

September 20, 2016

To: Board of Supervisors SLO County

From: Norman Beko (owner ESP)
Mike Kyle (owner CTI)
Paul Rys (area resident)
Kathy Borland (area resident)

Re: Appeal for the Hitachi Zosen Inova Project
File No: DRC2015-00122

The Hitachi Zosen Inova project is in need of a focused EIR under CEQA requirements. This project does not qualify for a negative declaration because of its size, location and access points. Under no circumstances should a project of this magnitude be considered without an EIR.

Policies regarding notification of area residents and businesses are inadequate with regards to who needs notification and at what distance from the project. This was a problem with this project.

The report titled Initial Study Summary – Environmental Checklist (170 pages) raised concerns resulting in this appeal in the following areas:

- A. Air Quality
- B. Noise
- C. Public Services/Utilities
- D. Transportation/Circulation
- E. Water & Hydrology
- F. Set-back requirements

A. Air Quality (pg 9 of 170) The following were marked on the report as “Impact can & will be mitigated.” Will the project:

1. (a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution District. Page 15 states Total Daily Emissions is 28.5 and the significant threshold is 25. Significant – YES! This is calculated only for the start-up operation which is destined to grow due to the state law that requires food waste to be collected by more businesses and is increasing January, 2017.
2. (b) Expose any sensitive receptor to substantial air pollutant concentrations – EIR needs to confirm this as residents that live close by are considered “sensitive receptors”.
3. (c) Create or subject individuals to objectionable odors. Please refer to pg 18 of 170 which states this anaerobic digestion facility is not listed among the potential nuisance sources, but is still a concern of all nearby occupants as to odors. Average wind is 6.8mph (p 18) at the SLO County Airport. This area is a

wind tunnel which will carry odors and noise to local residents. Please read the top of pg 18 for further clarification of the issue of odors.

4. All other boxes for this category are marked "Insignificant Impact"

5. Pg 5 states, "the biofilter consists of a large open concrete tank with a permeable floor to allow for air flow, and is filled completely with pieces of tree roots." We were told it is a completely closed system and this appears to be open to the air!

B. Noise (pg 26 of 170) All boxes are marked "Insignificant Impact".

1. Charts on noise levels are very confusing. Measurements include dB (decibels), Ldn, Lmax and Leq. Pg 27, Table N-3 states noise levels are the same for jet departures and 24 hr operations. Living next to the airport the nighttime is very quiet except for occasional landings of jets. Are they comparing apples with oranges??

2. Pg 26 states "the industrial land uses are not considered noise-sensitive but offices are." Co-appellants Norman Beko (Earth Systems Pacific) and Mike Kyle (CTI) own buildings adjacent to this project which have offices. There are many office buildings close-by this project.

3. Trucks have to back into the building to dump their loads and this means "beep, beep, beep!!! This sound can be heard quite a distance from the site and is extremely annoying!

4. Garbage trucks start at 5am in the morning and travel most of the day back and forth on Buckley Rd. This project will bring more trucks to this facility.

C. Public Services/Utilities (pg 28 of 170)

1. The plan is to use Cal Fire and County Sheriff but this property is planned to be annexed by the city of SLO. How will police and fire protection be covered and will it be adequate? There appears to be a lack of adequacy of fire and emergency response time for this location.

2. Pg 24 of 170 discusses the storage water tanks on the adjacent properties. Neither of these owners, ESP or CTI were contacted about the impact of this project on their properties.

D. Transportation/Circulation (pg 29 of 170). All boxes are marked "Insignificant Impact." Statistics for this section were done by Oasis Associates who represents the applicant for this project. This is a conflict of interest and is another reason why an independent study through an EIR is requested.

1. Impact of traffic flow to and from the project location. The road systems are clearly inadequate to accommodate this project without needed road improvements. Buckley and Santa Fe road issues are overlooked when considering this project. Buckley Rd is rated "D" and should be "A" or "B" to accommodate this project.

2. Bridge on Santa Fe Rd is unsafe and needs to be improved and Santa Fe needs to connect to Tank Farm. Waste Connections stated they do not allow their garbage trucks over the Santa Fe bridge because it is too dangerous! Therefore all trucks going to and from this project travel on Buckley Rd. Impact fees are currently going to SLO City and there is no plan for road improvements on Buckley Rd.

3. Circulation in the area needs to be assessed for this project, as well as future projects, such as the 720 homes proposed for Avila Ranch which is located about 1 mi away on Buckley Rd. Buckley needs to go straight through to So Higuera ASAP as the intersection at Vachell Lane and So Higuera is dangerous. Tank Farm should be widened to 4 lanes to reduce the stress on Buckley.

4. Speed limit on Buckley needs to be re-assessed as it is currently 55mph. Cars, motorcycles and trucks go as fast as 70mph. It should be 45 to 50mph which is what Tank Farm currently is.

5. Riding a bicycle on Buckley Rd is dangerous with the increased frequency of garbage trucks and the new law requiring 3 feet clearance. Bike lanes need to be improved for safety.

E. Water & Hydrology (pg 35 of 170)

1. Report states they need water only for the start-up operation and then it is self-sustaining. We were told that they would wash the trucks every day to keep the odors of food waste to a minimum. How much water will this take and will it impact the ground water source for other properties?

F. Set-back Requirements (Staff Report pg 6)

1. Adjacent property owners are very concerned that the set-backs are being modified from 200 ft to 37 ft.

Another concern which we hope the FAA will address is that this project is at the end of runway 11-29 at the airport and it is not clear how on site lighting and related activities may impact ILS activities or night approach flights.

Thank you for considering our Appeal and we appreciate the attention you will give to this report. This type of anaerobic digestion plant (ADP) has never been done in the United States. We believe in the concept, but we question the location and strongly believe that a massive project of this complexity requires an EIR. This is a BIG DEAL!!!
We look forward to having further discussion with each board member regarding this project.

Respectively Submitted:

Norman Beko (ESP), Mike Kyle (CTI), Paul Rys (area resident), Kathy Borland (area resident)