Negative Declaration & Notice Of Determination

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

ENVIRONMENTAL DETERMINATION NO. ED15-266 **DATE:** 7-21-2016

PROJECT/ENTITLEMENT: Hitachi Zosen Inova Conditional Use Permit; DRC2015-00122

APPLICANT NAME: Hitachi Zosen Inova USA, LLC **Email:** William.Skinner@hz-inova.com
ADDRESS: 3740 Davinci Court, Ste 250, Norcross, CA 30092
CONTACT PERSON: Carol Florence **Telephone:** 805-541-4509

PROPOSED USES/INTENT: Hearing to consider a request by Hitachi Zosen Inova USA, LLC for a Conditional Use Permit to allow for the construction and operation of an anaerobic digestion plant (ADP) to process green and food waste from the Waste Connections service area. The project will include the remodel of an existing 13,128 square-foot (sf) warehouse building and construction of a 36,000 sf addition. Other improvements will include a new office trailer, 80-space parking lot, vehicle weighbridge, 5,000 sf digester, 3,500 sf presswater tank, 7,500 sf biofilter, 1,059 kW combined heat and power (CHP) unit with flare, site grading, and stormwater facilities. The project will result in the disturbance of approximately 4.8 acres on two parcels totaling 12.53 acres. The proposed project is within the Industrial land use category. The site is in the San Luis Obispo Sub Area (North) of the San Luis Obispo planning area.

LOCATION: 4388 Old Santa Fe Road, approximately 850 feet east of Hoover Avenue and Old Santa Fe Road, south of the community of San Luis Obispo.

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

STATE CLEARINGHOUSE REVIEW: YES ☒ **NO** ☐

OTHER POTENTIAL PERMITTING AGENCIES: Air Pollution Control District Environmental Health

ADDITIONAL INFORMATION: Additional information pertaining to this Environmental Determination may be obtained by contacting the above Lead Agency address or (805)781-5600.
COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT ..... 4:30 p.m. (2 wks from above DATE)

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

Notice of Determination

State Clearinghouse No. _____

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

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

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

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

Initial Study Summary – Environmental Checklist

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

(ver 5.9)Word Form

Project Title & No. Hitachi Zosen Inova USA, LLC Conditional Use Permit ED15-266 (DRC2015-00122)

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

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

DETERMINATION: (To be completed by the Lead Agency)

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

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

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

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

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

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

Brandi Cummings (bcummings@co.slo.ca.us) — Prepared by (Print) — Signature — Date: 7.13.16

James Caruso — Reviewed by (Print) — Signature — Ellen Carroll, Environmental Coordinator (for) — Date: 7.13.16

Project Environmental Analysis

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

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

A. PROJECT

DESCRIPTION: A request by Hitachi Zosen Inova USA, LLC for a Conditional Use Permit to allow for the construction and operation of an anaerobic digestion plant (ADP) to process green and food waste from the Waste Connections service area (see map below). The project will result in the disturbance of approximately 4.8 acres on two parcels totaling 12.53 acres. The proposed project is within the Industrial land use category and is located at 4388 Old Santa Fe Road, approximately 850 feet east of Hoover Avenue and Old Santa Fe Road, south of the community of San Luis Obispo. The site is in the San Luis Obispo Sub Area (North) of the San Luis Obispo planning area.

Construction: The project will include the remodel of an existing 13,128 square-foot (sf) warehouse building and construction of a 36,000 sf addition. Other improvements will include a new office trailer, 80-space parking lot, vehicle weighbridge, 5,000 sf digester, 3,500 sf presswater tank, 7,500 sf biofilter, 1,059 kW combined heat and power (CHP) unit with flare, site grading, and stormwater facilities.

Plant Operations: The ADP will be manned five days a week in a single-shift. All maintenance and service tasks will be carried out during this time. Brief inspections will be made on weekends and during emergency and stand-by times. The actual digestion process takes place automatically around-the-clock without maintenance. Biogas production and utilization will also take place around-the-clock.

The organic material, which consists of approximately 80% - 90% organic green waste and 10% - 20% food waste, will be delivered to the plant and deposited in the reception hall. All handling of organic materials will take place in closed and ventilated rooms. Automatic roll doors will allow trucks to enter the facility and close immediately upon safe entry. From there, the material will be fed into the processing area using a wheel loader. The material will be pre-processed through a star screen that will remove contaminants such as plastic, paper and other non-organic items. Ferromagnetic particles will also be removed. The material will then be shredded and screened to pieces of approximately 2-inch in size. The pre-treated material will then be transported to an intermediate storage bunker. The dosing unit will be equipped with a conveyor chain (alternative: push floor) feeding the material in batches to the digester via conveyor belts or screw conveyors. The dosing unit will be equipped with a scale to monitor the amount of material fed into the digester.

The Kompogas Digester. The continuously fed, horizontal PF1800 plug-flow digester has a capacity of 1,800 m^3 (64,000 cubic feet±) at a filling level of approximately 85%. The digester is a patented steel structure with inner dimensions of approximately 38.3 m (126 feet) / 44m (144

feet) x 8.5m (28 feet) (length x diameter). A heating system, consisting of a central heat distribution system installed underneath the digester and a series of heating lances inserted through the digester, ensures that the process temperature is reached rapidly and is constantly maintained. Hot water supplied by the combined heat and power unit (CHP) is used as the heating media. In order to minimize heat losses, the steel tank is enclosed by thermal insulation. The central heat distribution system is installed underneath the digester within the enclosure, accessible by doors from both ends.

The digestion process is based on anaerobic-thermophilic dry digestion at a temperature of approx. 55°C / 131ºF and a retention time of approximately fourteen (14) days. Any unwanted seeds, germ buds and micro-organisms are eliminated inside the gas-tight digester. A slowly turning agitator device results in de-gasification, while sedimentation of heavy matter in the digestion substrate is addressed due to special positioning of the agitator paddles.

Dewatering. The digested remainder material will be removed out of the reactor by the outlet pump and dewatered by screw presses, which separate the digested substrate into press cake (ultimately compost) and press water (ultimately liquid digestate/compost tea). The liquid digestate/compost tea will be piped into the press water tank, where it will be stored for future use off-site. A portion of the presswater will be treated by advanced mechanical press water treatment and recirculated for moistening the input feedstock material. The water surplus can also be stored for the further utilization. The press water can be used for moistening compost piles.

Presswater and Loading. Liquid digestate from the presswater feeding tank will be pumped to one large presswater storage tank outside of the main building. Storage tanks are covered by a gas and odor tight membrane and equipped with a water tight door. This allows access for periodic removal of sediments with equipment (e.g., Bobcat). The head space above the presswater tank (within the gas membrane) will be used for secondary biogas storage. Presswater can be used as liquid organic amendment in the agriculture industry. Agriculturists will pick up liquid digestate and fill their trucks directly at the storage tank, by means of a digestate loading station.

Post-Treatment of Solid Digestate. Solid digestate will be taken from underneath the dewatering presses (dripping cone) with a shovel loader and deposited into one of several open boxes, located in the compost hall. The digestate will be subject to aerobic stabilization and removal of volatile organic compounds. Air will be blown for approximately twenty-one (21) days through the material by means of ventilation channels in the floor, therefore allowing a rapid aerobic stabilization. The exhaust air of those boxes, as well as the air of the whole post-treatment hall, will be collected and piped to the waste air treatment plant (i.e., a system including piping, bio-filter, exhaust, humidification, etc.).

Biogas Utilization. The space in the head section of the digester is used as a storage buffer for the continuously produced biogas. This ensures optimal operation of the biogas utilization equipment and hence efficient energy use. The biogas is extracted from the digester/gas storage through stainless steel pipes and fed first into a biogas pretreatment/cleaning system, or directly into the CHP.

Raw biogas from the digester is first desulfurized and then dewatered to an acceptable level for the following biogas utilization systems. The biogas is analyzed for its content of methane (CH_4), carbon dioxide (CO_2), oxygen (O_2) and hydrogen sulfide (H_2S). The following describes the quantity and quality of the raw biogas during the operational phases of the process.

Heating of Liquid Digestate (inoculum): Little biogas is produced in this phase, but what gas is produced is flared. The duration of this phase of the process is approximately four (4) to six (6) weeks depending upon the quality of the liquid digestate and climatic conditions.

Digester Feeding: The digester is temperature controlled for enhanced degradation stability and rate. Shortly after the first feedstock is added to the digester and once the target temperature is reached, the biogas quality is typically good (i.e., >50% CH_4).

The pre-treated biogas is lead to a combined heat and power (CHP) unit. The CHP unit is a complete module with gas controller, gas engine, generator, exhaust funnel, heat recovery, cooling unit, catalyst and control unit. It is installed in a container, ready for connection and supplied for outdoor installation. The CHP is designed to ensure maximum possible electrical efficiency and high availability. The electrical power can be fed into the grid, while a small amount of heat (approximately 25%) is used for heating the fermenter.

Exhaust Air. The digester is a completely closed system, as the process operates under anaerobic conditions (i.e., in the absence of air). Therefore, no emissions are released into the surrounding environment by the digestion plant. Exhaust air collected from the various halls is moistened with water by means of a nozzle system operated with compressed air. Reaching humidity levels of 95% guarantees an optimal operation of the subsequent biofilter, requiring minimal maintenance. To lower the total air volume to be treated by the biofilter, the total exhaust air collected in the waste treatment hall is directed to the composting hall as inlet air. The air from the treatment hall is reused for aeration of the composting hall before it is led to the biofilter for treatment.

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. Root wood will consist of 70 – 90% coniferous (e.g., spruce, fir, pine) and 10 – 30% hardwood. After being shredded and sieved to between 40 – 120 mm, the wood chunks offer a large surface as a breeding ground for natural micro-organisms which absorb the volatile organic compounds contained in the exhaust air. The loosely stacked biofilter results in a minimal pressure loss of the exhaust air stream.

To prevent the air from penetrating into the environment, both the treatment hall and the composting hall are kept in a state of slight under-pressure. In the areas of the dewatering and digestate storage of residues, higher odor emissions, such as NH_3, are expected. Therefore, in the area of the dewatering screw press and the decanter, an air exchange rate of approximately four (4) per hour is anticipated. Further, the feeding and transfer hopper of the screw presses are connected to the exhaust system to evacuate the odor emissions at their source. Blinds/shutters are installed in the back wall of the screw presses to minimize the odor emission in the area of the dewatering presses and decanter.

The waste water collecting shaft is also connected to the exhaust air system. For the area on front of the composting boxes, the overall exchange rate is approximately three (3) per hour. Both liquid storage tanks are connected to the exhaust air system. To prevent an ex-zone within the tanks, an emergency aspiration will be installed in case of failure of the main air exhaust system. Besides the exhaust air coming from the treatment hall, another part of fresh air must be entrained by blinds/shutters or hall-gates into the composting hall.

Before the exhaust air reaches the biofilter, it is humidified. This can be performed by introducing an injection nozzle system into the air duct and applying air and water into the opposite direction of the exhaust air stream. The ADP will be installed with an ammonia scrubber which will prevent inhibition and high odor emissions in the biofilter.

ASSESSOR PARCEL NUMBER(S): 076-371-025, 076-371-031

Latitude: 35 degrees 14' 23.5674" N Longitude: -120 degrees 39' 5.1186" W

SUPERVISORIAL DISTRICT # 3

B. EXISTING SETTING

PLAN AREA: San Luis Obispo **SUB**: San Luis Obispo(North) **COMM:** San Luis Obispo

LAND USE CATEGORY: Industrial

COMB. DESIGNATION: Airport Review

PARCEL SIZE: 12.53 acres

TOPOGRAPHY: Nearly level

VEGETATION: Urban-built up

EXISTING USES: Industrial uses ; Waste Connections

SURROUNDING LAND USE CATEGORIES AND USES:

North: Recreation; airport runway/vacant	*East:* Industrial/Public Facilities; airport /officies/industrial
South: Public Facilities; airport	*West:* Agriculture; undeveloped

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, at least one issue was identified as having a potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST

1. AESTHETICS *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Create an aesthetically incompatible site open to public view?	☐	☐	☒	☐
b) Introduce a use within a scenic view open to public view?	☐	☐	☒	☐
c) Change the visual character of an area?	☐	☐	☒	☐
d) Create glare or night lighting, which may affect surrounding areas?	☐	☐	☒	☐
e) Impact unique geological or physical features?	☐	☐	☒	☐
f) Other: _____	☐	☐	☐	☒

Setting. The proposed project is located across two parcels that total 12.53 acres. The property is located in the Industrial land use category and is surrounded by Agriculture, Recreation, Industrial, and Public Facilities land use categories. The San Luis Obispo County Regional Airport is located to the north and east of the project site and agricultural properties are located to the south and west. The property is located in an unincorporated area within the City of San Luis Obispo's Urban Reserve Line and greenbelt boundary.

The property is currently utilized by Waste Connections, a solid waste hauling company. The existing site is characterized by buildings, waste container and dumpster storage, haul trucks, and related maintenance equipment. The existing building to be remodeled is located on the rear parcel and is 47 feet in height.

The project is not located in a Sensitive Resource Area, Scenic View Area, or Highway Corridor Design area and is not visible from Highway 227 (Broad Street).

Impact. The project consists of the remodel of an existing 47 foot tall building, and an addition to that structure that will be 40 feet tall. The existing building and proposed addition are aesthetically similar to the other Waste Connections buildings and nearby airport structures. The project is surrounded by industrial and office buildings directly to the east, the airport to the north, and open agricultural lands to the south and west. The project will not be visible from any major public roadway or silhouette against any ridgelines as viewed from public roadways. Safety lighting will be installed on the building

and outdoor equipment as necessary. An existing 80 space dirt parking lot will be re-surfaced with pavement, but no additional parking lot lighting will be installed. The project is considered compatible with the surrounding uses.

Mitigation/Conclusion. No significant aesthetic impacts are expected and no mitigation is required.

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

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

Land Use Category: Industrial

State Classification: Prime Farmland if irrigated

Historic/Existing Commercial Crops: None

In Agricultural Preserve? Yes

Under Williamson Act contract? No

The soil type(s) and characteristics on the subject property include:

Cropley clay (0 - 2 % slope). This nearly level clayey soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class III without irrigation and Class II when irrigated.

Cropley clay (2 - 9 % slope). This gently sloping clayey soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class III without irrigation and Class II when irrigated.

Impact. The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. The proposed project will be located on a heavily disturbed site that currently serves as a storage and maintenance area for Waste Connections. The area comprises of highly compacted dirt and concrete. No significant impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?*	☐	☒	☐	☐
b) *Expose any sensitive receptor to substantial air pollutant concentrations?*	☐	☒	☐	☐
c) *Create or subject individuals to objectionable odors?*	☐	☒	☐	☐
d) *Be inconsistent with the District's Clean Air Plan?*	☐	☐	☒	☐
e) *Result in a cumulatively considerable net increase of any criteria pollutant either considered in non-attainment under applicable state or federal ambient air quality standards that are due to increased energy use or traffic generation, or intensified land use change?*	☐	☐	☒	☐
GREENHOUSE GASES				
f) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*	☐	☐	☒	☐
g) *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*	☐	☐	☒	☐
h) *Other:* _____	☐	☐	☐	☒

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

The project proposes to disturb soils that have been given a wind erodibility rating of 4, which is considered "moderate."

"Land uses such as schools, children's daycare centers, hospitals, and convalescent homes are considered to be more sensitive than the general public to poor air quality because the population groups associated with these uses have increased susceptibility to respiratory distress. Persons engaged in strenuous work or exercise also have increased sensitivity to poor air quality. The CARB has identified the following people as most likely to be affected by air pollution: children less than 14 years of age, the elderly over 65 years of age, athletes, and those with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive population groups. Residential areas are considered more sensitive to air quality conditions than commercial and industrial areas, because

people generally spend longer periods of time at their residences, resulting in greater exposure to ambient air quality conditions. Recreational uses are also considered sensitive, due to the greater exposure to ambient air quality conditions and because the presence of pollution detracts from the recreational experience. The nearest residence is located approximately 1,500 feet to the south of the project site. The nearest school/daycare is located approximately 2,600 feet to the northeast of the project site." (RCH Group, March 29, 2016).

Currently, Waste Connections hauls green waste to either Cold Canyon Land Fill (approximately 5 miles southeast) or Engel & Gray, Inc.'s Regional Compost Facility in Santa Maria (approximately 31 miles southeast). Residential food waste is not currently collected.

The applicant has submitted an *Air Quality Technical Memorandum* (RCH Group, April 20, 2016) as well as an *Air Quality Technical Report* (RCH Group, March 29, 2016).

Greenhouse Gas (GHG) Emissions are said to result in an increase in the earth's average surface temperature. This is commonly referred to as global warming. The rise in global temperature is associated with long-term changes in precipitation, temperature, wind patterns, and other elements of the earth's climate system. This is also known as climate change. These changes are now thought to be broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels.

The passage of AB32, the California Global Warming Solutions Act (2006), recognized the need to reduce GHG emissions and set the greenhouse gas emissions reduction goal for the State of California into law. The law requires that by 2020, State emissions must be reduced to 1990 levels. This is to be accomplished by reducing greenhouse gas emissions from significant sources via regulation, market mechanisms, and other actions. Subsequent legislation (e.g., SB97-Greenhouse Gas Emissions bill) directed the California Air Resources Board (CARB) to develop statewide thresholds.

In March 2012, the San Luis Obispo County Air Pollution Control District (APCD) approved thresholds for GHG emission impacts, and these thresholds have been incorporated the APCD's CEQA Air Quality Handbook. APCD determined that a tiered process for residential / commercial land use projects was the most appropriate and effective approach for assessing the GHG emission impacts. The tiered approach includes three methods, any of which can be used for any given project:

1. Qualitative GHG Reduction Strategies (e.g. Climate Action Plans): A qualitative threshold that is consistent with AB 32 Scoping Plan measures and goals; or,
2. Bright-Line Threshold: Numerical value to determine the significance of a project's annual GHG emissions; or,
3. Efficiency-Based Threshold: Assesses the GHG impacts of a project on an emissions per capita basis.

For most projects the Bright-Line Threshold of 1,150 Metric Tons CO2/year (MT CO2e/yr) will be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO2e/yr was adopted for stationary source (industrial) projects.

It should be noted that projects that generate less than the above mentioned thresholds will also participate in emission reductions because air emissions, including GHGs, are under the purview of the California Air Resources Board (or other regulatory agencies) and will be "regulated" either by CARB, the Federal Government, or other entities. For example, new vehicles will be subject to increased fuel economy standards and emission reductions, large and small appliances will be subject to more strict emissions standards, and energy delivered to consumers will increasingly come from renewable sources. Other programs that are intended to reduce the overall GHG emissions include Low Carbon Fuel Standards, Renewable Portfolio standards and the Clean Car standards. As

a result, even the emissions that result from projects that produce fewer emissions than the threshold will be subject to emission reductions.

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

Impact. The proposed project will add to Waste Connection's current collection services by providing residential food waste service. Two additional collection trucks will be added to Waste Management's current fleet to collect commercial food waste and two new residential food waste collection truck drivers and five on-site employees will be hired to run the project. Collection trucks will return to the Waste Connections site to deposit green and food waste in the anaerobic digester facility. Automatic roll doors will allow trucks to enter the facility and close immediately after entry, minimizing odor leakage. The facility will be kept at negative pressure, so outside air will be pulled in when the doors open, preventing inside air and odors from escaping. The material is prescreened to remove trash and then shredded into 2-inch sized matter. Shredded material is loaded into a heated plug-flow digester and is transformed into three by-products: biogas, solid digestate (compost), and liquid digestate (compost tea). Biogas is collected from the digester and pretreated/cleaned. From there the biogas will be utilized by the combined heat and power plant (CHP) to produce electricity to power the operations of the plant and produce heat for the digester to maintain optimum temperature; excess electricity will be fed into the PG&E power grid. Excess gas and gas produced during maintenance periods and project startup will be flared. Solid compost will be taken to a storage area for aerobic stabilization and the exhaust air from this process will be piped to the waste air treatment plant. Liquid digestate will be pumped to one large presswater storage tank outside of the main building. Storage tanks are covered by a gas and odor tight membrane and equipped with a water tight door. The head space above the presswater tank (within the gas membrane) will be used for secondary biogas storage.

Construction Phase. As proposed, the project will result in the disturbance of approximately 4.8 acres. "A total of 1,800 cubic yards of cut and 800 cubic yards of fill were estimated during site grading. Based on CalEEMod, a total of 325 haul truck round trips were estimated for cut and fill." (RCH Group, March 29, 2016). This will result in the creation of construction dust, as well as short- and long-term vehicle emissions.

"Construction activities are expected to occur for a duration of approximately seven months and be completed by the end of November 2017. Construction phases would include site preparation, grading, building construction, paving, and architectural coating. Typically, construction activities would occur eight hours per day, Monday through Friday. The CalEEMod was used to quantify construction-related pollutant emissions." (RCH Group, March 29, 2016).

Table AQ-1 below shows the SLO County APCD Thresholds of Significance for Construction Emissions. Tables AQ-2 and AQ-3 below show the estimated peak daily, annual, and quarterly construction emissions.

Table AQ-1: Thresholds of Significance for Construction Emissions

Pollutant	Threshold		
	Daily[a]	Quarterly Tier 1[b]	Quarterly Tier 2[c]
Ozone Precursors (ROG + NOx)	137 pounds	2.5 tons	6.3 tons
Diesel Particulate Matter (DPM)	7 pounds	0.13 tons	0.32 tons
Fugitive Particulate Matter (PM10), Dust[d]	--	2.5 tons	--

Source: Table 2 of the Air Quality Technical Report (RCH Group, March 29, 2016)

Table AQ-2: Estimated Peak Daily Construction Emissions (pounds)

	Ozone Precursors (ROG+ NOx)	DPM	Fugitive PM10 Dust
Proposed Project Peak Daily Emissions	63.6 + 51.9 = 115.5	2.5	20.2
Significance Threshold	137	7	--
Significant?	No	No	No

Source: Table 4 of the Air Quality Technical Report (RCH Group, March 29, 2016)

Table AQ-3: Estimated Annual and Quarterly Construction Emissions (tons)

	Ozone Precursors (ROG+ NOx)	DPM	Fugitive PM10 Dust
Proposed Project Annual Emissions	0.81 + 2.02 = 2.83	0.11	0.13
Proposed Project Quarterly Emissions	0.40 + 1.01 = 1.41	0.06	0.6
Quarterly Tier 1 Significance Threshold	2.5	0.13	2.5
Significant?	No	No	No

Source: Table 5 of the Air Quality Technical Report (RCH Group, March 29, 2016)

"All construction-related emissions would be below the SLO County APCD's thresholds of significance for construction. However, construction-related fugitive dust emissions would vary from day to day, depending on the level and type of activity, silt content of the soil, and the weather. High winds (greater than 10 miles per hour) occur infrequently in the area, less than two percent of the time. In the absence of mitigation, construction activities may result in significant quantities of dust, and as a result, local visibility and PM10 concentrations may be adversely affected on a temporary and intermittent basis during construction. In addition, the fugitive dust generated by construction would include not only PM10, but also larger particles, which would fall out of the atmosphere within several hundred feet of the site and could result in nuisance-type impacts." (RCH Group, March 29, 2016).

The San Luis Obispo County Air Pollution Control District (SLOCAPCD) reviewed the project referral and *Air Quality Technical Report* (RCH Group, March 29, 2016) and "agrees the construction phase impacts will likely be less than the SLOCAPCD's significance threshold valued identified in Table 2-1 of the CEQA Air Quality Handbook...[s]taff also agrees with the mitigation measures (AQ-1 and AQ-2) in the Air Quality Technical Report." (Guise, *APCD Comments Regarding the Kompogas Anaerobic Digestion Plan Initial Study/Mitigated Negative Declaration*, May 11, 2016).

Operational Phase. The proposed project will add to Waste Connection's current collection services by providing residential food waste service. Two additional collection trucks will be added to Waste Management's current fleet to collect commercial food waste. This will result in an increase of approximately 146 vehicle miles traveled (VMT) per day. Additionally, "[t]he proposed project would result in four new 20-mile haul truck round trips per week for transporting solid and liquid digestate to nearby agricultural areas. The proposed project would also increase the number of worker trips per day due to five new on-site employees and the two new commercial food waste collection truck drivers. Emissions from collection trucks, haul trucks, and employee vehicles were calculated using EMFAC and comprise the mobile (on-road vehicles) emissions." (RCH Group, March 29, 2016).

"The proposed project on-site operations would require the use of a wheel loader, forklift, and pickup truck. The proposed project would use CNG to power the forklift and pick-up truck, however, the analysis assumed a diesel-fueled forklift and a gasoline-fueled pick-up truck in the emission estimates as a conservative analysis. Mobile off-road equipment emissions were estimated using OFFROAD and EMFAC, and comprise the mobile (off-road equipment) emissions." (RCH Group, March 29, 2016).

Biogas produced by the digester will be utilized by the combined heat and power plant (CHP) to produce electricity to power the operations of the plant and produce heat for the digester to maintain optimum temperature. "The combined heat and power unit ("CHP") would be equipped with a selective catalytic reduction unit ("SCR") with Oxicat. SCR is one of the most cost-effective and fuel-efficient diesel engine emissions control technologies available and would control ROG emissions, including air toxics such as formaldehyde and benzene (byproducts of the combustion of gaseous fuels). Additionally, the biogas flare will provide ninety-eight percent (98%) destruction efficiency for any toxics present in the biogas." (*Draft Initial Study Checklist*, Oasis Associated, Inc., April 2016). SCR is a process of converting NO_x with the aid of a catalyst, into nitrogen and water.

Table AQ-4 shown below shows the SLO County APCD Thresholds of Significance for Operational Emissions. Tables AQ-5 and AQ-6 show the estimated daily operational emissions for the CHP with and without a SCR/Oxicat. Table AQ-7 shows the estimated daily operational emissions of the flare. Table AQ-9 shows the estimated annual operational emissions of the project.

As seen in Table AQ-8, daily ROG and NOx emissions from the project would exceed the APCD's threshold of 25 lbs/day and is considered a significant impact requiring mitigation (See Exhibit B).

Table AQ-4: Thresholds of Significance for Construction Emissions

Pollutant	Threshold	
	Daily	Annual
Ozone Precursors (ROG + NOx)[a,b]	25 pounds/day	25 tons/year
Diesel Particulate Matter (DPM)[a,c]	1.25 pounds/day	--
Fugitive Particulate Matter (PM10), Dust[d]	25 pounds/day	25 tons/year
Carbon Monoxide (CO)	550 pounds/day	--

Source: Table 2 of the Air Quality Technical Report (RCH Group, March 29, 2016)

Table AQ-5: Estimated Daily Operational Emissions (CHP with SCR/Oxicat) (pounds)

Source	Ozone Precursors (ROG+ NOx)	DPM	Fugitive PM10 Dust	CO
Area Sources	3.5 + 0.0 = 3.5	0.0	--	0.0
Energy	0.0 + 0.4 = 0.4	0.0	--	0.3
Mobile (Off-Road Equipment)	0.2 + 1.5 = 1.7	0.1	0.1	2.1
Mobile (On-Road Vehicles)	0.1 + 3.9 = 4.0	0.0	0.1	1.9
CHP	8.8 + 5.9 = 14.7	0.59	--	41.0
Total Daily Emissions	**24.3**	**0.69**	**0.2**	**45.3**
Significance Threshold	25	1.25	25	550
Significant?	No	No	No	No

Source: Table 7 of the Air Quality Technical Report (RCH Group, March 29, 2016)

Table AQ-6: Estimated Daily Operational Emissions (CHP without SCR/Oxicat) (pounds)

Source	Ozone Precursors (ROG+ NOx)	DPM	Fugitive PM10 Dust	CO
Area Sources	3.5 + 0.0 = 3.5	0.0	--	0.0
Energy	0.0 + 0.4 = 0.4	0.0	--	0.3
Mobile (Off-Road Equipment)	0.2 + 1.5 = 1.7	0.1	0.1	2.1
Mobile (On-Road Vehicles)	0.1 + 3.9 = 4.0	0.0	0.1	1.9
CHP	23.4 + 64.5 = 87.9	0.59	--	147
Total Daily Emissions	**97.5**	**0.69**	**0.2**	**151**
Significance Threshold	25	1.25	25	550
Significant?	Yes	No	No	No

Source: Table 6 of the Air Quality Technical Report (RCH Group, March 29, 2016)

Table AQ-7: Estimated Daily Operational Emissions (Flare)

Source	Ozone Precursors (ROG+ NOx)	DPM	Fugitive PM10 Dust	CO
Area Sources	3.5 + 0.0 = 3.5	0.0	--	0.0
Energy	0.0 + 0.4 = 0.4	0.0	--	0.3
Mobile (Off-Road Equipment)	0.2 + 1.5 = 1.7	0.1	0.1	2.1
Mobile (On-Road Vehicles)	0.1 + 3.9 = 4.0	0.0	0.1	1.9
Flare	0.0 + 12.8 = 12.8	--	--	31.9
Total Daily Emissions	**22.4**	**0.1**	**0.2**	**36.2**
Significance Threshold	25	1.25	25	550
Significant?	No	No	No	No

Source: Table 8 of the Air Quality Technical Report (RCH Group, March 29, 2016)

Table AQ-8: Estimated Daily Operational Emissions (all, pounds)

Source	Ozone Precursors (ROG+ NOx)	DPM	Fugitive PM10 Dust	CO
Area Sources	3.5 + 0.0 = 3.5	0.0	--	0.0
Energy	0.0 + 0.4 = 0.4	0.0	--	0.3
Mobile (Off-Road Equipment)	0.2 + 1.5 = 1.7	0.1	0.1	2.1
Mobile (On-Road Vehicles)	0.1 + 3.9 = 4.0	0.0	0.1	1.9
CHP	11.4 + 7.5 = 18.9	0.76	--	53.1
Total Daily Emissions	**28.5**	**0.86**	**0.2**	**57.4**
Significance Threshold	25	1.25	25	550
Significant?	**Yes**	No	No	No

Source: Technical Memorandum in Response to SLO County APCD Comments Regarding HZI AD Technical Memorandum (dated May 24, 2016)

Table AQ-9: Estimated Annual Operational Emissions (tons)

Source	Ozone Precursors (ROG+ NOx)	DPM	Fugitive PM10 Dust	CO
Significance Threshold	25	--	25	--
Initial Year (CHP without SCR/Oxicat)				
Area	0.6 + 0.1 =0.1	0.0	--	2.5
Energy	0.0 + 0.1 = 0.1	0.0	0.0	0.1
Mobile (Off-Road Equipment)	0.0 + 0.2 = 0.2	0.0	0.0	0.3
Mobile (On-Road Vehicles)	0.0 + 0.5 = 0.5	0.0	--	0.2
CHP	4.1 + 11.4 = 15.5	0.0	--	25.8
Flare	0.0 + 0.6 = 0.6	0.1	--	1.4
Total	**17.0**	**0.1**	**0.0**	**30.3**
Significant?	**No**	**No**	**No**	**No**
Initial Year (CHP with SCR/Oxicat)				
Area	0.6 + 0.1 =0.1	0.0	--	2.5
Energy	0.0 + 0.1 = 0.1	0.0	0.0	0.1
Mobile (Off-Road Equipment)	0.0 + 0.2 = 0.2	0.0	0.0	0.3
Mobile (On-Road Vehicles)	0.0 + 0.5 = 0.5	0.0	--	0.2
CHP	1.6 + 1.0 = 2.6	0.0	--	7.2
Flare	0.0 + 0.6 = 0.6	0.1	--	1.4
Total	**4.1**	**0.1**	**0.0**	**11.5**
Significant?	**No**	**No**	**No**	**No**
Subsequent Year (CHP without SCR/Oxicat)				
Area	0.6 + 0.1 =0.1	0.0	--	2.5
Energy	0.0 + 0.1 = 0.1	0.0	0.0	0.1
Mobile (Off-Road Equipment)	0.0 + 0.2 = 0.2	0.0	0.0	0.3
Mobile (On-Road Vehicles)	0.0 + 0.5 = 0.5	0.0	--	0.2
CHP	5.5 + 15.1 = 20.6	0.0	--	34.3
Flare	0.0 + 0.1 = 0.1	0.0	--	0.2
Total	**21.6**	**0.0**	**0.0**	**37.6**
Significant?	**No**	**No**	**No**	**No**
Subsequent Year (CHP with SCR/Oxicat)				
Area	0.6 + 0.1 =0.1	0.0	--	2.5
Energy	0.0 + 0.1 = 0.1	0.0	0.0	0.1
Mobile (Off-Road Equipment)	0.0 + 0.2 = 0.2	0.0	0.0	0.3
Mobile (On-Road Vehicles)	0.0 + 0.5 = 0.5	0.0	--	0.2
CHP	2.1 + 1.4 = 3.5	0.0	--	9.6
Flare	0.0 + 0.1 = 0.1	0.0	--	0.2
Total	**4.5**	**0.0**	**0.0**	**12.9**
Significant?	**No**	**No**	**No**	**No**

Source: Technical Memorandum in Response to SLO County APCD Comments Regarding HZI AD Plant IS/MND (RCH Group, May 24, 2016)

Greenhouse Gas Emissions. This project is an anaerobic digester plant for processing green and food waste. Using the GHG threshold information described in the Setting section, the project is expected to generate less than bright-line numerical value threshold of 10,000 MT CO2e/yr for stationary

source (industrial) projects of GHG emissions. Therefore, the project's potential direct and cumulative GHG emissions are found to be less significant and less than a cumulatively considerable contribution to GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provide guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as global climate change, is not 'cumulatively considerable', no mitigation is required.

The projected greenhouse gas emissions for this project during the initial and subsequent operational years are shown below in Tables AQ-10 and AQ-11 and are compared to the 10,000 MT CO_2e/yr threshold. (*Technical Memorandum in Response to SLO County APCD Comments Regarding HZI AD Plant IS/MND,* RCH Group, May 24, 2016).

Table AQ-10: Estimated GHG Emissions during Initial Year of the Proposed Project

Source	Annual CO_2e Metric Tons/year
Construction (25-year amortized)	9.61
Operations	
Area Sources	<0.1
Energy	160
Water	26.8
Mobile (Off-Road Equipment)	40.8
Mobile (On-Road Vehicles)	176
CHP Unit	4,538
Flare	3.85
Total Emissions (Construction plus Operations)	4,955
SLO County Significance Threshold	10,000
Potentially Significant?	No

Source: Technical Memorandum in Response to SLO County APCD Comments Regarding HZI AD Plant IS/MND (RCH Group, May 24, 2016)

Table AQ-11: Estimated GHG Emissions during Subsequent Years of the Proposed Project

Source	Annual CO_2e Metric Tons/year
Construction (25-year amortized)	9.61
Operations	
Area Sources	<0.1
Energy	160
Water	26.8
Mobile (Off-Road Equipment)	40.8
Mobile (On-Road Vehicles)	176
CHP Unit	6,024
Flare	0.60
Total Emissions (Construction plus Operations)	6,438
SLO County Significance Threshold	10,000
Potentially Significant?	No

Source: Technical Memorandum in Response to SLO County APCD Comments Regarding HZI AD Plant IS/MND (RCH Group, May 24, 2016)

Odors. "The SLO County APCD CEQA Air Quality Handbook contains project screening level distances for nuisance sources. The SLO County APCD recommends contacting their Enforcement Division if a project is proposed within the screening level distances. An anaerobic digestion facility is not listed among the potential nuisance sources; however, the proposed project would handle organic waste similar to a composting facility or transfer station. The project screening level distance for a composting facility and transfer station is one mile. The proposed project is approximately 1,500 feet away from existing residences to the south.

Based on hourly meteorological surface data from the SLO Regional Airport (adjacent and northeast of the project site) from 2009 through 2013, the wind direction is predominately from the northwest with a high frequency of calm and low wind conditions. The regional average annual wind speed is 6.8 mph (See Appendix AQ-2 for wind rose and distribution). Residential receptors are approximately 1,500 feet to the south (downwind) of the project site and could be potentially exposed to objectionable odors from the proposed project.

The proposed project would not include any composting operations or storage of liquid digestate in open ponds/lagoons, which have the greatest potential to cause odor issues. The AD process would occur in an enclosed facility. Collection trucks would back into the facility through roll-up doors and drop organic waste in the receiving area. Organics would be pretreated and then sent to an intermediate storage bunker, where a crane feeds organics into the digester. The AD process occurs in a fully enclosed reactor and the exhaust air from the enclosed facility would be cleaned using a biofilter." (RCH Group, March 29, 2016).

Mitigation/Conclusion. Mitigation measures are proposed to address dust control, odors, contaminated soil, lead, ROG/NOX emissions and asbestos. See Exhibit B of this document for a complete list of mitigation measures.

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

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

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

On-site Vegetation: Developed property, little to no vegetation

Name and distance from blue line creek(s): 500 feet east of unnamed creek

Habitat(s): Developed property, little to no vegetation

Site's tree canopy coverage: Approximately 0%

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

Vegetation:

Cambria morning-glory (*Calystegia subacaulis ssp. episcopalis*) List 4

The potential for the Cambria morning-glory *(Calystegia subacaulis* ssp. *episcopalis)* has been identified about 0.07 miles to the west. This perennial herb is a California and a San Luis Obispo County endemic, which is found in chaparral and foothill woodland communities at elevations between 60 and 500 meters (200 to 1,640 feet). This species blooms from April to May. Cambria morning glory is listed as rare by the CNPS (List 1B, RED 3-2-3).

Congdon's tarplant (*Centromadia parryi ssp. congdonii*) List 1B, FSC

The potential for the Congdon's tarplant *(Centromadia parryi ssp. congdonii)* has been identified about 0.01 miles to the northeast. This species occurs primarily within valley and foothill annual grassland habitats containing alkaline soils (Tibor, 2001). This annual herb typically blooms from June through November. In San Luis Obispo County, this species has been documented as occurring in low valleys and foothill woodlands. The species is considered extremely rare on the California Native Plant Society (CNPS) List 1B (RED 3-3-3).

Hoover's button-celery (*Eryngium aristulatum var. hooveri*) List 1B

The potential for the Hoover's button-celery (*Eryngium aristulatum var. hooveri*) has been identified about 0.07 miles to the west. This annual/perennial herb is found generally in vernal pool areas at elevations between 3 and 45 meters (10 to 150 feet). It has a blooming period of July. The CNPS considers this plant extremely rare (List 1b, RED 3-3-3).

The project is within an area considered suitable for Pismo clarkia.

The project is within 0.6 mile of a serpentine outcrop area. Serpentine soils are known to support several rare and endangered plants.

Wildlife:

American badger (*Taxidea taxus*)

The potential for the American badger *(Taxidea taxus)* has been identified about 0.34 miles to the north. In California, Badgers range throughout the state except for the humid coastal forests of northwestern California (Del Norte and Humboldt Co). Badger populations have declined drastically in California within the last century (Grinnell et al., 1937; Longhurst, 1940), where they now survive only in low numbers in peripheral parts of the central valley and adjacent lowlands to the west in eastern Monterey, Mendocino, San Benito and San Luis Obispo counties. In California, Badgers occupy a diversity of habitats. The principal requirements seem to be sufficient food, friable soils, and relatively open, uncultivated ground. Grasslands, savannas, and mountain meadows near timberline are preferred. Badgers prey primarily on burrowing rodents such as Gophers (*Thomomys*), Ground Squirrels (*Spermophilus, Ammospermophilus*), Marmots (*Marmota*), and Kangaroo Rats (*Dipodomys*). They are predatory specialists on these rodents, although they will eat a variety of other animals, including mice, Woodrats, reptiles, birds and their eggs, bees and other insects, etc.

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

Ferruginous hawk (*Buteo regalis*) CSC

The potential the ferruginous hawk (*Buteo regalis*) has been identified about 0.65 miles to the north. The ferruginous hawk is a wintering species of grasslands and agricultural areas in southwestern CA. They roost in open areas, usually in a lone tree or utility pole, and often in an unshaded area. They do not breed in CA, only in locations from Oregon to Alaska. They require large, open tracts of grasslands, sparse shrub, or desert habitats with elevated structures for nesting.

Vernal pool fairy shrimp *(Branchinecta lynchi)* FT

The potential for the vernal pool fairy shrimp *(Branchinecta lynchi)* has been identified about 0.07 miles to the west. The vernal pool fairy shrimp is considered federally threatened. This species is endemic to the grasslands of the Central Valley, Central Coast mountains, and South Coast mountains, as well as found in rain-filled pools. The shrimp inhabits small, clear-water sandstone-depression pools and grassed swales, earth slumps, or basalt-flow depression pools.

Western pond turtle (*Emys marmorata pallida*), CSC, FSC

The potential for the western pond turtle *(Emys marmorata pallida)* has been identified about 0.64 miles to the north. The western pond turtle is a federal and California Species of Special Concern. This is an aquatic turtle that uses upland habitat seasonally. They occur in ponds, streams, lakes, ditches, and marshes. The species prefers slow-water aquatic habitat with available basking sites nearby. Hatchlings require shallow water habitat with relatively dense submergent vegetation for foraging.

Impact. Vegetation on the site consists of ornamental trees, shrubs, and ground covers that are located at the entry and parking lot adjacent to the main office building. No native vegetation, sensitive habitat, or wetlands occur on-site. There are four existing buildings that are located within Waste Connections' storage yard, portions of which are paved, while the balance of the area is surfaced with compacted gravel. The site is relatively flat with a gradual slope to an east-west drainage channel running through the middle of the site. This channel conveys runoff from Old Santa Fe Road and the majority of the site, and serves as an overflow channel for the San Luis Obispo County's Regional Airport detention basin. This man-made drainage channel is maintained to ensure an unimpeded capture and flow of stormwater. Runoff from the portion of the site that that does not drain to the channel is collected in area drains and conveyed via an existing pipe off-site to a drainage channel west of the subject properties.

There are no natural drainage features on site, but stormwater that is not retained on-site eventually flows off-site to the west. There are a number of named and unnamed drainages that ultimately flow to San Luis Creek and into the Pacific Ocean at Avila Beach. While the proposed project includes an additional structure and related paving, post construction stormwater facilities, pursuant to the County's Stormwater Control Plan requirements, will be implemented. These low impact development measures include gravel trenches and infiltration basins. The infiltration basins and gravel trenches treat and infiltrate stormwater runoff from the site, reduce the volume of runoff, and retard runoff so that post-developed peak flowrates do not exceed the pre-developed flowrates. Additionally, the project will include the installation of a 10,000 gallon cistern to collect, store, and use roof runoff for facility operations.

Mitigation/Conclusion. No significant biological impacts are expected to occur, and no mitigation measures are necessary.

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

Cultural Resources

Setting. The project is located in an area historically occupied by the Obispeno Chumash. No historic structures are present and no paleontological resources are known to exist in the area. The project is not located within a maped Archaeologically Sensitive Area.

No previous cultural surveys were found for the subject property. A search of ¼ mile around the subject property identified the following previous survey work: 1 report where no resources were encountered; 0 report where resources were identified.

In order to meet AB52 Cultural Resources requirements, outreach to four Native American tribes groups had been conducted (Northern Salinan, Xolon Salinan, Yak Tityu Tityu Northern Chumash, and the Northern Chumash Tribal Council); no comments or requests for consultation were received.

The project site has been heavily disturbed since the early 1980's when Trusco Tank, a steel tank manufacturing company owned and developed the site. Chicago Bridge & Ironworks (CB&I) purchased and further developed the site. Waste Connections took over the site in 2012 and constructed an outdoor storage yard for the hauling trucks and waste containers.

Impact. The project is not located in an area that would be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation. Per AB52, tribal consultation was performed and no resources were identified. Impacts to historical or paleontological resources are not expected.

Mitigation/Conclusion. No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary.

6. GEOLOGY AND SOILS *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?	☐	☐	☒	☐

6. GEOLOGY AND SOILS *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone", or other known fault zones*?	☐	☐	☒	☐
c) Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?	☐	☒	☐	☐
d) Include structures located on expansive soils?	☐	☐	☒	☐
e) Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?	☐	☐	☒	☐
f) Preclude the future extraction of valuable mineral resources?	☐	☐	☒	☐
g) Other: _____	☐	☐	☐	☒

*** Per Division of Mines and Geology Special Publication #42**

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

Topography: Nearly level

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low to moderate

Liquefaction Potential: Low to Moderate

Nearby potentially active faults?: 1 Capable fault Distance? 0.25 miles

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

Shrink/Swell potential of soil: High

Other notable geologic features? None

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120, CZLUO Sec. 23.05.036) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts.

Impact. As proposed, the project will result in the disturbance of approximately 4.8 acres (210,200 square feet). Site improvements resulting in this disturbance include a driveway around the facility and three 2-foot deep infiltration basins that will serve as a stormwater control measure. A *Geotechnical Engineering Report* (Earth Systems Pacific, March 21, 2016) was prepared for this project. The report

concludes that the site is suitable provided the recommendations contained in the report are implemented during construction.

Mitigation/Conclusion. Mitigation measures are proposed to incorporate the recommendations from the *Geotechnical Engineering Report*. See Exhibit B for complete mitigation measures.

7. HAZARDS & HAZARDOUS MATERIALS - ***Will the project:***	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on, or adjacent to, a site which is included on a list of hazardous material/waste sites compiled pursuant to Gov't Code 65962.5 ("Cortese List"), and result in an adverse public health condition?	☐	☐	☒	☐
e) Impair implementation or physically interfere with an adopted emergency response or evacuation plan?	☐	☐	☒	☐
f) If within the Airport Review designation, or near a private airstrip, result in a safety hazard for people residing or working in the project area?	☐	☒	☐	☐
g) Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?	☐	☐	☒	☐
h) Be within a 'very high' fire hazard severity zone?	☐	☐	☒	☐
i) Be within an area classified as a 'state responsibility' area as defined by CalFire?	☐	☐	☒	☐
j) Other: _____	☐	☐	☐	☒

Setting. The project is not located in an area of known hazardous material contamination. The project is not within a 'high' or 'very high' severity risk area for fire.

Under federal and State laws, any material, including waste, may be considered hazardous if it is specifically listed by statue, as such or if it is toxic (causes adverse human health effects), ignitable (has the ability to burn), corrosive (causes severe burns or damage to materials), or reactive (causes explosions or generates toxic gases). The term "hazardous materials" is defined as any material that, because of quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment, if released into the workplace (State of California Health and Safety Code, Chapter 6.95 §25501(o).

CalRecyle also regulates anaerobic digestion facilities as either compost facilities or transfer and processing facilities, depending upon whether the feedstock is compostable. CalRecycle implements and oversees the regulatory requirements in California Code of Regulations Title 14, along with its designated local enforcement agencies (LEAs). CalRecyle also included permit tiers for digestion operations and facilities that are based upon the amount of material processed.

Fire Protection. The project site is currently not served by a water purveyor, but is served by an on-site well with private water storage tanks. The Waste Connections property has an independent fire pump operating at 75 HP with 1,500 GPM output rated at 71 psi. A shared 200,000 gallon fire water tank is on an adjacent property immediately to the east. The tank is shared between three properties. The other two properties are owned/tenanted by Earth Systems Pacific (ESP) and CTI. ESP shares a separate fire pump with CTI. The Waste Connections property and ESP use well water to fill the fire tank. ESP's well is currently set to auto-fill the tank, but the subject property's well can also be set to auto fill. A supply line is connected from the tank to the 1,500 gpm private pump on Waste Connections' property. The fire pump is dedicated to the Waste Connections facility and does not provide service to the ESP or CTI facilities. There is no formal recorded agreement for the shared responsibility and use of the fire water tank and related systems between the three properties. Currently water, maintenance, and upkeep responsibilities have been shared between the properties on an informal basis. (*Preliminary Fire Protection Hazard Evaluation*, Collings & Associates, April 12, 2016)

Airport Review Combining Designation. The project is within the County's Airport Review combining designation (AR). The AR is used to recognize and minimize the potential conflict between new development around the San Luis Obispo County Regional Airport and the ability of aircraft to safely and efficiently maneuver to and from this airport. This includes additional standards relating to limiting structure/vegetation heights as well as avoiding airport operation conflicts (e.g., exterior lighting, radio/electronic interference, etc.). The site is located within Airport Land Use Plan Aviation Safety Area S-1b, and is approximately 300 feet from the Airport active runway 29, and approximately 400 feet from active runway 11. A portion of the property is located within the Runway Protection Zone (RPZ).

The current approved Airport Layout Plan (ALP) in the Airport Master Plan identifies the project site for future airport acquisition to enable expansion of the airport.

The Airport Land Use Plan (ALUP) provides guidance for and limitations to the type of development allowed within the AR designation.

Impact. The proposed project is not found on the 'Cortese List' (which is a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5). The project is not expected to conflict with any regional emergency response or evacuation plan.

The proposed project is considered a medium volume facility under CalRecyle standards, taking in an average 15 – 100 tons per day, not to exceed 700 tons per week or 36,400 tons per year. Based upon this volume, the proposed project is in the Registration Permit Tier (§17896.5).

Fire Protection. The proposed project is unique in nature and is the first facility of this type to be designed and constructed in the United States. Cal Fire is working closely with the applicant and the applicant's Fire Protection Engineer to research and develop standards that would mitigate any potential safety concerns.

With respect to the proposed HZI project, the risk of fire hazard is generally low because of the tightly controlled internal environment within the digester itself. In addition, the anaerobic digestion facility and biogas transmission lines will operate with very low pressures, similar to residential natural gas distribution lines, minimizing high pressure conditions. The facility will include redundant fire safety relief valves to prevent over pressurizing, flame arresters, gas detectors, and physical barriers to minimize fire and explosion hazards. That said, a fire or explosion condition could develop in an upset condition through process or equipment failure. (*Preliminary Fire Protection Hazard Evaluation*, Collings & Associates, April 12, 2016)

Airport Review Area. The primary use of the project, as defined in Section 8 of the Airport Land Use Plan (ALUP), is "Agricultural Processing" because the project involves "receiving and processing of green material which is not produced on-site (commercial composting)." The ALUP Section 5.3 Land Use Compatibility Table designates Agricultural Processing within Aviation Safety Area S-1b as NR6 (land use is allowed provided the maximum non-residential density of use is limited to values presented in ALUP Table 7 and Figure 6). Agricultural Processing is prohibited in RPZ, but no portion of the proposed project is proposed in the RPZ area.

Unusually hazardous uses are prohibited in the S-1b area. The above-ground presswater tank with backup biogas storage tank could potentially meet this definition. However, only the upper portion (approximately 10%) of the 300,000 gallon tank would be used for occasional backup storage and would not be continuously filled with flammable material. The biogas in this tank would not be compressed, and would be approximately 2 psi in pressure. As conditioned, this project does not include features that could substantially contribute to the severity of an aircraft accident nor does it include the above ground storage of substantial quantities of flammable materials.

Draft revisions to the ALP, which are under review but not yet approved by the FFA, show that a portion of the proposed building will potentially encroach on the critical area associated with the glideslope antenna signals. According to the consultant for the revised ALP, buildings are less likely to interfere with those frequencies, but all structures should be reviewed by the FFA.

Additionally, the ALP includes potential future roadway alignments and taxiway extensions in the vicinity of the project. The proposed building does not appear to encroach or interfere with these future alignments.

Exhaust air from the digester is released into a waste air treatment plant – a large concrete tank filled with pieces of tree roots to absorb odors. Airflow through the tree roots is continuous and will discourage birds, which can be hazardous to airplanes.

Per the ALUP, the proposed use is considered "conditionally approvable". The project was reviewed by the Airport Land Use Commission (ALUC) on June 29, 2016. The ALUC recommended conditions to limit density, require avigation easements, and prohibit project characteristics that would interfere with maneuvering of aircraft. The project was also referred to the County Airport Manager who commented that the project should undergo FFA review, provide evidence that there will be no impact to the Instrument Landing System as ultimately planned, and shall not have lighting that would interfere with aircraft operations. All projects within the AR designation are required to obtain an avigation easement to secure avigable airspace.

Safety lighting will be installed on the building and outdoor equipment as necessary. An existing 80 space dirt parking lot will be re-surfaced with pavement, but no additional parking lot lighting will be installed.

Mitigation/Conclusion. Mitigation measures are proposed that require the applicant to implement all

recommendations and suggestions of the *Fire Safety Plan* and *Preliminary Fire Protection Hazard Evaluation*, as well as all requirements and recommendations relating to airport safety. Mitigation measures are listed in detail in Exhibit B.

8. NOISE *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Expose people to noise levels that exceed the County Noise Element thresholds?	☐	☐	☒	☐
b) Generate permanent increases in the ambient noise levels in the project vicinity?	☐	☐	☒	☐
c) Cause a temporary or periodic increase in ambient noise in the project vicinity?	☐	☐	☒	☐
d) Expose people to severe noise or vibration?	☐	☐	☒	☐
e) If located within the Airport Review designation or adjacent to a private airstrip, expose people residing or working in the project area to severe noise levels?	☐	☐	☒	☐
f) Other: _____	☐	☐	☐	☒

Setting. The project is located adjacent to the end of San Luis Obispo County Regional Airport's main runway. During commercial jet takeoff, the existing facility experiences noise levels in the 75 to 85 decibel (dB) range. Industrial land uses are not considered noise-sensitive, however offices are. Table N-1 below shows the maximum allowed exterior noise levels when measured at a noise-sensitive land use.

Table N-1: Title 22 Maximum Allowed Exterior Noise Level Standards

Maximum Allowed Exterior Noise Level Standards		
Sound levels	**Daytime 7 a.m. to 10 p.m.**	**Nighttime (1) 10 p.m. to 7 a.m.**
Hourly Equivalent Sound Level (L_{eq}, dB)	50	45
Maximum level, dB	70	65

In the event the measured ambient noise level exceeds the applicable exterior noise level standard, above, the standard shall be adjusted to equal the ambient noise plus one dB.

Impact. The project is within the Airport Review designation and the area is subject to relatively low aircraft flyovers.

An *Acoustical Analysis* (David Dubbink Associates, February 17, 2016) was prepared to analyze the noise impacts created by this project.

"For the ADP, noise measurements are reported for all of the individual components at a digester plant in Ottenbach, Germany. The metric used was Leq which is the average sound energy over the measurement period. Indoor measurements were typically made 2 meters (6.5 feet) from the source. There were also outdoor measurements of the same equipment for two of the locations." (David Dubink Associates, February 17, 2016).

Table N-2: Noise Measurements for ADP Equipment in Ottenbach, Germany (Leq)

Equipment	Indoor @ 6.5 feet	Outdoors
Fan Room	90.6	51.7
CHP*	88.6	60.8
Shredder	93.2	---
Sieve	88.3	---

*Combined Heat and Power

Source: Acoustical Analysis (David Dubbink Associates, February 17, 2016)

"The Ottenbach study also evaluated the noise levels at a distance from the ADP facility (at 30 meters, equivalent to 100 feet). The measurements were made in the afternoon with all equipment in operation. The combined noise from operations at this distance was 41.0 LAeq. The "A" signifies a weighting is made for the frequencies most audible to humans. The unweighted sound level was a Leq of 62.4 indicating production of a significant low frequency sound component." (David Dubink Associates, February 17, 2016).

The table below summarized the various noise levels and metrics.

Table N-3: Noise Levels at Project Site

Operation	Level	Metric
Regional Jet Departure	75 to 85	Lmax
24 Hour Air Operations	75	Ldn
ADP Operations @ 100 ft.	41	Leq

Source: Acoustical Analysis (David Dubbink Associates, February 17, 2016)

(Day Night Average Sound Level (DNL or Ldn) is a measurement taken over 24 hours. The DNL is different from Leq, because it gives a penalty to operations taking place at night between 10pm and 7am. This measurement is used by federal agencies including the FAA.)

The report concludes that "The existing sound level for the area is in the realm of 75 Ldn. If the existing ambient level exceeds that standard as it does here, the standard is shifted to one decibel above the existing ambient, or 76 Ldn. If the assumption is made that operations at the ADP will occur throughout a 24 hour day the resulting Ldn would be 48.4, and if this is added to the existing Ldn of 75 the total is 76.008 Ldn. (In logarithmic addition the larger numbers dominate the math). It is evident that the ADP does not shift the Ldn standard above the level permitted in an office area." (David Dubbink Associates, February 17, 2016).

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

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

Setting In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county. The County's Inclusionary Housing Ordinance requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions.

Impact. Two new food waste collection truck drivers and five on-site employees will be hired to run the ADP. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts are anticipated. The project will offset its cumulative impact to the shortage of affordable housing stock by payment of the housing impact fee, as required by ordinance. No mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES *Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	☐	☒	☐	☐
b) Police protection (e.g., Sheriff, CHP)?	☐	☒	☐	☐
c) Schools?	☐	☒	☐	☐
d) Roads?	☐	☐	☒	☐
e) Solid Wastes?	☐	☐	☒	☐
f) Other public facilities?	☐	☐	☐	☒
g) Other: _____	☐	☐	☐	☒

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

Police: County Sheriff Location: San Luis Obispo (Kansas Ave.) Approximately 3 miles to the north

Fire: Cal Fire (formerly CDF) Hazard Severity: Not Applicable Response Time: 5-10 minutes

Location: Approximately 0.7 miles to the east

School District: San Luis Coastal Unified School District.

For additional information regarding fire hazard impacts, go to the 'Hazards and Hazardous Materials' section

Impact. No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area, will have a cumulative effect on police/sheriff and fire protection, and schools. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. Regarding cumulative effects, public facility (County) and school (State Government Code 65995 et seq.) fee programs have been adopted to address this impact, and will reduce the cumulative impacts to less than significant levels.

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

Recreation

Setting. The County's Parks and Recreation Element does not show that a potential trail goes through the proposed project. The project is not proposed in a location that will affect any trail, park, recreational resource, coastal access, and/or Natural Area.

Impact. The proposed project will not create a significant need for additional park, Natural Area, and/or recreational resources.

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

12. TRANSPORTATION/CIRCULATION *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase vehicle trips to local or areawide circulation system?	☐	☒	☐	☐
b) Reduce existing "Level of Service" on public roadway(s)?	☐	☐	☒	☐

12. TRANSPORTATION/CIRCULATION *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?	☐	☐	☒	☐
d) Provide for adequate emergency access?	☐	☐	☒	☐
e) Conflict with an established measure of effectiveness for the performance of the circulation system considering all modes of transportation (e.g. LOS, mass transit, etc.)?	☐	☐	☒	☐
f) Conflict with an applicable congestion management program?	☐	☐	☒	☐
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐
h) Result in a change in air traffic patterns that may result in substantial safety risks?	☐	☐	☒	☐
i) Other: _____	☐	☐	☐	☒

Setting. The County has established the acceptable Level of Service (LOS) on roads for this urban area as "D" or better. The existing road network in the area including the project's access street, Santa Fe Road, is operating at acceptable levels. Based on existing road speeds and configuration (vertical and horizontal road curves), sight distance is considered acceptable.

Referrals were sent to County Public Works and San Luis Obispo City Community Development. The project is subject to the City of San Luis Obispo's Citywide Transportation Impact Fee, Airport Area Specific Plan, and LOVR Interchange Mitigation Fee, which addresses cumulative impacts to City roads in the area.

Vehicle Trips. Waste Connections currently has nine dedicated green waste haul trucks that operate Monday through Friday. Green waste collected on those routes is disposed of primarily at Engle & Grey in Santa Maria, with the balance disposed of at Cold Canyon Landfill in Arroyo Grande. Current daily vehicle trips for green-waste pick up are 48, with 30 of those trips resulting from off-site disposal prior to returning to Waste Connections.

Table TR-1: Current Green Waste Vehicle Trips

Route	Number of Trucks	Average Daily Truck Trips		Total Average Daily Truck Trips
		Off-site unloading	WC facility	
South County	4	16	8	24
San Luis Obispo	2	8	4	12
North County	3	6	6	12
TOTAL	**9**	**30**	**18**	**48**

Source: Vehicle Trip Generation Report (Oasis Associates, May 13, 2016)

As shown in Tables TR-2 and TR-3, below, the green waste collection trucks travel a total of 685 miles, excluding the residence-to-residence route miles.

Table TR-2: Detailed Daily Vehicle Miles Traveled by Route (existing)

	Miles	Current	
Travel		x*	**Miles**
WC to South County (Nipomo)	*20*		20
South County (Nipomo) to Engel & Gray, Santa Maria	*10*	3	30
Engel & Gray to WC	*30*		30
South County ROUTE TOTAL			**80**
WC to San Luis Obispo	*5*		5
SLO to Cold Canyon Landfill	*5*	3	15
Cold Canyon Landfill to WC	*5*		5
SLO ROUTE TOTAL			**25**
WC to North County (Cambria)	*45*		45
North County (Cambria) to Cold Canyon Landfill	*55*		55
Cold Canyon Landfill to WC	*5*		5
North County ROUTE TOTAL			**105**

* Multiplier for reverse or repeated trips (e.g., South County Service Area to WC)

Source: Vehicle Trip Generation Report (Oasis Associates, May 13, 2016)

Table TR-3: Summary Daily Vehicle Miles Traveled by Route (existing)

Route	*Trucks*	Current	
		mi	**sum**
South County	*4*	80	**320**
San Luis Obispo	*2*	25	**50**
North County	*3*	105	**315**
Commercial Truck	*A & B*	0	**0**
TOTAL DAILY MILES- ALL TRUCKS			**685**

Source: Vehicle Trip Generation Report (Oasis Associates, May 13, 2016)

Impact. Vehicle Trips. A *Vehicle Trip Generation Report* (Oasis Associates, May 13, 2016) was provided for this project. The proposed project is estimated to add two additional haul trucks for commercial food waste pickup. The two new haul trucks will add eight truck trips daily. Because green waste will be disposed of at the ADP facility on the Waste Connections site, the 30 off-site unloading trips of the existing fleet will be eliminated. Proposed daily vehicle trips for green-waste pick up are 38.

Table TR-4: Projected Green Waste Vehicle Trips

Route	Number of Trucks	Average Daily Truck Trips		Total Average Daily Truck Trips
		Off-site unloading	WC facility	
South County	4	0	16	16
San Luis Obispo	2	0	8	8
North County	3	0	6	6
Green Waste	2	0	8	8
TOTAL	**11**	**0**	**38**	**38**

Source: Vehicle Trip Generation Report (Oasis Associates, May 13, 2016)

Table TR-5: Detailed Daily Vehicle Miles Traveled by Route (proposed)

Travel		x*	Miles	x*	Miles	Delta
WC to South County (Nipomo)	20		20	4	80	
South County (Nipomo) to Engel & Gray, Santa Maria	10	3	30			
Engel & Gray to WC	30		30			
South County ROUTE TOTAL			**80**		**80**	**0**
WC to San Luis Obispo	5		5	4	20	
SLO to Cold Canyon Landfill	5	3	15			
Cold Canyon Landfill to WC	5		5			
SLO ROUTE TOTAL			**25**		**20**	**-5**
WC to North County (Cambria)	45		45	2	90	
North County (Cambria) to Cold Canyon Landfill	55		55			
Cold Canyon Landfill to WC	5		5			
North County ROUTE TOTAL			**105**		**90**	**-15**
Commercial Truck (includes service route mileage)						
Truck A: WC to North County (Cambria)	45		-	2	90	
Truck A: North County service area	10		-		10	
Truck A: WC to San Luis Obispo	5		-	2	10	
Truck A: SLO service area (partial)	15		-		15	
Truck A subtotal			-		*125*	*+125*
Truck B: WC to South County (Nipomo)	20		-	2	40	
Truck B: South County service area	10		-		10	
Truck B: WC to San Luis Obispo	5		-	2	10	
Truck B: SLO service area (partial)	15		-		15	
Truck B subtotal			-		*75*	*+75*
COMMERCIAL TRUCK TOTAL					**200**	
TOTAL DAILY MILES			**210**		**390**	**+180**

* Multiplier for reverse or repeated trips (e.g., South County Service Area to WC)

Source: Vehicle Trip Generation Report (Oasis Associates, May 13, 2016)

Table TR-6: Summary Daily Vehicle Miles Traveled by Route (proposed)

Route	*Trucks*	Current		ADP		
		mi	sum	mi	sum	Delta
South County	4	80	**320**	80	**320**	**0**
San Luis Obispo	2	25	**50**	20	**40**	**-10**
North County	3	105	**315**	90	**270**	**-45**
Commercial Truck	*A & B*	0	**0**		**200**	**+200**
TOTAL DAILY MILES- ALL TRUCKS			**685**		**830**	**+145**

Source: Vehicle Trip Generation Report (Oasis Associates, May 13, 2016)

The proposed ADP project will not alter existing residential green-waste routes, but will modify the trip destinations and vehicle miles traveled (VMT). The total number of daily truck trips to the WC facility will increase by twenty (20) trips as off-site unloading is redistributed to the facility location. However,

overall total truck trips will be reduced by ten (10) trips daily, as unloading will be completed at the same location as the termination point of the daily routes. The total VMT will increase, mainly due to the new commercial food waste trucks. *(Oasis Associates, May 13, 2016).*

Mitigation/Conclusion. Mitigation measures are proposed to address San Luis Obispo City traffic impact fees. See Exhibit B for complete mitigation details.

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

Setting. Regulations and guidelines on proper wastewater system design and criteria are found within the County's Plumbing Code (hereafter CPC; see Chapter 7 of the Building and Construction Ordinance [Title 19]), the "Water Quality Control Plan, Central Coast Basin" (Regional Water Quality Control Board [RWQCB] hereafter referred to as the "Basin Plan"), and the California Plumbing Code. These regulations include specific requirements for both on-site and community wastewater systems. These regulations are applied to all new wastewater systems.

There is an existing on-site engineered septic system that was approved and installed during the permitting for Waste Connections.

Impact. The project proposes to use the existing on-site system as its means to dispose of wastewater. Based on the proposed project, the on-site system has the capacity to handle the project's additional effluent from the five new employees.

Mitigation/Conclusion. Given that the system is currently operating at acceptable levels and that it has the capacity to support existing commitments in addition to the proposed project, no mitigation measures are necessary.

14. WATER & HYDROLOGY *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
QUALITY *a) Violate any water quality standards?*	☐	☐	☒	☐

14. WATER & HYDROLOGY

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

Setting. The project proposes to obtain its water needs from an on-site well. The well will be utilized primarily during initial project start up. Once the ADP is up and running, the water needs of the system will be fulfilled from the in-system presswater tank. Water for fire suppression purposes (i.e. fire sprinklers) will be provided from an existing system that includes the existing well, pumps, and water storage.

The topography of the project is nearly level The closest creek from the proposed development is approximately 0.1 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have moderate erodibility.

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

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

Within the 100-year Flood Hazard designation? No

Closest creek? Unnamed Creek Distance? Approximately 500 feet

Soil drainage characteristics: Very poorly drained

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

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

Soil erodibility: Moderate

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120, CZLUO Sec. 23.05.036) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

Groundwater Basin. The project is within the: San Luis Valley subbasin of the San Luis Obispo Valley Groundwater Basin. Per the County Master Water Plan, this basin is summarized as follows:

This groundwater basin is approximately 13,800 acres in size and consists of three sub-basins. Two of these sub-basins, Avila Valley subbasin and San Luis Valley subbasin, are within this WPA while the third, Edna Valley, is within WPA 7.

This sub-basin is the primary water source for the Los Ranchos/Edna Valley area, upper Los Osos valley, some rural residential areas, the airport area, the City of San Luis Obispo and agricultural uses.
The Department of Water Resources (DWR) has estimated the basin's maximum safe yield at 2,250 acre feet per year (afy). Thus, for 1990, there was an apparent overdraft of about 5,700 acre feet. Despite the fact that these calculations indicate a substantial overdraft, the absence of any persistent supply problems during the last ten years has caused some doubt that an overdraft condition really exists.
A study conducted by a consultant to the City of San Luis Obispo was completed in 1991. It suggests that there may be some justification for increasing the estimate of the basin's safe annual yield, based upon the observation that well levels in the area are not meaningfully lower, even after a decade when extractions exceeded 2,250 acre feet per year. However, these findings must be reconciled with reports that some well levels are, in fact, lower in some parts of the Los Ranchos/Edna Village area.

RMS Annual Resource Summary Report. The 2010 Annual Resource Summary Report has no recommended Level of Severity.

City of San Luis Obispo. The City of San Luis Obispo receives water primarily from the Salinas and Whale Rock reservoirs. Until 1989, the city relied completely on its allocation of surface water and did not extract any groundwater. In response to the drought of the late 80's, the City drilled new wells and

extracted approximately 1,950 acre feet per year (afy) in 1990 and 1991 to supplement the dwindling water supplies at the reservoirs. Use of these wells was discontinued in 1992 and 1993 because of high nitrate levels. The remaining wells, which are not impacted by contamination, can pump approximately 150 acre feet per year. Current city policy assumes groundwater extractions of 500 afy maximum. Agricultural irrigation accounted for an estimated 5,200 acre feet in 1990, while rural residential uses pumped an estimated 978 acre feet. From 1980 through 1989, extractions from the basin averaged about 5,800 afy.

A study conducted by a consultant to the City of San Luis Obispo was completed in 1991. It suggests that there may be some justification for increasing the estimate of the basin's safe annual yield, based upon the observation that well levels in the area are not meaningfully lower, even after a decade when extractions exceeded 2,250 acre feet per year. However, these findings must be reconciled with reports that some well levels are, in fact, lower in some parts of the Los Ranchos/Edna Village area. The City has considered a variety of projects to increase its water supply. The City has also proposed the expansion of the Salinas Reservoir by about 70 percent as an additional way to address its long-term water requirements. However, escalating cost estimates and concerns about seismic stability have caused the Salinas reservoir project to be accorded a lower priority. If the cost of water for other alternatives increases, desalination may become a more competitive option. Possibilities include a cooperative agreement with the City of Morro Bay and a facility near the Whale Rock reservoir, which could connect to the existing pipeline to San Luis Obispo.

In 2002, the San Luis Obispo city council voted to set its "reliability reserve" to zero (o) in its calculation of future water demand, thus reducing the city's requirement for additional supplies to serve its buildout population of 56,000.

In 2004, the city completed the first phase of a study to evaluate the yield of the groundwater basin according to alternative pumping scenarios which would involve coordination with withdrawals from the reservoir in years that are wetter or dryer than average. Preliminary estimates indicated that it may be possible to pump more than 500 afy under certain circumstances, without causing subsidence or significant reduction in stream flow. However, with the recent decision for City participation in the Nacimiento Project and the cost and uncertainty of additional studies needed to determine impacts to stream flows, the City Council has deferred additional phases of the groundwater investigation.

County Master Water Plan. Per the County Master Water Plan, the project is within the San Luis Obispo Water Planning Area (WPA) #6. The City of San Luis Obispo, unincorporated areas surrounding San Luis Obispo, California Men's Colony, and Cal Poly receive water from Whale Rock Reservoir and from the Salinas Reservoir (Santa Margarita Lake).The City also receives an allocation from the Nacimiento Water project. The City of San Luis Obispo also uses groundwater from wells near Los Osos Valley Road, and in Mitchell Park. The Coastal Branch of the State Water Project traverses the area, but there are no existing entitlements or turnouts from the system for the City of San Luis Obispo. Certain areas are also served by individual on-site wells.

San Luis Obispo Area Plan EIR. The project is within the San Luis Obispo planning area. In December, 1996, an Environmental Impact Report was certified as a part of the update of the San Luis Obispo Area Plan. The proposed level of development is consistent with the level of development evaluated in the EIR's buildout assessment. The EIR concluded that significant and unavoidable impacts (Class I) to water resources would result at buildout. Overriding considerations were made as a part of approving the San Luis Obispo Area Plan update showing the benefits that would result to offset the impacts to water resources.

Impact – Water Quality/Hydrology

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

- ✓ Approximately 4.8 acres of site disturbance is proposed and the movement of approximately 2,600 cubic yards of material;

- ✓ The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- ✓ The project will be disturbing over an acre and will be required to prepare a SWPPP, which will be implemented during construction;
- ✓ The project is not on highly erodible soils, nor on moderate to steep slopes;
- ✓ The project is not within a 100-year Flood Hazard designation;
- ✓ The project is more than 100 feet from the closest creek or surface water body;
- ✓ All disturbed areas will be permanently stabilized with impermeable surfaces and landscaping;
- ✓ Stockpiles will be properly managed during construction to avoid material loss due to erosion;
- ✓ The project is subject to the County's Plumbing Code (Chapter 7 of the Building and Construction Ordinance [Title 19]), and/or the "Water Quality Control Plan, Central Coast Basin" for its wastewater requirements, where wastewater impacts to the groundwater basin will be less than significant;
- ✓ All hazardous materials and/or wastes will be properly stored on-site, which include secondary containment should spills or leaks occur;

Based on available water information, there are no known constraints to prevent the project from obtaining its water demands.

Mitigation/Conclusion. See Exhibit B for mitigation measures.

15. LAND USE *Will the project:*	**Inconsistent**	**Potentially Inconsistent**	**Consistent**	**Not Applicable**
a) Be potentially inconsistent with land use, policy/regulation (e.g., general plan [County Land Use Element and Ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?	☐	☐	☒	☐
b) Be potentially inconsistent with any habitat or community conservation plan?	☐	☐	☒	☐
c) Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?	☐	☐	☒	☐
d) Be potentially incompatible with surrounding land uses?	☐	☐	☒	☐
e) Other: _____	☐	☐	☐	☒

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CAL FIRE for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to

Exhibit A on reference documents used).

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

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

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

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

Exhibit A - Initial Study References and Agency Contacts

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

Contacted	Agency	Response
☒	County Public Works Department	**Attached**
☒	County Environmental Health Services	**Attached**
☐	County Agricultural Commissioner's Office	**Not Applicable**
☒	County Airport Manager	**Attached**
☒	Airport Land Use Commission	**Attached**
☒	Air Pollution Control District	**Attached**
☐	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 City of San Luis Obispo	**Attached**
☐	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
☒ San Luis Obispo Airport Land Use Plan
☐ Energy Wise Plan
☒ SLO Area Plan/SLO (north) sub area and Update EIR
☐ Design Plan
☐ Specific Plan
☒ Annual Resource Summary Report
☐ Circulation Study

Other documents

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

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

Acoustical Analysis (David Dubbink Associates, February 17, 2016)

Air Quality Technical Report, RCH Group, March 29, 2016

Air Quality Technical Memorandum (CHP Unit Engine Emission), RCH Group, April 20, 2016

Air Quality Technical Memorandum in Response to SLO County APCD Comments Regarding HZI AD Plant Applicant Submitted IS/MND, RCH Group, May 24, 2016

Air Quality Technical Memorandum in Response to SLO County APCD Comments Regarding HZI AD Plant Technical Memorandum, RCH Group, June 20, 2016

Geotechnical Engineering Report, Earth Systems Pacific, March 21, 2016

Preliminary Fire Protection Hazard Evaluation, Collings & Associates, April 12, 2016

SLO GIS Parcel Viewer, June 2, 2016

(http://slocity.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=516bdd31ca984b7cae364939dd72de39)

Stormwater Control Plan, Tetra Tech, March 2016

Vehicle Trip Generation, Oasis Associates, May 13, 2016

Exhibit B - Mitigation Summary Table

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

AIR QUALITY

AQ-1: Odor Control. Prior to issuance of construction permits, the applicant shall develop an Odor Control Plan for review and approval by the APCD that identifies potential odor sources and determines control strategies to reduce potential odors. Odor control strategies that can be incorporated into these plans include, but are not limited to, the following:

- Identification and description of the most likely sources of odor;
- A list of odor controls and best management practices that could be implemented to minimize odor releases: These best management practices shall include the establishment of the following criteria:
    - Establish time limit for on-site retention of undigested substrates.
    - Establish contingency plans for operating downtime (e.g., equipment malfunction, power outage).
    - Manage delivery schedule to facilitate prompt handling of highly odorous substrates.
    - Protocol for monitoring and recording odor events.
    - Protocol for reporting and responding to odor events.

AQ-2: Portable Equipment. Prior to issuance of construction permit, the applicant shall obtain all required permits from the APCD for portable construction equipment (i.e. generators).

AQ-3: Fugitive Dust Mitigation Measures.

a. Reduce the amount of the disturbed area where possible;
b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
c. All dirt stock-pile areas 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 and 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 percent 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.
n. Since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control.

AQ-4: Combustion Emission Mitigation Measures.

a. Maintain all construction equipment in proper tune according to manufacturer's specifications;
b. Fuel all off-road and portable diesel powered equipment with CARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
c. Use diesel construction equipment meeting CARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation;
d. Use on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
e. 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;
f. All on and off-road diesel equipment shall not idle for more than five minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the five minute idling limit;
g. Diesel idling within 1,000 feet of sensitive receptors is not permitted;
h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
i. Electrify equipment when feasible;
j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and
k. Use alternatively fueled construction equipment on-site where feasible, such as CNG, liquefied natural gas (LNG), propane or biodiesel.

AQ-5: Hydrocarbon Contaminated Soil. Should hydrocarbon contaminated soil be encountered **during construction activities**, the APCD shall be notified as soon as possible and no later than 48 hours after affected material is discovered to determine if an APCD permit will be required. In addition, the following measures shall be implemented immediately after contaminated soil is discovered:

- Covers on storage piles shall be maintained in place at all times in areas not actively involved in soil addition or removal;
- Contaminated soil shall be covered with at least six inches of packed uncontaminated soil or other TPH –non-permeable barrier such as plastic tarp. No headspace shall be allowed where vapors could accumulate.
- Covered piles shall be designed in such a way to eliminate erosion due to wind or water. No openings in the covers are permitted;
- The air quality impacts from the excavation and haul trips associated with removing the *contaminated soil* shall be evaluated and mitigated if total emissions exceed the APCD's construction phase thresholds;
- During soil excavation, odors shall not be evident to such a degree as to cause a public

nuisance; and
- Clean soil shall be segregated from contaminated soil.

AQ-6: Lead During Demolition. The applicant shall contact APCD **ten days prior to the start** of any demolition, renovation, or retrofitting work to determine if a lead work plan is required. An APCD permit may be required; if required the permit shall be obtained prior to any demolition, renovation, or retrofitting work.

AQ-7: Naturally Occurring Asbestos. Prior to any construction activities at the site, the applicant shall ensure that a geologic evaluation is conducted to determine if the area disturbed is exempt from the asbestos regulation. An exemption request shall be filed with the APCD. If the site is not exempt from regulation, the applicant shall comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program approved by the APCD.

AQ-8: Demolition Asbestos. Prior to any construction activities at the site, the applicant shall comply with all requirements of the National Emission Standard for Hazardous Air Pollutants. These requirements include, but are not limited to:
a. written notification, within at least 10 business days of activities commencing to the APCD
b. asbestos survey conducted by a certified Asbestos Consultant and
c. applicable removal and disposal requirements of identified ACM. Please contact the APCD Enforcement Division at(805) 781-591 2 and also go to slocleanair.org/business/asbestos.php for further information. To obtain a Notification of Demolition and Renovation form go to the" Other Forms" section of: slocleanair.org/business/onlineforms.php.

AQ-9: Idling Restrictions.
a. Driver's shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location;
b. Driver's shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than five minutes at any location when within 100 feet of a restricted area;
c. Signs shall be posted in the designated queuing areas and job sites to remind drivers of the five minute idling limit;
d. Off-road diesel equipment shall comply with the five minute idling restriction identified in Section 2449(d)(3) of the California Air Resources Board's In-Use off-Road Diesel regulation: www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf.
e. Signs shall be posted in the designated queuing areas and job sites to remind off-road equipment operators of the five minute idling limit.

AQ-10: Permit to Operate. Prior to final inspection or occupancy, the applicant shall obtain a permit to operate from the SLO APCD. The applicant shall install a Selective Catalyst Reduction (SCR) and oxidation catalyst (Oxicat) system on the combined heat and power (CHP) unit.

GEOLOGY AND SOILS

GS-1: Geotechnical Recommendations. The applicant shall implement the recommendations of the *Geotechnical Engineering Report* prepared by Earth Systems Pacific, dated March 2016.

HAZARDS AND HAZARDOUS MATERIALS

HZ-1: Fire Safety. Prior to issuance of a construction permit, the applicant shall provide a copy of the final *Fire Safety Plan* prepared by Cal Fire for this project and the *Preliminary Fire Protection*

Hazard Evaluation prepared by Collings & Associates, April 12, 2016. The recommendations and requirements of the *Fire Safety Plan* and *Preliminary Fire Protection Hazard* Evaluation shall be implemented **prior to final occupancy**, and/or on-going for the life of the project.

HZ-2: Prior to issuance of construction permits, all structures shall be reviewed by the Air Traffic Division of the FAA regional office having jurisdiction over San Luis Obispo County to determine compliance with the provisions of FAR Part 77. In addition, applicable construction activities shall be reported via FAA Form 7460-1 **at least 30 days before proposed construction or application for building permit**. The applicant shall also coordinate with the FAA on potential structural encroachments into the glideslope critical areas as shown on the draft Airport Layout Plan.

HZ-3: Prior to the issuance of construction permits; the applicant shall provide a recorded avigation easement for each property developed within the area included in the proposed local action.

HZ-4: Exterior Light Plan. Prior to issuance of construction permits, the Applicant shall submit an Exterior Lighting Plan for both permanent and temporary facilities, for County review and approval. The Plan shall define the height, location, and intensity of all exterior lighting. All lighting fixtures shall be positioned "down and into" the development, and shielded so that neither the lamp nor the related reflector interior surface is visible from surrounding properties or the San Luis Obispo County Regional Airport. All lighting poles, fixtures, and hoods shall be dark colored. When nighttime lighting is required for construction, temporary lighting shall be hooded to the extent consistent with safety. Lighting fixtures shall be directed away from the airport to avoid glare and, when near a residence, shall be pointed away from the residence.

HZ-5: Environmental Health. Prior to occupancy or final inspection, the applicant shall obtain the appropriate permits from the Department of Environmental Health for the process gasses produced. Depending on reportable quantities, a Hazardous Materials Business Plan may be required (including potential for a Risk Management Plan). The project may necessitate updates to the Waste Connections, Inc. Business Plan, including, but not limited to, the site plan.

HZ-6: The non-residential density for this property shall be limited to 353 persons.

HZ-7: The building coverage for this property shall be limited to 1.25 acres (54,450 square-feet).

HZ-8: All moderately noise sensitive land uses on the project site shall include noise mitigation as required by the ALUP.

HZ-9: For the life of the project, no structure, landscaping, apparatus, or other feature, whether temporary or permanent in nature, shall constitute an obstruction to air navigation or a hazard to air navigation, as defined by the ALUP.

HZ-10: For the life of the project, any use is prohibited that my entail characteristics which would potentially interfere with the takeoff, landing, or maneuvering of aircraft at the Airport, including:

- Creation of electrical interference with navigation signals or radio communication between the aircraft and airport;
- Lighting which is difficult to distinguish from airport lighting;
- Glare in the eyes of pilots using the airport;
- Uses which attract birds and create bird strike hazardous;
- Uses which produce visually significant quantities of smoke; and
- Uses which entail a risk of physical injury to operators or passengers of aircraft (e.g. exterior laser light demonstrations or shows

HZ-11: All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the airport.

HZ-12: For the life of the project, any fueling stations in connection with this project shall be processed through an amendment to this Conditional Use Permit, and shall require, at a minimum, referral to and recommendation from the Airport Land Use Committee.

HZ-13: For the life of the project, any proposed solar system installation shall be referred to the Airport Manager for review and approval. The proposed solar system project shall be evaluated by the FAA Solar Glare Hazard Analysis Tool (SGHAT) and be designed to mitigate glare to the maximum extent possible.

HZ-14: For the life of the project, any development shall be setback from the fence line to ensure nothing creates an opportunity for someone to easily climb over the fence and violate airport security.

TRANSPORTATION AND CIRCULATION

TR-1: Traffic Impacts. In order to mitigate offsite traffic impacts, fees shall be required for San Luis Obispo City transportation impact fees for various programs. These fees shall be paid to the City of San Luis Obispo, and evidence of payment or waiver shall be provided to the County, **prior to construction permit issuance**. These fees shall include:

a. Citywide Transportation Impact Fee
b. Airport Area Specific Plan Fee
c. Los Osos Valley Road Interchange Mitigation Fee

WATER AND HYDROLOGY

WR-1: Cross Connection. If a cross-connection review by the Department of Environmental Health determines a cross-connection device is necessary, then an annual device test is required.

WR-2: Water System. Prior to occupancy or final inspection, the site shall have a permit from the Department of Environmental Health for a Non-Transient Non-Community Water System (reactivation of the CBI water system permit).

DATE: July 13, 2016

DEVELOPER'S STATEMENT & MITIGATION MONITORING PROGRAM FOR HITACHI ZOSEN INOVA USA, LLC CONDITIONAL USE PERMIT ED15-266 (DRC2015-00122)

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

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

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

AIR QUALITY

AQ-1: Odor Control. Prior to issuance of construction permits, the applicant shall develop an Odor Control Plan for review and approval by the APCD that identifies potential odor sources and determines control strategies to reduce potential odors. Odor control strategies that can be incorporated into these plans include, but are not limited to, the following:

- Identification and description of the most likely sources of odor;
- A list of odor controls and best management practices that could be implemented to minimize odor releases: These best management practices shall include the establishment of the following criteria:
    - Establish time limit for on-site retention of undigested substrates.
    - Establish contingency plans for operating downtime (e.g., equipment malfunction, power outage).
    - Manage delivery schedule to facilitate prompt handling of highly odorous substrates.
    - Protocol for monitoring and recording odor events.
    - Protocol for reporting and responding to odor events.

AQ-2: Portable Equipment. Prior to issuance of construction permit, the applicant shall obtain all required permits from the APCD for portable construction equipment (i.e. generators).

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

AQ-3: Fugitive Dust Mitigation Measures.

a. Reduce the amount of the disturbed area where possible;
b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
c. All dirt stock-pile areas 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 and 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 percent 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.
n. Since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control.

AQ-4: Combustion Emission Mitigation Measures.

a. Maintain all construction equipment in proper tune according to manufacturer's specifications;
b. Fuel all off-road and portable diesel powered equipment with CARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
c. Use diesel construction equipment meeting CARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation;
d. Use on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;

e. 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;
f. All on and off-road diesel equipment shall not idle for more than five minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the five minute idling limit;
g. Diesel idling within 1,000 feet of sensitive receptors is not permitted;
h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
i. Electrify equipment when feasible;
j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and
k. Use alternatively fueled construction equipment on-site where feasible, such as CNG, liquefied natural gas (LNG), propane or biodiesel.

AQ-5: Hydrocarbon Contaminated Soil. Should hydrocarbon contaminated soil be encountered **during construction activities**, the APCD shall be notified as soon as possible and no later than 48 hours after affected material is discovered to determine if an APCD permit will be required. In addition, the following measures shall be implemented immediately after contaminated soil is discovered:

- Covers on storage piles shall be maintained in place at all times in areas not actively involved in soil addition or removal;
- Contaminated soil shall be covered with at least six inches of packed uncontaminated soil or other TPH –non-permeable barrier such as plastic tarp. No headspace shall be allowed where vapors could accumulate.
- Covered piles shall be designed in such a way to eliminate erosion due to wind or water. No openings in the covers are permitted;
- The air quality impacts from the excavation and haul trips associated with removing the contaminated soil shall be evaluated and mitigated if total emissions exceed the APCD's construction phase thresholds;
- During soil excavation, odors shall not be evident to such a degree as to cause a public nuisance; and
- Clean soil shall be segregated from contaminated soil.

AQ-6: Lead during Demolition. The applicant shall contact APCD **ten days prior to the start** of any demolition, renovation, or retrofitting work to determine if a lead work plan is required. An APCD permit may be required; if required the permit shall be obtained prior to any demolition, renovation, or retrofitting work.

AQ-7: Naturally Occurring Asbestos. Prior to any construction activities at the site, the applicant shall ensure that a geologic evaluation is conducted to determine if the area disturbed is exempt from the asbestos regulation. An exemption request shall be filed with the APCD. If the site is not exempt from regulation, the applicant shall comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program approved by the APCD.

AQ-8: Demolition Asbestos. Prior to any construction activities at the site, the applicant shall comply with all requirements of the National Emission Standard for Hazardous Air Pollutants. These requirements include, but are not limited to:

a. written notification, within at least 10 business days of activities commencing to the

APCD
b. asbestos survey conducted by a certified Asbestos Consultant and
c. applicable removal and disposal requirements of identified ACM. Please contact the APCD Enforcement Division at (805) 781-591 2 and also go to slocleanair.org/business/asbestos.php for further information. To obtain a Notification of Demolition and Renovation form go to the" Other Forms" section of: slocleanair.org/business/onlineforms.php.

AQ-9: Idling Restrictions.
a. Driver's shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location;
b. Driver's shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than five minutes at any location when within 100 feet of a restricted area;
c. Signs shall be posted in the designated queuing areas and job sites to remind drivers of the five minute idling limit;
d. Off-road diesel equipment shall comply with the five minute idling restriction identified in Section 2449(d)(3) of the California Air Resources Board's In-Use off-Road Diesel regulation: www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf.
e. Signs shall be posted in the designated queuing areas and job sites to remind off-road equipment operators of the five minute idling limit.

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

AQ-10: Permit to Operate. Prior to final inspection or occupancy, the applicant shall obtain a permit to operate from the SLO APCD. The applicant shall install a Selective Catalyst Reduction (SCR) and oxidation catalyst (Oxicat) system on the combined heat and power (CHP) unit.

Monitoring: Required during prior to final inspection or occupancy. Compliance will be verified by the County Department of Planning and Building.

GEOLOGY AND SOILS

GS-1: Geotechnical Recommendations. The applicant shall implement the recommendations of the *Geotechnical Engineering Report* prepared by Earth Systems Pacific, dated March 2016.

Monitoring: Required prior to issuance of construction permits and during project construction. Compliance will be verified by the County Department of Planning and Building.

HAZARDS AND HAZARDOUS MATERIALS

HZ-1: Fire Safety. Prior to issuance of a construction permit, the applicant shall provide a copy of the final *Fire Safety Plan* prepared by Cal Fire for this project and the *Preliminary Fire Protection Hazard Evaluation* prepared by Collings & Associates, April 12, 2016. The recommendations and requirements of the *Fire Safety Plan* and *Preliminary Fire Protection Hazard* Evaluation shall be implemented **prior to final occupancy**, and/or on-going for the life of the project.

HZ-2: Prior to issuance of construction permits, all structures shall be reviewed by the Air Traffic Division of the FAA regional office having jurisdiction over San Luis Obispo County to determine compliance with the provisions of FAR Part 77. In addition, applicable construction activities shall be reported via FAA Form 7460-1 **at least 30 days before proposed construction or application for building permit**. The applicant shall also coordinate with the FAA on potential structural encroachments into the glideslope critical areas as shown on the draft Airport Layout Plan.

HZ-3: Prior to the issuance of construction permits; the applicant shall provide a recorded avigation easement for each property developed within the area included in the proposed local action.

HZ-4: Exterior Light Plan. Prior to issuance of construction permits, the Applicant shall submit an Exterior Lighting Plan for both permanent and temporary facilities, for County review and approval. The Plan shall define the height, location, and intensity of all exterior lighting. All lighting fixtures shall be positioned "down and into" the development, and shielded so that neither the lamp nor the related reflector interior surface is visible from surrounding properties or the San Luis Obispo County Regional Airport. All lighting poles, fixtures, and hoods shall be dark colored. When nighttime lighting is required for construction, temporary lighting shall be hooded to the extent consistent with safety. Lighting fixtures shall be directed away from the airport to avoid glare and, when near a residence, shall be pointed away from the residence.

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

HZ-5: Environmental Health. Prior to occupancy or final inspection, the applicant shall obtain the appropriate permits from the Department of Environmental Health for the process gasses produced. Depending on reportable quantities, a Hazardous Materials Business Plan may be required (including potential for a Risk Management Plan). The project may necessitate updates to the Waste Connections, Inc. Business Plan, including, but not limited to, the site plan.

HZ-6: The non-residential density for this property shall be limited to 353 persons.

HZ-7: The building coverage for this property shall be limited to 1.25 acres (54,450 square-feet).

HZ-8: All moderately noise sensitive land uses on the project site shall include noise mitigation as required by the ALUP.

HZ-9: For the life of the project, no structure, landscaping, apparatus, or other feature, whether temporary or permanent in nature, shall constitute an obstruction to air navigation or a hazard to air navigation, as defined by the ALUP.

HZ-10: For the life of the project, any use is prohibited that my entail characteristics which would potentially interfere with the takeoff, landing, or maneuvering of aircraft at the Airport, including:

- Creation of electrical interference with navigation signals or radio communication between the aircraft and airport;
- Lighting which is difficult to distinguish from airport lighting;
- Glare in the eyes of pilots using the airport;
- Uses which attract birds and create bird strike hazardous;
- Uses which produce visually significant quantities of smoke; and
- Uses which entail a risk of physical injury to operators or passengers of aircraft (e.g. exterior laser light demonstrations or shows

HZ-11: All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the airport.

HZ-12: For the life of the project, any fueling stations in connection with this project shall be processed through an amendment to this Conditional Use Permit, and shall require, at a minimum, referral to and recommendation from the Airport Land Use Committee.

HZ-13: For the life of the project, any proposed solar system installation shall be referred to the Airport Manager for review and approval. The proposed solar system project shall be evaluated by the FAA Solar Glare Hazard Analysis Tool (SGHAT) and be designed to mitigate glare to the maximum extent possible.

HZ-14: For the life of the project, any development shall be setback from the fence line to ensure nothing creates an opportunity for someone to easily climb over the fence and violate airport security.

Monitoring: Required for the life of the project. Compliance will be verified by the County Department of Planning and Building.

TRANSPORTATION AND CIRCULATION

TR-1: Traffic Impacts. In order to mitigate offsite traffic impacts, fees shall be required for San Luis Obispo City transportation impact fees for various programs. These fees shall be paid to the City of San Luis Obispo, and evidence of payment or waiver shall be provided to the County, **prior to construction permit issuance.** These fees shall include:

a. Citywide Transportation Impact Fee
b. Airport Area Specific Plan Fee
c. Los Osos Valley Road Interchange Mitigation Fee

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

WATER AND HYDROLOGY

WR-1: Cross Connection. If a cross-connection review by the Department of Environmental Health determines a cross-connection device is necessary, then an annual device test is required.

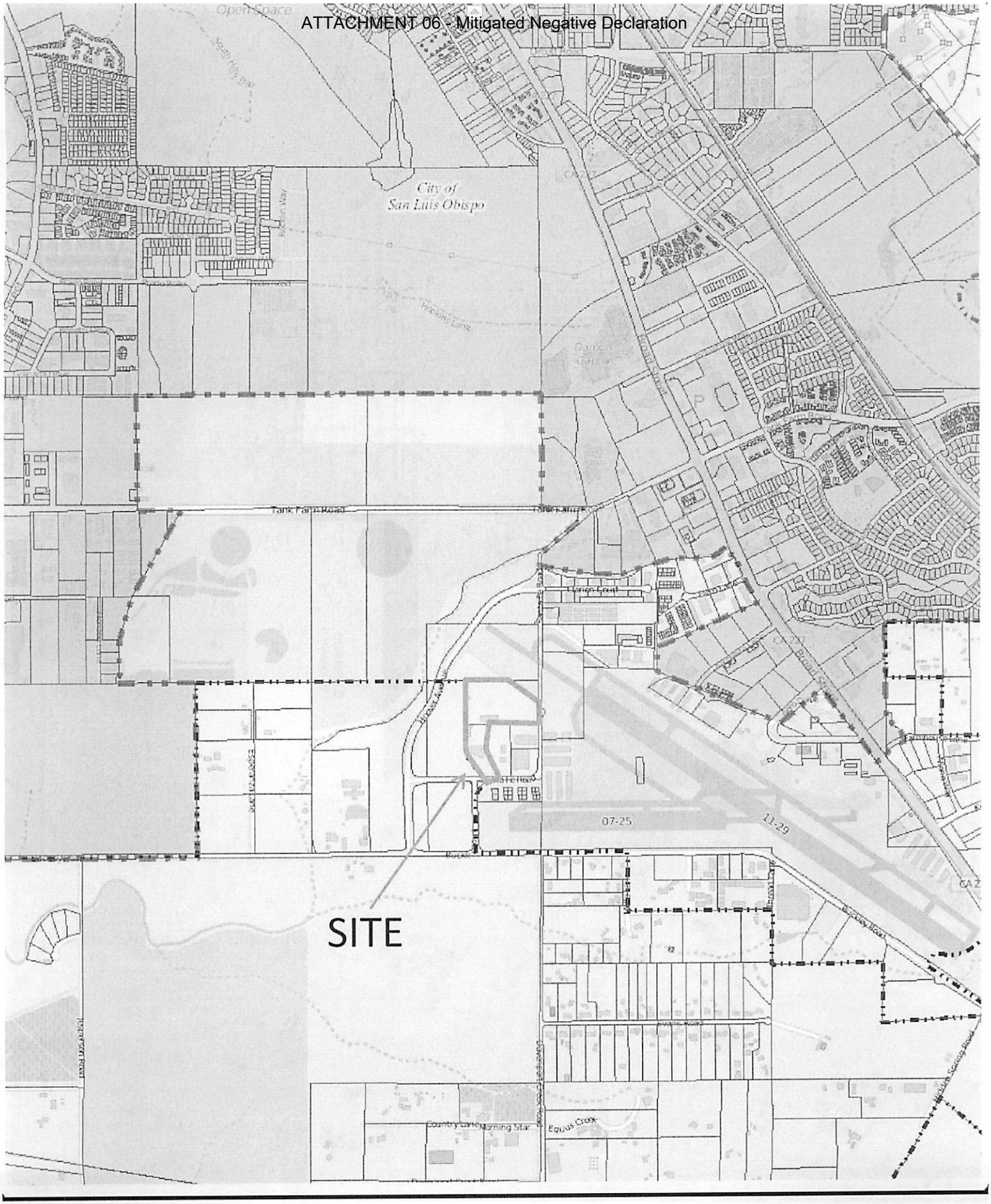
Monitoring: Required for the life of the project. Compliance will be verified by the County Department of Environmental Health.

WR-2: Water System. Prior to occupancy or final inspection, the site shall have a permit from the Department of Environmental Health for a Non-Transient Non-Community Water System (reactivation of the CBI water system permit).

Monitoring: Required prior to final inspection or occupancy. Compliance will be verified by the County Department of Planning and Building.

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

C.M. Florence	C.M.Florence, AICP	13 July 2016
Signature of Applicant Agent	**Name (Print)**	**Date**

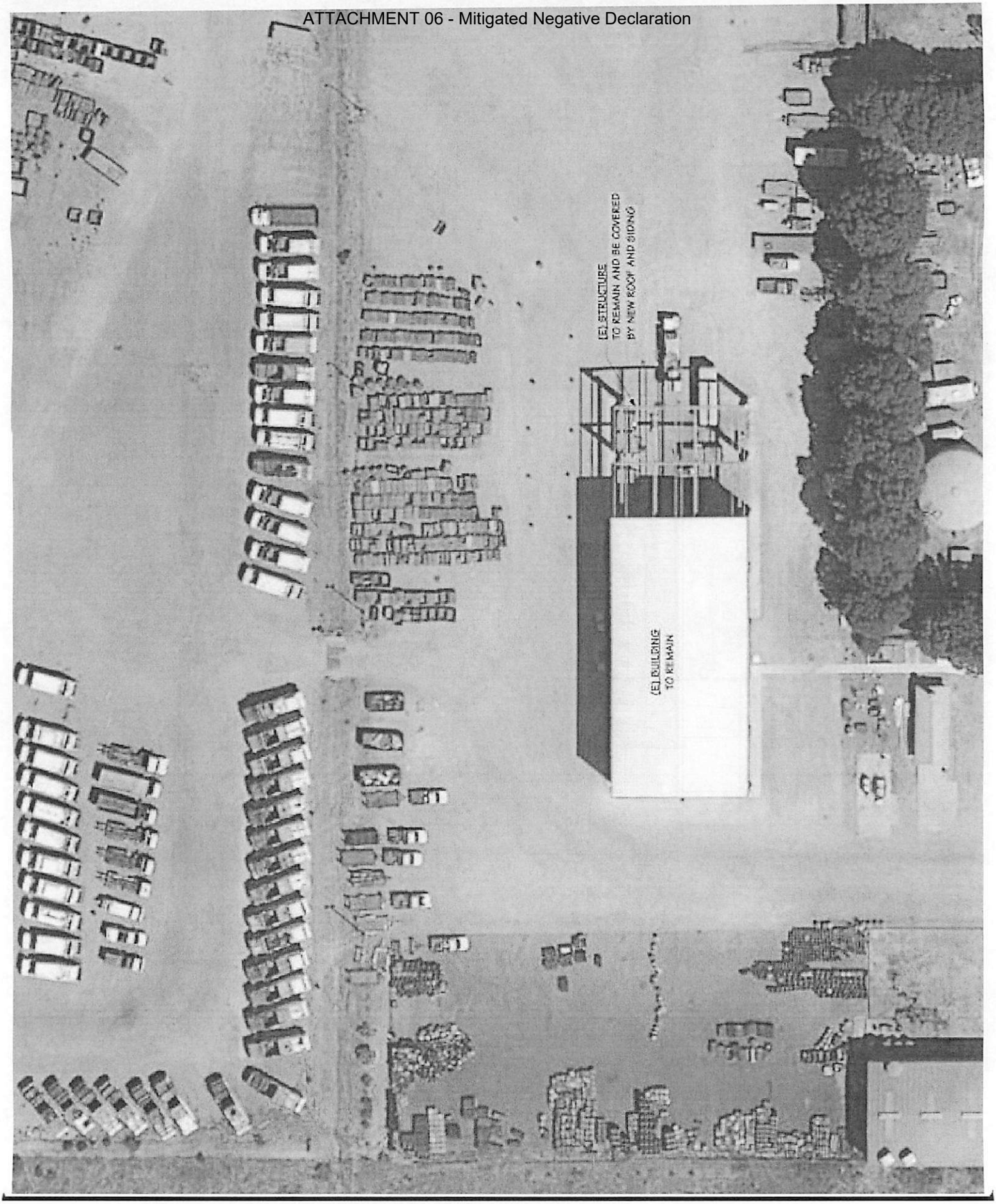


PROJECT

Hitachi Zosen Inova USA, LLC
DRC2015-00122

EXHIBIT

Vicinity Map

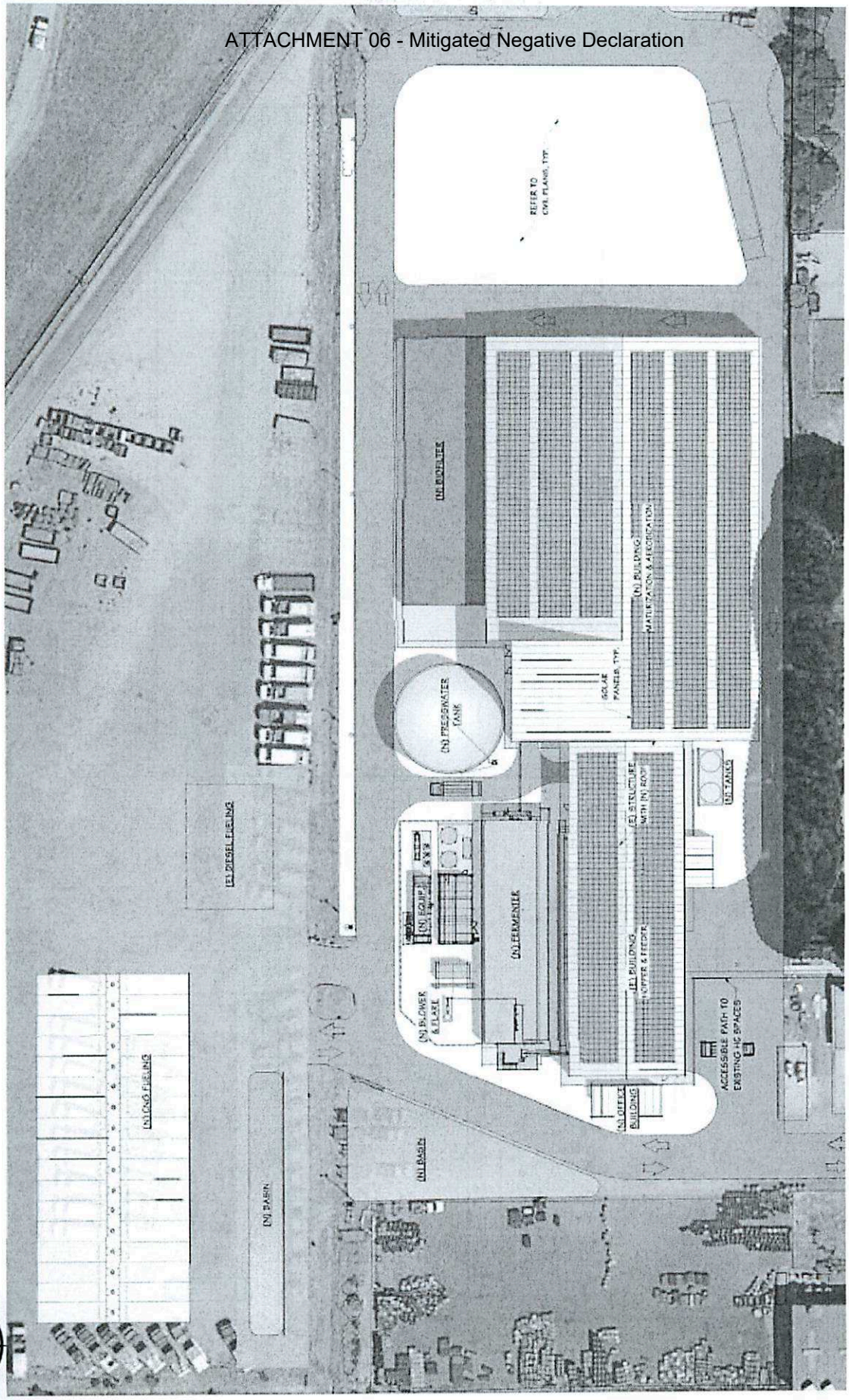


PROJECT

Hitachi Zosen Inova USA, LLC
DRC2015-00122

EXHIBIT

Existing Site Plan



N

PROJECT

Hitachi Zosen Inova USA, LLC
DRC2015-00122

EXHIBIT

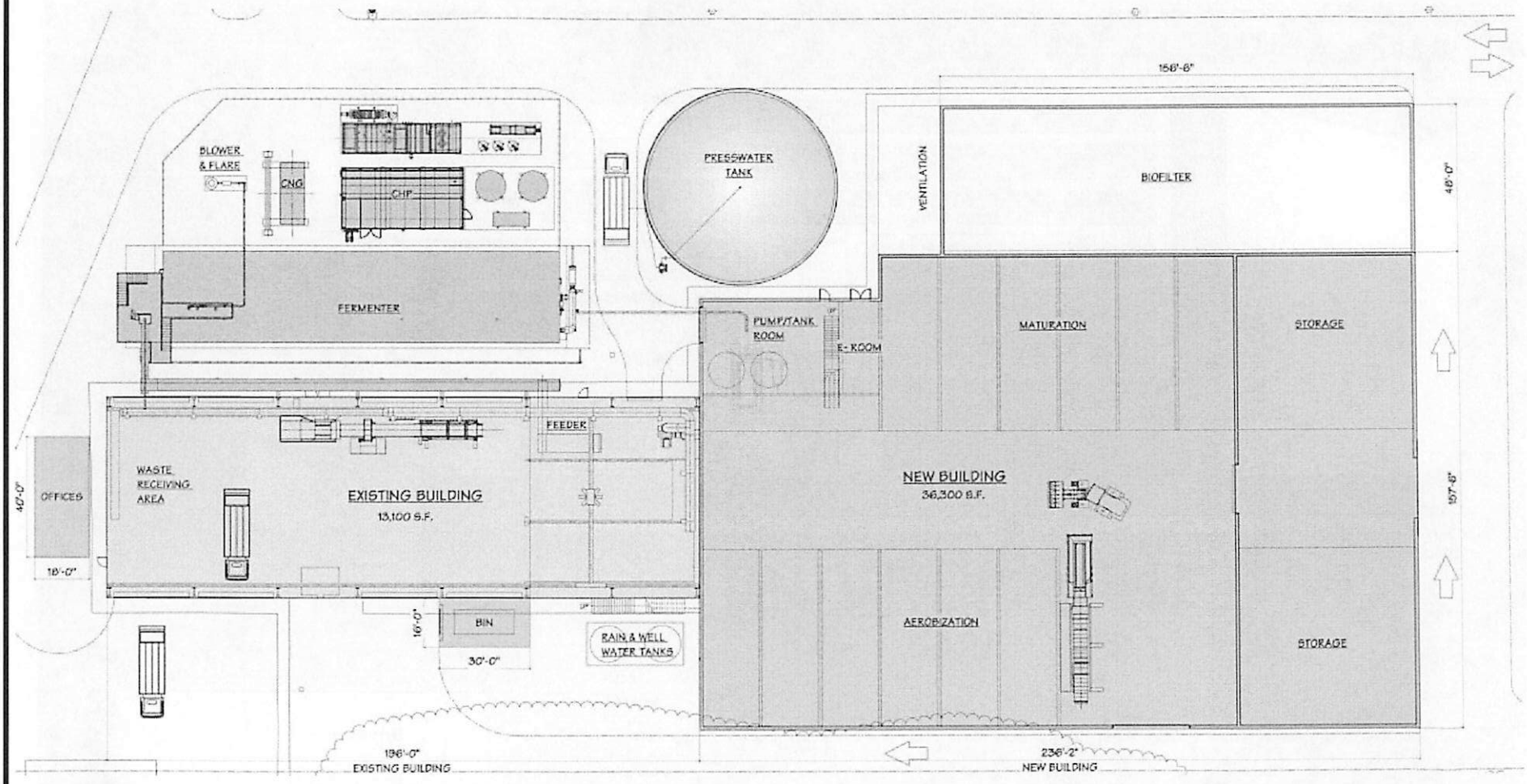
Proposed Site Plan

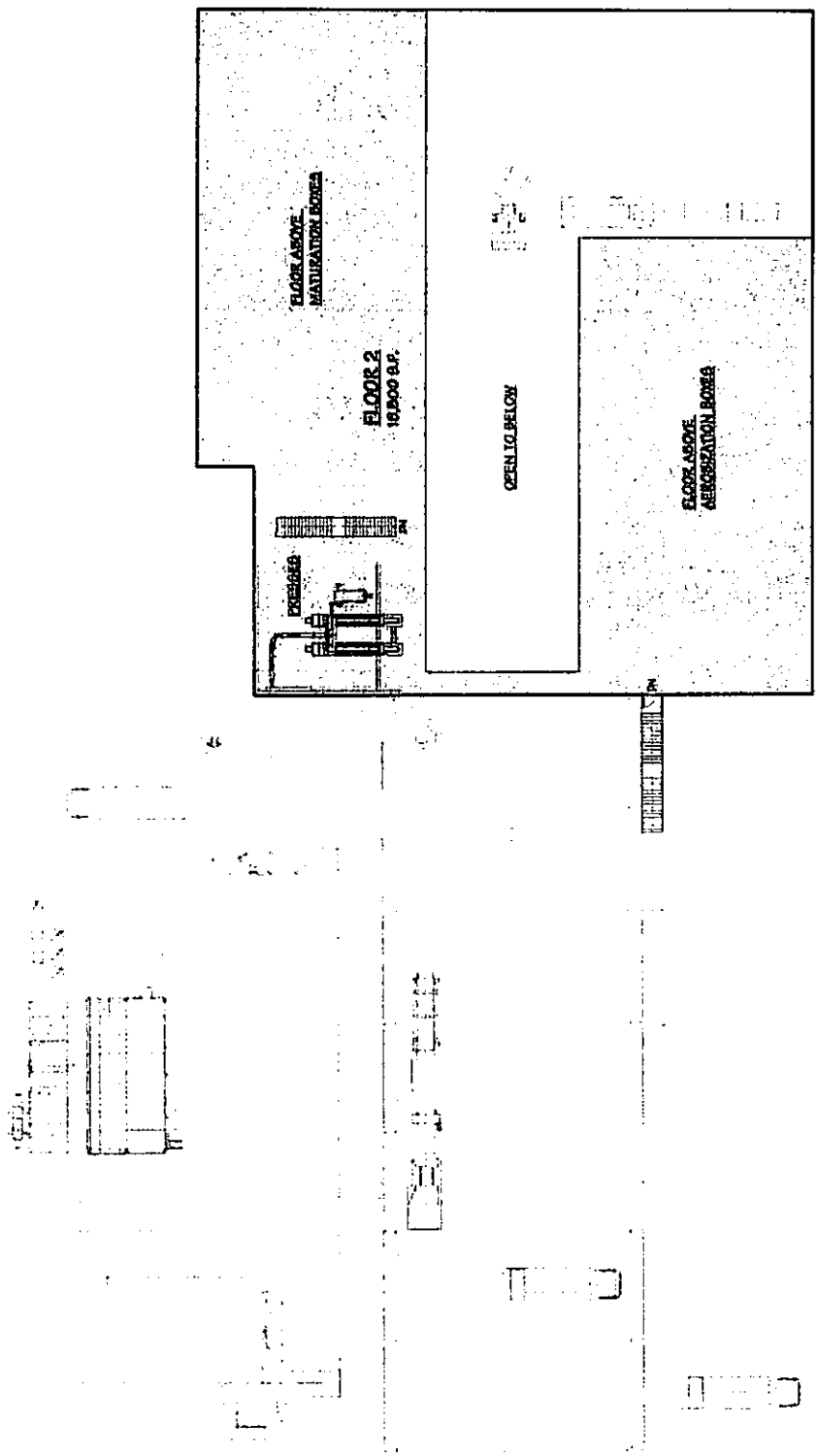
PROJECT

Hitachi Zosen Inova USA, LLC
DRC2015-00122

EXHIBIT

Lower Floor Plan





PROJECT

Hitachi Zosen Inova USA, LLC
DRC2015-00122

EXHIBIT

Upper Floor Plan

PROJECT

Hitachi Zosen Inova USA, LLC

DRC2015-00122

EXHIBIT

Elevations

PROJECT

Hitachi Zosen Inova USA, LLC
DRC2015-00122

EXHIBIT

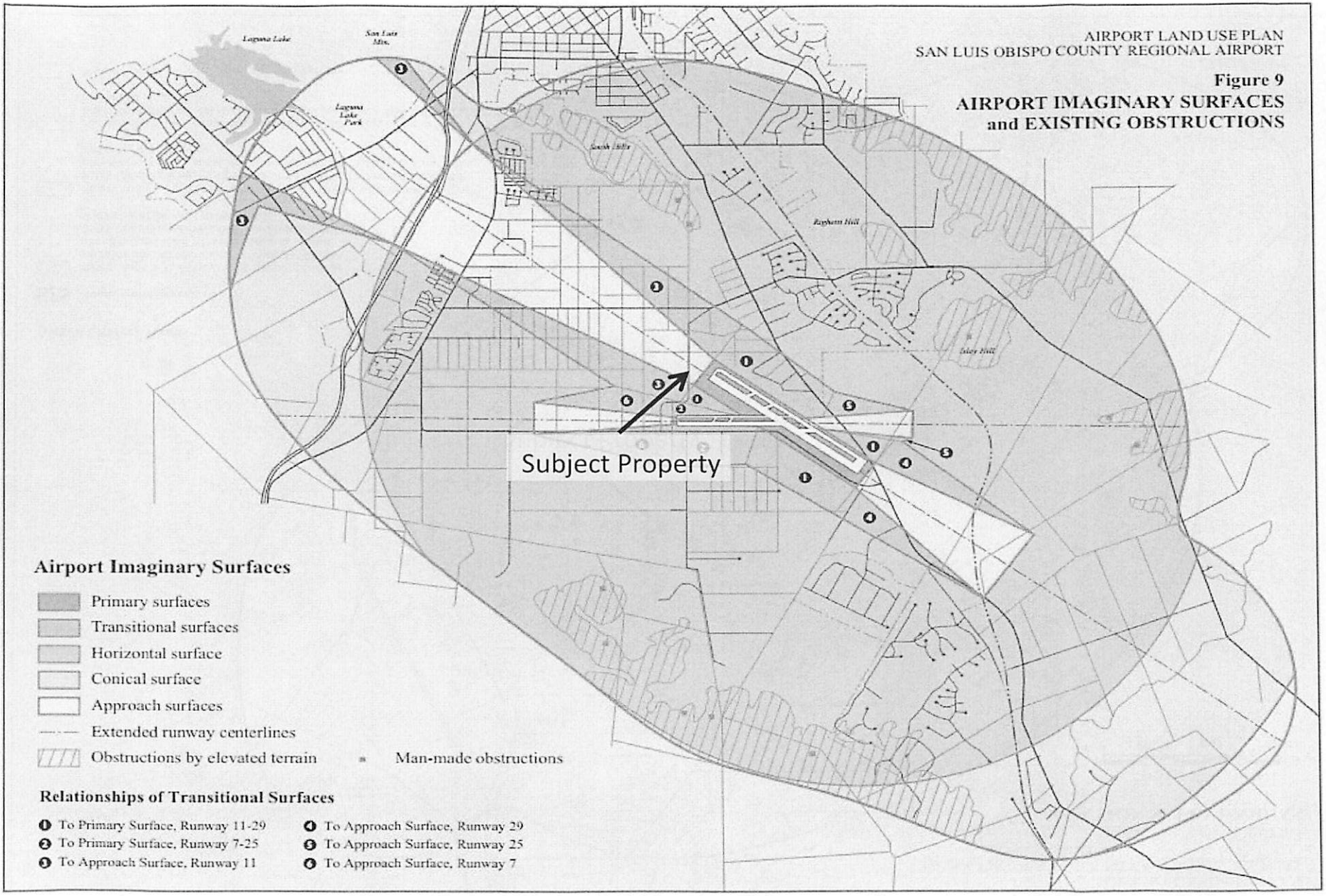
Airport Safety Areas

PROJECT

Hitachi Zosen Inova USA, LLC
DRC2015-00122

EXHIBIT

Airport Imaginary Surfaces
and Existing Obstructions



PROJECT

Hitachi Zosen Inova USA, LLC
DRC2015-00122

EXHIBIT

Future Airport Expansion

RE: Anaerobic Digestor

Craig Piper

Wed 6/29/2016 9:03 AM

To: Brandi Cummings <bcummings@co.slo.ca.us>;

Cc: Kevin Bumen <kbumen@co.slo.ca.us>;

Hi Brandi,

I can't find that I responded to you yet via email. I know we have exchanged voicemail messages.

We do have some concerns.

1. Any new structures/construction should undergo the FAA 7460 review for obstructions.
2. The airport is planning for an extension of Taxiway M which is the parallel taxiway on the west side of the runway. This will also include the relocation of the Glide Slope which is part of the Instrument Landing System (ILS). The developer/property owner needs to ensure that their project will not impact the operation the ILS as currently installed or as ultimately planned as shown in the Airport Layout Plan. This assurance will need to be coordinated with the FAA to ensure compliance.
3. Any lighting needs to be installed in such a way so as not to shine or be directed toward aircraft on approach to departure from the airport, especially during hours of darkness as this will affect pilots ability to operate aircraft.
4. Any development should be setback from the fence line to ensure nothing creates an opportunity for someone to easily climb over the fence and violating airport security.

Craig Piper
Assistant Director
Department of Airports
County of San Luis Obispo
805-781-4376

From: Brandi Cummings
Sent: Thursday, June 09, 2016 2:04 PM
To: Craig Piper <capiper@co.slo.ca.us>
Subject: Anaerobic Digestor

Hi Craig,

I'm wondering if you would like to submit a formal referral response to this project? I know there were a few potential issues brought up at the meeting we all had.

Also, it's my understanding that ALUC is scheduled for June 29th, and their comments/recommendation will be listed as a separate response.

Brandi Cummings
Planner
Department of Planning & Building
County of San Luis Obispo
805.781.1006

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SLO COUNTY apcd | Air Pollution Control District
San Luis Obispo County

May 11, 2016

Brandi Cummings
County of San Luis Obispo County Planning and Building
Government Center
San Luis Obispo ca 93401

SUBJECT: APCD Comments Regarding the Kompogas Anaerobic Digestion Plant Initial Study / Mitigated Negative Declaration.

Dear Ms. Cummings,

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the above referenced project located at 4388 Old Santa Fe Road in San Luis Obispo.

The project as proposed includes an anaerobic digestion plant to process green and food waste from Waste Connections' service area. The plant will utilize an existing 13,000 square foot (SF) building (formerly the plate cutting building) with 36,000 SF of new construction, including the introduction of equipment related to the anaerobic digestion process. A new office trailer for support staff will be located west of the existing plant cutting building. An 80 space paved parking lot is planned for the east side of the new building. A new weighbridge will be installed in the paved area for weighing incoming and outgoing trucks. The site plan depicts a compressed natural gas (CNG) fueling station for the potential to fuel the increasing fleet of CNG -fueled trucks utilized by Waste Connections. Other alternative uses for the biogas include the combined heat and power unit (CHP), net metering and distribution into the existing power grids. The biogas is a by-product of the anaerobic digestion process. Other site improvements include grading to accommodate post construction storm water facilities.

The following are APCD comments that are pertinent to this project.

GENERAL COMMENTS

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text**.

T 805.781.5912 F 805.781.1002 W slocleanair.org 3433 Roberto Court, San Luis Obispo, CA 93401

CONSTRUCTION PHASE IMPACTS

Based on the SLOCAPCD review of the Initial Study and associated Air Quality Technical Report, staff agrees the construction phase impacts will likely be less than the SLOCAPCD's significance threshold values identified in Table 2-1 of the CEQA Air Quality Handbook (available at the APCD web site: www.slocleanair.org). Staff also agrees with the mitigation measures (AQ-1 and AQ-2) in the Air Quality Technical Report. **Therefore, with the exception of the requirements below, the APCD is not requiring other construction phase mitigation measures for this project. SLOAPCD staff recommends the requirement listed below be included as a mitigation measure to ensure compliance with the requirements.**

Dust Control for Drought Conditions

The SLOCAPCD agrees with the dust control measures outlined in mitigation measure AQ-1 (Air Quality Technical Report on page 10 and 11). However, **please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control.** For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook.

Hydrocarbon Contaminated Soil

Should hydrocarbon contaminated soil be encountered during construction activities, the APCD must be notified as soon as possible and no later than 48 hours after affected material is discovered to determine if an APCD Permit will be required. In addition, the following measures shall be implemented immediately after contaminated soil is discovered:

- Covers on storage piles shall be maintained in place at all times in areas not actively involved in soil addition or removal;
- Contaminated soil shall be covered with at least six inches of packed uncontaminated soil or other TPH –non-permeable barrier such as plastic tarp. No headspace shall be allowed where vapors could accumulate;
- Covered piles shall be designed in such a way to eliminate erosion due to wind or water. No openings in the covers are permitted;
- The air quality impacts from the excavation and haul trips associated with removing the contaminated soil must be evaluated and mitigated if total emissions exceed the APCD's construction phase thresholds;
- During soil excavation, odors shall not be evident to such a degree as to cause a public nuisance; and,
- Clean soil must be segregated from contaminated soil.

The notification and permitting determination requirements shall be directed to the APCD Engineering Division at 781-5912.

Lead During Demolition

Demolition, renovation, or retrofitting of structures coated with lead based paint is a concern for the APCD. Improper demolition can result in the release of lead containing particles from the site. Sandblasting or removal of paint by heating with a heat gun can result in significant emissions of lead. Therefore, proper abatement of lead before demolition of these structures must be performed in order to prevent the release of lead from the site. **Depending on the removal method, an APCD permit may be required. Contact the APCD Engineering Division at (805)**

781-5912 for more information. Approval of a lead work plan by the APCD is required and must be submitted ten days prior to the start of the demolition. For more information, contact the APCD Enforcement Division at (805) 781-5912 or for specific information regarding lead removal, please contact Cal-OSHA at (818) 901-5403. Additional information can also be found on line at http://www.epa.gov/lead.

Naturally Occurring Asbestos

Naturally occurring asbestos (NOA) has been identified by the state Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common throughout California and may contain naturally occurring asbestos. The SLO County APCD has identified areas throughout the County where NOA may be present (see the APCD's 2012 CEQA Handbook, Technical Appendix 4.4. The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), and therefore the following requirements apply. Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (93105), **prior to any construction activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if the area disturbed is exempt from the regulation. An exemption request must be filed with the APCD.** If the site is not exempt from the requirements of the regulation, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. More information on NOA can be found at slocleanair.org/business/asbestos.php.

Demolition/Asbestos

Demolition, renovation, or retrofitting activities can have potential negative air quality impacts, including issues surrounding proper handling, abatement, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during the demolition or remodeling of existing buildings or the disturbance, demolition, or relocation of above or below ground utility pipes/pipelines (e.g., transite pipes or insulation on pipes). **If this project will include any of these activities, then it may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include, but are not limited to: 1) written notification, within at least 10 business days of activities commencing, to the APCD, 2) asbestos survey conducted by a Certified Asbestos Consultant, and, 3) applicable removal and disposal requirements of identified ACM. Please contact the APCD Enforcement Division at (805) 781-5912 and also go to slocleanair.org/business/asbestos.php for further information. To obtain a Notification of Demolition and Renovation form go to the "Other Forms" section of: slocleanair.org/business/onlineforms.php.

Construction Permit Requirements

As indicated on page 12 of the Air Quality Technical Report, portable equipment may require a permit. Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit.

The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the APCD's 2012 CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generator;
- Internal combustion engines;
- Rock and pavement crushing;
- Unconfined abrasive blasting operations;
- Tub grinders;
- Trommel screens; and,
- Portable plants (e.g. aggregate plant, asphalt batch plant, concrete batch plant, etc.).

To minimize potential delays, prior to the start of the project, please contact the APCD Engineering Division at (805) 781-5912 for specific information regarding permitting requirements. SLOAPCD staff recommends this requirement be included as a mitigation measure to ensure compliance with the requirement.

Idling Restrictions

As indicated on page 12 of the Air Quality Technical Report, California Code of Regulation limits idling. **SLOAPCD staff recommends the requirements listed be included as a mitigation measures to ensure compliance with the requirement**.

OPERATIONAL PHASE IMPACTS

In order for the SLOCAPCD to verify the operation phase emissions the following items will need to be addressed.

- **Biogas upgrading system**-The project description included a discussion of possible uses of the biogas. One being the use of the biogas as a fuel for the combined heat and power unit (CHP), or upgraded for in the CNG waste hauler trucks. However, the calculations do not appear to include the upgrading process or associated emissions that would be produced from the operation. **Please provide more information on how the biogas upgrading process works and what happens to the impurities that are removed from the gas (e.g. CO2, H2S). If the operational plans include this gas upgrade process then the equipment and emissions should be included in the calculations to determine the full impacts from the project.**

- **Press Water Storage Tank**-Page 9 of the project description discusses a press-water storage tank. What is the size of this tank? The project description indicates the storage tanks are covered by a gas and odor tight membrane. This would imply the system includes some sort of vapor recovery system. **Please provide more information about how this system works.**

- **Biofilter**-It was not clear from the description of the biofilter (page 12 of the project description) how the ammonia (NH3) in the exhaust gas will be monitored. **Please explain.**

- **CHP-**The size of the CHP to be used for the project is unclear from the documents presented with this application. The Air Quality Technical Report (page 13) indicates the CHP is expected to be less than 800 kW, however, it states the emission estimates assumed an 800 kW CHP to provide a maximum case. In the initial study, several different CHP sizes were analyzed (250 kW, 400kW, 826 kW, 1,069 kW and 1,200 kW). In the Initial study, page 6 the following statement is made:

  "The analysis assumed that the CHP unit would run continuously 24 hours per day. The daily operational emissions from the proposed project using an 826 kW CHP unit would be below the daily significance threshold levels established by APCD. The daily operational emissions from the proposed project utilizing a 1,069 kW or a 1,200 kW CHP unit would be slightly above the daily significance threshold of 25 pounds/day (lbs./day) for ROG + NOx. and would be potentially significant. Projects that exceed the 25 lbs./day threshold for ROG + NOx requires further mitigation, as established by the APCD. While the analysis includes a variety of alternative CHP unit sizes, emissions, and related mitigation, the final design will reflect the final CHP unit size, accordingly."

  What is meant by the last sentence, *"The final design will reflect the final CHP unit size accordingly?"* If the larger CHP units are selected, then additional mitigation should be proposed. In order for the SLOCAPCD to make a determination about the air quality impact the exact size of the equipment needs to be defined. **The initial study, supporting documentation, and any conditions of approval should make it clear as to which size CHP will be used and appropriate mitigation recommended as needed. Also, please provide the manufacturer's emission rates, emission factors and specification sheet for the CHP and flare.**

- **Odors-**As recommended in the initial study and Air Quality Technical Report, the SLOCAPCD agrees an Odor Management Plan should be prepared for this project. **The Odor Management Plan should be submitted to the SLOCAPCD for review and approval prior to the start of construction activities. In addition to the items listed on page 8 of the initial study, the SLOCAPCD also recommends that the Odor Management Plan include a section to address complaint notification and response.**

- **Greenhouse Gases-**The application of the GHG threshold has been misapplied in the GHG analysis on pages 30 and 31 of the Air Quality Technical Report and page 13 of the initial study. **All project GHG emissions including the mobile sources, energy usage, water, CHP and construction emissions (amortized over the life of the project) should be summed up and compared to the 10,000 tons/yr. threshold.**

- **Mobile sources-**As indicated in the Vehicle Trip Generation Report dated February 26, 2016, the total vehicle miles traveled (VMT) associated with the project will increase mainly due to the new commercial food waste trucks. The data for the new commercial food waste truck is presented on page 3 and 4 of this report. There appears to be an additional error for the total miles for the commercial trucks. Truck A is shown to travel 125 miles for the various routes and Truck B is shown to travel 85 miles for the various route, which adds up to a total of 210 miles, not 201miles as show on the table, thus making daily vehicle miles travelled for

all trucks an increase of 155 miles, not 146 miles. **This should be checked and the calculations modified accordingly.**

- **Operational Emission: tons/yr.**-The Air Quality Technical Report provides summary tables for operational phase emissions on pages 14 and 15. However, Table 9 for the annual operating emissions (annual tons/year) does not include all the sources of emissions; it only lists the emissions for the CHP (with and without the SCR/oxicat). **All sources including mobile, energy usage, water, and CHP should be included on one summary table and compared to the SLOCAPCD annual thresholds, as was done for the daily emission summary Table 6, 7 and 8.**

- **Permit to Operate**-Based on the information provided, this project will be required to obtain a permit to operate from the SLOCAPCD. **To minimize potential delays prior to the start of the project, please contact the APCD Engineering Division at 805-781-5912 for specific information regarding permitting requirements.**

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at 805-781-4667.

Sincerely,

Air Quality Specialist

MAG/ihs

cc: Dora Drexler, Enforcement Division, APCD
Tim Fuhs, Enforcement Division, APCD
Gary Willey, Engineering Division, APCD

Attachments:
1. Naturally Occurring Asbestos – Construction & Grading Project Exemption Request Form, Construction & Grading Project Form

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SLO COUNTY apcd | Air Pollution Control District
San Luis Obispo County

June 14, 2016

Brandi Cummings
County of San Luis Obispo County Planning and Building Government Center
San Luis Obispo, CA 93401

SUBJECT: APCD Comments Regarding the Kompogas Anaerobic Digestion Plant-Comments on Technical Memorandum May 24, 2016

Dear Ms. Cummings:

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the above referenced document and have the following comments.

Page 1 and 2 of the Technical Memorandum dated May 24, 2016
We appreciate the applicant's willingness to include the mitigation measures referenced in the APCD letter dated May 11, 2016. However, in a few cases we recommend the language be expanded to ensure all facets of the requirement are included in the conditions of approval.

1. For hydrocarbon contaminated soil, APCD staff recommend the following portion of standard language be added to the verbiage on page 1 of the Technical Memorandum dated May 24, 2016:

    - *Cover on storage piles shall be maintained in place at all times in areas not actively involved in soil addition or removal;*
    - *Contaminated soil shall be covered with at least six inches of packed uncontaminated soil or other TPH non-permeable barrier such as plastic tarp. No headspace shall be allowed where vapors could accumulate;*
    - *Covered piles shall be designed in such a way to eliminate erosion due to wind or water. No openings in the covers are permitted;*
    - *The air quality impacts from the excavation and haul trips associated with removing the contaminated soil must be evaluated and mitigated if total emissions exceed the APCD's construction phase thresholds;*
    - *During soil excavation, odors shall not be evident to such a degree as to cause a public nuisance; and,*

2. For naturally occurring asbestos (NOA), APCD staff recommend the following addition to the language listed on page 2 of the Technical Memorandum dated May 24, 2016:

t 805.781.5912 f 805.781.1002 w slocleanair.org 3433 Roberto Court, San Luis Obispo, CA 93401

If the site is not exempt from the requirements of the regulation, the applicant must comply with all requirements outlined in the Asbestos ATCM.

3. For Demolition/Asbestos, APCD staff recommend adding the following to the language listed on page 2 of the Technical Memorandum dated May 24, 2016:

   These requirements include, but are not limited to 1) written notification within at least 10 business days of activities commencing to the APCD, 2) asbestos survey conducted by a Certified Asbestos Consultant, and 3) applicable removal and disposal requirements of identified ACM. Please contact the APCD Enforcement Division at 805 781-5912 and also go to slocleanair.org/business/asbestos.php for further information. To obtain a Notification of Demolition and Renovation form go to the "Other Forms" section of slocleanair.org/business/onlineforms.php

Page 2 of the Technical Memorandum dated May 24, 2016
The applicant indicates that the biogas upgrading is no longer part of the project and all biogas will go to the CHP unit or flare during project start-up and maintenance. However, on page 3 (same document) the applicant recommends MM AQ-4 as possible mitigation which indicates the applicant shall construct an on-site CNG fueling station to reduce collection-truck vehicle miles travelled, if feasible. Since it was stated on the previous page that the upgrading facility was no longer part of the project measure, MM AQ-4 seems to contradict what was stated previously. Please explain. If an upgrading facility is intended for future installation, then potential emissions from the facility should be included in the evaluation.

Page 3 of the Technical Memorandum dated May 24, 2016
Under the CHP paragraph the applicant proposes MM AQ-3, AQ-4, and AQ-5. Mitigation Measure AQ-3 states that the applicant proposes replacing diesel fueled collection trucks with CNG if feasible. In the Air Quality Technical Report dated March 29, 2016, which was previously submitted MM AQ-3 addresses odors and proposes an Odor Control Plan. **San Luis Obispo County APCD requests that one comprehensive list of proposed mitigation measures be compiled and be submitted for clarification.**

On page 5 of the Technical Memorandum dated May 24, 2016
The APCD has two operational phase emission thresholds for ROG+NOx, and PM10, 25 lbs/day and 25 tons/year. For the CEQA evaluation the project emissions should be compared to both the daily and annual thresholds. Mitigation is required if the project emissions exceed either threshold and offsite mitigation may be required if the project exceeds the 25 ton/year threshold. The data presented on page 5 only evaluated the tons/year.

Based on the APCD review of the data presented it appears the operational phase emissions will exceed the daily threshold of 25 lbs/day for ROG +NOx without an SCR oxidation catalyst system. The project proponent should demonstrate that the proposed mitigation measures will reduce the emissions to below the thresholds. If CNG vehicles are being proposed to reduce emissions, then the reduction should be quantified. As noted above, with regard to onsite CNG refueling, MM AQ-4 page 2 of this document indicates that a biogas upgrading system was no longer being considered as part of the project, which makes any emission reductions from this measure unlikely. As shown in the calculations and supporting documentation an SCR oxidation catalyst system would provide

approximately 75% reduction in NOx. The APCD recommends an SCR oxidation catalyst, or other equivalent measures be proposed, that will provide real quantifiable emission reduction on site.

This project will require a permit from the APCD and will be subject to the New Source Review Rule 204. Under Rule 204 equipment emitting more than 25 lbs/day of NOx requires Best Available Control Technology.

Please contact the APCD Engineering Division at 805 781-5912 for specific information regarding permitting requirements and for any other questions or comments you may have regarding this letter, please feel free to contact me at 805-781-4667.

Sincerely,

Melissa Guise
Air Quality Specialist
MAG/his

cc: Dora Drexler, Enforcement Division, APCD
Tim Fuhs, Enforcement Division, APCD
Gary Willey, Engineering Division, APCD

H:\PLAN\CEQA\Project_Review\3000\3900\3962-1\3962_a.docx

ATTACHMENT 06 - Mitigated Negative Declaration

RE: Hitachi Zosen Anaerobic Digestor

Byrnes, Dennis@CALFIRE <Dennis.Byrnes@fire.ca.gov>

Fri 6/10/2016 1:35 PM

Inbox

To: Brandi Cummings <bcummings@co.slo.ca.us>;

Cc: Salas, Mike@CALFIRE <Mike.Salas@fire.ca.gov>; Laurie Donnelly <laurie.donnelly@fire.ca.gov>; Tony.Gomes_fire.ca.gov <Tony.Gomes@fire.ca.gov>; Jerilyn Moore <jerilyn.moore@fire.ca.gov>;

Brandi,
Yes I am the lead on this project for CAL FIRE.
Due to the unique nature of this project CAL FIRE/ San Luis Obispo County Fire Department is working closely with the applicant and the applicants Fire Protection Engineer to develop Fire/Life Safety standards. This is the first anaerobic digestor (wet) designed by this company being constructed in the United States, so research is being conducted to developed standards and mitigate concerns. I anticipate meeting with the applicants Fire Protection Engineer the second week in July to start the primary review.
Regards

Dennis Byrnes
Fire Captain / Fire Prevention
CAL FIRE San Luis Obispo
635 N. Santa Rosa
San Luis Obispo, CA. 93405
805-543-4244 Office
805-543-4248 Fax

From: Brandi Cummings [bcummings@co.slo.ca.us]
Sent: Thursday, June 09, 2016 9:00 PM
To: Byrnes, Dennis@CALFIRE
Cc: Salas, Mike@CALFIRE
Subject: Hitachi Zosen Anaerobic Digestor

Hi Dennis,

I'm not sure who is officially working on this project, but I believe you were the last one I spoke with about it.

I know Cal Fire and Building are working with the applicant team to address potential issues, but I am wondering if Cal Fire would like to submit a formal referral response for the staff report and file. If there are any special project conditions needed, those could be included as well.

Thanks,

Brandi Cummings
Planner
Department of Planning & Building
County of San Luis Obispo
805.781.1006

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

Promoting the wise use of land - Helping to build great communities

THIS IS A NEW PROJECT REFERRAL

DATE: 4/28/2016

TO: ENV. HEALTH

MAY 2 2016
SR 15082

FROM: Brandi Cummings (805-781-1006 or bcummings@co.clo.ca.us)
South County Team / Development Review

PROJECT DESCRIPTION: DRC2015-00122 HITACHI ZOSEN INOVA – Request for a conditional use permit to allow construction of an anaerobic digestion plant to process green and food waste. The project includes removal of an existing 13,000 SF building and a new 36,000 SF building and related equipment. APN(s): 076-371-025 & 031

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

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

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

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

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

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

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

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

Please see attached. Thank you.

5/20/16 — Date

[signature] — Name

x 5551 — Phone

COUNTY OF SAN LUIS OBISPO HEALTH AGENCY

Public Health Department

Jeff Hamm
Health Agency Director

Penny Borenstein, M.D., M.P.H.
Health Officer

Public Health
Prevent. Promote. Protect.

May 20, 2016

To: Brandi Cummings
South County Team / Development Review

From: Environmental Health
Leslie Terry

Project Description: DRC2015-00122, Hitachi Zosen INOVA CUP
APN 076-371-025 & 031

Prior to construction final, applicant to obtain appropriate level of permitting from this office for process gasses produced. Depending on reportable quantities, a Hazardous Materials Business Plan may be required (including a potential for a Risk Management Plan). Project may necessitate updates to the Waste Connections, Inc. Business Plan including but not limited to the site plan.

Confirm separation distances between water wells, basins, and septic system components.

If plan review for cross connection determines a device is necessary, then an annual device test requirement shall be added as a condition of this CUP.

Prior to construction final, the site shall have a permit for a Non-Transient Non-Community water system in process (reactivation of the CBI water system permit).

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS
Wade Horton, Director
County Government Center, Room 206 • San Luis Obispo CA 93408 • (805) 781-5252
Fax (805) 781-1229 email address: pwd@co.slo.ca.us

Date: May 6, 2016

To: Brandi Cummings, Project Planner

From: Tim Tomlinson, Development Services

Subject: Public Works Comments on DRC2015-00122 Hitachi Zosen Inova CUP, Old Santa Fe Rd., SLO, APN 076-371-025 & 031

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

Public Works Comments:

A. Project site may be located within the City of San Luis Obispo Sphere of Influence per Memorandum of Agreement (MOA) approved by the Board on October 18, 2005. City road impact fees may be applicable to this project.

B. The proposed project is within a drainage review area as there is an area of considerable flooding down stream of this project. A drainage plan is required to be prepared by a registered civil engineer and it will be reviewed at the time of Building Permit submittal by Public Works. The applicant should review Chapter 22.52.110 of the Land Use Ordinance prior to future submittal of development permits. Additional detention of storm water for flood control purposes may be required.

C. The project meets the applicability criteria for Storm Water Management. Therefore, the project is required to submit a Storm Water Control Plan Application and Coversheet. The Storm Water Control Plan application and template can be found at:
http://www.slocounty.ca.gov/Assets/PL/Forms+and+Information+Library/Construction+Permit+Documents/Grading+and+Drainage+Documents/SWCP+Application+Pkg.pdf

The Post Construction Requirement (PCR) Handbook can be found at: *http://www.slocounty.ca.gov/Assets/PL/Grading+and+Stormwater+Mgmt/new_stormwater/PCR+Handbook+1.1.pdf*

The provided SWCP appears adequate

Recommended Project Conditions of Approval:

Access

1. **At the time of application for construction permits,** the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with Cal Fire standards and specifications back to the nearest public maintained roadway.

2. **At the time of application for construction permits,** and in accordance with Streets and Highway Code Section 1480.5 & 1481 the applicant shall submit an application to the Department of Public Works for an Encroachment Permit to reconstruct, if necessary, all deteriorated or non-compliant parent parcel frontage improvements.

Drainage

3. **At the time of application for construction permits,** the applicant shall submit complete drainage plans and report prepared by a licensed civil engineer for review and approval in accordance with Section 22.52.110 (Drainage) of the Land Use Ordinance. Provide calculations to determine if all drainage must be retained or detained on-site (the design of the basin shall be approved by the Department of Public Works).

Storm Water Control Plan

4. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to the LUO Section for Storm Water Management. Applicable projects shall submit a Storm Water Control Plan (SWCP) prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Storm Water Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation plan. The applicant shall submit complete drainage calculations for review and approval.

5. **At the time of application for construction permits**, if necessary, the applicant shall submit a draft "Private Storm Water Conveyance Management and Maintenance System" exhibit for review and approval by the County.

6. **Prior to issuance of construction permits**, if necessary, the applicant shall record with the County Clerk the "Private Storm Water Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

Community Development
919 Palm Street, San Luis Obispo, CA 93401-3249
805.781.7170
slocity.org

June 8, 2016

Brandi Cummings
Department of Planning and Building
County of San Luis Obispo
976 Osos St., Rm. 300
San Luis Obispo, CA 93408

SUBJECT: Proposed Conditional Use Permit for an anerobic digestion plant to process green and food waste; 4388 Old Santa Fe Road, San Luis Obispo (DRC 2015-000122 HITACHI ZOSEN INOVA)

This letter serves as the City of San Luis Obispo's comment letter on the conditional use permit review to allow construction of an anaerobic digestion plant to process green and food waste.

The 2005 City/County Memorandum of Understanding states that the County and City should work cooperatively to plan for future uses and public services and facilities to improve and maintain area circulation, connections, and to preserve agricultural land and open space, and we appreciate this opportunity to provide input. The project is located within the City of San Luis Obispo's Airport Area Specific Plan (AASP) and is designated for annexation.

This letter includes comments and recommended conditions of approval which should be included with any project approvals.

Airport Land Use Plan

Due to the proposed project's close proximity to County Airport runways 7-25 & 11-29, and proposed installation of the new blower and flare, and rooftop photovoltaics, staff recommends consultation with the County staff liaison to the Airport Land Use Commission to verify conformance with any overflight safety provisions of the Airport Land Use Plan (glare, emissions, etc.) and to determine whether the project should be reviewed by the County Airport Land Use Commission.

Airport Area Specific Plan

The project site is located within the Airport Area Specific Plan (AASP) and is designated for annexation to the City of San Luis Obispo. Project approvals in this area should be coordinated with planned development and infrastructure improvements in the AASP. The AASP provides a framework to guide development decisions in the

planning area and conditions of approval to accommodate planned infrastructure should be applied accordingly (please see Public Works comments and conditions below).

For the complete Airport Area Specific Plan, please see the following link: http://www.slocity.org/government/department-directory/community-development/planning-zoning/specific-area-plans/airport-area

Public Works Department Comments

Comments for the County Referral Projects accessed from Buckley Road

1. All projects should be conditioned to be consistent with the City's Airport Area Specific Plan (AASP) street and infrastructure recommendations.

2. Transportation Impact fees are primarily for off-site mitigation needed to serve development in this area. This includes the Buckley Road extension to Higuera, work at Broad/TFR and the LOVR interchange location. AASP fees do not include collections of funds for this section of Buckley Road. The County no longer collects Fringe Fees for these purposes and has turned responsibility over to the City to implement many of the area projects.

Recommended Condition of Approval

Should the County consider approval of the application to construct the commercial building, the City requests the following conditions be required:

1. In order to mitigate offsite traffic impacts, fees shall be required for City transportation Impact fees for various programs. These fees will need to be paid at time of building permit issuance but may also be paid prior to map recordation consistent with County policies. These fees should include:

    a. Citywide Transportation Impact Fee
    b. Airport Area Specific Plan Fee
    c. LOVR Interchange Mitigation Fee

The City requests to continue to be notified/consulted on further project review such as any significant project modifications, environmental review, and upcoming hearings.

Please feel free to contact me if you have any questions or would like to arrange a meeting. I can be contacted by phone at 805-781-7166, or by e-mail: bleveille@slocity.org

Thank you for considering City Community Development Department comments on the proposed project.

City of San Luis Obispo referral response
Hitachi Zosen Inova (DRC2015-00122)

Sincerely,

Brian Leveille, AICP
Senior Planner
Long Range Planning
City of San Luis Obispo, Community Development Department

CC: San Luis Obispo City Council
Xzandrea Fowler, Deputy Director of Community Development
Tim Bochum, Deputy Director of Public Works
Hal Hannula, Supervising Civil Engineer
Jake Hudson, Traffic Operations Manager

STAFF REPORT
SAN LUIS OBISPO COUNTY AIRPORT LAND USE COMMISSION

DATE: **JUNE 29, 2016**

TO: **AIRPORT LAND USE COMMISSION (ALUC)**

FROM: **BRIAN PEDROTTI, COUNTY PLANNING AND BUILDING**

REFERRING AGENCY: **COUNTY OF SAN LUIS OBISPO**
APPLICANT: HITACHI ZOSEN INOVA, U.S.A., LLC
COUNTY FILE NUMBER: DRC2015-00122
PROJECT MANAGER: BRANDI CUMMINGS

SUBJECT: **A REFERRAL BY THE COUNTY OF SAN LUIS OBISPO (COUNTY) FOR A DETERMINATION OF CONSISTENCY OR INCONSISTENCY REGARDING A CONDITIONAL USE PERMIT (CUP) TO ALLOW FOR THE CONSTRUCTION OF AN ANAEROBIC DIGESTION PLANT TO PROCESS GREEN AND FOOD WASTE. THE PROJECT INCLUDES AN EXISTING 13,000 SQUARE FOOT BUILDING AND A NEW 36,000 SQUARE FOOT BUILDING AND RELATED EQUIPMENT.**

LOCATION: **THE 12.5-ACRE PROPERTY (APNs: 076-371-025 AND 031) IS LOCATED AT 4388 OLD SANTA FE ROAD, AND IS WITHIN THE INDUSTRIAL LAND USE CATEGORY. THE PROPOSED PROJECT IS LOCATED IN THE SAN LUIS OBISPO COUNTY REGIONAL AIRPORT LAND USE PLAN (ALUP) – AVIATION SAFETY AREAS S-1B AND THE RPZ (RUNWAY PROTECTION ZONE).**

RECOMMENDATION:
Recommend a determination of consistency with the ALUP to the County of San Luis Obispo for a Conditional Use Permit (CUP) to allow for the construction of an anaerobic digestion plant to process green and food waste subject to the conditions of approval set forth below.

Finding(s):

a) The proposed project is consistent with General Land Use Policies, G-1 through G-3 because: all information required for review of the proposed local action was provided by the referring agency; the project (as conditioned) would not result in any incompatibilities to the continued economic vitality and efficient operation of the Airport with specific respect to safety, noise, overflight or obstacle clearance; and since some of the lots affected by the proposed project or local action are located in more than one noise exposure area or aviation safety area, the standards for each such area will be applied separately to the land area lying within each noise or safety zone;

b) The proposed project is consistent with the Specific Land Use Policies for Noise because the area affected by the project or local action is located within the 60 dB CNEL airport noise contour and development of any moderately noise-sensitive uses such as offices shall meet the requirements of interior noise levels specified in Table 4 and Section 4.3.3 of the ALUP;

c) The proposed project is consistent with the Specific Land Use Policies for Safety because the proposed development would not result in a density greater than specified in Table 7; the proposed development would not result in a greater building

coverage than permitted by Table 7; and the proposed development would not result in high intensity land uses or special land use functions as conditioned;

d) The proposed project is consistent with the Specific Land Use Policies for Airspace Protection because the proposed gas flare is fully enclosed in a concrete foundation and is only used occasionally for excess biogas combustion, and the proposed development shall not include any structure, landscaping, glare, apparatus, or other feature, whether temporary or permanent in nature to constitute an obstruction to air navigation or a hazard to air navigation;

e) The proposed project is consistent with the Specific Land Use Policies for Overflight because the proposed development has been conditioned to record avigation easements for each property developed within the project area prior to the issuance of any building permit or minor use permit; and all owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) will receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the Airport Area; and

f) The proposed development within the project area will not exceed the maximum building coverage nor increase densities greater than what is allowed per Table 7 of the ALUP, because the square footage of the space and maximum number of people per acre do not surpass the requirements set by the ALUP as discussed in the report, and will be incorporated into the conditions of approval for the development permits.

PROJECT DESCRIPTION:

Proposal: Construction of an anaerobic digestion plant to process green and food waste
Setting: Industrial and commercial uses
Existing Uses: Four buildings, including a manufacturing building [21,382 square feet (sq.ft.)] and office area (5,000 sq.ft.), a paint booth building (7,160 sq.ft.), a manufactured building/portable restroom, and a 47-foot tall one-story manufacturing building (13,128 sq. ft.), also known as the "plate cutting" building
Site Area: Approximately 12.5 acres

DISCUSSION:

Anaerobic Digestion Plant

The applicant has submitted a proposal for the construction of an anaerobic digestion plant to process green and food waste. The plant will utilize the existing 13,128 square foot building (formerly, the plate cutting building) with the addition of 36,000 square feet of new construction, including the introduction of equipment related to the anaerobic digestion process. A new office trailer will be located west of the existing plate cutting building. An 80-space paved parking lot is planned for the east side of the new building. A new weighbridge will be installed in the paved area for weighing incoming/outgoing trucks. As initially referred, the project includes a compressed natural gas ("CNG") fueling station for the potential to fuel the increasing fleet of CNG-fueled trucks. However, the applicant has indicated that the fueling station is longer going to be included in the project.

Setting/Existing Uses/Site Area

The project site consists of two parcels totaling 12.5 acres located at 4388 Old Santa Fe Road, east of Hoover Road. The subject parcels (APNs: 076-371-025 and 031) are in the Industrial land use category. The site is developed with four buildings as described above. Surrounding land uses include: the SLO Regional Airport to the north, light industrial and Airport to the south and east, and vacant County-owned land to the west.

Airport Land Use Plan Applicability
The project site is located within Airport Land Use Plan Aviation Safety Area S-1b, and is approximately 300 feet from the Airport active runway 29 and approximately 400 feet from active runway 11. The project site is within the 60 dB Airport Land Use Plan Noise Contour, as shown on ALUP Figure 1 (Airport Noise Contours) and the 75 dB Single Event Noise Contour, as shown on ALUP Figure 2 (Single Event Noise Contours). A portion of the property is located within the RPZ, however, no development is proposed within the RPZ.

ALUP 5.3 Land Use Compatibility Table
Staff has identified the primary use as Agricultural Processing, as defined in Section 8 of the ALUP, because the project involves "receiving and processing of green material which is not produced on-site (commercial composing)." The ALUP Section 5.3 Land Use Compatibility Table designates Agricultural Processing within Aviation Safety Area S-1b as NR6 (land use is allowed provided the maximum non-residential density of use is limited to the values presented in ALUP Table 7 and Figure 6). Agricultural Processing is prohibited within the RPZ, but no portion of the operation is proposed in this area.

Although the fueling station constitutes a special function land use, specifically an unusually hazardous use (defined to include "fuel pumping facilities") which is prohibited within S-1b, the applicant has indicated that the fueling station will not be included in the project. The ALUP defines "unusually hazardous uses" as follows: "land uses which include features which could substantially contribute to the severity of an aircraft accident if they were to be involved in one; includes above ground storage of substantial quantities of flammable materials, fuel pumping facilities, above ground electric transmission lines or switching facilities, above ground pipelines carrying flammable materials, and other similar uses." Aside from the fueling station, the only other proposed uses potentially falling within this definition include the above ground storage tank and pipelines storing/carrying flammable materials. The proposed tank includes a secondary biogas storage unit in the upper portion of the tank which is intended to be used as occasional backup storage, and will not be continuously filled with flammable material. Based on the foregoing and as conditioned, the project does not include features that could "substantially contribute" to the severity of an aircraft accident nor does it include the above ground storage of "substantial quantities" of flammable materials. This is an issue the Commission should deliberate further during this hearing so the Applicant and Airports Manager can work toward a final resolution. A finding will need to be made to address this conclusion.

ALUP Table 7 – Density Adjustment
Based on review of the ALUP Table 7 (Planning Requirements and density adjustments for Land Uses within the Aviation Safety Areas for the San Luis Obispo County Regional Airport): 1) the maximum building coverage (% of gross area) is 10 percent for Airport Safety Area S-1b; 2) the maximum density of use (non-residential) is 40 persons/acre for Airport Safety Area S-1b; and 3) Special Function and High Intensity Land Uses are not allowed within the Airport Safety Area S-1b.

ALUP Table 8 – Non-Residential Land Use Densities
Based on review of ALUP Table 8 – Non-Residential Land Use Densities: 1) Agriculture (Agricultural processing) maximum density is 1 person per 200 sq. ft. gross floor area, plus one person per 1000 sq. ft. outdoor processing area is allowable; and 2) Offices maximum density is 1 person per 200 sq. ft. gross floor area.

Density and Building Coverage Calculations
The applicant's requested density for the anaerobic digester facility is based on 8.83 gross acres within the S-1b Airport Safety Area. Based on ALUP Table 7, a maximum non-residential density of up to 40 persons per acre is allowed. Based on ALUP Table 8, density is determined for the facility as 1 person per 200 sq.ft; and 1 person per 200 sq.ft. gross floor area for Office.

Airspace Protection

The construction of tall structures, including buildings and construction cranes – in the vicinity of an airport can be hazardous to the navigation of airplanes. The FAA, through FAR Part 77, established a method of identifying surfaces that should be free from penetration by obstructions in order to maintain sufficient airspace around airports. FAR Part 77, in effect, identifies the maximum height at which a structure would be considered an obstacle at any given point around an airport. The extent of the off-airport coverage needing to be evaluated for tall structure impacts can extend miles from an airport facility. The proposed digester facility, as well as any tall structure(s) proposed as future development for other parcels, shall be reviewed by the Air Traffic Division of the FAA to determine compliance with the provisions of FAR Part 77.

The current approved Airport Layout Plan (ALP) in the Airport Master Plan identifies the project site for future airport acquisition to enable expansion of the airport. Draft revisions to the ALP, which are currently under review but not yet finalized by the FAA, show that a portion of the proposed building will potentially encroach on the critical area associated with the glideslope antenna signals. The primary concern associated with interference in the critical area is with moving vehicles or aircraft that could affect radio frequencies. According to the consultant for the revised ALP, buildings are less likely to interfere with these frequencies, but any proposed building should be reviewed by the FAA. In addition, the ALP also includes potential future roadway alignments and taxiway extensions in the vicinity of the project. The proposed building does not appear to encroach or interfere with these future road alignments.

The proposed plan also includes an emergency gas flare for excess biogas that can accumulate, and is used on an occasional and limited basis in case of emergency or for routine maintenance purposes. The gas flare is entirely located within a concrete foundation. In addition, exhaust air from the digester is released in a large open concrete tank filled with pieces of tree roots to absorb odors. The applicant has indicated that airflow through the tree roots is continuous and will discourage birds, which can be a hazard to airplanes, from foraging for wood.

Maximum Non-residential density (S1b):

*8.83 gross acres x 40 person per acre = **353 persons total***

Maximum Agricultural Processing density:

Indoor Production = 49,000 sq.ft

1 person per 200 sq.ft. of indoor processing =

1 person x 49,000 sq.ft./ 200 sq.ft (245) =245 persons

Ag Processing Density = 245 persons

Maximum Office density:

Offices = 1,000 sq.ft.

1 person per 200 sq.ft. of gross floor area for office =

1 person x 1,000 sq.ft./200 sq.ft (5) = 5 persons

Office Density = 5 persons

Maximum Building Coverage: (includes total acreage in S1b and RPZ)

*12.53 gross acres x 10% = **1.25 acres (54,450 sq.ft.)***

Conditions of Approval to be incorporated into any use permit(s) for development:

1. The non-residential density for the property is limited to 353 persons, the maximum agricultural processing density is limited to 245 persons, and the maximum office density is limited to 5 persons.

2. The building coverage for the property is limited to 1.25 acres (54,450 sq.ft.).

3. All tall structures shall be reviewed by the Air Traffic Division of the FAA regional office having jurisdiction over San Luis Obispo County to determine compliance with the provisions of FAR Part 77. In addition, applicable construction activities must be reported via FAA Form 7460-1 at least 30 days before proposed construction or application for a building permit. The applicant shall also coordinate with the FAA on potential structural encroachments into the glidescope critical areas as shown on the draft Airport Layout Plan.

4. All moderately noise sensitive land uses on the Project Site shall include noise mitigation as required by the ALUP.

5. No structure, landscaping, apparatus, or other feature, whether temporary or permanent in nature shall constitute an obstruction to air navigation or a hazard to air navigation, as defined by the ALUP.

6. Any use is prohibited that may entail characteristics which would potentially interfere with the takeoff, landing, or maneuvering of aircraft at the Airport, including:

   - creation of electrical interference with navigation signals or radio communication between the aircraft and airport;
   - lighting which is difficult to distinguish from airport lighting;
   - glare in the eyes of pilots using the airport;
   - uses which attract birds and create bird strike hazards;
   - uses which produce visually significant quantities of smoke; and
   - uses which entail a risk of physical injury to operators or passengers of aircraft (e.g., exterior laser light demonstrations or shows).

7. Avigation easements shall be recorded for each property developed within the area included in the proposed local action prior to the issuance of any building permit or conditional use permit.

8. All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) will receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the airport area.

9. Consistent with the representations of the application, no fueling station shall be included in the project.

EXHIBITS:
Ex. 1-8: Project Graphics
Ex. 9: Project Description Package