over a specified period of time) that can be present without any harmful effects on people or the environment. The California ARB adopted the CAAQS developed by the Department of Public Health in 1969, which had established CAAQS for 10 criteria pollutants: particulate matter (PM_{10} and $PM_{2.5}$), ozone (O_3), nitrogen dioxide (NO_2), sulfate, carbon monoxide (CO), sulfur dioxide (SO_2), visibility reducing particles, lead (Pb), hydrogen sulfide (H_2S), and vinyl chloride.

The Federal Clean Air Act (FCAA) later required the U.S. EPA to establish National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment, and set deadlines for their attainment. The U.S. EPA has established NAAQS for six criteria pollutants (all of which are also regulated by CAAQS): CO, lead, NO_2, ozone, PM_{10} and $PM_{2.5}$, and SO_2.

California law continues to mandate compliance with CAAQS, which are often more stringent than national standards. However, California law does not require that CAAQS be met by specified dates as is the case with NAAQS. Rather, it requires incremental progress toward attainment. The SLOAPCD is the agency

primarily responsible for ensuring that NAAQS and CAAQS are not exceeded and that air quality conditions within the county are maintained.

SLOAPCD Thresholds

The SLOAPCD has developed and updated their CEQA Air Quality Handbook (most recently updated with a November 2017 Clarification Memorandum) to help local agencies evaluate project specific impacts and determine if air quality mitigation measures are needed, or if potentially significant impacts could result.

The APCD has established thresholds for both short-term construction emissions and long-term operational emissions. Use of heavy equipment and earth moving operations during project construction can generate fugitive dust and engine combustion emissions that may have substantial temporary impacts on local air quality and climate change. Combustion emissions, such as nitrogen oxides (NOx), reactive organic gases (ROG), greenhouse gases (GHG) and diesel particulate matter (DPM), are most significant when using large, diesel-fueled scrapers, loaders, bulldozers, haul trucks, compressors, generators, and other heavy equipment. SLOAPCD has established thresholds of significance for each of these contaminants.

As proposed, the project would result in the disturbance of approximately 6.5 acres to allow for the construction of the proposed battery energy storage system, and improvements to the access road. The property is less than 5% slope. As such, the slope of this section of the road is under 12% grade and, according to Cal Fire, Standard 4, Access Roads and Driveways, would not require non-skid paved surface. Since the property is flat and clear of obstruction, a negligible amount of earthwork would be involved. However, the project would disturb more than four acres of area.

Operational impacts are focused primarily on the indirect emissions (i.e., motor vehicles) associated with residential, commercial, and industrial development. Certain types of projects can also include components that generate direct emissions, such as power plants, gasoline stations, dry cleaners, and refineries (source emissions).

General screening criteria are used by the SLOAPCD to determine the type and scope of air quality assessment required for a particular project (Table 1-1 in the APCD's CEQA Air Quality Handbook). These criteria are based on project size in an urban setting and are designed to identify those projects with the potential to exceed the APCD's significance thresholds. A more refined analysis of air quality impacts specific to a given project is necessary for projects that exceed the screening criteria below or are within ten percent (10%) of exceeding the screening criteria.

Air Quality Monitoring

The county's air quality is measured by a total of 10 ambient air quality monitoring stations, and pollutant levels are measured continuously and averaged each hour, 24 hours a day. The significance of a given pollutant can be evaluated by comparing its atmospheric concentration to state and federal air quality standards. These standards represent allowable atmospheric containment concentrations at which the public health and welfare are protected and include a factor of safety. The SLOAPCD prepares an Annual Air Quality Report detailing information on air quality monitoring and pollutant trends in the county. The most recent Annual Air Quality Report can be found here: https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/2017aqrt-FINAL2.pdf.

In the county of San Luis Obispo, ozone, and fine particulates (particulate matter of 10 microns in diameter or smaller; PM_{10}) are the pollutants of main concern, since exceedances of state health-based standards for these pollutants are experienced in some areas of the county. Under federal standards, the county has non-attainment status for ozone in eastern San Luis Obispo County.

San Luis Obispo County Clean Air Plan

The SLOAPCD's San Luis Obispo County 2001 Clean Air Plan (CAP) is a comprehensive planning document intended to evaluate long-term emissions and cumulative effects and provide guidance to the SLOAPCD and other local agencies on how to attain and maintain the state standards for ozone and PM_{10}. The CAP presents a detailed description of the sources and pollutants which impact the jurisdiction's attainment of state standards, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality.

Naturally Occurring Asbestos

Naturally Occurring Asbestos (NOA) is identified as a toxic air contaminant by the California Air Resources Board (CARB). Serpentine and other ultramafic rocks are fairly common throughout the county and may contain NOA. If these areas are disturbed during construction, NOA-containing particles can be released into the air and have an adverse impact on local air quality and human health. According to the SLOAPCD NOA Map, the project is not located within an area of NOA or within an established NOA buffer area.

Sensitive Receptors

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants, such as the elderly, children, people with asthma or other respiratory illnesses, and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. Some land uses are considered more sensitive to changes in air quality than others, due to the population that occupies the uses and the activities involved. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residences. The proposed project is within close proximity to sensitive receptors. Rural residences occur on adjacent parcels to the south, east, and west. The closest receptors are to the east and south of the project site at approximately 275 feet and 240 feet respectively.

Discussion

(a) *Conflict with or obstruct implementation of the applicable air quality plan?*

The project site is located within the area governed by the South County Area Plan and is within the Residential Rural land use category. Public utilities, or Battery Energy Storage System are conditionally allowed in the Residential Rural land use category. Upon completion, the project will not require full-time employees and will be operated remotely. There will be annual maintenance to service the project, and maintenance will be performed as needed. The project would not generate a substantial increase in population or employment opportunities and would not result in a significant increase in vehicle trips. The proposed project would not contribute to the generation of significant levels of any air contaminants and would not conflict with or obstruct the implementation of the San Luis Obispo County Clean Air Plan or other applicable regional and local planning documents. Therefore, *impacts would be less than significant*.

(b) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*

The County is currently designated as non-attainment for ozone and PM_{10} under state ambient air quality standards. Construction of the project would result in emissions of ozone precursors including reactive organic gases (ROG) and nitrous oxides (NO_X) and fugitive dust emissions (PM_{10}).

Construction Impacts

Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. The proposed project is not expected to generate construction emissions in excess of the quarterly thresholds approved by the APCD [Ozone Precursors (ROG + NOx) = 137 lbs. /day or 2.5 tons for projects lasting up to one quarter; Diesel Particulate Matter (DPM) = 7 lbs. /day or 0.13 tons for projects lasting up to one quarter; Fugitive Particulate Matter (PM10) = 2.5 tons for projects lasting up to one quarter]. However, the project has the potential to exceed the daily thresholds for construction emissions.

As proposed, the full project would result in the disturbance of approximately 6.5 acres, which would include moving a total of approximately 4,500 cubic yards of cut and 4,500 cubic yards of fill. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions.

The SLOAPCD CEQA Air Quality Handbook provides thresholds of significance for construction related emissions. Table 2 lists SLOAPCD's general thresholds for determining whether a potentially significant impact could occur as a result of a project's construction activities.

Table 2. SLOAPCD Thresholds of Significance for Construction Activities

Pollutant	Threshold (1)		
	Daily	Quarterly Tier 1	Quarterly Tier 2
Diesel Particulate Matter (DPM)	7 lbs	0.13 tons	0.32 tons
Reactive Organic Gases (ROG) + Oxides of Nitrogen (NO_X)	137 lbs	2.5	6.3 tons
Fugitive Particulate Matter (PM_{10}), Dust (2)		2.5 tons (2)	

1. Daily and quarterly emission thresholds are based on the California Health and Safety Code and the CARB Carl Moyer Guidelines.
2. Any project with a grading area greater than 4.0 acres of worked area can exceed the 2.5-ton PM_{10} quarterly threshold.

The SLOAPCD CEQA Air Quality Handbook also provides preliminary screening construction emission rates based on the proposed volume of soil to be moved and the anticipated area of disturbance. Table 3 lists the SLOAPCD's screening emission rates that would be generated based on the amount of material to be moved. The APCD's CEQA Handbook also clarifies that any project that would require grading of 4.0 acres or more can exceed the 2.5-ton PM_{10} quarterly threshold listed above.

Table 3. Screening Emission Rates for Construction Activities

Pollutant	Grams/Cubic Yard of Material Moved	Lbs/Cubic Yard of Material Moved
Diesel Particulate Matter (DPM)	2.2	0.0049

Reactive Organic Gases (ROG)	9.2	0.0203
Oxides of Nitrogen (NO_X)	42.4	0.0935
Fugitive Particulate Matter (PM_{10})	0.75 tons/acre/month of construction activity (assuming 22 days of construction per month)	

Based on estimated cut and fill estimates and the construction emission rates shown in Table 3, construction-related emissions that would result from the project were calculated and are shown in Table 4 below.

Table 4. Proposed Project Estimated Construction Emissions.

Pollutant	Total Estimated Emissions	SLOAPCD Threshold		Daily Threshold Exceeded?	Quarterly Threshold Exceeded?
		Daily	Quarterly (Tier 1)		
ROG + NO_X (combined)	9,000 c.y. x .0203 + 9,000 c.y. x .0935 = 1,024.2 lbs.	137 pounds	2.5 tons	Yes	No
Diesel Particulate Matter (DPM)	9,000 x .0049 = 44.1 lbs.	7 pounds	0.13 tons	Yes	No
Fugitive Particulate Matter (PM_{10})	6.5 acres x 0.75 = 4.87 tons		2.5 tons	No	Yes

For projects involving construction and/or grading activities, the LUO requires that all surfaces and materials shall be managed to ensure that fugitive dust emissions are adequately controlled to below the 20% opacity limit and to ensure dust is not emitted offsite. The LUO includes a list of primary fugitive dust control measures required for all projects involving grading or site disturbance. The LUO also includes an expanded list of fugitive dust control measures for projects requiring site disturbance of greater than four acres or which are located within 1,000 feet of any sensitive receptor location. All applicable fugitive dust control measures are required to be shown on grading and building plans and monitored by a designated monitor to minimize dust complaints, reduce visible emissions below the 20% opacity limit, and to prevent transport of dust offsite (LUO 22.52.160.C).

The California Code of Regulations (Section 2485 of Title 13) also prohibits idling in excess of 5 minutes from any diesel-fueled commercial motor vehicles with gross vehicular weight ratings of 10,000 pounds or more or that must be licensed for operation on highways.

As shown above, the project would exceed APCD's construction emissions thresholds for daily DPM, and ROG + NO_x and the quarterly threshold for PM_{10}. As such, the project's construction activities would result in daily short-term emissions from heavy equipment and motor vehicles, as well as

fugitive dust (PM_{10}) emissions that could affect localized air quality. However, potential impacts from construction emissions would be considered *less than significant* with the implementation of AQ-1 and AQ-2.

Operational Impacts

The SLOAPCD's CEQA Air Quality Handbook provides operational screening criteria to identify projects with the potential to exceed APCD operational significance thresholds (refer to Table 1-1 of the CEQA Handbook). Based on the updated Table 1-1 of the CEQA Handbook, the project does not propose a use that would have the potential to result in operational emissions that would exceed APCD thresholds. The project would not generate substantial new long-term traffic trips or vehicle emissions and does not propose construction of new direct (source) emissions. Therefore, potential operational emissions would be *less than significant*.

(c) Expose sensitive receptors to substantial pollutant concentrations?

As described above in response to (b), the project has the potential to generate daily emissions resulting in a significant mitigable impact but would not generate significant operational emissions. Operational emissions would not substantially increase and implementation of standard LUO standards for dust control and compliance with existing regulations that prohibit excessive idling by diesel vehicles would reduce potential construction related emissions. With the implementation of the mitigation measures required for item (b) the project would not expose sensitive receptors to substantial pollutant concentrations and impacts would be *less than significant.*

(d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Construction could generate odors from heavy diesel machinery, equipment, and/or materials. The generation of odors during the construction period would be temporary, would be consistent with odors commonly associated with construction, and would dissipate within a short distance from the active work area. No long-term operational odors would be generated by the project. Therefore, potential odor-related impacts would be *less than significant*.

Conclusion

The project would be consistent with the SLOAPCD's Clean Air Plan and thresholds for construction-related and operational emissions. However, the project has the potential to result in daily construction related emissions resulting in a significant but mitigable impact. The project would not result in cumulatively considerable emissions of any criteria pollutant for which the County is in non-attainment and would not expose sensitive receptors to substantial pollutant concentrations or result in other emissions adversely affecting a substantial number of people. Therefore, potential impacts to air quality would be less than significant with the implementation of the measures listed below.

Mitigation

AQ-1. To mitigate fugitive dust emissions related to project construction, the following shall be implemented:

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. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;

c) All dirt stock pile areas should be sprayed daily as needed;

d) 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;

e) 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;

f) 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;

g) All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;

h) Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;

i) 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) in accordance with CVC Section 23114;

j) Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;

k) Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;

l) All of these fugitive dust mitigation measures shall be shown on grading and building plans; and

m) The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

AQ-2. The required mitigation measures for reducing nitrogen oxides (NOx), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment are listed below:

- Maintain all construction equipment in proper tune according to manufacturer's specifications;
- Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle
- diesel fuel (non-taxed version suitable for use off-road);
- Use diesel construction equipment meeting ARB'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 ARB's 2007 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 that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx 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 where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

IV. BIOLOGICAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
(b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
(c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
(e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
(f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Setting

As discussed in the Biological Resources Assessment prepared for the proposed project (Caballero Energy Storage Project, San Luis Obispo County, California. Tetra Tech, Inc., September 2020), the project site is located in southern San Luis Obispo County, approximately 1.2 miles north of Santa Maria, CA at 650 and 696 Joshua Street, Nipomo. Elevation at the site ranges from approximately 89 to 93 meters above sea level and the topography is flat. The site currently supports agricultural (cultivated strawberries), residential, and equipment storage uses and consists of disturbed and ruderal areas. The area surrounding the site supports agricultural, residential, and industrial uses. The site is bounded by the PG&E 230 kilovolt Mesa substation to the northeast, Joshua Street to the southeast, and agricultural uses. U.S. Highway 101 is located 0.25-miles northeast of the site. No native habitats are present on or adjacent to the site. Soil types on the project site are described under Section II, Agriculture and Forestry Resources.

The following is a discussion of the habitat types observed on the project site based on the surveys completed for the project Biological Resources Assessment:

Habitats

Four sensitive natural communities were identified in a nine-quadrangle California Natural Diversity Database (CNDDB) search around the project site, including the following: central dune scrub, central foredunes, coastal and valley freshwater marsh, and southern vernal pool. No sensitive natural communities were found during the project biological survey.

Vegetation communities and habitats on the site were mapped during the survey. The site consisted of disturbed areas (7.3 acres), a landscaped residential area (0.8 acres), and planted strawberry fields (10.9 acres). No native habitats were found on or adjacent to the site, and vegetated areas on the site were sparse, heavily disturbed, and dominated by non-native plants. The disturbed areas are used for equipment storage and residential purposes and ranged from 60 to 90 percent bare ground. Dominant plants consisted of non-native herbs, mustards, and grasses, such as pigweed amaranth (*Amaranthus albus*), Mediterranean

hoary mustard (*Hirschfeldia incana*), and black mustard *(Brassica nigra*). The landscaped residential area consisted of planted ornamental trees and shrubs. Trees were predominantly pines (*Pinus* sp.) and palms (*Syagrus romanzoffiana*, *Washingtonia* sp.) and shrubs included oleander (*Nerium oleander*), bougainvillea (*Bougainvillea* sp.), and amphilophium (*Amphilophium* sp.). The strawberry fields were densely planted and are actively farmed. On the fringes of the fields, non-native herbs and grasses were dominant.

The PG&E Mesa substation property was included in a survey of a 100-foot buffer area around the project site and comprised of paved surfaces within the substation and disturbed vegetated areas surrounding the substation. The disturbed areas were dominated by dense, low-height non-native grasses with adjacent patches of bare ground. Trees occur on the Mesa substation property to the north and east of the substation (outside the 100-foot buffer).

The project Biological Resources Assessment indicated that no wetlands from the National Wetland Inventory (NWI) Mapper were identified on the site. According to the USGS National Hydrographic Dataset, there are no streams present within the site. The site and adjacent area are not located within a floodplain (Federal Emergency Management Agency [FEMA] 2019). While small wet areas were found during the survey on the western boundary of the strawberry fields, this was due to recent irrigation of the fields and no wetland vegetation was present. A dry artificial roadside ditch was also found along the dirt road on the northern site boundary. This ditch was unvegetated, unlikely to support hydric soils, likely only contains water when artificially added to the site during irrigation and does not connect to any tributaries or other water features. The ditch was likely created to keep runoff from the fields from entering and degrading the dirt road. None of these areas are considered potentially jurisdictional and no other physical features or wetlands, drainages, or riparian areas were found during the survey.

The site is not located in any designated sensitive areas, including USFWS Critical Habitat, California Coastal Zone, or County Sensitive Resource Zone.

Endangered, Threatened and Rare Species

The project Biological Resources Assessment includes an analysis of special-status species, which includes species with the potential to occur in the project area based on the results of the background research described above and habitats found on the site. Special- status species are defined as plants and wildlife holding a status of sensitive, threatened, endangered, rare, candidate, species of special concern, fully protected, watch list, or Birds of Conservation Concern as defined by CDFW, USFWS, CNPS, or BLM. Species that do not have the potential to occur on the site, such as aquatic or coastal species, wildlife outside their range, or plants outside their elevation range are not listed as likely to occur on-site. Plants that only occur in marshes and swamps, meadows and seeps, coastal dunes or scrub, chenopod scrub, riparian scrub, chaparral, playas, vernal pools, forests, and/or woodlands are not included because these habitats do not occur on the site.

The California tiger salamander (*Ambystoma californiense*) was considered but not ultimately listed as being potentially found on-site because the closest known occurrence of this species is greater than five miles from the site. The USFWS recognizes that the maximum dispersal distance for California tiger salamanders from breeding ponds is 1.3 miles. No breeding ponds are known to occur within this distance from the site. Arroyo toad (*Anaxyrus californicus*), coast range newt (*Taricha torosa*), and foothill yellow- legged frog (*Rana boylii*) were also not considered as having the potential to be found on-site because the closest known occurrences of these species are greater than 10 miles from the site.

Please refer to the project Biological Resources Assessment for a complete list of special-status species with the potential to occur in the project area. No special-status species or native habitats were found during the biological survey.

Nesting Birds

Potential habitat for nesting birds was found on and adjacent to the site during the survey. This included trees in the landscaped residential area on the site, power poles north and east of the site, and trees east of the site. No bird nests were found on the site. Small mammal holes were found throughout the site but no large burrows or dens that could be used by burrowing owl (*Athene cunicularia*), American badger, or other special-status species were observed. These holes were likely created by small rodents, such as gophers (*Thomomys* spp.), rats (*Rattus* spp.), or California ground squirrels (*Otospermophilus beecheyi*). No burrows were observed in the disturbed vegetated areas on the southern portion of the PG&E Mesa substation property within the 100-foot buffer.

Habitat Connectivity

The Project site does not occur within any mapped habitat corridors or linkages and no wildlife crossing structures occur on the site. The entire site is disturbed by active strawberry farming, residences, and equipment storage and no native habitats occur. Existing potential barriers to connectivity found on the site include fences, roads, and residential development.

Regulatory Setting

Sensitive Resource Area Designations

The County of San Luis Obispo Land Use Ordinance (LUO) Sensitive Resource Area (SRA) combining designation applies to areas of the county with special environmental qualities, or areas containing unique or sensitive endangered vegetation or habitat resources. The combining designation standards established in the LUO require that proposed uses be designed with consideration of the identified sensitive resources and the need for their protection.

Federal and State Endangered Species Acts

The Federal Endangered Species Act of 1973 (FESA) provides legislation to protect federally listed plant and animal species. The California Endangered Species Act of 1984 (CESA) ensures legal protection for plants listed as rare or endangered, and wildlife species formally listed as endangered or threatened, and maintains a list of California Species of Special Concern (SSC). SSC status is assigned to species that have limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, the CDFW has the authority to review projects for their potential to impact special-status species and their habitats.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) protects all migratory birds, including their eggs, nests, and feathers. The MBTA was originally drafted to put an end to the commercial trade in bird feathers, popular in the latter part of the 1800s. The MBTA is enforced by the U.S. Fish and Wildlife Service (USFWS), and potential impacts to species protected under the MBTA are evaluated by the USFWS in consultation with other federal agencies and are required to be evaluated under CEQA.

Oak Woodland Ordinance

The County of San Luis Obispo Oak Woodland Ordinance was adopted in April 2017 to regulate the clear-cutting of oak woodlands. This ordinance applies to sites located outside of Urban or Village areas within the inland portions of the county (not within the Coastal Zone). “Clear-cutting” is defined as the removal of one acre or more of contiguous trees within an oak woodland from a site or portion of a site for any reason, including harvesting of wood, or to enable the conversion of land to other land uses. “Oak woodland”

includes the following species: Blue oak (*Quercus douglasii*), coast live oak (*Quercus agrifolia*), interior live oak (*Quercus wislizeni*), valley oak (*Quercus labata*), and California black oak (*Quercus kelloggii*). The ordinance applies to clear-cutting of oak woodland only and does not apply to the removal of other species of trees, individual oak trees (except for Heritage Oaks), or the thinning, tree trimming, or removal of oak woodland trees that are diseased, dead, or creating a hazardous condition. Heritage oaks are any individual oak species, as defined in the Oak Woodland Ordinance, of 48 inches diameter at breast height (dbh) or greater, separated from all Stands and Oak Woodlands by at least 500 feet. Minor Use Permit approval is required to remove any Heritage Oak.

Clean Water Act and State Porter Cologne Water Quality Control Act

The U.S. Army Corps of Engineers (USACE) regulates discharges of dredged or fill material into waters of the United States. These waters include wetland and non-wetland water bodies that meet specific criteria. USACE jurisdiction regulates almost all work in, over, and under waters listed as "navigable waters of the U.S." that results in a discharge of dredged or fill material within USACE regulatory jurisdiction, pursuant to Section 404 of the Clean Water Act (CWA). Under Section 404, USACE regulates traditional navigable waters, wetlands adjacent to traditional navigable waters, relatively permanent non-navigable tributaries that have a continuous flow at least seasonally (typically 3 months), and wetlands that directly abut relatively permanent tributaries.

The State Water Resources Control Board (SWRCB) and nine Regional Water Quality Control Boards (RWQCBs) regulate discharges of fill and dredged material in California, under Section 401 of the CWA and the State Porter-Cologne Water Quality Control Act, through the State Water Quality Certification Program. State Water Quality Certification is necessary for all projects that require a USACE permit, or fall under other federal jurisdiction, and have the potential to impact waters of the State. Based on the U.S. Fish and Wildlife Service National Wetlands Inventory, the project site does not support wetlands, riparian or deep-water habitats (USFWS 2019).

Conservation and Open Space Element

The intent of the goals, policies, and implementation strategies in the COSE is to identify and protect biological resources that are a critical component of the county's environmental, social, and economic well-being. Biological resources include major ecosystems; threatened, rare, and endangered species and their habitats; native trees and vegetation; creeks and riparian areas; wetlands; fisheries; and marine resources. Individual species, habitat areas, ecosystems and migration patterns must be considered together in order to sustain biological resources. The COSE identifies Critical Habitat areas for sensitive species including California condor, California red legged frog, vernal pool fairy shrimp, La Graciosa thistle, Morro Bay kangaroo rat, Morro shoulderband snail, tiger salamander, and western snowy plover. The COSE also identifies features of particular importance to wildlife for movement corridors such as riparian corridors, shorelines of the coast and bay, and ridgelines.

Discussion

(a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

The following impact assessment for sensitive status plants and animals is based on the Biological Resources Assessment prepared for the proposed project site.

The proposed project would occur on approximately six acres of existing strawberry fields or otherwise previously disturbed areas. The proposed project would also include an approximately 1,000-foot gen-tie line connecting the facility with the adjacent PG&E Mesa substation. The gen-tie line would require three new monopoles: two on existing strawberry fields or on an existing dirt road within the survey area, and one within the Mesa substation property. The proposed pole location within the substation property would be installed on a disturbed vegetated area very similar to the one surveyed within the 100- foot buffer on the Mesa substation property. Potential impacts from the project would include direct ground disturbance, both short-term (e.g., equipment staging) and long-term (e.g., grading, development), and short-term noise from the use of heavy machinery during construction. Because the site currently contains only agricultural, residential, and disturbed areas, and the project would occur entirely on agricultural or disturbed areas, cumulative impacts are not anticipated.

Plant Species

Special-status plant species or native habitats that support these species were not found on or adjacent to the site during the project biological survey. The project would not substantially reduce the extent, diversity, or quality of native vegetation or other important vegetation. Therefore, the proposed project would not impact these resources and potential impacts to special status plant species are considered *less than significant*.

Wildlife Species

Special-status wildlife species were not found on or adjacent to the site during the survey. However, potential habitat for raptors and other nesting birds was found, which consisted of trees and power poles. In addition, the infrastructure and buildings within the PG&E Mesa substation and trees on the substation property have the potential to provide nesting habitat for birds. While no trees are planned for removal, the proposed project has the potential to result in direct impacts to raptors and other nesting birds, including special-status birds, if they are nesting on the project site or in the immediate vicinity during construction. However, potential impacts to nesting birds would be considered *less than significant* with the implementation of mitigation measure BIO-1.

No burrowing owl or suitable burrows and no American badger or suitable dens were observed during the survey, but these species could enter the site in the future if suitable burrows or dens are present. However, potential impacts to burrowing owl or American badger habitat would be considered *less than significant* with the implementation of mitigation measures BIO-2 and BIO-3..

(b) California red-legged frog (Rana draytonii) and western spadefoot (Spea hammondii) were not found during the survey and no water or native habitats were found on or adjacent to the site. However, these species have the potential to occur on upland areas of the site during dispersal from breeding areas. The likelihood of the California red-legged frog reaching the site is low given the number of roads between the Santa Maria River and the site, but it is within their dispersal range. The western spadefoot has the potential to disperse from breeding ponds through upland habitats. However, potential impacts to California red-legged frog and Western spadefoot would be considered less than significant with the implementation of mitigation measures BIO-4 and BIO-5.Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

No wetland or riparian habitats or jurisdictional areas were found on or adjacent to the site during the survey. Therefore, the project is not expected to affect wetland or riparian habitats and *no impacts* are expected.

No native or other important vegetation or sensitive natural communities were found on or adjacent to the site during the project site biological survey. The site consisted of disturbed areas, a landscaped residential area, and planted strawberry fields. Vegetated areas on the site were sparse, heavily disturbed, and dominated by non-native plants. Therefore, the project would not substantially reduce the extent, diversity, or quality of native or other important vegetation and *no impacts are expected.*

(c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No potentially jurisdictional waters regulated as Waters of the United States (i.e., wetlands or other waters) by the U.S. Army Corps of Engineers (USACE) or as Waters of the State by the Regional Water Quality Control Board (RWQCB) and/or CDFW were observed/identified during surveys conducted within the Biological Resources Assessment; therefore, no formal delineation of potentially jurisdictional waters was determined to be necessary. *No impacts are expected*.

(d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The project site does not occur within any known wildlife movement corridors and no wildlife crossing structures occur on the site. While the project would construct battery containers and infrastructure, fences, and access roads, no substantial barriers to wildlife movement would be introduced because fences, roads, and residential development already occur on the site. Therefore, the project would not introduce substantial barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife and *no impacts are expected.*

(e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Adverse effects of the proposed project on sensitive habitats or resources identified in the COSE or native tree species protected under the County Oak Woodland Ordinance are discussed in detail above. As discussed in the project Biological Resources Assessment, no trees would be impacted or removed as a result of the proposed project. The project is not located within an SRA designated for

protection of unique or sensitive endangered vegetation or habitat resources. Impacts related to sensitive resources that are protected by local policies and plans are considered less than significant with mitigation. Implementation of the mitigation measures listed below will reduce impacts to *less than significant levels.*

(f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The project is not located within an area under an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan and *no impacts would occur*.

Conclusion

Site disturbance (i.e., grading and construction activities) has the potential to impact certain sensitive habitats, special-status plant species, and special-status animal species. The following measures will reduce impacts to less than significant levels.

Mitigation

BIO-1 Nesting Birds. To avoid impacts to raptors and other nesting birds, construction, ground disturbance, and vegetation removal activities will occur outside of the nesting season (February 1 through September 15). If these activities must occur during the nesting season, a pre-construction nesting bird survey shall be performed on the disturbance footprint and within 100 feet of the disturbance footprint by a qualified biologist within no more than 14 days of the activities and between delays of greater than 14 days during the nesting season. If an active nest is found, an appropriate buffer shall be determined and established by the qualified biologist based on the bird species occupying the nest and the type of project activities that are occurring. The nest location shall be mapped, and the buffer shall be staked and flagged. No construction, ground disturbance, or vegetation removal activities shall occur within the buffer during the nesting season or until juvenile birds have fledged from the nest as determined by the qualified biologist. If buffer zones cannot be maintained, a full-time qualified biological monitor must be on-site during these activities within the buffer zones to ensure active nests and nesting birds are not impacted.

BIO-2 Burrowing Owl Survey. A pre-construction survey shall be performed for burrowing owls on the disturbance footprint and within 150 meters of the disturbance footprint by a qualified biologist within no more than 14 days of construction, ground disturbance, and/or vegetation removal activities. If suitable burrows are found during the first survey, a second survey shall be completed within no more than 24 hours of these activities. The surveys will be consistent with the methods outlined in the CDFW 2012 Staff Report on Burrowing Owl Mitigation (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843), which include walking transects through the entire survey area and searching the area for sign and individuals. These surveys may be completed concurrently with other special-status species surveys. If occupied burrowing owl burrows are identified, the buffers specified in the Staff Report will be followed depending on the level of disturbance and time of year, unless otherwise authorized by CDFW. If avoidance of active burrows is not possible, owls may be passively displaced from their burrows in coordination with CDFW and according to the recommendations in the Staff Report.

BIO-3 American Badger Survey. A pre-construction survey shall be performed for American badgers on the disturbance footprint and within 100 feet of the disturbance footprint by a qualified biologist within no more than 30 days of construction, ground disturbance, and/or vegetation removal activities. All dens found during the survey will be inspected to determine if they are occupied. If active American badger dens are found, a 50-foot no-activity buffer shall be implemented around the den. If avoidance of the active den is not possible, CDFW will be contacted for further guidance.

BIO-4 California Red-Legged Frog. To minimize impacts to California red-legged frog to less than significant levels, construction, ground disturbance, and vegetation removal activities shall occur outside of the breeding/wet season (late November through April) to the extent feasible. If these activities must occur during the wet season, a pre-construction survey shall be performed for California red-legged frog on the disturbance footprint and 100-foot buffer by a USFWS-approved biologist within no more than 48 hours of these activities. If any life stage of the California red- legged frog is found and is likely to be killed or injured by Project activities, the USFWS-approved biologist will be allowed enough time to move them away from the

disturbance area before activities begin. Any individuals found shall be relocated to the nearest suitable habitat that is outside of the disturbance area. The USFWS-approved biologist shall maintain data (e.g., size, coloration, distinguishing features, photos) on any individuals that are moved to determine if they are returning to the site.

Prior to construction, ground disturbance, and vegetation removal activities, a USFWS-approved biologist will conduct a California red-legged frog training session for all on-site personnel. The training will include a description of the species and habitat, the measures being implemented to protect the species, and any restrictions on the work area.

If activities must occur during the wet season, a USFWS-approved biologist shall monitor initial ground disturbance and vegetation removal activities. If the USFWS-approved biologist recommends that work needs be stopped because this species would be adversely affected, the construction foreman shall either resolve the situation immediately by eliminating these effects or require that all actions causing these effects be halted. Monitoring may be reduced after initial disturbance and vegetation removal activities are complete. Monitoring should be performed at least once per week throughout the remaining construction activities during the wet season.

Only USFWS-approved biologists shall participate in the capture, handling, and monitoring of California red-legged frogs. In addition, if activities must occur during the wet season, then construction, ground disturbance, and vegetation removal activities will not begin until written approval is received from the USFWS that the biologist is qualified to conduct the work.

BIO-5 Western Spadefoot Toad. To reduce impacts to western spadefoot to less than significant levels, construction, ground disturbance, and vegetation removal activities shall occur outside of the rainy season. If these activities cannot be conducted outside of the rainy season, a pre-construction survey will be performed for western spadefoot on the disturbance footprint and within 50 feet of the disturbance footprint by a qualified biologist within no more than 48 hours of the start of the activities. Construction monitoring shall also be performed by a qualified biologist during initial ground disturbance and vegetation removal activities if these activities occur during the rainy season. If western spadefoot is discovered, it shall be hand captured by the qualified biologist and moved to suitable habitat outside of the disturbance area.

V. CULTURAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	☐	☐	☐	☒

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		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☒	☐	☐
(c)	Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

Setting

San Luis Obispo County possesses a rich and diverse cultural heritage and therefore has a wealth of historic and prehistoric resources, including sites and buildings associated with Native American inhabitation, Spanish missionaries, and immigrant settlers.

As defined by CEQA, a historical resource includes:

1. A resource listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR).
2. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant. The architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural records of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence.

San Luis Obispo County was historically occupied by two Native American tribes: the northernmost subdivision of the Chumash, the Obispeño (after Mission San Luis Obispo de Tolosa), and the Salinan. However, the precise location of the boundary between the Chumashan-speaking Obispeño Chumash and their northern neighbors, the Hokan-speaking Playanos Salinan, is not known, as those boundaries may have changed over time.

The COSE identifies and maps anticipated culturally sensitive areas and historic resources within the county and establishes goals, policies, and implementation strategies to identify and protect areas, sites, and buildings having architectural, historical, Native American, or cultural significance. Based on the COSE, the project is not located in a designated Archaeological Sensitive Area or Historic Site.

In compliance with AB52 Cultural Resources requirements, outreach to four Native American tribal groups was conducted (Northern Salinan, Xolon Salinan, Yak Tityu Tityu Northern Chumash, and the Northern Chumash Tribal Council) on December 9, 2019. Comments were received from the Yak Tityu Tityu Northern Chumash and Northern Chumash Tribal Council on December 9, 2019, and December 16, 2019, respectively. Yak Tityu Tityu Northern Chumash requested for more information and additional information was sent on December 16th. A follow-up email was sent to Yak Tityu Tityu Northern Chumash on March 31, 2020. No response was received. The Northern Chumash Tribal Council (NCTC) responded that they have no comments on the proposed project. No additional comments were received from other tribal groups and concluded tribal consultation.

In order to determine the project site potential for significant cultural resources, a records search and literature review was prepared for the proposed project (Cultural Resource Record Search and Literature Review Results for the Caballero Storage Project, Tetra Tech, Inc., August 2, 2022).

The record search of the cultural resources site and project file collection at the Central Coast Information Center (CCIC), University of California at Santa Barbra, of the California Historical Resources Information System, was conducted on August 2, 2019. As part of this records search, the CCIC database of survey reports and overviews was consulted, as well as documented cultural resources, cultural landscapes, and ethnic resources. Additionally, the search included a review of the following publications and lists: California Office of Historic Preservation (OHP) Historic Properties Directory, National Register of Historic Places, OHP Archaeological Determinations of Eligibility, California Inventory of Historical Resources/California Register of Historic Resources, California Points of Historical Interest, and California Historical Landmarks. A literature search of ethnographic information, historical literature, historical maps and plat maps, and local historic resource inventories was also conducted. The records search focused specifically on the proposed project site or Area of Potential Impact (API) and a 1-mile buffer centered on the API.

The CCIC records search identified three previously conducted reports (SL-01793, SL-06218, and SR-02740) within the API. The previous surveys within the API were conducted between 1989 and 2018 and overlap with portions of the Project API. Twenty-three previously conducted surveys were identified within 1 mile of the API. These surveys were conducted between 1977 and 2014. These previous investigations consist of archaeological and paleontological surveys, monitoring, testing, and cultural resources literature reviews.

No previously recorded archaeological sites were identified in the API. Twelve previously recorded cultural resources were identified within 1 mile of the API. Of the 12 formally recorded resources identified within 1 mile, nine are prehistoric and three are historic.

No cultural resources have been identified within the project Area. Twelve previously recorded sites have been identified within 1 mile of the Project Area. Twenty-three cultural resource investigations have occurred within 1 mile of the Project Area. The NAHC SLF results were negative.

Discussion

(a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?

Based on the results of the project archaeological memo, the project site does not contain any historic resources identified in the National Register of Historic Places or California Register of Historic Resources. The project site does not contain a site under the Historic Site (H) combining designation and does not contain other structures of historic age (50 years or older) that could be potentially significant as a historical resource. Therefore, the project would not result in an adverse change in the significance of historical resources and *no impact would occur.*

(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

As discussed in the Tetra Tech report, based on the project site natural setting, landforms, CCIC records search results (including historic maps and aerial photographs), previous survey coverage of the API, density of archaeological sites within 1 mile of the Project, the API is assessed as having a high sensitivity for cultural resources within undisturbed subsurface deposits. However, the surficial deposits within the API have been subjected to previous ground disturbance (agricultural plowing) and the disturbance depth is estimated at 1 foot below surface (plow zone). Due to the sensitivity of the project site and previous disturbance of the surface soils from historic and current agricultural

production, potential impacts to archaeological resources could occur with the proposed project implementation; however, potential impacts would be considered *less than significant* with the mitigation measures listed below.

In the unlikely event that resources are uncovered during grading activities, implementation of LUO 22.10.040 (Archaeological Resources) would be required. This section requires that in the event archaeological resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department must be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law.

(c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Based on existing conditions, buried human remains are not expected to be present in the site area. In the event of an accidental discovery or recognition of any human remains, California State Health and Safety Code Section 7050.5 and LUO 22.10.040 (Archaeological Resources) require that no further disturbances shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. With adherence to State Health and Safety Code Section 7050.5 and County LUO, impacts related to the unanticipated disturbance of archaeological resources and human remains would be reduced to less than significant; therefore, potential impacts would be *less than significant.*

Conclusion

Based on discussions with County staff and the recommendations from the archaeological survey discussed above, the following mitigation shall be required to reduce impacts to less than significant levels.

With respect to the potential for the inadvertent discovery of archaeological resources, in the event unanticipated sensitive archaeological resources or human remains are discovered during project construction activities, adherence with County LUO standards and State Health and Safety Code procedures would reduce potential impacts to less than significant.

Mitigation

CR-1 **Worker Environmental Awareness Training.** Prior to any proposed construction ground disturbing activities within the project area, project personnel (e.g., contractors, construction workers) to be briefed, by a qualified archaeologist (retained on-call by applicant) about the potential and procedures for an inadvertent discovery of prehistoric and historic archaeological resources. In addition, the training will include established procedures for temporarily halting or redirecting work in the event of a discovery, identification, and evaluation procedures for finds, and a discussion on the importance of, and the legal basis for, the protection of archaeological resources. Personnel will be given a training brochure/handout regarding identification of cultural resources, protocols for inadvertent discoveries, and contact procedures in the event of a discovery.

CR-2 **Monitoring Plan.** Prior to the start of construction, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:

a) List of personnel involved in the monitoring activities;

b) Description of how the monitoring shall occur;

c) Description of frequency of monitoring (e.g., part time, spot checking);

d) Description of what resources are expected to be encountered;

e) Description of circumstances that would result in the halting of work at the project site (e.g., what is considered "significant" archaeological resources);

f) Description of procedures for halting work on the site and notification procedures; and

g) Description of monitoring reporting procedures.

CR-3 **Cultural Resource Monitoring.** During initial ground disturbing construction activities, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and Native American to monitor all earth disturbing activities, per the approved monitoring plan. After initial ground disturbance, if determined by the archaeologist and Native American monitor, monitoring frequency can be adjusted to reflect the potential for buried cultural resources. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

CR-4 **Monitoring Report.** Upon completion of all monitoring/mitigation activities, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities.

VI. ENERGY

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
(b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

Setting

Pacific Gas & Electric Company (PG&E) is the primary electricity provider for urban and rural communities within the County of San Luis Obispo. Approximately 33% of electricity provided by PG&E is sourced from renewable resources and an additional 45% is sourced from greenhouse gas-free resources (PG&E 2017).

The County COSE establishes goals and policies that aim to reduce vehicle miles traveled, conserve water, increase energy efficiency and the use of renewable energy, and reduce greenhouse gas emissions. The COSE provides the basis and direction for the development of the County's EnergyWise Plan (EWP), which outlines in greater detail the County's strategy to reduce government and community-wide greenhouse gas emissions through a number of goals, measures, and actions, including energy efficiency and development and use of renewable energy resources.

In 2010, the EWP established a goal to reduce community-wide greenhouse gas emissions to 15% below 2006 baseline levels by 2020. Two of the six community-wide goals identified to accomplish this were to "[a]ddress future energy needs through increased conservation and efficiency in all sectors" and "[i]ncrease the production of renewable energy from small-scale and commercial-scale renewable energy installations to account for 10% of local energy use by 2020." In addition, the County has published an EnergyWise Plan 2016 Update to summarize progress toward implementing measures established in the EWP and outline overall trends in energy use and emissions since the baseline year of the EWP inventory (2006).

The California Building Code (CBC) contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or rehabilitation of a building or other improvement to real property. The CBC includes mandatory green building standards for residential and nonresidential structures, the most recent standards are referred to as the *2019 Building Energy Efficiency Standards*. These standards focus on four key areas: smart residential photovoltaic systems, updated thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), residential and nonresidential ventilation requirements, and non-residential lighting requirements.

The County LUO includes a Renewable Energy Area combining designation to encourage and support the development of local renewable energy resources, conserving energy resources and decreasing reliance on environmentally costly energy sources. This designation is intended to identify areas of the county where renewable energy production is favorable and establish procedures to streamline the environmental review and processing of land use permits for solar electric facilities (SEFs). The LUO establishes criteria for project eligibility, required application content for SEFs proposed within this designation, permit requirements, and development standards (LUO 22.14.100).

Discussion

(a) *Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

Project implementation would require minimal consumption of energy resources. During construction, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. The energy consumed during construction would be temporary and would not represent a significant or wasteful demand on available resources. Energy demands during project operation would be provided through existing infrastructure and would not substantially increase over existing demands. Operational energy use would be consistent with that of similar facilities and would not be wasteful or inefficient. There are no unique project characteristics that would result in a significant increase in energy usage, or an inefficient, wasteful use, or unnecessary consumption of

energy resources. It should be noted that the project consists of an energy storage project designed to help alleviate energy demand during peak usage times, and the project will result in a more efficient use of energy that is created from solar and other renewable energy sources. Potential impacts would be *less than significant.*

(b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Implementation of the project would not result in a significant new energy demand and there are no project components or operations that would conflict with the EWP or any other state or local plan for renewable energy or energy efficiency. Compliance with State laws and regulations, including the most recent Building Code requirements, will ensure the project continues to reduce energy demands and greenhouse gas emissions through, for example, increasing state-wide requirements that energy be sourced from renewable resources. Additionally, the project will result in storage of energy from renewable resources, which supports the County's renewable energy plans goals. Therefore, *no impact would occur*.

Conclusion

The project would not result in a significant energy demand during short-term construction or long-term operations and would not conflict with state or local renewable energy or energy efficiency plans. Therefore, potential impacts related to energy would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
(a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
(ii) Strong seismic ground shaking?	☐	☐	☒	☐

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		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(iii)	Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
(iv)	Landslides?	☐	☐	☒	☐
(b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
(c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
(d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
(e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
(f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Setting

Based on USGS maps (California Geological Survey), the proposed project is located on Quaternary sand dune deposits (Qs), which dates to the Holocene period (approximately 12,000 years ago to present day).

Three geologic basins (Pismo, Santa Maria, and Huasna Basins) underlie the South County area. These basins contain thick, mostly marine sedimentary Tertiary deposits that lay on top of a Jurassic-Cretaceous complex.

The triangularly shaped Santa Maria Basin opens toward the west and extends offshore to the Hosgri fault zone. The basin is bounded on the north by the San Rafael Mountains and is in contact with the mountains along the largely concealed system of the Santa Maria River Foxen Canyon-Little Pine faults. On the south, the basin is bounded by the Santa Ynez Mountains of the Transverse Ranges and is in contact with the mountains along the Santa Ynez River fault. The Pismo Basin, smaller than the Santa Maria, is flanked by strike-slip faults and trends west-northwest. The basin is bounded on the northeast by the West Huasna fault zone and on the southwest by the Santa Maria River. The basin extends west offshore to the Hosgri fault zone. The Huasna Basin lies between the West Huasna fault zone on the west and the East Huasna fault zone on the east (outside the South County study area).

The project site is not within a County designated Geologic Study Area (GSA). Based on the County's Geographic Information Systems (GIS) database, the nearest potentially active fault is located approximately 0.25 mile to the northeast. Landslide and rockfall conditions do not exist at the project site given the relatively flat topographic conditions of the project area. The project site is located in the vicinity of the San Luis Range of the Coast Range Geomorphic Province of California. The Coast Ranges lie between the Pacific Ocean and the Sacramento-San Joaquin Valley and trend northwesterly along the California Coast between Santa Maria and the Oregon border.

According to the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey, soils on the project site consist mainly of Garey sandy loam (2-9% slopes) and Oceano sand (0-9% slopes) (USDA NRCS 2019). Sandy soil conditions were observed as dominant throughout the project site.

Garey sandy loam (2-9% slopes) soil type is moderately deep at about 8 to 24 inches, well drained, nearly level to moderately sloping soil and is on stabilized sand dunes. Typically, the surface layer is brown sand about 29 inches thick, and the underlying material is stratified pale brown and pink sand to a depth of 60 inches or more. Some areas of this soil have a sandy loam surface layer. The permeability of this soil is slow. Surface runoff is medium to rapid. The shrink-swell potential is low. This soil is best suited for rangeland.

Oceano sand (0-9% slopes) soil type is very deep, excessively drained, nearly level to moderately sloping soil and is on stabilized sand dunes. It formed in deposits of windblown sand. Typically, the surface layer is brown sand about 29 inches thick, and the underlying material is stratified pale brown and pink sand to a depth of 60 inches or more. Some areas of this soil have a sandy loam surface layer. The permeability of this soil is rapid, and the available water capacity is low. Surface runoff is slow or medium. The hazard of water erosion is slight or moderate, and the hazard of soil blowing is high. The shrink-swell potential is low. This soil is best suited to drip or sprinkler methods of irrigation.

Seismic Hazards

The Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo Act) is a California state law that was developed to regulate development near active faults and mitigate the surface fault rupture potential and other hazards. The Alquist-Priolo Act identifies active earthquake fault zones and restricts the construction of habitable structures over known active or potentially active faults. San Luis Obispo County is located in a geologically complex and seismically active region. The Safety Element of the County of San Luis Obispo General Plan identifies three active faults that traverse through the County and that are currently zoned under the Alquist-Priolo Act: the San Andreas, the Hosgri-San Simeon, and the Los Osos. The San Andreas Fault zone is located along the eastern border of San Luis Obispo County and has a length of over 600 miles. The Hosgri-San Simeon fault system generally consists of two fault zones: the Hosgri fault zone that is mapped off of the San Luis Obispo County coast; and the San Simeon fault zone, which appears to be associated with the Hosgri, and comes onshore near San Simeon Point, Lastly, the Los Osos Fault zone has been mapped generally in an east/west orientation along the northern flank of the Irish Hills.

The County Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the County. The Safety Element establishes policies that require new development to be located away from active and potentially active faults. The element also requires that the County enforce applicable building codes relating to seismic design of structures and require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the Uniform Building Code.

Groundshaking refers to the motion that occurs in response to local and regional earthquakes. Seismic groundshaking is influenced by the proximity of the site to an earthquake fault, the intensity of the seismic

event, and the underlying soil composition. Groundshaking can endanger life and safety due to damage or collapse of structures or lifeline facilities. The California Building Code includes requirements that structures be designed to resist a certain minimum seismic force resulting from ground motion.

According to the California Department of Conservation Fault Activity Map of California, the closest known fault is the Santa Maria River fault. The San Andreas Fault is the most likely active fault to produce ground shaking at the site although it is not expected to generate the highest ground accelerations due to its distance from the project site.

Liquefaction and Landslides

Liquefaction is the sudden loss of soil strength due to a rapid increase in soil pore water pressures resulting from groundshaking during an earthquake. Liquefaction potential increases with earthquake magnitude and groundshaking duration. Low-lying areas adjacent to creeks, rivers, beaches, and estuaries underlain by unconsolidated alluvial soil are most likely to be vulnerable to liquefaction. The CBC requires the assessment of liquefaction in the design of all structures.

Landslides and slope instability can occur as a result of wet weather, weak soils, improper grading, improper drainage, steep slopes, adverse geologic structure, earthquakes, or a combination of these factors. Despite current codes and policies that discourage development in areas of known landslide activity or high risk of landslide, there is a considerable amount of development that is impacted by landslide activity in the County each year. The County Safety Element identifies several policies to reduce risk from landslides and slope instability. These policies include the requirement for slope stability evaluations for development in areas of moderate or high landslide risk, and restrictions on new development in areas of known landslide activity unless development plans indicate that the hazard can be reduced to a less than significant level prior to beginning development.

With respect to the proposed project the potential for liquefaction and/or lateral spreading is moderate due to the sandy soils associated with the project site. The site topography indicates that the potential for landslides is considered minimal.

Shrink/Swell Potential

Shrink/swell potential is the extent to which the soil shrinks as it dries out or swells when it gets wet. Extent of shrinking and swelling is influenced by the amount and kind of clay in the soil. Shrinking and swelling of soils can cause damage to building foundations, roads, and other structures. A high shrink/swell potential indicates a hazard to maintenance of structures built in, on, or with material having this rating. Moderate and low ratings lessen the hazard accordingly. As discussed above, the soils encountered at the project site exhibit low expansion potential.

Combining Designations

The County LUO identifies a Geologic Study Area (GSA) combining designation for areas where geologic and soil conditions could present new developments and/or their occupants with potential hazards to life and property. All land use permit applicants located within a GSA are required to include a report prepared by a certified engineering geologist and/or registered civil/soils engineer as appropriate, with the exception of construction of one single-story single-family residence, agricultural uses not involving a building, agricultural accessory structures, and alterations or additions to any structure which does not exceed 50 percent of the assessed value of the structure. In addition, all uses within a GSA are subject to special standards regarding grading and distance from an active fault within an Earthquake Fault Zone (LUO 22.14.070). The project site is not located within the County's GSA combining designation.

Paleontological Resources

Paleontological resources are fossilized remains of ancient environments, including fossilized bone, shell, and plant parts; impressions of plant, insect, or animal parts preserved in stone; and preserved tracks of insects and animals. Paleontological resources are considered nonrenewable resources under state and federal law. Paleontological sensitivity is defined as the potential for a geologic unit to produce scientifically significant fossils, as determined by rock type, history of the rock unit in producing fossil materials, and fossil sites that have been recorded in the unit. Paleontological resources are generally found below ground surface in sedimentary rock units. The boundaries of the sedimentary rock unit are used to define the limits of paleontological sensitivity in a given region.

In the county, the Coastal Franciscan domain generally lies along the mountains and hills associated with the Santa Lucia Range. Fossils recorded from the Coastal Franciscan formation include trace fossils (preserved tracks or other signs of the behaviors of animals), mollusks, and marine reptiles. Nonmarine or continental deposits are more likely to contain vertebrate fossil sites. Occasionally vertebrate marine fossils such as whale, porpoise, seal, or sea lion can be found in marine rock units such as the Miocene Monterey Formation and the Pliocene Sisquoc Formations known to occur throughout Central and Southern California. Vertebrate fossils of continental material are usually rare, sporadic, and localized.

The County COSE identifies a policy for the protection of paleontological resources from the effects of development by avoiding disturbance where feasible. Where substantial subsurface disturbance is proposed in paleontologically sensitive units, Implementation Strategy CR 4.5.1 (Paleontological Studies) requires a paleontological resource assessment ad mitigation plan be prepared, to identify the extent and potential significance of resources that may exist within the proposed development and provide mitigation measures to reduce potential impacts to paleontological resources.

The project site is located outside of the Franciscan, Monterey or Sisquoc Formations generally associated with the presence of paleontological resources.

Septic Tank Limitations

Based on the soil types on the project site, the underlying soils do not exhibit characteristics with the potential to limit the placement or use of septic tanks.

Discussion

(a) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

(a-i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

Based on the California Department of Conservation Earthquake Zone Map, the project site is not located within a mapped Alquist-Priolo earthquake hazard zone (CGS 2018). Based on the County Safety Element Fault Hazards Map, the project site is not located within 1 mile of a known active or potentially active fault. Therefore, the project would not have the potential to result in substantial adverse effects involving rupture of a known earthquake fault. As discussed above, the project site has a low potential for localized differential settlement. There is a low potential for slope failure at the proposed development site based flat topography of the site. In addition, the project is limited to the proposed development of the battery energy storage system and no human-habitation is proposed and the project does not require full-time employees. Based on the location of active

faults in the project vicinity and compliance with the California Building Code (CBC), the risk of fault rupture impacts is considered *less than significant*.

(a-ii) Strong seismic ground shaking?

Based on the County Safety Element Fault Hazards Map, the project site is located within 1 mile of a known active or potentially active fault. The nearest potentially inferred capable fault is approximately 1,000 feet east of the project site but does not course through the project site. However, San Luis Obispo County is located in a seismically active region and there is always a potential for seismic ground shaking. The project would be required to comply with the CBC and other applicable standards to ensure the effects of a potential seismic event would be minimized through compliance with current engineering practices and techniques. The project does not include unique components that would be particularly sensitive to seismic ground shaking or result in an increased risk of injury or damage as a result of ground shaking. In addition, the project does not include the potential for human habitation or require full-time employees to be present. Implementation of the project would not expose people or structures to significant increased risks associated with seismic ground shaking; therefore, *impacts would be less than significant.*

(a-iii) Seismic-related ground failure, including liquefaction?

Based on the County Safety Element Liquefaction Hazards Map, the project site is located in an area with low potential for liquefaction. Similarly, as discussed above, the project soil types exhibit a low potential for liquefaction. In addition, the project would be required to comply with CBC seismic requirements to address the site's potential for seismic-related ground failure including liquefaction; therefore, the potential *impacts would be less than significant.*

(a-iv) Landslides?

The project site has relatively flat topography and based on the County Safety Element Landslide Hazards Map is located in an area with low potential for landslide risk. The site topography and soil types indicate that the potential for landslides is minimal. Therefore, the project would not result in significant adverse effects associated with landslides and *impacts would be less than significant.*

(b) Result in substantial soil erosion or the loss of topsoil?

The project site consists of an existing strawberry farm and no vegetation removal will be required and grading volumes are minimal. Preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects (LUO 22.52.120) to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. However, Compliance with existing regulations would reduce potential impacts related to soil erosion and loss of topsoil to *less than significant.*

(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Landslides typically occur in areas with steep slopes or in areas containing escarpments. Based on the Landslide Hazards Map provided in the County Safety Element, the project site is not located in an area with slopes susceptible to local failure or landslide. In addition, due to the flat topography

of the project site and the soil types that occur on the site, the potential for landslides are considered low.

The project would be required to comply with CBC seismic requirements to address potential seismic-related ground failure including lateral spread. Based on the County Safety Element and USGS data, the project is not located in an area of historical or current land subsidence (USGS 2019).

Due to the sandy soil conditions underlying the project site, the area has been mapped as being susceptible to liquefaction hazard during a ground-shaking event. Soils that are particularly susceptible to liquefaction hazards generally consist of unconsolidated loose sandy conditions near the groundwater table. As shown in the project Preliminary Hydrology Study (Fuscoe Engineering, November 8, 2019) he groundwater table underlying the park is generally found at depths over 80 inches below ground surface. Liquefaction is not considered to be a major concern that would preclude development of the proposed battery energy storage system. There are several possibilities to reduce liquefaction hazards when designing and constructing new buildings or other structures: avoid liquefaction susceptible soils, build liquefaction resistant structures, or improve the soil. The first possibility to avoid construction on liquefaction susceptible soils is not practicable in this case. If it is necessary to construct on liquefaction susceptible soil, it may be possible to make the structure liquefaction resistant by designing the foundation elements to resist the effects of liquefaction. The third option involves mitigation of the liquefaction hazards by improving the strength, density, and/or drainage characteristics of the soil. This can be done using a variety of soil improvement techniques. Based on the application of standard UBC requirements, and preparation of site-specific geotechnical reports required as part of the building permit process, impacts resulting from the potential for liquefaction are considered *less than significant*.

(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Based on the Soil Survey of San Luis Obispo County and Web Soil Survey, the project site is not located within an area known to contain expansive soils as defined in the Uniform Building Code. In addition, all future development would be required to comply with the most recent CBC requirements, which have been developed to properly safeguard structures and occupants from land stability hazards, such as expansive soils. Therefore, potential impacts related to expansive soil would be *less than significant.*

(e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

The project site soil types indicate that the site exhibits sandy soils and the site does not have limitations related to the installation of new septic tanks or other on-site wastewater disposal systems; therefore, *no impacts would occur*.

(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

No known paleontological resources are known to exist in the project area and the project site does not contain any unique geologic features. The project does not include substantial grading or earthwork that would disturb the underlying geologic formation in which paleontological resources may occur. Therefore, potential impacts on paleontological resources would be *less than significant.*

Conclusion

The project site is not within the GSA combining designation or an area of high risk of landslide, subsidence, or other unstable geologic conditions. Liquefaction hazards are considered moderate to high. However, the project would be required to comply with CBC and standard LUO requirements which have been developed to properly safeguard against seismic and geologic hazards. Implementation of the proposed project is expected to result in less than significant impacts.

Mitigation

None required.

VIII. GREENHOUSE GAS EMISSIONS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
(b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Setting

Greenhouse gases (GHG) are any gases that absorb infrared radiation in the atmosphere, and are different from the criteria pollutants discussed in Section III, Air Quality, above. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated gases. These are most commonly emitted through the burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement).

Carbon dioxide is the most abundant GHG and is estimated to represent approximately 80-90% of the principal GHGs that are currently affecting the earth's climate. According to the ARB, transportation (vehicle exhaust) and electricity generation are the main sources of GHGs in the state.

In March 2012, the SLOAPCD approved thresholds for Greenhouse Gas (GHG) emission impacts, and these thresholds have been incorporated into the CEQA Air Quality Handbook. The Bright-Line Threshold of 1,150 Metric Tons CO_2/year (MT CO_2e/yr) is the most applicable GHG threshold for most projects. Table 1-1 in the APCD CEQA Air Quality Handbook provides a list of general land uses and the estimated sizes or capacity of those uses expected to exceed the GHG Bight Line Threshold of 1,150 Metric Tons of carbon dioxide per year (MT CO_2/yr). Projects that exceed the criteria or are within ten percent of exceeding the criteria presented in Table 1-1 are required to conduct a more detailed analysis of air quality impacts.

Under CEQA, an individual project's GHG emissions will generally not result in direct significant impacts. This is because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation.

In October 2008, ARB published its *Climate Change Proposed Scoping Plan*, which is the State's plan to achieve GHG reductions in California required by Assembly Bill (AB) 32. This initial Scoping Plan contained the main strategies to be implemented in order to achieve the target emission levels identified in AB 32. The Scoping Plan included ARB-recommended GHG reductions for each emissions sector of the state's GHG inventory. The largest proposed GHG reduction recommendations were associated with improving emissions standards for light-duty vehicles, implementing the Low Carbon Fuel Standard program, implementation of energy efficiency measures in buildings and appliances, the widespread development of combined heat and power systems, and developing a renewable portfolio standard for electricity production.

Senate Bill (SB) 32 and Executive Order (EO) S-3-05 extended the State's GHG reduction goals and require ARB to regulate sources of GHGs to meet a state goal of reducing GHG emissions to 1990 levels by 2020, 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050. The initial Scoping Plan was first approved by ARB on December 11, 2008, and is updated every five years. The first update of the Scoping Plan was approved by the ARB on May 22, 2014, which looked past 2020 to set mid-term goals (2030-2035) toward reaching the 2050 goals. The most recent update released by ARB is the 2022 Climate Change Scoping Plan, which was released on November 16, 2022. The 2022 Climate Change Scoping Plan incorporates strategies for achieving the 2030 GHG-reduction target established in SB 32 and EO S-3-05.

When assessing the significance of potential impacts for CEQA compliance, an individual project's GHG emissions will generally not result in direct significant impacts because climate change is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation. Accordingly, in March 2012, the SLOAPCD approved thresholds for GHG impacts that were incorporated into their 2012 CEQA Air Quality Handbook. The Handbook recommended applying a 1,150 $MTCO_2e$ per year Bright Line Threshold for commercial and residential projects and included a list of general land uses and estimated sizes or capacities of uses expected to exceed this threshold. According to the SLOAPCD, this threshold was based on a 'gap analysis' and was used for CEQA compliance evaluations to demonstrate consistency with the state's GHG emission reduction goals associated with the Global Warming Solutions Act (AB32) and the 2008 Climate Change Scoping Plan which have a target year of 2020. However, in 2015, the California Supreme Court issued an opinion in the case of *Center for Biological Diversity vs California Department of Fish and Wildlife* ("Newhall Ranch") that determined that AB 32 based thresholds derived from a gap analysis are invalid for projects with a planning horizon beyond 2020. Since the bright-line and service population GHG thresholds in the Handbook are AB 32 based, and project horizons are now beyond 2020 and the SLOAPCD no longer recommends the use of these thresholds for CEQA evaluations. Instead, the following threshold options are recommended for consideration by the lead agency:

- Consistency with a Qualified Climate Action Plan: CAPs conforming to CEQA Guidelines § 15183 and 15183.5 would be qualified and eligible for project streamlining under CEQA.

  The County of San Luis Obispo EnergyWise (EWP), adopted in 2011, serves as the County's GHG reduction strategy. The GHG-reducing policy provisions contained in the EWP were prepared for the purpose of complying with the requirements of AB 32 and achieving the goals of the AB 32 Scoping Plan, which have a horizon year of 2020. Therefore, the EWP is not considered a qualified GHG

reduction strategy for assessing the significance of GHG emissions generated by projects with a horizon year beyond 2020.

- No-net Increase: The 2017 Scoping Plan states that no-net increase in GHG emissions relative to baseline conditions "*is an appropriate overall objective for new development*" consistent with the Court's direction provided by the Newhall Ranch case which demonstrated that no-net GHG increase was feasible and defensible. Although a desirable goal, the application of this threshold may not be appropriate for a small project where it can be clearly shown that it will not generate significant GHG emissions (i.e., di minimus: too trivial or minor to merit consideration).
- Lead Agency Adopted Defensible GHG CEQA Thresholds: Under this approach, a lead agency may establish SB 32-based local operational thresholds:
    - *Meeting Local GHG Emission Targets with Best Management Practices*

      On April 23, 2020, the Sacramento Metropolitan Air Quality Management District (SMAQMD) adopted Greenhouse Gas Thresholds for Sacramento County. This substantial evidenced based document sets SB 32-based local GHG emission targets for 2030 by evaluating the GHG inventory for local emission sectors relative to statewide sector inventories and the state's GHG reduction target of 40% below 1990 levels. Relative to business-as-usual, the document considered the commercial and residential sector emission reductions needed from new development to help achieve the SB 32 goal. To help secure these reductions, best management practices were established for new development.
    - *GHG Bright-line and Efficiency Thresholds*

      SB 32 based local bright-line and operational efficiency thresholds can be established by evaluating local emission sectors in a jurisdiction's GHG inventory relative to statewide sector inventories and the state's GHG reduction target of 40% below 1990 levels. This approach is found in earlier drafts of SMAQMD's SB 32 threshold work and the AEP Climate Change Committee may provide guidance on a similar approach.

As discussed above, SB 32 requires the state to reduce GHG levels by 40 percent below 1990 levels by the year 2030. According to the California Greenhouse Gas Emissions for 2000 to 2017, Trends of Emissions and Other Indicators published by the California Air Resources Board, emissions of GHG statewide in 2017 were 424 million $MMTCO_2e$, which was 7 million MTCO2e below the 2020 GHG target of 431 $MMTCO_2e$ established by AB 32. At the local level, an update of the County's EnergyWise Plan prepared in 2016 revealed that overall GHG emissions in San Luis Obispo County decreased by approximately seven percent between 2006 and 2013, or about one-half of the year 2020 target of reducing greenhouse gas emissions by 15% relative to the 2006 baseline[1]. Therefore, application of the 1,150 $MTCO_2e$ Bright Line Threshold in San Luis Obispo County, together with other local and State-wide efforts to reduce GHG emissions, proved to be an effective approach for achieving the reduction targets set forth by AB32 for the year 2020. It should be noted that the 1,150 $MTCO_2e$ per year Bright Line Threshold was based on the assumption that a project with the potential to emit less than 1,150 $MTCO_2e$ per year would result in impacts that are less than significant and less than cumulatively considerable impact and would be consistent with state and local GHG reduction goals.

[1] AB32 and SB32 require GHG emissions to be reduced to 1990 levels by the year 2020. The EnergyWise Plan assumes that the County's 1990 GHG emissions were about 15% below the levels identified in the 2006 baseline inventory.

Since SB 32 requires the state to reduce GHG levels by 40 percent below 1990 levels by the year 2030, the application of an interim "bright line" SB32-based working threshold that is 40 percent below the 1,150 $MMTCO_2e$ Bright Line threshold (1,150 x 0.6 = 690 $MMTCO_2e$) would be expected to produce comparable GHG reductions "in the spirit of" the targets established by SB32. Therefore, for the purpose of evaluating the significance of GHG emissions for a project after 2020, emissions estimated to be less than 690 $MMTCO_2e$ per year GHG are considered *de minimus* (too trivial or minor to merit consideration), and will have a less than significant impact that is less than cumulatively considerable and consistent with state and local GHG reduction goals.

The County Energy Wise Plan (EWP; 2011) identifies ways in which the community and County government can reduce greenhouse gas emissions from their various sources. Looking at the four key sectors of energy, waste, transportation, and land use, the EWP incorporates best practices to provide a blueprint for achieving greenhouse gas emissions reductions in the unincorporated towns and rural areas of San Luis Obispo County by 15% below the baseline year of 2006 by the year 2020. The EWP includes an Implementation Program that provides a strategy for actions with specific measures and steps to achieve the identified GHG reduction targets including, but not limited to, the following:

- Encourage new development to exceed minimum Cal Green requirements;
- Require a minimum of 75% of nonhazardous construction and demolition debris generated on site to be recycled or salvaged;
- Continue to implement strategic growth strategies that direct the county's future growth into existing communities and to provide complete services to meet local needs;
- Continue to increase the amount of affordable housing in the County, allowing lower-income families to live closer to jobs and activity centers, and providing residents with greater access to transit and alternative modes of transportation;
- Reduce potable water use by 20% in all newly constructed buildings by using the performance methods provided in the California Green Building Code;
- Require use of energy-efficient equipment in all new development;
- Minimize the use of dark materials on roofs by requiring roofs to achieve a minimum solar reflectivity index of 10 for high-slope roofs and 68 for low-slope roofs; and
- Use light-colored aggregate in new road construction and repaving projects adjacent to existing cities.

In 2016 the County published the EnergyWise Plan 2016 Update, which describes the progress made toward implementing measures in the 2011 EWP, overall trends in energy use and emissions since the baseline year of the inventory (2006), and the addition of implementation measures intended to provide a greater understanding of the County's emissions status.

Discussion

(a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Based on the nature of the proposed project and Table 1-1 of the SLOAPCD CEQA Air Quality Handbook, the project would generate less than the interim SLOAPCD Bright-Line Threshold of 690

metric tons of GHG emissions. The project's construction-related and operational GHG emissions and energy demands would be minimal. Therefore, the project's potential direct and cumulative GHG emissions would be less than significant and less than a cumulatively considerable contribution to regional GHG emissions.

Projects that generate less than the above-mentioned thresholds will also participate in emission reductions because air emissions, including GHGs, are under the purview of the ARB (or other regulatory agencies) and will be regulated by standards implemented by the ARB, the federal government, or other regulatory agencies. For example, new vehicles will be subject to increased fuel economy standards and emission reductions, large and small appliances will be subject to more strict emissions standards, and energy delivered to consumers will increasingly come from renewable sources. As a result, even the emissions that result from projects that produce fewer emissions than the threshold will be subject to emission reductions. Therefore, potential impacts associated with the generation of greenhouse gas emissions would be *less than significant*.

(b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

The proposed project would be required to comply with existing state regulations, which include increased energy conservation measures, reduced potable water use, increased waste diversion, and other actions adopted to achieve the overall GHG emissions reduction goals identified in SB 32 and EO S-3-05. The project would not conflict with the control measures identified in the CAP, EWP, or other state and local regulations related to GHG emissions and renewable energy. The project would be generally consistent with the property's existing land use and would be designed to comply with the California Green Building Code standards. Additionally, the project would result in energy storage that reduces the amount of electricity needed from fossil fuel sources, so the project supports policies to reduce greenhouse gases. Therefore, the project would be consistent with applicable plans and programs designed to reduce GHG emissions and potential *impacts would be less than significant*.

Conclusion

The project would not generate significant GHG emissions above existing levels and would not exceed any applicable GHG thresholds, contribute considerably to cumulatively significant GHG emissions, or conflict with plans adopted to reduce GHG emissions. Therefore, potential impacts related to greenhouse gas emissions would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

IX. HAZARDS AND HAZARDOUS MATERIALS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
(b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
(c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
(d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
(e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☒	☐
(f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
(g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

Initial Study – Environmental Checklist

Setting

Hazardous Materials: Hazardous materials are defined as substances with physical and chemical properties of ignitability, corrosivity, reactivity, or toxicity which may pose a threat to human health or the environment. This includes, for example, chemical materials such as petroleum products, solvents, pesticides, herbicides, paints, metals, asbestos, and other regulated chemical materials. Additionally, hazards include known historical spills, leaks, illegal dumping, or other methods of release of hazardous materials to soil, sediment, groundwater, or surface water. If a historical release exists, then there is a risk associated with disturbing the historical release area. The potential for risks associated with hazardous materials are varied regionally. The primary risk concerns within the city are expected to focus on the transportation of hazardous materials in and around the city. Most of these incidents are related to the increasing frequency of transport of chemicals over roadways, railways or through industrial accidents. Highway 101 and a rail corridor are major transportation corridors through the project area.

The Hazardous Waste and Substances Site (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. Government Code section 65962.5 requires the California EPA to develop at least annually an updated Cortese List. Various state and local government agencies are required to track and document hazardous material release information for the Cortese List. The California Department of Toxic Substance Control's (DTSC's) EnviroStor database tracks DTSC cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known contamination, such as federal superfund sites, state response sites, voluntary cleanup sites, school cleanup sites, school investigation sites, and military evaluation sites. The State Water Resources Control Board's (SWRCB's) GeoTracker database contains records for sites that impact, or have the potential to impact, water in California, such as Leaking Underground Storage Tank (LUST) sites, Department of Defense sites, and Cleanup Program Sites. The remaining data regarding facilities or sites identified as meeting the "Cortese List" requirements can be located on the CalEPA website: https://calepa.ca.gov/sitecleanup/corteselist/. As shown, the project site is not within proximity to any identified site within the database.

In addition, the proposed project includes the storage of battery containers housing lithium-ion batteries. As discussed in the Hazard Assessment of Lithium-Ion Battery Energy Storage Systems (NFPA Research Foundation, February 26, 2016), the electrolyte within a typical lithium-ion cell, includes a volatile hydrocarbon-based liquid and a dissolved lithium salt (which is a source of lithium ions). The proposed project would utilize lithium iron phosphate batteries which contain a few chemicals, including lithium, cobalt, and nickel. If the battery is damaged or exposed to high temperatures, these chemicals can be released into the air as toxic fumes. Battery cells are hermetically sealed to prevent moisture in the air from degrading the cells. Lithium-ion cells are not vented to the atmosphere like lead acid batteries; therefore, under normal usage conditions, they do not exhaust vapors.

Vented electrolyte is flammable and may ignite on contact with a competent ignition source, such as an open flame, spark, or a sufficiently heated surface. Vented electrolyte may also ignite on contact with cells undergoing a thermal runaway reaction. Thermal runaway occurs when a battery cell short circuits and starts to heat up uncontrollably resulting in a fire. Vented gases may irritate the eyes, skin, and throat. Cell vent gases are typically hot and can cause thermal burns.

Fire Hazards: Fires have the potential to cause significant losses to life, property, and the environment. Urban fire hazards result from the materials that make up the built environment, the size and organization of structures, and spacing of buildings. Additional factors that can accelerate fire hazards are availability of emergency access, available water volume and pressure for fire suppression, and response time for fire fighters. Fire hazard severity in rural areas, including areas on the edge between urban and rural land

(commonly called the wildland interface), are highly influenced by the slope of the landscape and site vegetation and climate. Where wildland fires may be a threat, plant fuels are often managed by replacement planting, grazing, plowing, or mechanical clearing.

The California Health and Safety Code provides regulations pertaining to the abatement of fire related hazards and requires that local jurisdictions enforce the California Building Code, which provides standards for fire resistive building and roofing materials, and other fire-related construction methods. The County Safety Element provides a Fire Hazard Zones Map that indicates unincorporated areas in the County within moderate, high, and very high fire hazard severity zones. The project site is located in a low fire severity zone, with an emergency response time of 5-10 minutes. For more information about fire-related hazards and risk assessment, see Section XX. Wildfire.

The County also has adopted general emergency plans for multiple potential natural disasters, including the Local Hazard Mitigation Plan, County Emergency Operations Plan, Earthquake Plan, Dam and Levee Failure Plan, Hazardous Materials Response Plan, County Recovery Plan, and the Tsunami Response Plan.

The proposed project would include a battery protection circuit to improve safety by making accidents less likely or by minimizing their severity when they do occur; fire protection system suitable for the chemistry of the battery and the type of chemical fire that could result, and water supply; ventilation and temperature control systems; gas detection and smoke detection systems; Emergency Response Procedures; Occupational and Health and Safety (OHS) Plan; and a maintenance plan. A 20-meter safety zone will be provided around the perimeter of the BESS facility.

The proposed project BESS system will meet nationally recognized industry safety standards for lithium-ion battery energy storage systems (BESS).

The standards that the project will be designed to are as follows:

- California Fire Code-2019, 01JUL2021 Supplement: Section 1206
- NFPA 855 (2020): Standard for the Installation of Stationary Energy Storage Systems (with TIA 20-2)
- NFPA 69
- NFPA 70 (2020): National Electric Code
- NFPA 72 (2019): National Fire Alarm and Signaling Code
- UL 9540 (2020): Standard for Safety – Energy Storage Systems and Equipment
- UL 9540A (2019): Standard for Safety – Test Method for Evaluating Thermal Runaway Fire Propagation in Battery Energy Storage Systems

Airport Hazards: The project site is not in the vicinity of any airports.

Discussion

(a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

The project does not propose routine transport or disposal of hazardous substances. Any commonly used hazardous substances within the project site (e.g., cleaners, solvents, oils, paints, etc.) would be transported, stored, and used according to regulatory requirements and existing procedures for the handling of hazardous materials. With respect to the use of hazardous materials, the proposed project includes the storage and use of lithium ion batteries proposed to be housed in battery

container units. Please refer to item (b), below, for a discussion on the impacts related to the hazardous materials associated with the use and storage of lithium-ion batteries. Potential impacts associated with the routine transport of hazardous materials would be *less than significant.*

(b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Construction Phase

Construction of the proposed project is anticipated to require use of limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the handling of hazardous materials, including response and clean-up requirements for any minor spills. Therefore, potential impacts related to project construction would be less than significant.

Operational Phase

Operation of the proposed project includes the use and storage of lithium-ion batteries. As discussed in the Hazard Assessment of Lithium-Ion Battery Energy Storage Systems (NFPA Research Foundation, February 26, 2016), the electrolyte within a typical lithium ion cell includes a volatile hydrocarbon-based liquid and a dissolved lithium salt (which is a source of lithium ions. The proposed project would utilize lithium iron phosphate batteries which contain a few chemicals, including lithium, cobalt, and nickel. If the battery is damaged or exposed to high temperatures, these chemicals can be released into the air as toxic fumes. Battery cells are hermetically sealed to prevent moisture in the air from degrading the cells. Lithium-ion cells are not vented to the atmosphere like lead acid batteries, therefore, under normal usage conditions, they do not exhaust vapors.

Vented electrolyte is flammable and may ignite on contact with a competent ignition source, such as an open flame, spark, or a sufficiently heated surface. Vented electrolyte may also ignite on contact with cells undergoing a thermal runaway reaction. Thermal runaway occurs when a battery cell short circuits and starts to heat up uncontrollably resulting in a fire. Vented gases may irritate the eyes, skin, and throat. Cell vent gases are typically hot and can cause thermal burns.

Based on a review of the proposed project potential hazards as part of the Recommended Guidelines for Emergency Response Planning (IHI Terrasun Solutions, 2021) and a third-party review of the Guidelines (Battery System Emergency Response and Hazard Analysis Review, MRS Environmental, Inc., March 30, 2023), potential hazardous conditions include fire that results from overheating or other electrical fault conditions within the project or a fire that spreads to the project site from an adjacent property. Commonly, the highest risk for upset would include mechanical damage that would initiate a thermal runaway event. Mechanical damage could include, but is not limited to, improper handling resulting in damage that could cause the release of hazardous materials as discussed above.

Lithium-ion battery fire risks can be managed through proper planning, risk assessment, storage methods and response protocols. The proposed project would use a fire protection system designed in accordance with National Fire Protection Association (NFPA) safety standards including an automatic shut-down system for fans that keep the container sealed when the fire extinguisher system is activated. The fire extinguisher system would commonly include a releasing panel that

expels fire suppressant agent and uses an aspiration smoke detection system along with a manual release.

The project would also include a battery management system (BMS) that would monitor parameters critical to safety, including all cell voltages, all currents, and representative temperatures. Personnel training would be required to help address the unique issues of batter technology, including battery fire behavior, emergency response procedures, and fire extinguisher use. As such, an emergency action plan would be developed consistent with the requirements of the Occupational Safety and Health Administration (OSHA) Emergency Action Plan Standard, 29 CFR 1910.38. Such a plan may include a designated emergency coordinator who would be responsible for notification of emergency personnel, safe evacuation of any employees and the proper use of fire extinguishers.

With respect to hazardous consequences of a fire, the potential for toxic concentrations of hydrogen chloride and hydrogen fluoride may be present within the interior of a burning storage container and there would be potential for emergency responders to be exposed to hazardous materials at potentially dangerous levels. Other potential upset conditions include intentional or unintentional damage, theft, or vandalism, resulting in damage to the BESS or exposure of the battery system components to the environment. The project will be subject to NFPA and OSHA regulatory oversight and requirements for safety protocol, and subject to the mitigation measures listed below; therefore, the potential for the release of hazardous materials during a fire would be considered a *less than significant with mitigation.*

(c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

The project site is not located within 0.25 mile of an existing or proposed school facility; therefore, *less than significant impacts* would occur.

(d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

Based on a search of the California Department of Toxic Substance Control's EnviroStar database, the State Water Resources Control Board's Geotracker database, and CalEPA's Cortese List website, there are no hazardous waste cleanup sites within the project site or immediate vicinity. Therefore, *no impacts would occur.*

(e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

The project site is not located within an airport land use plan or within 2 miles of a public airport or private airstrip; therefore, *no impacts would occur.*

(f) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Implementation of the proposed project would not result in a significant temporary or permanent impact on any adopted emergency response plans or emergency evacuation plans. No breaks in utility service or road closures would occur as a result of project implementation. Any construction-

related detours would include proper signage and notification and would be short-term and limited in nature and duration. Therefore, potential impacts would be *less than significant*.

(g) *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

Please refer to the Project Description above for a discussion on the project fire safety elements. The project is not located within or adjacent to a wildland area. Based on the County Safety Element, the project is not located within a high or very high fire hazard severity zone. The project would be required to comply with all applicable fire safety rules and regulations including the California Fire Code and Public Resources Code prior to issuance of building permits; therefore, with the incorporation of the mitigation measures required under item (b) and listed below, potential impacts would be *less than significant.*

Conclusion

Project impacts related to the routine transport, use, handling, or disposal of hazardous substances are discussed above and are considered significant but mitigable with respect to the operation of the proposed BESS. The project site is not located within proximity to any known contaminated sites and impacts related to the proximity to populations that could be substantially affected by upset or release of hazardous substances are considered significant but mitigable. With the implementation of the required mitigation measures, project implementation would not subject people or structures to substantial risks associated with wildland fires and would not impair implementation or interfere with any adopted emergency response or evacuation plan. Potential impacts related to hazards and hazardous materials would be less than significant with the incorporation of the mitigation measures listed below.

Mitigation

HAZ-1 Emergency Contingency Plan. In coordination with the County of San Luis Obispo, the applicant shall develop an emergency contingency plan consistent with NFPA 855 Section 4.1.3.2.1, which may also function as the OSHA Emergency Action Plan. The applicant shall submit the required plan to the County Environmental Coordinator for review and approval prior to the issuance of building permits.

The emergency contingency plan shall, at a minimum, indicate and describe in detail the backup fire suppression equipment that will be available to County Fire Department responders that can be used in the event of a batter storage container fire. A map or plan identifying the locations of nearby existing fire hydrants shall be included. Any specialized fire response manuals or technical guidelines applicable to the project shall be included in the plan. The emergency contingency plan shall effectively address all emergencies that may be reasonably expected to occur at the BESS project site. The plan shall include protocol for notifying adjacent landowners and neighboring land uses if shelter in-place and/or evacuation is necessary. The plan shall also include, but not be limited to, the following measures:

1. Procedures for safe shutdown, de-energizing and isolation of equipment under emergency situations;
2. Procedures for inspection and testing of alarms, interlocks, detection systems and controls including recordkeeping;

3. Procedures to be followed in response to notification from the storage systems that could signify dangerous situations, including shutting down equipment and notification to the local fire department;
4. Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions;
5. Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required;
6. Procedures for dealing with ESS equipment damaged in a fire or other emergency scenario, including contact information for personnel qualified to safely remove damaged ESS equipment from the facility;
7. Other procedures as determined necessary by the agencies having jurisdiction to provide for the safety of occupants and emergency responders; and
8. Procedures and schedules for conducting drills of the procedures.

HAZ-2 Requirements for Addressing Battery Hazards. The following measures shall be required to be implemented by the project applicant to help ensure that the potential for significant hazards are minimized to less than significant levels. The applicant shall submit proof of the implementation of the below measures to the Environmental Coordinator for review and comment prior to issuance of building permits:

1. All batteries shall be discharged to below 30% state of charge (SOC) during the construction/installation phases.
2. Any replacement or maintenance of batteries requiring the use of heavy construction equipment, such as cranes or forklifts, shall be conducted only on batteries discharged to below 30% SOC and nearby batteries that could be affected shall also be discharged to below 30% SOC.
3. Vehicle impact bollards or equivalent shall be installed to reduce the potential for vehicle impacts (as per NFPA 855 Section 4.3.7).
4. Install detection systems for flame detection, being equal to or similar to the Det-Tronics x3302 flame detector.
5. Detection systems shall alarm locally and both visually and audibly, shall be monitored by a 24-hour system and shall notify the local Fire Department.
6. Indication shall be provided to responders at the site indicating which battery pack is experiencing issues in the form of a user-friendly user interface system.
7. Develop a Fire Safety Plan prior to startup, that identifies and summarizes the design safety features identified in the project description and measures required pursuant to the measures above. Measures required by the Fire Department shall be included in the Fire Safety Plan. The Plan shall include a graphic depiction of Project safety features and equipment onsite, including but not limited to, the following:
    a. Fire prevention, detection, and suppression features, including:
        i. a description of the BMS and the monitoring of alarms and battery cell conditions and thresholds for alarms;

ii. flame detection systems, including the location of detection, type of detection and the monitoring of alarms (NFPA 855 Section 4.10);

iii. availability of water for firefighting and compliance with Fire Department requirements for flow and availability (NFPA 855 Section 4.13);

b. Emergency response procedures, including notification of local responders (NFPA 855 Section 4.1.3.2.1 and A.4.1.3.2);

c. Personnel safety training (NFPA 855 Section 4.1.3.2.2 and 7.2.5);

d. Fire suppression and other safety features/equipment located at the site;

e. Type and placement of warning signs (NFPA 855 Section 4.3.5);

f. Emergency ingress and egress routes (NFPA 855 Section 4.3.10);

g. Special safety measures to be implemented for battery installation and replacement, including disposal of replaced (discarded) equipment;

h. Provisions and timing for updating the Plan to incorporate new or changed requirements;

i. Control of vegetation (NFPA 855 Section 4.4.3.6);

j. Security of installations (NFPA 855 Section 4.3.8);

k. Access roads design (NFPA Section 4.3.8);

l. Signage (NFPA Section 4.3.5); and

m. Remediation measures (NFPA 855 Section 4.5.4 and 4.16) including authorized service personnel and fire mitigation personnel.

8. Provide a copy of an NFPA 855 compliance audit report to the County Environmental Coordinator to verify that the system is designed and built to comply with the NFPA 855 requirements prior to system startup.

X. HYDROLOGY AND WATER QUALITY

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐

Initial Study – Environmental Checklist

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
(c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
	(i) Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
	(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
	(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
	(iv) Impede or redirect flood flows?	☐	☐	☐	☒
(d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
(e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

Setting

The Central Coast Regional Water Quality Control Board (RWQCB) has established Total Maximum Daily Load (TMDL) thresholds for waterbodies within the County. A TMDL establishes the allowable amount of a particular pollutant a waterbody can receive on a regular basis and still remain at levels that protect beneficial uses designated for that waterbody. A TMDL also establishes proportional responsibility for controlling the pollutant, numeric indicators of water quality, and measures to achieve the allowable amount of pollutant loading. Section 303(d) of the Clean Water Act (CWA) requires states to maintain a list of

bodies of water that are designated as "impaired". A body of water is considered impaired when a particular water quality objective or standard is not being met.

The RWQCB's Water Quality Control Plan for the Central Coast Basin (Basin Plan; 2017) describes how the quality of surface water and groundwater in the Central Coast Region should be managed to provide the highest water quality reasonably possible. The Basin Plan outlines the beneficial uses of streams, lakes, and other water bodies for humans and other life. There are 24 categories of beneficial uses, including, but not limited to, municipal water supply, water contact recreation, non-water contact recreation, and cold freshwater habitat. Water quality objectives are then established to protect the beneficial uses of those water resources. The Regional Board implements the Basin Plan by issuing and enforcing waste discharge requirements to individuals, communities, or businesses whose discharges can affect water quality.

The U.S. Army Corps of Engineers (USACE), through Section 404 of the CWA, regulates the discharge of dredged or fill material into waters of the U.S., including wetlands. Waters of the U.S. are typically identified by the presence of an ordinary high water mark (OHWM) and connectivity to traditional navigable waters or other jurisdictional features. The State Water Resources Control Board (SWRCB) and nine RWQCBs regulate discharges of fill and dredged material in California, under Section 401 of the CWA and the State Porter-Cologne Water Quality Control Act, through the State Water Quality Certification Program. State Water Quality Certification is necessary for all projects that require a USACE permit, or fall under other federal jurisdiction, or have the potential to impact waters of the State. Waters of the State are defined by the Porter-Cologne Act as any surface water or groundwater, including saline waters, within the boundaries of the state. The project site is not located within a mapped groundwater basin per the County basin map.

The County LUO dictates which projects are required to prepare a drainage plan, including any project that would, for example, change the runoff volume or velocity leaving any point of the site, result in an impervious surface of more than 20,000 square feet, or involve hillside development on slopes steeper than 10 percent. Preparation of a drainage plan is not required where grading is exclusively for an exempt agricultural structure, crop production, or grazing.

The County LUO also dictates that an erosion and sedimentation control plan is required year-round for all construction and grading permit projects and site disturbance activities of one-half acre or more in geologically unstable areas, on slopes steeper than 30 percent, on highly erodible soils, or within 100 feet of any watercourse.

Per the County's Stormwater Program, the Public Works Department is responsible for ensuring that new construction sites implement best management practices during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1.0 acre or more must obtain coverage under the SWRCB's Construction General Permit. The Construction General Permit requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. There are several types of projects that are exempt from preparing a SWPPP, including routine maintenance to existing developments, emergency construction activities, and projects exempted by the SWRCB or RWQCB. Projects that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by the San Luis Obispo County LUO.

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The County Safety Element establishes policies to reduce flood hazards and reduce flood damage, including but not limited to prohibition of development in areas of high flood hazard potential, discouragement of single road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas. All development located in a 100-year flood zone is subject to

Federal Emergency Management Act (FEMA) regulations. The County Land Use Ordinance designates a Flood Hazard (FH) combining designation for areas of the County that could be subject to inundation by a 100-year flood or within coastal high hazard areas. Development projects within this combining designation are subject to FH permit and processing requirements, including, but not limited to, the preparation of a drainage plan, implementation of additional construction standards, and additional materials storage and processing requirements for substances that could be injurious to human, animal, or plant life in the event of flooding. The project site is not located within a Flood Hazard combining designation. Per the Cunty of San Luis Obispo FEMA Flood Hazard Area map, the project site is not located in a flood zone or Flood Hazard area.

Discussion

(a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

The project site is not located in proximity to any mapped creek or surface water bodies that could be adversely affected by project construction or operation. The project site does not contain Waters of the U.S. or the State. As discussed in the project Preliminary Hydrology Report and Preliminary Stormwater Control Plan Memo (Fuscoe Engineering, November 8, 2019) the project will not implement conventional drainage facilities such as curb and gutter, storm drain inlets, pipes and headwalls except for one storm drain culvert which will discharge into a stormwater retention basin. Off-site portions of the parcel east and south of the project site drain forward existing sumps where runoff percolates into the underlying soils. The proposed gravel access road west of the BESS yard delineated on the Drainage Map provided in the Preliminary Hydrology Report does not drain to the proposed retention basin due to grade constraints.

The report and memo conclude that the project will satisfy the San Luis Obispo County requirements for retention basins. The retention basin is proposed to retain runoff from the project site for the 50-year design storm and infiltrate within 93 hours. In the event the storm runoff volume generated during a storm event exceeds the capacity of the basin, stormwater runoff will overtop and drain to the west and to the existing street north of the project site, mimicking existing drainage patterns. A Stormwater Control Plan providing additional analysis will be prepared and submitted prior to issuance of building permits.

The project site is relatively flat and does not pose a risk to downslope runoff, sedimentation, erosion, or runoff. The project would not substantially affect surface water or groundwater quality. Therefore, potential impacts would be *less than significant.*

(b) *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

The project is not located within a groundwater basin designated as Level of Severity III per the County's Resource Management System or in severe decline by the Sustainable Groundwater Management Act (SGMA). The project would not substantially increase water demand, deplete groundwater supplies, or interfere substantially with groundwater recharge; therefore, the project would not interfere with sustainable management of the groundwater basin. Potential impacts associated with groundwater supplies would be *less than significant.*

(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

(c-i) Result in substantial erosion or siltation on- or off-site?

The project site is not located in proximity to any surface stream or body of water that would be subject to risk associated with erosion or siltation as the result of project construction or operation. The project would result in greater than 1 acre of site disturbance, triggering the requirement for the preparation of a Stormwater Pollution and Prevention Plan per the SWRCB and would be mandated to implement required elements of the site's erosion and sediment control plan as required by the San Luis Obispo County LUO; therefore, potential impacts related to erosion and siltation would be *less than significant.*

(c-ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

The proposed project will satisfy the San Luis Obispo County requirements for retention basins. The proposed retention basin is proposed to retain runoff from the project site for the 50-year design storm and infiltrate within 93 hours. In the event the storm runoff volume generated during a storm event exceeds the capacity of the basin, stormwater runoff will overtop and drain to the west and to the existing street north of the project site, mimicking existing drainage patterns. A Stormwater Control Plan providing additional analysis will be prepared and submitted prior to issuance of building permits.

As such, potential impacts related to increased surface runoff resulting in flooding would be *less than significant.*

(c-iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

The project would not substantially increase the amount of impervious surface area or the rate and volume of surface runoff in a manner that could exceed the capacity of existing stormwater or drainage systems. Based on the nature and size of the project and the proposed use of the on-site stormwater retention basin, changes in surface hydrology would be negligible. Therefore, potential impacts related to increased surface runoff exceeding stormwater capacity would be *less than significant.*

(c-iv) Impede or redirect flood flows?

Based on the County Flood Hazard Map, the project site is not located within a 100-year flood zone. The project would be subject to standard County requirements for drainage, sedimentation, and erosion control for construction and operation. Therefore, *no impacts would occur.*

(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Based on the County Safety Element, the project site is not located within a 100-year flood zone or within an area that would be inundated if dam failure were to occur. Based on the San Luis Obispo County Tsunami Inundation Maps, the project site is not located in an area with potential for inundation by a tsunami (DOC 2019). The project site is not located within proximity to a standing body of water with the potential for a seiche to occur. Therefore, the project site has no potential to release pollutants due to project inundation and *no impacts would occur.*

(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The project is not located within a groundwater basin designated as Level of Severity III per the County's Resource Management System or in severe decline by SGMA. The project would not substantially increase water demand, deplete groundwater supplies, or interfere substantially with groundwater recharge. The project would not conflict with the Central Coastal Basin Plan, SGMA, or other local or regional plans or policies intended to manage water quality or groundwater supplies; therefore, *no impacts would occur.*

Conclusion

The project site is not within the 100-year flood zone and does not include existing drainages or other surface waters. The project would not substantially increase impervious surfaces and does not propose alterations to existing water courses or other significant alterations to existing on-site drainage patterns. Therefore, potential impacts related to hydrology and water quality would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

XI. LAND USE AND PLANNING

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Physically divide an established community?	☐	☐	☐	☒
(b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

Setting

The LUO was established to guide and manage the future growth in the County in accordance with the General Plan, to regulate land use in a manner that will encourage and support orderly development and beneficial use of lands, to minimize adverse effects on the public resulting from inappropriate creation, location, use or design of buildings or land uses, and to protect and enhance significant natural, historic, archeological, and scenic resources within the county. The LUO is the primary tool used by the County to carry out the goals, objectives, and policies of the County General Plan.

The County Land Use Element (LUE) provides policies and standards for the management of growth and development in each unincorporated community and rural areas of the county and serves as a reference point and guide for future land use planning studies throughout the county. The LUE identifies strategic

grown principles to define and focus the county's pro-active planning approach and balance environmental, economic, and social equity concerns. Each strategic growth principle correlates with a set of policies and implementation strategies that define how land will be used and resources protected. The LUE also defines each of the 14 land use designations and identifies standards for land uses based on the designation they are located within. The project site is zone as Rural Lands (RL). The surrounding parcels are similarly zoned RL and Agriculture (AG).

The County LUE also contains area plans for each of the planning areas. The area plans establish policies and programs for land use, circulation, public facilities, services, and resources that apply "areawide", in rural areas, and in unincorporated urban areas within each planning area. Part three of the LUE contains each of the community and village plans, which contain goals, policies, programs, and related background information for the County's unincorporated urban and village areas. The proposed project is located in the South County Planning Area and the South County Inland subarea.

Discussion

(a) Physically divide an established community?

The project does not propose project elements or components that would physically divide the site from surrounding areas and uses. The project would be consistent with the general level of development within the project vicinity and would not create, close, or impede any existing public or private roads, or create any other barriers to movement or accessibility within the community. Therefore, the proposed project would not physically divide an established community and *no impacts would occur.*

(b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The project requires the approval of the proposed Conditional Use Permit in order to be consistent with the property's land use designation and the guidelines and policies for development within the applicable area plan, LUO, and the COSE. The project is consistent with existing surrounding developments and does not contain sensitive on-site resources; therefore, the project would not conflict with policies or regulations adopted for the purpose of avoiding or mitigating environmental effects. The project would be consistent with existing land uses and approval of the Conditional Use Permit would allow the proposed BESS within the current land use designation for the site and, therefore, would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating environmental effects. *No impacts would occur.*

Conclusion

The project would be consistent with local and regional land use designations, plans, and policies and would not divide an established community. Therefore, potential impacts related to land use and planning would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

XII. MINERAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
(b)	Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Setting

The California Surface Mining and Reclamation Act of 1975 (SMARA) requires that the State Geologist classify land into mineral resource zones (MRZ) according to the known or inferred mineral potential of the land (Public Resources Code Sections 2710–2796).

The three MRZs used in the SMARA classification-designation process in the San Luis Obispo-Santa Barbara Production-Consumption Region are defined below (California Geological Survey 2011a):

- **MRZ-1:** Areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources.
- **MRZ-2:** Areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists. This zone shall be applied to known mineral deposits or where well-developed lines of reasoning, based upon economic-geologic principles and adequate data, demonstrate that the likelihood for occurrence of significant mineral deposits is high.
- **MRZ-3:** Areas containing known or inferred aggregate resources of undetermined significance.

The County LUO provides regulations for development in delineated Energy and Extractive Resource Areas (EX) and Extractive Resource Areas (EX1). The EX combining designation is used to identify areas of the county where:

1. Mineral or petroleum extraction occurs or is proposed to occur;
2. The state geologist has designated a mineral resource area of statewide or regional significance pursuant to PRC Sections 2710 et seq. (SMARA); and,
3. Major public utility electric generation facilities exist or are proposed.

The purpose of this combining designation is to protect significant resource extraction and energy production areas identified by the County LUE from encroachment by incompatible land uses that could hinder resource extraction or energy production operations, or land uses that would be adversely affected by extraction or energy production.

Discussion

(a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

The project is not located within a designated mineral resource zone or within an Extractive Resource Area combining designation. There are no known mineral resources in the project area; therefore, *no impacts would occur.*

(b) *Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

There are no known or mapped mineral resources in the project area and the likelihood of future mining of important resources within the project area is very low. Therefore, *no impacts would occur.*

Conclusion

No impacts to mineral resources would occur and no mitigation measures are necessary.

Mitigation

None necessary.

XIII. NOISE

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
(a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
(b)	Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
(c)	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Initial Study – Environmental Checklist

Setting

The San Luis Obispo County Noise Element of the General Plan provides a policy framework for addressing potential noise impacts in the planning process. The purpose of the Noise Element is to minimize future noise conflicts. The Noise Element identifies the major noise sources in the county (highways and freeways, primary arterial roadways and major local streets, railroad operations, aircraft and airport operations, local industrial facilities, and other stationary sources) and includes goals, policies, and implementation programs to reduce future noise impacts. Among the most significant polices of the Noise Element are numerical noise standards that limit noise exposure within noise-sensitive land uses, and performance standards for new commercial and industrial uses that might adversely impact noise-sensitive land uses.

Noise sensitive uses that have been identified by the County include the following:

- Residential development, except temporary dwellings
- Schools – preschool to secondary, college and university, specialized education and training
- Health care services (e.g., hospitals, clinics, etc.)
- Nursing and personal care
- Churches
- Public assembly and entertainment
- Libraries and museums
- Hotels and motels
- Bed and breakfast facilities
- Outdoor sports and recreation
- Offices

All sound levels referred to in the Noise Element are expressed in A-weighted decibels (dB). A-weighting de-emphasizes the very low and very high frequencies of sound in a manner similar to the human ear.

The project site is located in a rural area and the subject property and existing sensitive receptors are limited to single family residences associated with the on-site and neighboring agricultural uses. The proposed project would be located in the vicinity of Joshua Street and approximately 850 feet from U.S. Highway 101; however, the proposed project would be located approximately 250 feet from the closest neighboring residence and approximately 800 feet from the Santa Maria Valley Hispanic Seventh-Day Adventist Church and is separated from the subject property by existing active agricultural production. The project is not located within an Airport Review Area.

Discussion

(a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

The County of San Luis Obispo LUO establishes acceptable standards for exterior and interior noise levels and describe how noise shall be measured. Exterior noise level standards are applicable when a land use affected by noise is one of the sensitive uses listed in the Noise Element. Exterior noise levels are measured from the property line of the affected noise-sensitive land use.

Table 5. Maximum Allowable Exterior Noise Level Standards(1)

Sound Levels	Daytime 7 a.m. to 10 p.m.	Nighttime (2)
Hourly Equivalent Sound Level (L_{eq}, dB)	50	45
Maximum level, dB	70	65

(1) When the receiving noise-sensitive land use is outdoor sports and recreation, the noise level standards are increased by 10 db.

(2) Applies only to uses that operate or are occupied during nighttime hours.

The County LUO noise standards are subject to a range of exceptions, including noise sources associated with construction, provided such activities do not take place before 7 a.m. or after 9 p.m. on weekdays, or before 8 a.m. or after 5 p.m. on Saturday or Sunday. Noise associated with agricultural land uses (as listed in Section 22.06.030), traffic on public roadways, railroad line operations, and aircraft in flight are also exempt.

Project construction would result in a temporary increase in noise levels associated with construction activities, equipment, and vehicle trips. Construction noise would be variable, temporary, and limited in nature and duration. The County LUO requires that construction activities be conducted during daytime hours to be able to utilize County construction noise exception standards and that construction equipment be equipped with appropriate mufflers recommended by the manufacturer. Compliance with these standards would ensure short-term construction noise would be less than significant.

The proposed project operation of air conditioning equipment used to cool the batteries would be the dominant source of noise during operation of the BESS facility. However, the proposed project would locate air conditioning units within the individual battery containers. A barrier that breaks the line of sight between a noise source and sensitive receptor will result in noise reduction. In addition, sound level attenuates (or drops off) at a rate of 6 dBA for each doubling of distance from the source. The proposed project would locate air conditioning units within the fully enclosed battery containers, thereby creating a barrier that breaks the line of sight between the air conditioning units and receptors. Based on the distance to sensitive receptors, the rate of sound attenuation and the limiting of air conditioning units to the interior of the proposed insulated BESS containers, operational noise impacts are considered *less than significant*.

Based on the limited nature of construction activities, and the consistency of the proposed use with existing and surrounding uses, impacts associated with the generation of a substantial temporary or permanent increase in ambient noise levels would be *less than significant*.

(b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

The project does not propose substantial grading/earthmoving activities, pile driving, or other high impact activities that would generate substantial groundborne noise or groundborne vibration during construction. Construction equipment has the potential to generate minor groundborne noise and/or vibration, but these activities would be limited in duration and are not likely to be perceptible from adjacent areas. The project does not propose a use that would generate long-term operational groundborne noise or vibration. Therefore, impacts related to exposure of persons to or

generation of excessive groundborne vibration or groundborne noise levels would be *less than significant.*

(c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The project site is not located within or adjacent to an airport land use plan or within 2 miles of a public airport or private airstrip; therefore, *no impact would occur*.

Conclusion

Short-term construction activities would be limited in nature and duration and conducted during daytime periods per County LUO standards. No long-term operational noise or ground vibration would occur as a result of the project. Therefore, potential impacts related to noise would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

XIV. POPULATION AND HOUSING

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
(b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Setting

The County of San Luis Obispo General Plan Housing Element recognizes the difficulty for residents to find suitable and affordable housing within San Luis Obispo County. The Housing Element includes an analysis of vacant and underutilized land located in urban areas that is suitable for residential development and considers zoning provisions and development standards to encourage development of these areas. Consistent with State housing element laws, these areas are categorized into potential sites for very low- and low-income households, moderate-income households, and above moderate-income households.

The County's Inclusionary Housing Ordinance requires the provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions. In its efforts to provide

for affordable housing, the County currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

New structural development under the proposed project would be limited to a single-family residence and associated improvements. The proposed residence would consist of a 3,216 square foot home, and would include a 1,125 square foot garage, 144 square foot covered porch, 1,728 square foot entry courtyard and a 1,523 square foot patio. As such, inclusionary Housing fees will not be required.

The proposed project site is located in a rural and agricultural area and the subject property includes an existing single-family residence associated with the agricultural operation as well as an equipment yard and storage. The proposed project would be located near the eastern property boundary and would avoid existing development on-site and would not be located in proximity to other residences on neighboring agricultural parcels.

Discussion

(a) *Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

The proposed project is limited to the development of the BESS and does not include the construction of any additional new homes or any businesses or the extension or establishment of public roads, or other infrastructure that would induce development and population growth in new areas. The project would not generate any new employment opportunities that would encourage population growth in the area. Therefore, the project would not directly or indirectly induce substantial growth and *no impacts would occur.*

(b) *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The project site has an existing single-family residence that will remain. The proposed development would not displace existing housing or necessitate the construction of replacement housing elsewhere; therefore, *no impacts would occur.*

Conclusion

No impacts to population and housing would occur and no mitigation measures are necessary.

Mitigation

None necessary.

XV. PUBLIC SERVICES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	Fire protection?	☐	☐	☒	☐
	Police protection?	☐	☐	☒	☐
	Schools?	☐	☐	☒	☐
	Parks?	☐	☐	☒	☐
	Other public facilities?	☐	☐	☒	☐

Setting

Fire protection services in unincorporated San Luis Obispo County are provided by the California Department of Forestry and Fire Protection (CAL FIRE), which has been under contract with the County of San Luis Obispo to provide full-service fire protection since 1930. Approximately 180 full-time state employees operate the County Fire Department, supplemented by as many as 100 state seasonal fire fighters, 300 County paid-call and reserve fire fighters, and 120 state inmate fire fighters. CAL FIRE responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and to reduce their impact, coordinates regional emergency response efforts, and provides public education and training in local communities. CAL FIRE has 24 fire stations located throughout the county.
The proposed project would be serviced by Cal Fire Nipomo Station #20 located 450 Pioneer Avenue in Nipomo, CA. Nipomo Fire Station #20 is an example of regionalized fire protection between CAL FIRE and San Luis Obispo County Fire Department. Located at the southernmost part of San Luis Obispo County, Station 20 houses both a State Type III wildland fire engine, as well as a County Type I fire engine and Type III rescue. Nipomo firefighters respond to incidents from the Nipomo core village, along a large stretch of Highway 101 from the Santa Maria River bridge north to the City of Arroyo Grande, and east through the Highway 166 corridor. Station #20 is located approximately 4 miles north of the project site and has an emergency response time of 5-10 minutes for the project location.

Police protection and emergency services in the unincorporated portions of the county are provided by the San Luis Obispo County Sheriff's Office. The Sheriff's Office Patrol Division responds to calls for service, conducts proactive law enforcement activities, and performs initial investigations of crimes. Patrol personnel are deployed from three stations throughout the county, the Coast Station in Los Osos, the North Station in Templeton, and the South Station in Oceano. The project site would be serviced by the South Station which is located approximately 13.9 miles from the project site with an emergency response time of 5-10 minutes.

San Luis Obispo County has a total of 12 school districts that currently enroll approximately 34,000 students in over 75 schools. The project site is located within the Lucia Mar Unified School District. The Lucia Mar Unified School District covers 550 square miles and serves the adjoining communities of Arroyo Grande, Grover Beach, Nipomo, Oceano, Pismo Beach, and Shell Beach. Lucia Mar Unified School District educates more than 10,000 students who attend Lucia Mar's eleven elementary schools, three middle schools, three comprehensive high schools, one continuation high school, one independent student study school, and one adult education program. Based on the County's 2016-2018 Resource Summary Report, schools within the Lucia Mar Unified School District are currently operating at acceptable capacities and levels. However, the report indicates that elementary schools are operating at or near capacity.

Within the County's unincorporated areas, there are currently 23 parks, three golf courses, four trails/staging areas, and eight Special Areas that include natural areas, coastal access, and historic facilities currently operated and maintained by the County. The proposed project site is located approximately 3 miles from the Nipomo Regional Park and approximately 4 miles from Preisker Park in the City of Santa Maria.

Public facilities fees, Quimby fees, and developer conditions are several ways the County currently funds public services. A public facility fee program (i.e., development impact fee program) has been adopted to address impacts related to public facilities (county) and schools (State Government Code 65995 et seq.). The fee amounts are assessed annually by the County based on the type of proposed development and the development's proportional impact and are collected at the time of building permit issuance. Public facility fees are used as needed to finance the construction of and/or improvements to public facilities required to serve the new development, including fire protection, law enforcement, schools, parks, and roads.

Discussion

(a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

Fire protection

The project would be required to comply with all fire safety rules and regulations including the California Fire Code and Public Resources Code prior to issuance of building permits. Based on the limited nature of development proposed, and the requirements of mitigation measure HAZ-1 (Emergency Contingency Plan) and HAZ-2 (Requirements for Siting and Installation) the project would not result in a significant increase in demand for fire protection services. The project would be served by existing fire protection services and would not result in the need for new or altered fire protection services or facilities. In addition, the project would be subject to development impact fees to offset the project's contribution to demand for fire protection services. Therefore, impacts would be *less than significant.*

Police protection
The project does not propose a new use or activity that would require additional police services above what is normally provided for similar surrounding land uses. The project would not result in a significant increase in demand for police protection services and would not result in the need for new or altered police protection services or facilities. In addition, the project would be subject to development impact fees to offset the project's contribution to demand on law enforcement services. Therefore, impacts related to police services would be *less than significant.*

Schools
As discussed in Section XIV. Population and Housing, the project would not induce a substantial increase in population growth and would not result in the need for additional school services or facilities to serve new student populations. Therefore, potential impacts would be *less than significant.*

Parks
As discussed in Section XIV. Population and Housing, the project would not induce a substantial increase in population growth and would not result in the need for additional parks or recreational services or facilities to serve new populations. Therefore, potential impacts would be *less than significant.*

Other public facilities
As discussed above, the proposed project would be subject to applicable fees to offset negligible increased demands on public facilities; therefore, impacts related to other public facilities would be *less than significant.*

Conclusion

The proposed project does not propose development that would substantially increase demands on public services and would not induce population growth that would substantially increase demands on public services. The project would be subject to payment of development impact fees to reduce the project's negligible contribution to increased demands on public services and facilities. Therefore, potential impacts related to public services would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

XVI. RECREATION

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Setting

The County of San Luis Obispo Parks and Recreation Element (Recreation Element) establishes goals, policies, and implementation measures for the management, renovation, and expansion of existing, and the development of new, parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county.

Public facilities fees, Quimby fees, and developer conditions are several ways the County currently funds public parks and recreational facilities. Public facility fees are collected upon construction of new residential units and currently provide funding for new community-serving recreation facilities. Quimby Fees are collected when new residential lots are created and can be used to expand, acquire, rehabilitate, or develop community-serving parks. Finally, a discretionary permit issued by the County may condition a project to provide land, amenities, or facilities consistent with the Recreation Element.

The County Bikeways Plan identifies and prioritizes bikeway facilities throughout the unincorporated area of the county, including bikeways, parking, connections with public transportation, educational programs, and funding. The Bikeways Plan is updated every 5 years and was last updated in 2016. The plan identifies goals, policies, and procedures geared towards realizing significant bicycle use as a key component of the transportation options for San Luis Obispo County residents. The plan also includes descriptions of bikeway design and improvement standards, an inventory of the current bicycle circulation network, and a list of current and future bikeway projects within the county.

Discussion

(a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

The project would not result in substantial growth within the area and would not substantially increase demand on any proximate existing neighborhood or regional park or other recreational facilities. Payment of standard development impact fees would ensure any incremental increase in use of existing parks and recreational facilities would be reduced to *less than significant.*

(b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The project does not include the construction of new recreational facilities and would not result in a substantial increase in demand or use of parks and recreational facilities. Implementation of the project would not require the construction or expansion of recreational facilities; therefore, *no impacts would occur.*

Conclusion

The project would not result in the significant increase in use, construction, or expansion of parks or recreational facilities. Therefore, potential impacts related to recreation would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

XVII. TRANSPORTATION

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
(b)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
(c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
(d)	Result in inadequate emergency access?	☐	☐	☐	☒

Setting

The County Department of Public Works maintains updated traffic count data for all County-maintained roadways. In addition, Traffic Circulation Studies have been conducted within several community areas using traffic models to reasonably simulate current traffic flow patterns and forecast future travel demands and traffic flow patterns. These community Traffic Circulation Studies include the South County Circulation Study, Los Osos Circulation Study, Templeton Circulation Study, San Miguel Circulation Study, Avila Circulation Study, and North Coast Circulation Study. The California Department of Transportation (Caltrans) maintains annual traffic data on state highways and interchanges within the county.

In 2013, Senate Bill 743 was signed into law with the intent to "more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions" and required the Governor's Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. As a result, in December 2018, the California Natural Resources Agency certified and adopted updates to the State CEQA Guidelines. The revisions included new requirements related to the

implementation of Senate Bill 743 and identified vehicle miles traveled (VMT) per capita, VMT per employee, and net VMT as new metrics for transportation analysis under CEQA (as detailed in Section 15064.3 [b]). Beginning July 1, 2020, the newly adopted VMT criteria for determining significance of transportation impacts must be implemented statewide.

The San Luis Obispo Council of Governments (SLOCOG) holds several key roles in transportation planning within the county. As the Regional Transportation Planning Agency (RTPA), SLOCOG is responsible for conducting a comprehensive, coordinated transportation program, preparation of a Regional Transportation Plan (RTP), programming of state funds for transportation projects, and the administration and allocation of transportation development act funds required by state statutes. As the Metropolitan Planning Organization (MPO), SLOCOG is also responsible for all transportation planning and programming activities required under federal law. This includes development of long-range transportation plans and funding programs, and the approval of transportation projects using federal funds.

The 2019 RTP, adopted June 5, 2019, is a long-term blueprint of San Luis Obispo County's transportation system. The plan identifies and analyzes transportation needs of the region and creates a framework for project priorities. SLOCOG represents and works with the County of San Luis Obispo as well as the Cities within the county in facilitating the development of the RTP.

The County Department of Public Works establishes bicycle paths and lanes in coordination with the RTP, which outlines how the region can establish an extensive bikeway network. County bikeway facilities are funded by state grants, local general funds, and developer contributions. The RTP also establishes goals and recommendations to develop, promote, and invest in the public transit systems, rail systems, air services, harbor improvements, and commodity movements within the county in order to meet the needs of transit-dependent individuals and encourage the increasing use of alternative modes by all travelers that choose public transportation. Local transit systems are presently in operation in the cities of Morro Bay and San Luis Obispo, and South County services are offered to Grover Beach, Arroyo Grande, Pismo Beach, and Oceano. Dial-a-ride systems provide intra-community transit in Morro Bay, Atascadero, and Los Osos. Inter-urban systems operate between the City of San Luis Obispo and South County, Los Osos, and the North Coast.

The County's Framework for Planning (Inland) includes the Land Use and Circulation Elements of the County's General Plan. The Framework establishes goals and strategies to meet pedestrian circulation needs by providing usable and attractive sidewalks, pathways, and trails to establish maximum access and connectivity between land use designations.

Discussion

(a) *Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

The project does not propose the substantial temporary or long-term alteration of any proximate transportation facilities. Marginal increases in traffic can be accommodated by existing local streets and the project would not result in any long-term changes in traffic or circulation. The proposed project is limited to the development of a BESS facility, which will not require full-time employees or occupation and does not propose uses that would interfere or conflict with applicable policies related to circulation, transit, roadway, bicycle, or pedestrian systems or facilities. The project would be consistent with the County Framework for Planning (Inland) and consistent with the projected level of growth and development identified in the 2019 RTP. Therefore, potential impacts would be *less than significant.*

(b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

The County of San Luis Obispo has not yet identified an appropriate model or method to estimate vehicle miles traveled for proposed land use development projects. Section 15064.3, subdivision (b) states that if existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively.

Based on the nature and location of the project, the project would not generate a significant increase in construction-related or operational traffic trips or vehicle miles traveled. The project would not substantially change existing land uses and would not result in the need for additional new or expanded transportation facilities. The project would be subject to standard development impact fees to offset the relative impacts on surrounding roadways. Therefore, potential impacts would be *less than significant*.

(c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The proposed project would not change roadway design and does not include geometric design features that would create new hazards or an incompatible use. Therefore, *no impacts would occur*.

(d) Result in inadequate emergency access?

The project would not result in road closures during short-term construction activities or long-term operations. Individual access to adjacent properties would be maintained during construction activities and throughout the project area. Project implementation would not affect long-term access through the project area and sufficient alternative access exists to accommodate regional trips. Therefore, the project would not adversely affect existing emergency access and *no impacts would occur*.

Conclusion

The project would not alter existing transportation facilities or result in the generation of substantial additional trips or vehicle miles traveled. Payment of standard development fees and compliance with existing regulations would ensure potential impacts were reduced to less than significant. Therefore, potential impacts related to transportation would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

XVIII. TRIBAL CULTURAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
	(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☒	☐	☐
	(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

Setting

Approved in 2014, AB 52 added tribal cultural resources to the categories of resources that must be evaluated under CEQA. Tribal cultural resources are defined as either of the following:

1) Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
    a. Included or determined to be eligible for inclusion in the California Register of Historical Resources; or
    b. Included in a local register of historical resources as defined in subdivision (k) of California Public Resources Code Section 5020.1.
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of California Public Resources Code

Section 5024.1. In applying these criteria for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe.

Recognizing that tribes have expertise with regard to their tribal history and practices, AB 52 requires lead agencies to provide notice to tribes that are traditionally and culturally affiliated with the geographic area of a proposed project if they have requested notice of projects proposed within that area. If the tribe requests consultation within 30 days upon receipt of the notice, the lead agency must consult with the tribe regarding the potential for adverse impacts on tribal cultural resources as a result of a project. Consultation may include discussing the type of environmental review necessary, the presence and/or significance of tribal cultural resources, the level of significance of a project's impacts on the tribal cultural resources, and available project alternatives and mitigation measures recommended by the tribe to avoid or lessen potential impacts on tribal cultural resources.

In compliance with AB52 Cultural Resources requirements, outreach to four Native American tribal groups was conducted (Northern Salinan, Xolon Salinan, Yak Tityu Tityu Northern Chumash, and the Northern Chumash Tribal Council) on December 9, 2019. Comments were received from the Yak Tityu Tityu Northern Chumash and Northern Chumash Tribal Council on December 9, 2019, and December 16, 2019, respectively. Yak Tityu Tityu Northern Chumash requested for more information and additional information was sent on December 16th. A follow-up email was sent to Yak Tityu Tityu Northern Chumash on March 31, 2020. No response was received. The Northern Chumash Tribal Council (NCTC) responded that they have no comments on the proposed project. No additional comments were received from other tribal groups and concluded tribal consultation.

Discussion

(a) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*

(a-i) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*

The County has provided notice of the opportunity to consult with appropriate tribes per the requirements of AB 52 and the project site does not contain any known tribal cultural resources that have been listed or been found eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1. As discussed in the Tetra Tech report discussed under Section IV, Cultural Resources, based on the project site natural setting, landforms, CCIC records search results (including historic maps and aerial photographs), previous survey coverage of the API, density of archaeological sites within 1 mile of the Project, the API is assessed as having a high sensitivity for cultural resources within undisturbed subsurface deposits. However, the surficial deposits within the API have been subjected to previous ground disturbance (agricultural plowing) and the disturbance depth is estimated at 1 foot below surface (plow zone). Due to the sensitivity of the project site and previous disturbance of the surface soils from historic and current agricultural production, the proposed project implementation has the potential to result in significant but mitigable impacts related to archaeological resources. With the incorporation of mitigation measures CR-1 through CR-4 (Worker Environmental Awareness Training, Monitoring Plan, Monitoring, and Monitoring Report), potential impacts will be reduced to *less than significant levels with mitigation*.

Potential impacts associated with the inadvertent discovery of tribal cultural resources would be subject to LUO 22.10.040 (Archaeological Resources), which requires that in the event resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department shall be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. Therefore, impacts related to a substantial adverse change in the significance of tribal cultural resources would be *less than significant*.

(a-ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

The project site does not contain any resources determined by the County to be a potentially significant tribal cultural resource. Impacts associated with potential inadvertent discovery would be minimized through compliance with existing standards and regulations (LUO 22.10.040). Therefore, potential impacts would be *less than significant*.

Conclusion

No tribal cultural resources are known or expected to occur within or adjacent to the project site. In the event unanticipated sensitive resources are discovered during project activities, adherence with County LUO standards and State Health and Safety Code procedures would reduce potential impacts to less than significant; therefore, potential impacts to tribal cultural resources would be less than significant and no mitigation measures are necessary.

Mitigation

Implementation of mitigation measures CR-1 through CR-4 will reduce impacts to less than significant levels.

XIX. UTILITIES AND SERVICE SYSTEMS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
(c)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
(d)	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
(e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Setting

The County Public Works Department provides water and wastewater services for specific County Service Areas (CSAs) that are managed through issuance of water/wastewater "will serve" letters. The Department of Public Works currently maintains CSAs for the communities of Nipomo, Oak Shores, Cayucos, Avila Beach, Shandon, the San Luis Obispo County Club, and Santa Margarita. Other unincorporated areas in the County rely on on-site wells and individual wastewater systems. Regulatory standards and design criteria for onsite wastewater treatment systems are provided by the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (California OWTS Policy).

Per the County's Stormwater Program, the Public Works Department is responsible for ensuring that new construction sites implement best management practices during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1.0 acre or more must obtain coverage under the SWRCB's Construction General Permit. Pacific Gas & Electric Company (PG&E) is the primary electricity provider and both PG&E and Southern California Gas Company provide natural gas services for urban and rural communities within the County of San Luis Obispo. The proposed project site consists of an existing agricultural operation (strawberry farm) which would remain in operation after project construction. The project would not impact the existing power infrastructure for the farm. The project will rely on an existing shared well for its limited water needs, and wastewater infrastructure would not be needed for the project.

There are three landfills in San Luis Obispo County: Cold Canyon Landfill, located near the City of San Luis Obispo, Chicago Grade Landfill, located near the community of Templeton, and Paso Robles Landfill, located east of the City of Paso Robles. The project's solid waste needs would be served by South County Sanitary, which serves Avila Beach, Grover Beach, Nipomo, Oceano, and Pismo Beach.

Discussion

(a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electrical power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?*

The project would not result in a substantial increase in demand on water, wastewater, or stormwater collection, treatment, or disposal facilities and would not require the construction of new or expanded water, wastewater, or stormwater facilities. The project would not result in a substantial increase in energy demand, natural gas, or telecommunications. Additionally, the project would not result in the creation of new or expanded facilities that are not already included in the scope of work. Therefore, *no impact would occur*.

(b) *Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

The project would be consistent with existing and planned levels and types of development in the project area and would not create new or expanded water supply entitlements. Short-term construction activities would require minimal amounts of water, which would be met through available existing supplies. Operational water demands would be limited to periodic use for maintaining a fire water tank on-site. Operational water demands would not be substantially different than existing demands. Therefore, potential impacts on water supplies would be *less than significant*.

(c) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

The project would not substantially increase demands on existing wastewater collection, treatment, and disposal facilities. The project does not include new connections to wastewater treatment facilities; therefore, *no impact would occur*.

(d) *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Construction activities would result in the generation of minimal solid waste materials; no significant long-term increase in solid waste would occur. Local landfills have adequate permit capacity to serve the project and the project does not propose to generate solid waste in excess of State or local standards or otherwise impair the attainment of solid waste reduction goals. Additionally, per Section 22.32.040 of the LUO, the project is required to submit a recycling and disposal plan as part of construction permitting, and this requirement will be required as a condition of approval. Therefore, potential impacts would be *less than significant*.

(e) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

The project would not result in a substantial increase in waste generation during project construction or operation. Construction waste disposal would comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Therefore, potential impacts would be *less than significant*.

Conclusion

The project would not result in significant increased demands on water, wastewater, or stormwater infrastructure and facilities. No substantial increase in solid waste generation would occur. Therefore, potential impacts to utilities and service systems would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

XX. WILDFIRE

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
(a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
(b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
(c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
(d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

Setting

In central California, the fire season usually extends from roughly May through October, however, recent events indicate that wildfire behavior, frequency, and duration of the fire season are changing in California. Fire Hazard Severity Zones (FHSZ) are defined by the California Department of Forestry and Fire Protection (CALFIRE) based on the presence of fire-prone vegetation, climate, topography, assets at risk (e.g., high population centers), and a fire protection agency's ability to provide service to the area (CAL FIRE 2007). FHSZs throughout the County have been designated as "Very High," "High," or "Moderate." In San Luis Obispo County, most of the area that has been designated as a "Very High Fire Hazard Severity Zone" is

located in the Santa Lucia Mountains, which extend parallel to the coast along the entire length of San Luis Obispo County. The Moderate Hazard designation does not mean the area cannot experience a damaging fire; rather, it indicates that the probability is reduced, generally because the number of days a year that the area has "fire weather" is less than in high or very high fire severity zones. The proposed project site not listed as being within a fire severity zone based on the County Land Use View mapping tool. Please refer to the Project Description above and Section IX, Hazards and Hazardous Materials, for a detailed discussion of the project fire hazard management, regulatory fire safety requirements, and mitigation measures to address fire hazard impacts.

The County Emergency Operations Plan (EOP) addresses several overall policy and coordination functions related to emergency management. The EOP includes the following components:

- Identifies the departments and agencies designated to perform response and recovery activities and specifies tasks they must accomplish;
- Outlines the integration of assistance that is available to local jurisdictions during disaster situations that generate emergency response and recovery needs beyond what the local jurisdiction can satisfy;
- Specifies the direction, control, and communications procedures and systems that will be relied upon to alert, notify, recall, and dispatch emergency response personnel, alert the public, protect residents and property, and request aid/support from other jurisdictions and/or the federal government;
- Identifies key continuity of government operations; and
- Describes the overall logistical support process for planned operations.

Topography influences wildland fire to such an extent that slope conditions can often become a critical wildland fire factor. Conditions such as speed and direction of dominant wind patterns, the length and steepness of slopes, direction of exposure, and/or overall ruggedness of terrain influence the potential intensity and behavior of wildland fires and/or the rates at which they may spread (Barros et al. 2013).

The County of San Luis Obispo Safety Element establishes goals, policies, and programs to reduce the threat to life, structures, and the environment caused by fire. Policy S-13 identifies that new development should be carefully located, with special attention given to fuel management in higher fire risk areas, and that new development in fire hazard areas should be configured to minimize the potential for added danger. Implementation strategies for this policy include identifying high risk areas, the development and implementation of mitigation efforts to reduce the threat of fire, requiring fire resistant material to be used for building construction in fire hazard areas, and encouraging applicants applying for subdivisions in fire hazard areas to cluster development to allow for a wildfire protection zone.

The California Fire Code provides minimum standards for many aspects of fire prevention and suppression activities. These standards include provisions for emergency vehicle access, water supply, fire protection systems, and the use of fire-resistant building materials.

Initial Study – Environmental Checklist

The County has prepared an Emergency Operations Plan (EOP) to outline the emergency measures that are essential for protecting public health and safety. These measures include, but are not limited to, public alert and notifications, emergency public information, and protective actions. The EOP also addresses policy and coordination related to emergency management.

Discussion

(a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

Implementation of the proposed project would not have a permanent impact on any adopted emergency response plans or emergency evacuation plans. Temporary construction activities and staging would not substantially alter existing circulation patterns or trips. Access to adjacent areas would be maintained throughout the duration of the project. There are adequate alternative routes available to accommodate any rerouted trips through the project area for the short-term construction period. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan. Potential impacts would be *less than significant*.

(b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

Proposed uses would not significantly increase or exacerbate potential fire risks and the project does not propose any design elements that would exacerbate risks and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire.

Please refer to the Project Description above and Section IX, Hazards and Hazardous Materials, for a detailed discussion of the project fire hazard management, regulatory fire safety requirements, and mitigation measures to address fire hazard impacts. With the incorporation of the required mitigation measures potential impacts would be *less than significant*.

(c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

Please refer to the Project Description above and Section IX, Hazards and Hazardous Materials, for a detailed discussion of the project fire hazard management, regulatory fire safety requirements, and mitigation measures to address fire hazard impacts. With the incorporation of the required mitigation measures potential impacts would be *less than significant*.

(d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

The project site is generally flat and would not be located near a hill slope or in an area subject to downstream flooding or landslides. The project site is not in a high or very high wildfire risk area and does not include any design elements that would expose people or structures to significant risks related to downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Therefore, impacts would be *less than significant*.

Conclusion

The project would not expose people or structures to new or exacerbated wildfire risks and would not require the development of new or expanded infrastructure or maintenance to reduce wildfire risks. Please

refer to the Project Description above and Section IX, Hazards and Hazardous Materials, for a detailed discussion of the project fire hazard management, regulatory fire safety requirements, and mitigation measures to address fire hazard impacts. With the incorporation of the required mitigation measures potential impacts would be *less than significant*.

Mitigation

None necessary.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
(b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☒	☐	☐
(c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Setting

Refer to setting information provided above.

Discussion

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

With the required implementation of Mitigation Measures BIO-1 through BIO-5, impacts related to the potential to substantially degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal. With the incorporation of Mitigation Measures CR-1 through CR-4 impacts related to eliminating important examples of the major periods of California history or prehistory would be reduced to *less than significant* levels.

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

The State CEQA Guidelines define cumulative impacts as "two or more individual effects that, when considered together, are considerable or which compound or increase other environmental impacts." Section 15355 of the State CEQA Guidelines further states that individual effects can be various changes related to a single project or the change involved in a number of other closely related past, present, and reasonably foreseeable future projects. The State CEQA Guidelines state that the discussion of cumulative impacts should reflect the severity of the impacts as well as the likelihood of their occurrence. However, the discussion need not be as detailed as the discussion of environmental impacts attributable to the project alone. Furthermore, the discussion should remain practical and reasonable in considering other projects and related cumulatively considerable impacts.

Aesthetics

The proposed project is located in a rural residential and agricultural setting. As discussed above, the project site is not located in Highway Corridor Design standards for Highway 101. The Visual Simulation provides a detailed depiction of views of the project site from four key vantage points along Joshua Street and Highway 101. In addition, the visual analysis includes an overlay of simulated project development onto each of the viewing areas in order to show existing views of the site and the simulated conditions that would be viewed upon project implementation. As shown in the Visual Simulations, the proposed project development is not prominently visible from the public vantage points. The most significant views of the proposed development would be from Joshua Street in the vicinity of the existing PG&E substation, near the southeast corner of the project site; however, the project remains primarily obscured from views and would be considered consistent with the neighboring industrial land use. Therefore, when considered with the potential impacts of other reasonably foreseeable development, the project would not result in a noticeable change to public views of the area or result in the degradation of the existing visual character or quality of public views of the site and its surroundings, and impacts would be *less than cumulatively considerable*.

Agriculture and Forestry Resources

The analysis provided in Section II, Agriculture and Forestry Resources, indicates that the project would have a less than significant impact on important farmland and would not result in the conversion of surrounding farmland to another use. In addition, no potential impacts to forest land or timberland would occur. The project would not result in a conflict with existing zoning for agricultural use or with the existing Williamson Act contract. Additionally, per Section 22.32.040 of the LUO, the project will be required, as a condition of approval, to provide a restoration plan and a performance agreement to restore the site once operations have ceased. Therefore, when considered with the potential impacts of other reasonably foreseeable development, the contribution of the project's potential impacts to agriculture and forestry resources is considered *less than cumulatively considerable*.

Air Quality

The analysis provided in Section III, Air Quality, concludes that the project's potential construction-related emissions would exceed SLOAPCD thresholds of significance for construction emissions. In addition, construction related emissions could adversely impact sensitive receptors on the adjoining parcels. With implementation of recommended mitigation measures AQ-1 and AQ-1, project construction, operational, and cumulative impacts would be *less than cumulatively considerable with mitigation*.

Biological Resources

The analysis provided in Section IV, Biological Resources, concludes that the project would have a less-than-significant impact upon implementation of the identified avoidance and mitigation measures for special-status wildlife species and their habitats. With implementation of measures BIO-1 through BIO-5, potential impacts to biological resources would be less than significant. Based on the mitigation measures identified to reduce potential project impacts, when considered with the potential impacts of other reasonably foreseeable development in the area, project impacts associated with biological resources would be *less than cumulatively considerable with mitigation*.

Cultural Resources

The analysis provided in Section V. Cultural Resources concludes that due to the sensitivity of the project site and previous disturbance of the surface soils from historic and current agricultural production, potential impacts to archaeological resources could occur with the proposed project implementation; however, with the implementation of CR-1 through CR-4, potential impacts would be less than significant. Based on the mitigation measures identified to reduce potential project impacts, when considered with the potential impacts of other reasonably foreseeable development in the area, project impacts associated with biological resources would be *less than cumulatively considerable with mitigation*.

Energy

The analysis provided in Section VI. Energy concludes that the project's contribution to the overall increased demand for electricity and natural gas would not have the potential to result in potentially cumulatively considerable environmental impacts the wasteful, inefficient and unnecessary use of energy because the residence would be required to comply with relevant building codes relating to energy conservation. Additionally, implementation of the project will support policies for energy efficiency. Therefore, the project's environmental impacts associated with energy use would be *less than cumulatively considerable*.

Geology and Soils

As discussed in Section VII. Geology and Soils, the project site is not within the GSA combining designation or an area of high risk of landslide or liquefaction. Although geologic conditions exist related to shaking from a nearby fault line with inferred potential capability, the project would be required to comply with CBC and standard LUO requirements which have been developed to properly safeguard against seismic and geologic hazards. Therefore, project related impacts to soils and geologic resources are considered *less than cumulatively considerable*.

Greenhouse Gas Emissions

As discussed in Section VI, Energy, the project would not generate significant GHG emissions above existing levels and would not exceed any applicable GHG thresholds, contribute considerably to cumulatively significant GHG emissions, or conflict with plans adopted to reduce GHG emissions. A project estimated to generate less than 690 MMTCO2e GHG is assumed to have a *less than significant* adverse impact that is not cumulatively considerable and consistent with the GHG reduction objectives of AB32 and SB32. Therefore, cumulative impacts associated with GHG emissions would be *less than cumulatively considerable*.

Hazards and Hazardous Materials

As discussed in Section IX. Hazards and Hazardous Materials, the construction and use of the proposed project will not require the use or generation of any hazardous materials. The lithium-ion BESS has the potential to result in upset and accident conditions involving the release of hazardous materials if they were to catch fire. Lithium-ion battery fire risks can be managed through proper planning, risk assessment, storage methods and response protocols. The proposed project would use a fire protection system designed in accordance with National Fire Protection Association (NFPA) safety standards including an automatic shut-down system for fans that keep the container sealed when the fire extinguisher system is activated. Additionally, the project is required to implement mitigation measures, such as an emergency contingency plan consistent with NFPA 855 Section 4.1.3.2.1, that will reduce potential impacts to a level of less than significant. Therefore, when considered with the potential impacts of other reasonably foreseeable development, potential impacts related to hazards and hazardous materials would be *less than cumulatively considerable with mitigation.*

Hydrology and Water Quality

The project site is not within the 100-year flood zone and does not include existing drainages or other surface waters. The project would not substantially increase impervious surfaces and does not propose alterations to existing water courses or other significant alterations to existing on-site drainage patterns. Therefore, project impacts are considered *less than cumulatively considerable*.

Land Use and Planning

The project would be consistent with local and regional land use designations, plans, and policies and would not divide an established community. Potential impacts related to land use and planning would be *less than cumulatively considerable with mitigation*.

Noise

Short-term construction activities would be limited in nature and duration and conducted during daytime periods per County LUO standards. No long-term operational noise or ground vibration would occur as a result of the project. Therefore, when considered with the potential impacts of

other reasonably foreseeable development, the contribution of the subject project to potential noise impacts is considered *less than cumulatively considerable*.

Population and Housing

The project will not displace existing housing, nor will it create or result in the creation of additional housing. Therefore, when considered with the potential impacts of other reasonably foreseeable development in the unincorporated county, the contribution of the subject project to impacts related to housing and population is considered *less than cumulatively considerable*.

Public Services

The project would be subject to adopted public facility (County) and school (CGC Section 65995 et seq.) fee programs to offset impacts to public services. Therefore, when considered with the potential impacts of other reasonably foreseeable projects, the contribution of the subject project to potential public services impacts would be *less than cumulatively considerable*.

Transportation

As discussed in Section XVII, Transportation, the project would not result in a conflict with a plan or policy addressing the circulation system, or increase hazards due to a geometric design feature. Therefore, the project's potential traffic impacts would be *less than cumulatively considerable*.

Tribal Resources

Due to the sensitivity of the project site and previous disturbance of the surface soils from historic and current agricultural production, the proposed project implementation has the potential to result in significant but mitigable impacts related to archaeological resources. With the incorporation of mitigation measures CR-1 through CR-4 (Worker Environmental Awareness Training, Monitoring Plan, Monitoring, and Monitoring Report), impacts will be reduced to less than significant levels. Based on the mitigation measures identified to reduce potential project impacts, when considered with the potential impacts of other reasonably foreseeable development in the area, project impacts associated with biological resources would be *less than cumulatively considerable with mitigation*.

Utilities and Service Systems

The project would not result in a substantial increase in demand on water, wastewater, or stormwater collection, treatment, or disposal facilities and would not require the construction of new or expanded water, wastewater, or stormwater facilities. The project would not result in a substantial increase in energy demand, natural gas, or telecommunications. Additionally, the project would not result in the creation of new or expanded facilities that are not already included in the scope of work. Therefore, when considered with the potential impacts of other reasonably foreseeable development in the area, the project's potential impacts to Utilities and Service Systems would be *less than cumulatively considerable.*

Other Impact Issue Areas

Based on the project's less-than-significant impacts and the discretionary review of all surrounding reasonably foreseeable future development, the project's potential impacts associated with the following issue areas would be *less than cumulatively considerable*:

- Land Use Planning;
- Mineral Resources;
- Recreation; and

- Wildfire.

The proposed project does not have impacts that are individually limited, but cumulatively considerable. Therefore, potential cumulative impacts would be *less than significant*.

(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

The proposed project includes the storage of battery containers housing lithium-ion batteries. As discussed above under Section IX, Hazards and Hazardous Materials, the electrolyte within a typical lithium-ion cell includes a volatile hydrocarbon-based liquid and a dissolved lithium salt (which is a source of lithium ions). The proposed project would utilize lithium iron phosphate batteries which contain a few chemicals, including lithium, cobalt, and nickel. If the battery is damaged or exposed to high temperatures, these chemicals can be released into the air as toxic fumes, which could potentially impacts humans. However, mitigation measures HAZ-1 and HAZ-2 are required to mitigate the potential for fires and thermal runaway; therefore, impacts related to adverse effects on human beings would be reduced to *less than significant levels with mitigation*.

Conclusion

Potential impacts would be less than significant, and no mitigation measures are necessary.

Mitigation

None necessary outside of those listed under Section III, Air Quality, Section IV, Biological Resources, Section V, Cultural Resources, and Section IX, Hazards and Hazardous Materials.

Initial Study – Environmental Checklist

Exhibit A - Initial Study References and Agency Contacts

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

Contacted	Agency	Response
☒	County Public Works Department	**In File****
☒	County Environmental Health Services	**In File****
☒	County Agricultural Commissioner's Office	**In File****
☐	County Airport Manager	**Not Applicable**
☐	Airport Land Use Commission	**Not Applicable**
☒	Air Pollution Control District	**In File****
☐	County Sheriff's Department	**Not Applicable**
☐	Regional Water Quality Control Board	**Not Applicable**
☐	CA Coastal Commission	**Not Applicable**
☐	CA Department of Fish and Wildlife	**Not Applicable**
☐	CA Department of Forestry (Cal Fire)	**Not Applicable**
☐	CA Department of Transportation	**Not Applicable**
☐	Community Services District	**Not Applicable**
☒	Other AB 52 Tribes	**In File****
☐	Other _____	**Not Applicable**

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

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

☒ Project File for the Subject Application

County Documents

☐ Coastal Plan Policies
☐ Framework for Planning (Coastal/Inland)
☒ General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:
- ☒ Agriculture Element
- ☒ Conservation & Open Space Element
- ☐ Economic Element
- ☒ Housing Element
- ☒ Noise Element
- ☒ Parks & Recreation Element/Project List
- ☒ Safety Element

☒ Land Use Ordinance (Inland/Coastal)
☐ Building and Construction Ordinance
☐ Public Facilities Fee Ordinance
☐ Real Property Division Ordinance
☐ Affordable Housing Fund
☐ Airport Land Use Plan
☒ Energy Wise Plan
☒ South County Area Plan/South County sub area
☐ Design Plan
☐ Specific Plan
☐ Annual Resource Summary Report
☐ Circulation Study

Other Documents

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

Initial Study – Environmental Checklist

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

_____. 2015. Geotracker. Available at: <http://geotracker.waterboards.ca.gov/>

_____. 2016. 2015/2016 County Bikeways Plan. July 6th, 2016.

_____. 2016. Emergency Operation Plan. December 2016.

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Exhibit B - Mitigation Summary

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

AQ-1. **Construction Emissions.**

To mitigate fugitive dust emissions related to project construction, the following shall be implemented:

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. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;

c) All dirt stock pile areas should be sprayed daily as needed;

d) 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;

e) 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;

f) 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;

g) All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;

h) Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;

i) 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) in accordance with CVC Section 23114;

j) Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;

k) Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;

l) All of these fugitive dust mitigation measures shall be shown on grading and building plans; and

m) The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

AQ-2. **NOx, Diesel Particulate Matter and Reactive Organic Gasses.**

The required mitigation measures for reducing nitrogen oxides (NOx), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment are listed below:

- Maintain all construction equipment in proper tune according to manufacturer's specifications;
- Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle
- diesel fuel (non-taxed version suitable for use off-road);
- Use diesel construction equipment meeting ARB'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 ARB's 2007 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 that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx 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 where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

BIO-1 **Nesting Birds.** To avoid impacts to raptors and other nesting birds, construction, ground disturbance, and vegetation removal activities will occur outside of the nesting season (February 1 through September 15). If these activities must occur during the nesting season, a pre-construction nesting bird survey shall be performed on the disturbance footprint and within 100 feet of the disturbance footprint by a qualified biologist within no more than 14 days of the activities and between delays of greater than 14 days during the nesting season. If an active nest is found, an appropriate buffer shall be determined and established by the qualified biologist based on the bird species occupying the nest and the type of project activities that are occurring. The nest location shall be mapped, and the buffer shall be staked and flagged. No construction, ground disturbance, or vegetation removal activities shall occur within the buffer during the nesting season or until juvenile birds have fledged from the nest as determined by the qualified biologist. If buffer zones cannot be maintained, a full-time qualified biological monitor must be on-site during these activities within the buffer zones to ensure active nests and nesting birds are not impacted.

BIO-2 **Burrowing Owl Survey.** A pre-construction survey shall be performed for burrowing owls on the disturbance footprint and within 150 meters of the disturbance footprint by a qualified biologist within no more than 14 days of construction, ground disturbance, and/or vegetation removal activities. If suitable burrows are found during the first survey, a second survey shall be completed within no more than 24 hours of these activities. The surveys will be consistent with the methods outlined in the CDFW 2012 Staff Report on Burrowing Owl Mitigation (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843), which include walking transects through the entire survey area and searching the area for sign and individuals. These surveys may be completed concurrently with other special-status species surveys. If occupied burrowing owl burrows are identified, the buffers specified in the Staff Report will be followed depending on the level of disturbance and time of year, unless otherwise authorized by CDFW. If avoidance of active burrows is not possible, owls may be passively displaced from their burrows in coordination with CDFW and according to the recommendations in the Staff Report.

BIO-3 **American Badger Survey.** A pre-construction survey shall be performed for American badgers on the disturbance footprint and within 100 feet of the disturbance footprint by a qualified biologist within no more than 30 days of construction, ground disturbance, and/or vegetation removal activities. All dens found during the survey will be inspected to determine if they are occupied. If active American badger dens are found, a 50-foot no-activity buffer shall be implemented around the den. If avoidance of the active den is not possible, CDFW will be contacted for further guidance.

BIO-4 **California Red-Legged Frog.** To minimize impacts to California red-legged frog to less than significant levels, construction, ground disturbance, and vegetation removal activities shall occur outside of the breeding/wet season (late November through April) to the extent feasible. If these activities must occur during the wet season, a pre-construction survey shall be performed for California red-legged frog on the disturbance footprint and 100-foot buffer by a USFWS-approved biologist within no more than 48 hours of these activities. If any life stage of the California red- legged frog is found and is likely to be killed or injured by Project activities, the USFWS-approved biologist will be allowed enough time to move them away from the disturbance area before activities begin. Any individuals found shall be relocated to the nearest suitable habitat that is outside of the disturbance area. The USFWS-approved biologist shall maintain data (e.g., size, coloration, distinguishing features, photos) on any individuals that are moved to determine if they are returning to the site.

Prior to construction, ground disturbance, and vegetation removal activities, a USFWS-approved biologist will conduct a California red-legged frog training session for all on-site personnel. The training will include a description of the species and habitat, the measures being implemented to protect the species, and any restrictions on the work area.

If activities must occur during the wet season, a USFWS-approved biologist shall monitor initial ground disturbance and vegetation removal activities. If the USFWS-approved biologist recommends that work needs be stopped because this species would be adversely affected, the construction foreman shall either resolve the situation immediately by eliminating these effects or require that all actions causing these effects be halted. Monitoring may be reduced after initial disturbance and vegetation removal activities are complete. Monitoring should be performed at least once per week throughout the remaining construction activities during the wet season.

Only USFWS-approved biologists shall participate in the capture, handling, and monitoring of California red-legged frogs. In addition, if activities must occur during the wet season, then construction, ground disturbance, and vegetation removal activities will not begin until written approval is received from the USFWS that the biologist is qualified to conduct the work.

BIO-5 **Western Spadefoot Toad.** To reduce impacts to western spadefoot to less than significant levels, construction, ground disturbance, and vegetation removal activities shall occur outside of the rainy season. If these activities cannot be conducted outside of the rainy season, a pre-construction survey will be performed for western spadefoot on the disturbance footprint and within 50 feet of the disturbance footprint by a qualified biologist within no more than 48 hours of the start of the activities. Construction monitoring shall also be performed by a qualified biologist during initial ground disturbance and vegetation removal activities if these activities occur during the rainy season. If western spadefoot is discovered, it shall be hand captured by the qualified biologist and moved to suitable habitat outside of the disturbance area.

CR-1 **Worker Environmental Awareness Training.** Prior to any proposed construction ground disturbing activities within the project area, project personnel (e.g., contractors, construction workers) to be briefed, by a qualified archaeologist (retained on-call by applicant) about the potential and procedures for an inadvertent discovery of prehistoric and historic archaeological resources. In addition, the training will include established procedures for temporarily halting or redirecting work in the event of a discovery, identification, and evaluation procedures for finds, and a discussion on the importance of, and the legal basis for, the protection of archaeological resources. Personnel will be given a training brochure/handout regarding identification of cultural resources, protocols for inadvertent discoveries, and contact procedures in the event of a discovery.

CR-2 **Monitoring Plan.** Prior to the start of construction, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:

h) List of personnel involved in the monitoring activities;

i) Description of how the monitoring shall occur;

j) Description of frequency of monitoring (e.g., part time, spot checking);

k) Description of what resources are expected to be encountered;

l) Description of circumstances that would result in the halting of work at the project site (e.g., what is considered "significant" archaeological resources);

m) Description of procedures for halting work on the site and notification procedures; and

n) Description of monitoring reporting procedures.

CR-3 **Cultural Resource Monitoring.** During initial ground disturbing construction activities, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and Native American to monitor all earth disturbing activities, per the approved monitoring plan. After initial ground disturbance, if determined by the archaeologist and Native American monitor, monitoring frequency can be adjusted to reflect the potential for buried cultural resources. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

CR-4 **Monitoring Report.** Upon completion of all monitoring/mitigation activities, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities.

HAZ-1 **Emergency Contingency Plan.** In coordination with the County of San Luis Obispo, the applicant shall develop an emergency contingency plan consistent with NFPA 855 Section 4.1.3.2.1, which may also function as the OSHA Emergency Action Plan. The applicant shall submit the required plan to the County Environmental Coordinator for review and approval prior to the issuance of building permits.

The emergency contingency plan shall, at a minimum, indicate and describe in detail the backup fire suppression equipment that will be available to County Fire Department responders that can be used in the event of a batter storage container fire. A map or plan identifying the locations of nearby existing fire hydrants shall be included. Any specialized fire response manuals or technical guidelines applicable to the project shall be included in the plan. The emergency contingency plan shall effectively address all emergencies that may be reasonably expected to occur at the BESS project site. The plan shall include protocol for notifying adjacent landowners and neighboring land uses if shelter in-place and/or evacuation is necessary. The plan shall also include, but not be limited to, the following measures:

1. Procedures for safe shutdown, de-energizing and isolation of equipment under emergency situations;
2. Procedures for inspection and testing of alarms, interlocks, detection systems and controls including recordkeeping;
3. Procedures to be followed in response to notification from the storage systems that could signify dangerous situations, including shutting down equipment and notification to the local fire department;

4. Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions;
5. Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required;
6. Procedures for dealing with ESS equipment damaged in a fire or other emergency scenario, including contact information for personnel qualified to safely remove damaged ESS equipment from the facility;
7. Other procedures as determined necessary by the agencies having jurisdiction to provide for the safety of occupants and emergency responders; and
8. Procedures and schedules for conducting drills of the procedures.

HAZ-2 **Requirements for Addressing Battery Hazards.** The following measures shall be required to be implemented by the project applicant to help ensure that the potential for significant hazards are minimized to less than significant levels. The applicant shall submit proof of the implementation of the below measures to the Environmental Coordinator for review and comment prior to issuance of building permits:

1. All batteries shall be discharged to below 30% state of charge (SOC) during the construction/installation phases.
2. Any replacement or maintenance of batteries requiring the use of heavy construction equipment, such as cranes or forklifts, shall be conducted only on batteries discharged to below 30% SOC and nearby batteries that could be affected shall also be discharged to below 30% SOC.
3. Vehicle impact bollards or equivalent shall be installed to reduce the potential for vehicle impacts (as per NFPA 855 Section 4.3.7).
4. Install detection systems for flame detection, being equal to or similar to the Det-Tronics x3302 flame detector.
5. Detection systems shall alarm locally and both visually and audibly, shall be monitored by a 24-hour system and shall notify the local Fire Department.
6. Indication shall be provided to responders at the site indicating which battery pack is experiencing issues in the form of a user-friendly user interface system.
7. Develop a Fire Safety Plan prior to startup, that identifies and summarizes the design safety features identified in the project description and measures required pursuant to the measures above. Measures required by the Fire Department shall be included in the Fire Safety Plan. The Plan shall include a graphic depiction of Project safety features and equipment onsite, including but not limited to, the following:
    a. Fire prevention, detection, and suppression features, including:
        i. a description of the BMS and the monitoring of alarms and battery cell conditions and thresholds for alarms;
        ii. flame detection systems, including the location of detection, type of detection and the monitoring of alarms (NFPA 855 Section 4.10);

iii. availability of water for firefighting and compliance with Fire Department requirements for flow and availability (NFPA 855 Section 4.13);

b. Emergency response procedures, including notification of local responders (NFPA 855 Section 4.1.3.2.1 and A.4.1.3.2);

c. Personnel safety training (NFPA 855 Section 4.1.3.2.2 and 7.2.5);

d. Fire suppression and other safety features/equipment located at the site;

e. Type and placement of warning signs (NFPA 855 Section 4.3.5);

f. Emergency ingress and egress routes (NFPA 855 Section 4.3.10);

g. Special safety measures to be implemented for battery installation and replacement, including disposal of replaced (discarded) equipment;

h. Provisions and timing for updating the Plan to incorporate new or changed requirements;

i. Control of vegetation (NFPA 855 Section 4.4.3.6);

j. Security of installations (NFPA 855 Section 4.3.8);

k. Access roads design (NFPA Section 4.3.8);

l. Signage (NFPA Section 4.3.5); and

m. Remediation measures (NFPA 855 Section 4.5.4 and 4.16) including authorized service personnel and fire mitigation personnel.

8. Provide a copy of an NFPA 855 compliance audit report to the County Environmental Coordinator to verify that the system is designed and built to comply with the NFPA 855 requirements prior to system startup.

DEVELOPER'S STATEMENT FOR
CABALLERO CONDITIONAL USE PERMIT DRC2019-00258

MAY 15, 2023

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

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

Exhibit B - Mitigation Summary

The following mitigation measures address impacts that may occur as a result of the development of the project.

Air Quality

AQ-1 **Fugitive Dust Construction Control Measures.** Prior to issuance of construction permits, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:

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

AQ-2 **ROG, NO_x, DPM Emissions.** The following measures based on the SLOAPCD standard mitigation measures for construction equipment for reducing nitrogen oxides (NOx), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment shall be implemented to reduce expose of sensitive receptors to substantial pollutant concentrations. These measures shall be shown on grading and building plans:

a. Implement Mitigation Measure AQ-1, as identified above.

b. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:

    i. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,

    ii. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.

c. Maintain all construction equipment in proper tune according to manufacturer's specifications.

d. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).

e. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines and comply with the State Off-Road Regulation.

f. Idling of all on and off-road diesel-fueled vehicles shall not be permitted when not in use. Signs shall be posted in the designated queuing areas and or job site to remind drivers and operators of the no idling limitation.

g. Electrify equipment when possible.

h. Substitute gasoline-powered in place of diesel-powered equipment, when available. and,

i. Use alternatively fueled construction equipment on-site when available, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

AQ-1 to AQ-2 Monitoring: Required prior to issuance of construction permits. Compliance will be verified by the County Department of Planning and Building.

Biological Resources

BIO-1 **Nesting Birds.** To avoid impacts to raptors and other nesting birds, construction, ground disturbance, and vegetation removal activities will occur outside of the nesting season (February 1 through September 15). If these activities must occur during the nesting season, a pre-construction nesting bird survey shall be performed on the disturbance footprint and within 100 feet of the disturbance footprint by a qualified biologist within no more than 14 days of the activities and between delays of greater than 14 days during the nesting season. If an active nest is found, an appropriate buffer shall be determined and established by the qualified biologist based on the bird species occupying the nest and the type of project activities that are occurring. The nest location shall be mapped, and the buffer shall be staked and flagged. No construction, ground disturbance, or vegetation removal activities shall occur within the buffer during the nesting season or until juvenile birds have fledged from the nest as determined by the

qualified biologist. If buffer zones cannot be maintained, a full-time qualified biological monitor must be on-site during these activities within the buffer zones to ensure active nests and nesting birds are not impacted.

BIO-2 **Burrowing Owl Survey.** A pre-construction survey shall be performed for burrowing owls on the disturbance footprint and within 150 meters of the disturbance footprint by a qualified biologist within no more than 14 days of construction, ground disturbance, and/or vegetation removal activities. If suitable burrows are found during the first survey, a second survey shall be completed within no more than 24 hours of these activities. The surveys will be consistent with the methods outlined in the CDFW 2012 Staff Report on Burrowing Owl Mitigation (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843), which include walking transects through the entire survey area and searching the area for sign and individuals. These surveys may be completed concurrently with other special-status species surveys. If occupied burrowing owl burrows are identified, the buffers specified in the Staff Report will be followed depending on the level of disturbance and time of year, unless otherwise authorized by CDFW. If avoidance of active burrows is not possible, owls may be passively displaced from their burrows in coordination with CDFW and according to the recommendations in the Staff Report.

BIO-3 **American Badger Survey**. A pre-construction survey shall be performed for American badgers on the disturbance footprint and within 100 feet of the disturbance footprint by a qualified biologist within no more than 30 days of construction, ground disturbance, and/or vegetation removal activities. All dens found during the survey will be inspected to determine if they are occupied. If active American badger dens are found, a 50-foot no-activity buffer shall be implemented around the den. If avoidance of the active den is not possible, CDFW will be contacted for further guidance.

BIO-1 - BIO-3 Monitoring: Required within two weeks of site disturbance or construction activities. A final report shall be provided to the County prior to initial project activities. Compliance will be verified by the County Department of Planning and Building.

BIO-4 **California Red-Legged Frog.** To minimize impacts to California red-legged frog to less than significant levels, construction, ground disturbance, and vegetation removal activities shall occur outside of the breeding/wet season (late November through April) to the extent feasible. If these activities must occur during the wet season, a pre-construction survey shall be performed for California red-legged frog on the disturbance footprint and 100-foot buffer by a USFWS-approved biologist within no more than 48 hours of these activities. If any life stage of the California red- legged frog is found and is likely to be killed or injured by Project activities, the USFWS-approved biologist will be allowed enough time to move them away from the disturbance area before activities begin. Any individuals found shall be relocated to the nearest suitable habitat that is outside of the disturbance area. The USFWS-approved biologist shall maintain data (e.g., size, coloration, distinguishing features, photos) on any individuals that are moved to determine if they are returning to the site.

Prior to construction, ground disturbance, and vegetation removal activities, a USFWS-approved biologist will conduct a California red-legged frog training session for all on-site personnel. The training will include a description of the species and habitat, the measures being implemented to protect the species, and any restrictions on the work area.

If activities must occur during the wet season, a USFWS-approved biologist shall monitor initial ground disturbance and vegetation removal activities. If the USFWS-approved biologist recommends that work needs be stopped because this species would be adversely affected, the construction foreman shall either resolve the situation immediately by eliminating these effects or require that all actions causing these effects be halted. Monitoring may be reduced after initial disturbance and vegetation removal activities are complete. Monitoring should be performed at least once per week throughout the remaining construction activities during the wet season.

Only USFWS-approved biologists shall participate in the capture, handling, and monitoring of California red-legged frogs. In addition, if activities must occur during the wet season, then construction, ground disturbance, and vegetation removal activities will not begin until written approval is received from the USFWS that the biologist is qualified to conduct the work.

BIO-5 **Western Spadefoot Toad.** To reduce impacts to western spadefoot to less than significant levels, construction, ground disturbance, and vegetation removal activities shall occur outside of the rainy season. If these activities cannot be conducted outside of the rainy season, a pre-construction survey will be performed for western spadefoot on the disturbance footprint and within 50 feet of the disturbance footprint by a qualified biologist within no more than 48 hours of the start of the activities. Construction monitoring shall also be performed by a qualified biologist during initial ground disturbance and vegetation removal activities if these activities occur during the rainy season. If western spadefoot is discovered, it shall be hand captured by the qualified biologist and moved to suitable habitat outside of the disturbance area.

BIO4 & BIO-5 Monitoring: Required within 48 hours of site disturbance or construction activities, if occurring during the wet season. A final report shall be provided to the County prior to initial project activities. Compliance will be verified by the County Department of Planning and Building.

Cultural Resources

CR-1 **Worker Environmental Awareness Training.** Prior to any proposed construction ground disturbing activities within the project area, project personnel (e.g., contractors, construction workers) to be briefed, by a qualified archaeologist (retained on-call by applicant) about the potential and procedures for an inadvertent discovery of prehistoric and historic archaeological resources. In addition, the training will include established procedures for temporarily halting or redirecting work in the event of a discovery, identification, and evaluation procedures for finds, and a discussion on the importance of, and the legal basis for, the protection of archaeological resources. Personnel will be given a training brochure/handout regarding identification of cultural resources, protocols for inadvertent discoveries, and contact procedures in the event of a discovery.

CR-2 **Monitoring Plan.** Prior to the start of construction, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:

a) List of personnel involved in the monitoring activities;

b) Description of how the monitoring shall occur;

c) Description of frequency of monitoring (e.g., part time, spot checking);

d) Description of what resources are expected to be encountered;

e) Description of circumstances that would result in the halting of work at the project site (e.g., what is considered "significant" archaeological resources);

f) Description of procedures for halting work on the site and notification procedures; and

g) Description of monitoring reporting procedures.

CR-1 and CR-2 Monitoring: Required prior to any site disturbance or construction activities, and during the life of the project when new construction personnel join the project. Compliance will be verified by the County Department of Planning and Building.

CR-3 **Cultural Resource Monitoring.** During initial ground disturbing construction activities, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and Native American to monitor all earth disturbing activities, per the approved monitoring plan. After initial ground disturbance, if determined by the archaeologist and Native American monitor, monitoring frequency can be adjusted to reflect the potential for buried cultural resources. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

CR-3 Monitoring: Required during initial site disturbance and construction activities. Compliance will be verified by the County Department of Planning and Building.

CR-4 **Monitoring Report.** Upon completion of all monitoring/mitigation activities, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities.

CR-4 Monitoring: Required prior to certificate of occupancy. Compliance will be verified by the County Department of Planning and Building.

Hazards and Hazardous Materials

HAZ-1 **Emergency Contingency Plan.** In coordination with the County of San Luis Obispo, the applicant shall develop an emergency contingency plan consistent with NFPA 855 Section 4.1.3.2.1, which may also function as the OSHA Emergency Action Plan. The applicant shall submit the required plan to the County Environmental Coordinator for review and approval prior to the issuance of building permits.

The emergency contingency plan shall, at a minimum, indicate and describe in detail the backup fire suppression equipment that will be available to County Fire Department responders that can be used in the event of a batter storage container fire. A map or plan identifying the locations of nearby existing fire hydrants shall be included. Any specialized fire response manuals or technical guidelines applicable to the project shall be included in the plan. The emergency contingency plan shall effectively address all emergencies that may be reasonably expected to occur at the BESS project site. The plan shall include protocol for notifying adjacent landowners and neighboring land uses if shelter in-place and/or evacuation is necessary. The plan shall also include, but not be limited to, the following measures:

1. Procedures for safe shutdown, de-energizing and isolation of equipment under emergency situations;
2. Procedures for inspection and testing of alarms, interlocks, detection systems and controls including recordkeeping;
3. Procedures to be followed in response to notification from the storage systems that could signify dangerous situations, including shutting down equipment and notification to the local fire department;
4. Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions;
5. Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required;
6. Procedures for dealing with ESS equipment damaged in a fire or other emergency scenario, including contact information for personnel qualified to safely remove damaged ESS equipment from the facility;
7. Other procedures as determined necessary by the agencies having jurisdiction to provide for the safety of occupants and emergency responders; and
8. Procedures and schedules for conducting drills of the procedures.

HAZ-2 **Requirements for Addressing Battery Hazards.** The following measures shall be required to be implemented by the project applicant to help ensure that the potential for significant hazards are minimized to less than significant levels. The applicant shall submit proof of the implementation of the below measures to the Environmental Coordinator for review and comment prior to issuance of building permits:

1. All batteries shall be discharged to below 30% state of charge (SOC) during the construction/installation phases.
2. Any replacement or maintenance of batteries requiring the use of heavy construction equipment, such as cranes or forklifts, shall be conducted only on batteries discharged to below 30% SOC and nearby batteries that could be affected shall also be discharged to below 30% SOC.
3. Vehicle impact bollards or equivalent shall be installed to reduce the potential for vehicle impacts (as per NFPA 855 Section 4.3.7).
4. Install detection systems for flame detection, being equal to or similar to the Det-Tronics x3302 flame detector.
5. Detection systems shall alarm locally and both visually and audibly, shall be monitored by a 24-hour system and shall notify the local Fire Department.
6. Indication shall be provided to responders at the site indicating which battery pack is experiencing issues in the form of a user-friendly user interface system.
7. Develop a Fire Safety Plan prior to startup, that identifies and summarizes the design safety features identified in the project description and measures required pursuant to the measures above. Measures required by the Fire Department shall be included in the Fire Safety Plan. The Plan shall include a graphic depiction of Project safety features and equipment onsite, including but not limited to, the following:
    a. Fire prevention, detection, and suppression features, including:
        i. a description of the BMS and the monitoring of alarms and battery cell conditions and thresholds for alarms;

ii. flame detection systems, including the location of detection, type of detection and the monitoring of alarms (NFPA 855 Section 4.10);

iii. availability of water for firefighting and compliance with Fire Department requirements for flow and availability (NFPA 855 Section 4.13);

b. Emergency response procedures, including notification of local responders (NFPA 855 Section 4.1.3.2.1 and A.4.1.3.2);

c. Personnel safety training (NFPA 855 Section 4.1.3.2.2 and 7.2.5);

d. Fire suppression and other safety features/equipment located at the site;

e. Type and placement of warning signs (NFPA 855 Section 4.3.5);

f. Emergency ingress and egress routes (NFPA 855 Section 4.3.10);

g. Special safety measures to be implemented for battery installation and replacement, including disposal of replaced (discarded) equipment;

h. Provisions and timing for updating the Plan to incorporate new or changed requirements;

i. Control of vegetation (NFPA 855 Section 4.4.3.6);

j. Security of installations (NFPA 855 Section 4.3.8);

k. Access roads design (NFPA Section 4.3.8);

l. Signage (NFPA Section 4.3.5); and

m. Remediation measures (NFPA 855 Section 4.5.4 and 4.16) including authorized service personnel and fire mitigation personnel.

8. Provide a copy of an NFPA 855 compliance audit report to the County Environmental Coordinator to verify that the system is designed and built to comply with the NFPA 855 requirements prior to system startup.

HAZ-1 & HAZ-2 Monitoring: Required prior to issuance of construction permits and prior to final occupancy. Compliance will be verified by the County Department of Planning and Building.

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

Curtis Karmazin
Signature of Applicant(s)

5.18.2023
Date

Curtis Karmazin
Name (Print)