

7.0 Mitigation Monitoring and Reporting Program

This section provides the Mitigation Monitoring and Reporting Program (MMRP) for the Project. The County of San Luis Obispo (County), as the CEQA Lead Agency, would have the responsibility of ensuring that implementation of required mitigation as identified in this Environmental Impact Report (EIR) occurs as intended if the Project (or an alternative) is approved. Phillips 66 Company (Phillips 66), as the Applicant and Project proponent, would be responsible for implementing all applicable measures, including the adopted mitigation measures and conditions of Project approval, as well as conditions imposed in any permits or regulations administered by other responsible agencies.

The Applicant's application contained measures in the Project Description to minimize the Project's environmental impacts in a manner consistent with applicable rules and regulations. The Applicant proposes to implement these measures during the design, construction, and operation of the Project in order to avoid or minimize potential environmental impacts. County approval would be based upon the Applicant adhering to the Project as described in this document, as well as any adopted mitigation measures identified by this EIR.

The MMRP for the Project (or alternative) establishes the approach to implementing the mitigation measures identified in this EIR. If the Project is approved and the MMRP described below is adopted by the County, this MMRP would describe compliance monitoring roles and responsibilities and would be the mechanism whereby the County would implement the MMRP.

Monitoring of compliance with the specified mitigation measures would be implemented throughout construction and operations.

7.1 Authority for the Mitigation Monitoring and Reporting Program

As the Lead Agency under CEQA, the County is required to adopt a program for monitoring and reporting on the implementation of mitigation measures if the Project or an alternative is approved. The MMRP would be used to ensure that the adopted mitigation measures are implemented as defined in this EIR. This Lead Agency responsibility originates in Public Resources Code Section 21081.6(a) (Findings) and the CEQA Guidelines Sections 15091(d) (Findings) and 15097 (Mitigation Monitoring or Reporting).

7.1 Mitigation Compliance Responsibility

The responsibility for implementing adopted mitigation measures rests with Applicant, unless otherwise specified in the measure, for the life of the Project. As Lead Agency under CEQA, the County is responsible for monitoring an approved project to ensure that required mitigation measures are implemented. The purpose of the MMRP is to document that the mitigation measures required by the County are implemented and that mitigated environmental impacts are reduced to the level identified in the EIR.

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When a mitigation measure requires that a study or plan be developed during the design or pre-construction phase of the Project, the Applicant shall submit the final study or plan to the County for review and approval. Any study or plan that requires approval of the County shall allow time for adequate County review.

7.2 General Monitoring Procedures

7.2.1 Environmental Monitors and County Inspectors

Various permit conditions of approval and plan requirements will require implementation: (1) prior to the start of construction (such as Project final design review and plan development); and (2) during construction and operations. The County and/or its contractor shall be responsible for integrating the mitigation monitoring procedures into the construction and operation processes in coordination with the Applicant for County-issued permits. To oversee the monitoring procedures and to ensure success, the assigned On-site Environmental Coordinator (OEC(s)) shall be on site during construction activities having the potential to create a significant environmental impact or other impact for which mitigation is required. Likewise, the OEC(s) and agency inspectors shall be on site to ensure compliance with their respective authorities during demolition and remediation.

7.2.2 Project Personnel

A key element in the success of mitigation and mitigation monitoring is the full cooperation of Project personnel and supervisors. Successful implementation of many of the mitigation measures requires specific actions and behaviors on the part of the supervisors or crews working for the Applicant on the Project. To ensure success, the following actions shall be taken:

- Specific procedures to be followed by contractor companies engaged to do their respective work shall be written into their contracts with the Applicant. Procedures to be followed by personnel shall be written into an agreement that all personnel shall be asked to sign, denoting consent to the procedures, regardless if Applicant staff or contractor.
- A Worker Environmental Awareness Program (WEAP) shall be conducted to inform and train personnel about the requirements of the MMRP. The OEC(s) shall verify that each crew member received the required training.
- A written summary of mitigation monitoring procedures shall be provided to supervisors for all mitigation measures requiring their respective attention.

7.2.3 General Reporting Procedures

A checklist will be developed and maintained by the County contractor to track all mitigation measure requirements, including timing. The OEC(s) will note any problems that may occur and take appropriate action to rectify the problems. Consolidated reports will be prepared by the County OEC(s) documenting construction activities, compliance activities observed across issue areas, notification of compliance issues by the Applicant, any issues and their resolution, and

photographs of relevant activities and conditions. These reports would be generated on an as-needed basis based upon the activities that are occurring.

The Applicant shall provide the County with written reports of the Project, which shall include progress of construction, resulting impacts, mitigation implemented, and all other noteworthy elements of the Project. These reports shall be generated on an as needed basis based upon the activities that are occurring and based upon a reporting schedule.

The public is allowed access to records and reports used to track the MMRP. Monitoring records and reports shall be made available for public inspection by the County or its designee on request.

7.3 Mitigation Monitoring Tables

The Table 7.1 presents the MMRP requirements for the mitigation measures identified in the environmental analysis sections of this EIR (see Sections 4.1 through 4.16). Table 7.2 lists all of the plans included in the mitigation measures.

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Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------------|----------------------------|--|-----------------|---|---------------------------|---------------------------|--|--|
| GENERAL | | | | | | | | |
| General | General Project Monitoring | <p>EM.1: County Environmental Monitor: The Applicant shall provide the funding for a County Environmental Monitor to oversee and monitor compliance with County Conditions of Approval and EIR mitigation measures. The Environmental Monitor shall assist the County in condition compliance and mitigation monitoring for all applicable demolition construction, soil remediation, and site restoration stages of the Project.</p> <p>The Environmental Monitor will prepare a working monitoring plan that reflects the County-approved environmental mitigation measures/conditions of approval. This plan will include:</p> <ol style="list-style-type: none"> goals, responsibilities, authorities, and procedures for verifying compliance with environmental conditions of approval/mitigation measures; lines of communication and reporting methods; tracking construction crew training regarding environmental sensitivities; daily and weekly reporting of compliance; authority to stop work; and action to be taken in the event of non-compliance. <p>The Environmental Monitor shall be a County employee or under contract to the County of San Luis Obispo, and the entire expense of retaining and supervising the Environmental Monitor, including the County’s administrative and overhead fees, shall be paid by the Applicant.</p> <p>The Applicant shall also be responsible for funding work required by mitigation measures requiring use of individuals with special expertise (e.g., botanist, wildlife biologist). The County’s Environmental Monitor will retain and coordinate with specialists as necessary to ensure their availability at appropriate times (i.e., prior to issuance of construction permits, during construction or post-approval, etc.). The Environmental Monitor will coordinate with the Applicant’s construction site monitors and permitting and responsible agencies.</p> <p>Monitoring/compliance: Prior to issuance of a construction permit, the Applicant shall provide a detailed Project description, detailed technical work related to any of the Conditions of Approval, and the construction work schedule, including any additional technical work/oversight conducted by the Applicant. This information will be used to obtain the monitor’s work scope. Once the consultant is selected and costs are obtained, a trust account will be established to deposit the required funds. Prior to ground disturbance, all construction workers shall be informed about the monitor and their role at the work site. This may be included as a part of any preconstruction meeting. During</p> | NA | Prior to ground disturbance or County permit issuance | Issuance of County permit | The Applicant or designee | Detailed Project Description, Schedule, and Work Plan, and a Cost-Accounting contract funding the County Environmental Monitor | County Department of Planning & Building |

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| | | construction, all approved protection measures, if any, shall be kept in good working order by the Applicant and any necessary corrective measures addressed promptly by the Applicant upon discovery. The monitor shall be present as specified in the approved work scope. Prior to final inspection/occupancy of the construction permit, the Environmental Monitor shall submit to the County a final post-construction compliance report. Any outstanding items identified shall be addressed to the satisfaction. | | | | | | |
| AGRICULTURAL RESOURCES (Section 4.2) | | | | | | | | |
| AG.4 | Conversion of farmland to non-agricultural uses due to Project dust | See AQ.1-1: Demolition & Remediation Activity Management Plan (DRAMP) . | Class II | Prior to County permit issuance | Issuance of County permit | The Applicant or designee | Approved De-commissioning & Remediation Activity Management Plan (DRAMP) | SLOCAPCD, County Public Health, and County Department of Planning & Building |
| AIR QUALITY (Section 4.3) | | | | | | | | |
| AQ.1 | Exceedance of SLOCAPCD thresholds for criteria pollutant emissions from Project construction | AQ.1-1: Demolition & Remediation Activity Management Plan (DRAMP) . The Applicant shall prepare a Demolition & Remediation Activity Management Plan (DRAMP) to be approved by the SLOCAPCD, and County Planning and Building, and include requirements in the SLOCAPCD CEQA Handbook identified as fugitive dust mitigation measures: <ol style="list-style-type: none"> 1. Reduce the amount of the disturbed area where possible. 2. Use of water trucks or sprinkler systems, in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the SLOCAPCD’s limit of 20 percent opacity for greater than three minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that when water use may be a concern due to drought conditions, the contractor or builder should consider use of a dust suppressant that is effective for the specific site conditions to reduce the amount of water used for dust control. Please refer to SLOCAPCD for a list of potential dust suppressants. 3. All dirt stockpile areas should be sprayed daily and covered with tarps or other dust barriers as needed. 4. 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; 5. 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 | Class II | Prior to County permit issuance | Issuance of County permit | The Applicant or designee | Approved De-commissioning & Remediation Activity Management Plan (DRAMP) | SLOCAPCD, County Public Health, and County Department of Planning & Building |

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| | | <p>trailer) or otherwise comply with California Vehicle Code (CVC) Section 23114;</p> <p>6. “Track-Out” is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent ‘track out’, designate access points and require all employees, subcontractors, and others to use them. Install and operate a ‘track-out prevention device’ where vehicles enter and exit unpaved roads onto paved streets. The ‘track-out prevention device’ can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified;</p> <p>7. All fugitive dust mitigation measures shall be shown on grading and building plans;</p> <p>8. In support of SLOCAPCD standard fugitive dust mitigation measures, the Applicant shall designate a Visible Emission Evaluation certified person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize nuisance violations from dust complaints (Rule 402) and to reduce visible emissions below the SLOCAPCD’s limit of 20 percent opacity (Rule 401) for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the SLOCAPCD Engineering & Compliance Division, and reproduced on all permit plans submitted to the County, prior to the start of any grading, earthwork, or demolition;</p> <p>9. 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;</p> <p>10. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown</p> | | | | | | |

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| | | <p>with a fast germinating, non-invasive grass seed and watered until vegetation is established;</p> <p>11. 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 SLOCAPCD;</p> <p>12. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;</p> <p>13. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible;</p> <p>14. Construction activities that will generate dust shall be limited to periods when air quality based on PM₁₀ only is rated as good. If the forecast falls out of the “good” rating, activities that will generate dust can continue if the PM₁₀ emissions from those activities are effectively managed under a PM₁₀ mitigation agreement between APCD and Phillips 66 that includes upwind and downwind monitoring information (see item 19 below). The 6-day forecast for the CDF forecast zone is available from the SLOCAPCD website, https://www.slocleanair.org/air-quality/air-forecasting-map.php. This information should be used by all on-site workers to plan demolition and remediation activities;</p> <p>15. Provide training to all site workers regarding dust control policies and practices and maintain records of training;</p> <p>16. Take additional measures as needed to ensure dust from the Project site is not impacting areas outside the Project boundary;</p> <p>17. Between June 1 and November 30, when Valley fever rates of infection are the highest, additional dust suppression measures (such as additional water or the application of additional soil stabilizer) shall be implemented prior to and immediately following ground disturbing activities if wind speeds exceed 15 miles per hour (mph) or temperatures exceed 95 degrees Fahrenheit for three consecutive days. The additional dust suppression will continue until winds are 10 mph or lower and outdoor air temperatures are below 90 degrees for at least two consecutive days. The additional dust suppression measures will be incorporated into the Final Dust Control Plan. The Plan shall be submitted to County Public Health and County Department of Planning and Building for review and approval;</p> <p>18. The primary Project construction contractor will prepare and implement a worker training program that describes potential health hazards associated with Valley fever, common</p> | | | | | | |

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| | | <p>symptoms, proper safety procedures to minimize health hazards, and notification procedures if suspected work-related symptoms are identified during construction. The worker training program will identify safety measures to be implemented by construction contractors during construction. Safety measures shall include: 1) Providing HEPA-filtered air-conditioned enclosed cabs where applicable on heavy equipment; 2) Train workers on proper use of cabs, such as turning on air conditioning prior to using the equipment; 3) Providing communication methods, such as two-way radios, for use by workers in enclosed cabs; 4) Providing personal protective equipment (PPE), such as half-mask and/or full-mask respirators equipped with particulate filtration, to workers active in dusty work areas; 5) Providing separate, clean eating areas with hand-washing facilities for construction workers; 6) Cleaning equipment, vehicles, and other items before they are moved off site to other work locations; 7) Providing training for construction workers so they can recognize the symptoms of Valley fever and promptly report suspected symptoms of work-related Valley fever to a supervisor; and 8) Directing workers that exhibit Valley fever symptoms to immediately seek a medical evaluation; and</p> <p>19. The operator shall enter into a PM10 mitigation agreement with the SLOCAPCD to operate particulate air monitoring stations to measure PM2.5 and PM10 concentrations upwind (between the Oceano Dunes State Recreational Vehicle Area (ODSVRA) and the Project’s demolition/remediation activities) and downwind of proposed construction areas. Air monitoring shall be installed with sufficient time before construction starts to enable measurement of baseline conditions and to establish performance criteria sufficient to limit potential equipment emissions and fugitive dust impacts from the Project on area residences. Performance criteria, air quality mitigation measures and operating characteristics of the system shall be in the Demolition and Remediation Activity Management Plan.</p> | | | | | | |
| AQ.3 | Exceedance of SLOCAPCD thresholds for toxic emissions | AQ.3-1: Clean Construction Equipment. The Applicant shall ensure that all grading and construction equipment greater than 100 bhp be Tier 4 interim or equipped with CARB Level 3 diesel particulate filters (DPF), or equivalent, to achieve an 85 percent reduction in diesel particulate emissions from an uncontrolled engine. Stickers shall be adhered to equipment that demonstrates compliance. | Class II | Prior to County permit issuance | Issuance of County permit | The Applicant or designee | Documentation evidence of construction equipment CARB certification | SLOCAPCD and County Department of Planning & Building |

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| AQ.4 | Generation of odors from the Project | AQ.4-1: Odor Control and Purging Plan. The Applicant shall submit an Odor Control and Purging Plan that includes the use of degassing systems for equipment and pipeline purging operations that may be required and includes proactive measures to eliminate or reduce objectionable odors emanating from construction and demolition activities, and an action plan if odor issues or complaints arise. | Class II | Prior to County permit issuance | Issuance of County permit | The Applicant or designee | Odor Control and Purging Plan | SLOCAPCD and County Department of Planning & Building |
| AQ.5 | Potential changes in Project conditions | AQ.5-1: Recordkeeping. The operator shall submit a plan and schedule for monitoring and reporting on, and maintain records on, 1) the fuel usage on a quarterly basis, for construction equipment; 2) the truck trips, type of trucks (Tier level) and associated destinations/sources of trucks; 3) train deliveries and number of railcars; and 4) any other metrics required to estimate emissions associated with this EIR. The operator shall compare associated emissions with those calculated in this EIR for a period defined by the SLOCAPCD, but not less than three years. Upon approval of the Plan and Schedule, the operator shall, for not less than three years, conduct monitoring and keep records of the fuel usage, vehicle trips and other metrics used to prepare the reports, and shall submit reports quarterly to SLOCAPCD and County Department of Planning and Building. The records supporting the quarterly reports shall be retained on site until the Project is completed and made available to SLOCAPCD or County personnel upon request. | Class II | Prior to any permit issuance | Issuance of permit | The Applicant or designee | Air Quality Monitoring and Reporting Plan | SLOCAPCD and County Department of Planning & Building |
| BIOLOGICAL RESOURCES (Section 4.4) | | | | | | | | |
| BIO.1 | Impacts to special-status plant and wildlife species and their habitats | BIO.1-1: Prepare and Implement a Worker Environmental Awareness Program (WEAP). Prior to submittal of a County Permit, the Applicant shall prepare and submit a Worker Environmental Awareness Program (WEAP) for County approval. The submitted WEAP shall include the training program details described below, tracking and reporting criteria and examples of the forms to be used. The Applicant or its designee shall provide Worker Environmental Awareness Program (WEAP) training to all new personnel prior to beginning work on the Project. The training may be presented in the form of a video. The training program shall be developed by the Lead Biologist to educate Project personnel about the Project’s sensitive biological resources. A draft of the training program (i.e., video and written materials) shall be provided to the County for review and approval no fewer than 90 days prior to issuance of construction permits for any ground disturbance. The training may be conducted concurrent with other environmental training (e.g., cultural resources awareness training, safety training, etc.). The WEAP training shall include, at a minimum: | Class II | Prior to County permit issuance | Training Program shall be approved prior to County Permit issuance, and provided to all new personnel prior to beginning work on the Project | The Applicant or designee | Prepare and submit a Worker Environmental Awareness Program (WEAP) for implementation | County Department of Planning & Building |

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| | | <ul style="list-style-type: none"> • An overview of the sensitive biological resources that are known or have the potential to occur in the Project area and surrounding habitat. This shall include nesting birds, special-status plants and wildlife, and sensitive habitats; • An overview of the Project, Mitigation Monitoring and Reporting Program (MMRP), and regulatory permit conditions and the consequences of non-compliance with these requirements; • An overview of the federal and State Endangered Species Acts, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, pertinent Fish and Game Code sections, and other applicable regulatory requirements and the consequences of non-compliance with these requirements; • Functions, responsibilities, and authority of biological monitors and how they interact with Project personnel; • Identify clear points of contact for biological monitors and construction personnel including who to contact should workers have questions regarding compliance with environmental documents and permit conditions; • Project restrictions, such as Environmentally Sensitive Habitat Areas (ESHAs), required setbacks from sensitive biological resources, and avoidance buffers; • Requirements to remain within authorized work areas and on approved access routes, with examples of flagging and signage used to designate these areas; • Information on compliance with Project speed limits, control of litter and micro trash, smoking restrictions, wildfire minimization measures, spill containment and clean up, and the implementation of Construction Best Management Practices to protect biological resources (see Mitigation Measure BIO.1-2); • Measures to reduce the potential to introduce or spread invasive weeds into the Project area, descriptions of the Project’s weed control methods, and compliance requirements for Project personnel; • Identify limitations for refueling near aquatic features or where spills may enter State or federal waters; and • Explanation that wildlife must not be harmed or harassed including procedures for abiding by Project speed limits, covering pipes, securing excavations, and installing exit ramps to prevent wildlife entrapment. <p>Training acknowledgement forms shall be signed by each person attesting that they understand and would abide by Project requirements. The Applicant or its designee shall provide the County, within a Monthly Compliance Report, the WEAP training</p> | | | | | | |

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| | | acknowledgement forms for persons who have completed the training in the prior month and a running total of all persons who have completed the training to date. A hardhat sticker that can be easily verified in the field shall be distributed by the Applicant or its designee to indicate participation in the WEAP training. | | | | | | |
| BIO.1 | Impacts to special-status plant and wildlife species and their habitats | <p>BIO.1-2: Prepare and Submit a Biological Resources Adaptive Management & Monitoring Plan. The Applicant or its designee shall prepare and submit a Biological Resources Adaptive Management and Monitoring Plan (BRAMMP) for implementation that encompasses all aspects of the biological resources protection and management at the site. A draft of the BRAAMP shall be provided to the County for review and approval no fewer than 90 days prior to issuance of any construction permits. The BRAMMP shall address:</p> <ol style="list-style-type: none"> 1. Baseline biological conditions including sensitive vegetation and special-status species that have been recorded or could potentially occur on the Project site; 2. Mitigation Measures: An overview of existing and relevant mitigation measures prepared for the Project; 3. Compliance: Provide direction to maintain compliance with existing mitigation measures and federal, state, and local laws and regulations should CDFW or USFWS status designations for sensitive vegetation communities and special-status species change over the duration of the Project; 4. Lead Biologist and Biological Monitor requirements; 5. Construction Best Management Practices; 6. Reporting requirements; 7. Surveys of Species; and 8. Wildlife Impact Avoidance and Minimization Measures. <p><u>Lead Biologist and Biological Monitors.</u> The Applicant shall retain a Lead Biologist for all measures requiring biological environmental mitigation. The Lead Biologist shall, at a minimum, hold a bachelor’s degree in biological sciences, zoology, botany, ecology, or a closely related field; have at least three years of experience in field biology or construction monitoring; and have a demonstrable knowledge of the biological resources that are present or could be present in the Project area. The Lead Biologist shall be responsible for:</p> <ol style="list-style-type: none"> 1. Serving as the primary point of contact for the County and regulatory agencies regarding biological resources mitigation and compliance. 2. Managing the site Biological Monitors and ensuring that procedures for verifying compliance with biological mitigations are implemented; 3. Establishing lines of communication and reporting methods; | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The BRAMMP for approval and implementation | County Department of Planning & Building |

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| | | <p>4. Conducting compliance reporting and coordinating with the County’s Environmental Monitor (EM-1);</p> <p>5. Conducting worker environmental awareness training regarding environmentally sensitive areas and protected species (BIO 1-1);</p> <p>6. Maintaining authority to stop work;</p> <p>7. Immediately notifying the County in writing of dead or injured special-status species or any non-compliance with biological mitigation measures, permit conditions, or plan requirements; and</p> <p>8. Conducting or overseeing bi-weekly site inspections during all Project activities at the site and communicating any remedial actions needed (i.e., trash, fencing repairs, weed maintenance, etc.) to maintain compliance with mitigation measures, permit conditions, and plan requirements.</p> <p>Monitoring shall be conducted full-time in areas where vegetation removal is required during the initial disturbances (site clearing or soil sampling) and be reduced to weekly and then monthly following initial disturbances. If wildlife is observed within the Project area during demolition and remediation activities, the crew should stop work, inform the site supervisor, and contact the Lead Biologist.</p> <p>As part of the BRAMMP submittal for County approval, the Applicant shall submit the names and qualifications of their proposed Lead Biologist and supporting Biological Monitors (see below) to County Planning & Building. The contact information of the approved Lead Biologist shall be reproduced on every set of plans submitted for the Project. If the individual names of supporting/specialty Biological Monitors are not known, the specification can be to the level of company, with the understanding that the company would provide qualified personnel. Resumes shall be provided once the identifications of the Monitors are known.</p> <p>Proposed Biological Monitors shall have a minimum of two years of experience in field biology or construction monitoring and demonstrated experience with the biological resources within the Project region. The responsibilities of the Biological Monitors shall be specified in the BRAMMP and include:</p> <ul style="list-style-type: none"> • Performing preconstruction surveys and work area clearance sweeps; • Compliance monitoring during Project activities, maintaining the authority to stop work when necessary; • Ensuring maintenance of setbacks to ESHA and reporting when remediation may require relocation of disturbance area limits; | | | | | | |

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| | | <ul style="list-style-type: none"> • Delineating biological resources, informing work crews regarding avoidance; • Inspecting exclusionary fencing, work areas, and equipment to ensure wildlife is not trapped and relocating animals in harm's way; • Verify entrapment hazards are addressed at the end of each day; • Daily documentation of activities and reporting to Lead Biologist; • Ensuring that construction BMPs are implemented; • Ensuring wildlife impact avoidance measures are implemented; and • Moving wildlife if needed. <p><u>Construction Best Management Practices to Protect Biological Resources.</u> The following biological resources Best Management Practices and housekeeping measures shall be specified in the BRAMMP and implemented by the Applicant or its designee:</p> <ol style="list-style-type: none"> 1. Photo-documentation of field conditions, including water resources within the Project work area and any off-road/overland access routes, shall be conducted prior to, during, and at completion of the Project. This documentation can then be utilized by regulatory agencies to confirm that site habitats impacted during demolition/remediation have been restored to preconstruction or better condition; 2. Prior to start of construction under each permit (i.e., mobilization or ground-disturbing activity), the boundaries of ESHA shall be clearly flagged or fenced so that the workers are aware of the limits of allowable site access and disturbance; 3. Vehicles/equipment shall be inspected for leaks daily (e.g., fuel, oil, hydraulic fluids, etc.) and repaired prior to work. Spill kits/absorbent clean-up materials should be available on site and disposed of properly. Spill pans should be placed under all equipment when not in use; 4. Vehicles and equipment should remain on the existing paved/disturbed areas to the extent feasible; 5. General housekeeping, such as covering open excavations at night, maintaining wildlife-proof fencing, performing Project trash pick-up, dust control BMPs, and use of waste bins with lids on at all times, shall be maintained within the Project area; 6. Cover Excavations: The following note shall be reproduced on all plans and implemented throughout the Project: During construction, all trenches, holes, and other excavations with sidewalls steeper than a 1:1 (45 degree) slope and two or more | | | | | | |

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| | | <p>feet deep shall be covered when workers or equipment are not actively working in the excavation. If any such excavations remain uncovered, they shall have an escape ramp of earth or a non-slip material with a 1:1 (45 degree) slope or flatter. All excavated areas shall be inspected for wildlife before backfilling;</p> <p>7. Biodegradable Erosion Control: The Erosion Control Plan (see Section 2.7, EIR Project Description) shall specify and ensure that only biodegradable products are used, as verified by the County Environmental Monitor. During construction, use erosion control products made of natural fiber (biodegradable) to prevent wildlife from getting ensnared or strangled by monofilament, coir rolls, erosion control mats or blankets, straw or fiber wattles, or similar erosion control products; and</p> <p>8. These measures shall be provided as notes on plans for every permit and included in the WEAP training for site workers. Additionally, all sensitive environmental areas to be avoided must be clearly identified on all construction, remediation, and demolition plans.</p> <p><u>Reporting.</u> Reports shall be submitted to the County quarterly over the first 24-36 months of activity, and thereafter may be reduced as agreed upon by the County, until construction is complete and until all mitigation criteria have been signed off on by the County, CDFW, and USFWS. The reporting shall include:</p> <ol style="list-style-type: none"> 1. Methods and results from the literature review and surveys discussed in the BRAMMP above; 2. Relevant photographs and maps documenting any new occurrences of sensitive vegetation communities or special-status species (as defined by the most recent status designations during the time of the resource/database review and surveys) observed or identified; 3. A brief summary or list of Project activities accomplished during the reporting year (e.g. this includes all remediation and Project-related activities); 4. A running tally of Project impacts and locations (e.g. a running tally on remediation activities within ESHA areas) based on the findings and results of all required mitigation measures under the permit. The findings shall be provided to the County for review, along with a recommendation for habitat mitigation for impacts under that permit. At the time of final inspection, final release of each permit, provisions for any additional mitigation shall be identified and implemented before the permit is finalized; | | | | | | |

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|------------------------|--|-----------------|------------------|------------------|-------------------|------------------|-------------------|
| | | <p>5. A description of any impacts that occurred to special-status species (include cause of impact, location, and disposition of any dead or injured individuals). If newly designated sensitive habitats or special-status species are present during surveys, the County shall be notified within 24 hours, and standard practices and protection measures shall be implemented in coordination with the County to avoid potential impacts. No handling of federal or state listed plants or wildlife shall occur without the applicable regulatory permits;</p> <p>6. A description of avoidance, minimization, and mitigation measures implemented;</p> <p>7. Monitoring results and survey forms; and</p> <p>8. A description and figures of area restored and habitat preserved as mitigation for impacts to sensitive natural communities and special-status species.</p> <p>9. Impacted areas shall be revegetated in ESHA or other vegetation, but unless the area is protected in perpetuity, that area shall not be counted towards the required replacement in tracking.</p> <p><u>Surveys.</u> Surveys shall be conducted for species as described in specific mitigation measures listed throughout this section and as listed below:</p> <ol style="list-style-type: none"> a. Lupine Surveys (BIO.2-1) b. Plant Surveys (BIO.3-1) c. Monarch Butterfly Surveys (BIO.4-1) d. Western, Crotch, and Obscure Bumble Bee Surveys (BIO.5-) e. Red-Legged Frog Surveys (BIO.6-1) f. Lizard Relocation Surveys (BIO.7-1) g. Nesting Bird Survey (BIO.8-1) h. Burrowing Owl Surveys (BIO.8-2) i. Bat Surveys (BIO.9-1) j. Badger Den Survey (BIO.10-1) <p>The BRAMMP shall provide a section discussing the general approach to surveys and shall address the following items.</p> <ul style="list-style-type: none"> • A literature review of relevant reports/databases (e.g., IPaC, CNDDDB, CNPS, CCH, iNaturalist, eBird) to identify current sensitive vegetation communities and special-status species (as defined by the most recent status designations during the time of the review) that have been recorded in the vicinity (e.g., within five miles) of the Project site. • Specifications of surveys procedures to include the most recent CDFW, USFWS, and/or CCC protocols. If survey protocols have not been established, the Applicant or its designee shall employ standard survey practices in coordination with the County. | | | | | | |

7.0 Mitigation Monitoring and Reporting Program

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|------------------------|--|-----------------|------------------|------------------|-------------------|------------------|-------------------|
| | | <ul style="list-style-type: none"> • A table listing the timing and extent of surveys for the entire Project site. • Details regarding what is required for all surveys, including reporting requirements and submission timing. <p><u>Wildlife Impact Avoidance and Minimization Measures.</u> The following measures shall be included in WEAP training and described in the BRAMMP as to responsibilities for oversight and reporting, prior to County Permit issuance.</p> <ol style="list-style-type: none"> 1. Throughout all activities at the SMR site, the Applicant or its designee shall undertake the following measures to avoid or minimize impacts to wildlife resources: <ul style="list-style-type: none"> • The Applicant or its designee shall specify and enforce a maximum 15 mile per hour vehicle speed limit on any unpaved roads or work areas within the Project area. No Project-related pedestrian or vehicle traffic would be permitted outside of defined work area boundaries; • Night lighting, when in use, shall be designed, installed, and maintained to prevent side casting of light towards surrounding wildlife habitat; • Any soil bonding and weighting agents used for dust suppression on unpaved surfaces shall be non-toxic to plants and wildlife and approved by the Lead Biologist; • To minimize disturbance to wildlife in surrounding habitat, unnecessary noise (e.g., loud radios, vehicle horns) shall be avoided; and • Potable and non-potable water sources, such as water buffalos and water truck tanks, shall be covered or otherwise secured to prevent animals (including birds) from entering. Water applied for dust abatement shall use the minimal amount needed to meet safety and air quality standards. Water sources (e.g., hydrants, J-stands) shall be checked periodically by biological monitors to ensure they are not creating open water sources due to leaking or consistently overfilling trucks. 2. Trash. All trash, micro trash, and food-related waste shall be contained in vehicles or covered trash containers and removed from the site regularly. 3. Worker guidelines. Workers shall not feed wildlife or bring pets to the Project area. Except for law enforcement personnel, no workers or visitors shall bring firearms or weapons into the Project area. 4. Wildlife entrapment. Project-related excavations shall be secured to prevent wildlife entry and entrapment. Holes and trenches shall be backfilled, securely covered, or fenced. Excavations that cannot be fully secured shall incorporate | | | | | | |

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|------------------------|--|-----------------|------------------|------------------|-------------------|------------------|-------------------|
| | | <p>appropriate wildlife exit ramp(s) at a slope of no more than a 3:1 ratio, or other means to allow trapped animals to escape. Biological monitors shall provide guidance to work crews to ensure that wildlife ramps or other means are sufficient to allow trapped animals to escape. A biological monitor shall inspect excavations for trapped wildlife routinely throughout the day and at the end of each workday.</p> <p>5. All pipes or other construction materials or supplies shall be covered or capped in storage or laydown areas. No pipes or tubing would be left open either temporarily or permanently, except during use or installation. Any construction pipe, culvert, or other hollow materials would be inspected for wildlife before it is moved, buried, or capped.</p> <p>6. Dead wildlife. Dead animals of non-special-status species found within the Project area shall be reported to the appropriate local animal control agency within 24 hours. A biological monitor shall safely move the carcass out of the road or work areas as needed. Dead animals of special-status species found in the Project area shall be reported to CDFW, NMFS, and/or USFWS within one workday and the carcass handled as directed by the regulatory authority.</p> <p>7. Injured wildlife. The Applicant or its designee shall create and implement guidelines for dealing with injured or entrapped wildlife found on or near the Project area. These guidelines shall be provided to all Project biological monitors. If an animal is entrapped or entangled, a qualified biological monitor shall free the animal if feasible, or work with personnel to free the animal, in compliance with applicable safety regulations and Project requirements. If biological monitors cannot free the animal or the animal is too large or dangerous for monitors to handle, the Applicant or its designee shall contact and work with local animal control, CDFW, or other qualified parties to obtain assistance as soon as possible.</p> <p>8. The Applicant or its designee shall ensure that one or more qualified biological monitors are properly trained (or receive training) in the safe and proper handling and transport of injured wildlife and are provided with the appropriate equipment. These trained and equipped monitors shall be available to capture and transport injured wildlife to a local wildlife rehabilitation center or veterinarian as needed. The Applicant shall bear the costs of any rehabilitation or veterinary treatment for any wildlife injured by Project-related activities. Any injured or entrapped special-status species</p> | | | | | | |

7.0 Mitigation Monitoring and Reporting Program

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|---|---|-----------------|---------------------------------|---------------------------|---------------------------|--|--|
| | | found within or near the Project area shall be reported to the appropriate agencies within one workday. | | | | | | |
| BIO.1 | Impacts to special-status plant and wildlife species and their habitats | <p>BIO.1-3: Habitat Restoration and Revegetation Plan. Prior to issuance of any County permit, the Applicant or its designee shall prepare and submit for County review and approval a Habitat Restoration and Revegetation Plan (HRRP) that addresses restoration and revegetation related to all non-hardscaped areas that are being temporarily disturbed during demolition and remediation activities.</p> <p>The HRRP shall expand upon the site restoration activities described in the EIR Project Description Section 2.6 by providing detailed descriptions of: 1) the type and location of vegetation to be removed; 2) identify where restoration is occurring and appropriate seed mix and species to be used; 3) weed management criteria, incorporating the specific monitoring and success criteria mentioned below; and, 4) appropriate contingency measures if success criteria are not met.</p> <p>Monitoring of the revegetation and restoration sites will continue annually for no fewer than five years. At a minimum, all revegetated sites shall have persisted successfully without irrigation or remedial planting for a minimum of two years prior to the completion of monitoring. Nonnative species percent cover cannot exceed 20 percent total cover in areas outside of ESHAs and 10 percent total cover within ESHAs, or as determined based on existing conditions with the approval of the County. This represents the minimum success criteria; however, the Applicant shall work with the County as needed to further refine quantitative and qualitative performance criteria as needed. Further refinement may take into consideration the existing site conditions including the area of existing Refinery infrastructure. Additionally, specific criteria may be different for the formerly vegetated areas versus the former hardscape areas.</p> <p>The HRRP shall be submitted to and approved by the County of San Luis Obispo’s Environmental Coordinator or their designee (see mitigation measure EM.1 in Chapter 4.0, Environmental Impacts Analysis), prior to issuance of permits. The HRRP shall specify how existing ESHA within and surrounding the Project site is quantified and tracked for impacts and replacement throughout construction, and provide the framework and responsibilities for minimizing impacts, salvaging seed, and managing stockpiles during remediation. Once approved, the HRRP would guide all restoration and monitoring activities. Any usable topsoil with the potential to hold the seeds of sensitive species would be salvaged and used when revegetating the area. At a minimum the HRRP shall include the following:</p> | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The HRRP for approval and implementation | County Department of Planning & Building |

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|---|--|-----------------|---------------------------------|---------------------------|---------------------------|---|--|
| | | <ul style="list-style-type: none"> • Proposed species list for creation/enhancement; • Planting/seeding methodology; • Details on methodologies for salvage of special-status species; • Irrigation plan; • Weeding schedule; • Success criteria; • Monitoring methodology and schedule; • Reporting requirements; and • Adaptive management and a contingency plan <p>The Applicant or its designee shall submit the HRRP to California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS), in addition to the County, for joint-agency review and comment. The Applicant or its designee shall incorporate all requested revisions in coordination with the County for final approval, prior to County issuance of permits impacting or allowing removal of any of the above-mentioned special vegetated areas.</p> <p>The Applicant shall be responsible for execution of the approved HRRP that would re-establish appropriate vegetation in disturbed ESHA and non-ESHA vegetated areas on the site, subject to monitoring and periodic inspection by the County, CDFW, and USFWS. Failure to adequately execute the plan or meet final success criteria shall be subject to the enforcement provisions by the County.</p> | | | | | | |
| BIO.1 | Impacts to special-status plant and wildlife species and their habitats | <p>BIO.1-4 Weed Management Plan. Prior to issuance of any County permit, the Applicant or its designee shall prepare and submit a Weed Management Plan (WMP) describing the proposed methods of preventing and controlling Project-related spread of weeds or new weed infestations throughout Project remediation and restoration activities. The WMP shall outline the personnel, tasks, responsibilities and schedule for implementing the following:</p> <p>For the purpose of the WMP, “weeds” shall include designated noxious weeds, as well as any other non-native weeds or pest plants identified on the weed lists of the California Department of Food and Agriculture or the California Invasive Plant Council (CAL-IPC). The WMP shall be implemented throughout all activities at the site and shall include the following components:</p> <p><u>Background.</u> An assessment of the Project’s potential to cause the spread of noxious and invasive weeds into new areas, or to introduce new weeds into the Project area. This section must list known and potential noxious and invasive weeds occurring in the Project area and in the general region and identify threat rankings and potential consequences of Project-related occurrence or spread for each species. This assessment shall include, but is not limited to, weeds that (1) are rated high or moderate for negative ecological</p> | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The WMP for approval and implementation | County Department of Planning & Building |

7.0 Mitigation Monitoring and Reporting Program

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|------------------------|--|-----------------|------------------|------------------|-------------------|------------------|-------------------|
| | | <p>impact in the CAL-IPC Inventory Database (CAL-IPC 2023), and (2) aid and promote the spread of wildfires. This section shall identify control goals for each species (e.g., eradication, suppression, or containment) likely to be found within the Project area.</p> <p><u>Preconstruction Weed Inventory.</u> The Applicant or its designee shall inventory all areas subject to Project-related vegetation removal or ground-disturbance. The weed inventory shall include vehicle and equipment access routes within the site and staging and storage yards. Weed occurrences shall be mapped and described according to density and area covered. The map shall be updated at least once a year.</p> <p><u>Weed Prevention.</u> The WMP shall specify methods to minimize potential transport of weed seeds within the site and from areas outside of the site. The WMP shall specify inspection procedures for equipment and materials entering the Project area. Vehicles and equipment shall be inspected and cleaned prior to entering specified points in the Project area and before leaving the site where weed occurrences must be locally contained. Heavy equipment (e.g., graders, bulldozers, cranes, etc.) shall be cleaned of dirt and mud that could contain weed seeds, roots, or rhizomes. Equipment shall be inspected to ensure it is free of any dirt or mud that could contain weed sources. Tires, tracks, outriggers, and undercarriages shall be carefully washed. Vehicles (e.g., pick-up trucks) that are frequently entering and exiting Project work sites shall be inspected and washed on an as-needed basis. Tools, such as chainsaws, hand clippers, pruners, etc. shall be cleaned of dirt and mud before entering Project work sites.</p> <p>All equipment, vehicles, and tools shall be washed off site when possible. If off-site washing is infeasible, on-site cleaning stations shall be set up at specified locations to clean equipment, vehicles, and tools before entering unpaved work sites. Wash stations are to be located a minimum of 100 feet from sensitive habitats, including ESHAs. Wastewater from cleaning stations shall not be allowed to run off the cleaning station site. When equipment and vehicles are washed on site, a daily log must be kept stating the location, date and time, type of equipment, methods used, and personnel present. The log shall contain the signature of the responsible personnel. Written or electronic logs shall be available to the County upon request and a summary included in annual reporting.</p> <p>Erosion control materials (e.g., fiber rolls or hay bales) must be certified free of weed seed before entering the Project area. The WMP must prohibit on-site storage or disposal of mulch or green waste that may contain weed material. Mulch or green waste</p> | | | | | | |

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|-------------------------------|---|-----------------|---------------------------------|---------------------------|---------------------------|--|--|
| | | <p>that could contain weed material shall be removed from the site in a covered vehicle to prevent seed dispersal and transported to a licensed landfill or composting facility. The WMP shall specify guidelines for any soil, gravel, mulch, or fill material to be imported into the DCPD site or transported to an off-site location.</p> <p><u>Weed Monitoring.</u> The WMP shall specify methods of survey for weeds throughout the Project. It shall also specify qualifications of botanist Biological Monitors responsible for weed identification and monitoring. The WMP shall include a monitoring schedule to ensure timely detection and immediate control of weed infestations to prevent further spread. Surveying and monitoring for weed infestations shall occur at least two times per year and shall coincide with the detection periods for early and late season weeds. The WMP shall also include methods for marking weed locations and recording and communicating these locations to applicable personnel. The map of weed locations (discussed above) shall be updated at least once a year.</p> <p><u>Weed Control.</u> The WMP shall specify manual and chemical weed control methods to be employed. The WMP shall include only weed control measures with a demonstrated record of success for target weeds, based on the most recent information available. The plan shall describe proposed methods for promptly scheduling and implementing control activity when any weed infestation is located, to ensure effective and timely weed control. Weed infestations must be controlled or eradicated as soon as possible upon discovery, and before they go to seed, to prevent further spread. All proposed weed control methods must minimize the extent of any disturbance to native vegetation, limit ingress and egress to defined work areas and access routes and avoid damage from herbicide</p> | | | | | | |
| BIO.2 | Impacts to Nipomo Mesa lupine | <p>BIO.2-1: Nipomo Mesa Lupine Surveys. The following measure shall be included in the BRAAMP and implemented as part of the biological monitoring. Additional site-wide surveys for Nipomo Mesa lupine (NML) shall be conducted by a qualified botanist prior to initial construction permit issuance and annually thereafter until five years after demolition and remediation work is complete (or until site restoration requirements are met). Surveys after completion of demolition and remediation activities are required to quantify any indirect impacts to previously occupied areas. Surveys shall be conducted at identified appropriate times based on seasonal weather conditions and shall follow the methods outlined in CDFW 2018 and CNPS 2001. Each survey year shall also include a late bloom survey (May to December) to maximize detection (CDFW 2023a). Surveys shall be done prior to the initial construction permits being submitted, and annually thereafter, with the updated information incorporated to subsequent permits until all Project-</p> | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The BRAMMP for approval and implementation | County Department of Planning & Building |

7.0 Mitigation Monitoring and Reporting Program

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|-------------------------------|--|-----------------|---------------------------------|---------------------------|---------------------------|--|--|
| | | related demolition and remediation permit activities are completed. Areas to be avoided shall initially be informed by previous surveys and clearly delineated on all demolition and remediation plans and submitted to the County in support of construction permits. The results of NML surveys shall be included in the annual monitoring report required in measure BIO.1-2. | | | | | | |
| BIO.2 | Impacts to Nipomo Mesa lupine | <p>BIO.2-2: Nipomo Mesa Lupine Avoidance. The following measure shall be contained in the BRAAMP, implemented as part of the biological monitoring and shall be reproduced on all plans. Known locations of Nipomo Mesa lupine shall be avoided unless all necessary approvals and concurrence with the CDFW that are required for the take of a federal and state-listed plant are first obtained. Known population areas plus a 25-foot buffer shall be identified on all plans submitted to the County for approval. The known population boundaries mapped in previous years, plus any expansions observed during surveys conducted in the year of Project activities, would constitute the known population area to be avoided (which is different than the presumed occupied area). A minimum of a 25-foot buffer shall be placed around all known population areas within 100-foot of Project activities to avoid potential indirect impacts and changes to microhabitats that support the species. These buffers shall be flagged/fenced and avoided during construction. A qualified biologist shall conduct preconstruction surveys in all areas and verify that all known population areas plus a 25-foot buffer are properly flagged/fenced and shall have the authority to expand this buffer as needed based on site conditions and observed plants. Tracking shall be done through daily monitoring logs and summarized in annual reports as described in measure BIO.1-2.</p> <p>If an incidental take authorization is obtained and other measures implemented based on discussions with CDFW, the Applicant shall submit to the County a copy of the take authorization permit.</p> | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The BRAMMP for approval and implementation | County Department of Planning & Building |
| BIO.2 | Impacts to Nipomo Mesa lupine | <p>BIO.2-3: Nipomo Mesa Lupine Habitat Mitigation and Creation. The County-approved HRRP (BIO1-3) shall include methods of restoring and enhancing Nipomo Mesa lupine at a 3:1 ratio (based on square feet cover of individual plant) for permanent impacts to individuals. The HRRP shall also focus on restoring and enhancing sensitive communities and rare plant associations immediately adjacent to known Nipomo Mesa lupine populations in order to promote expansion of the existing population (see ESHA mitigation measure BIO.12-1). At a minimum, the HRRP shall include the following elements for the Nipomo Mesa Lupine:</p> | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The HRRP for approval and implementation | County Department of Planning & Building |

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

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|----------|------------------------|---|-----------------|------------------|------------------|-------------------|------------------|-------------------|
| | | <ol style="list-style-type: none"> 1. Identification of locations, amounts, size and types of plants to be replanted, as well as any other necessary components (e.g., temporary irrigation, amendments, etc.) to ensure successful reestablishment. 2. Quantification of impacts based on actual activities and quantification of mitigation areas such that the replacement criteria are met (3:1 ratio (based on square feet cover of individual plant). 3. A program schedule and success criteria for a minimum five-year monitoring and reporting program that is structured to ensure the success of the HRRP. 4. Provide for the in-kind replacement of Nipomo Mesa lupine individuals that are removed or damaged at a 3:1 ratio (based on square feet cover of individual plant) within the designated restoration area with 100% success in 5 years. 5. Identification of access and methods of materials transport to the restoration area, including personnel, vehicles, tools, plants, irrigation equipment, water, and all other similar supplies. Access shall not result in new or additional impacts to habitat and special-status species. 6. The required program shall incorporate an invasive species control program and be implemented by qualified personnel to ensure that the invasive species control program does not result in any additional impacts to Nipomo Mesa lupine, or other rare species. 7. If individual Nipomo Mesa lupine are to be impacted, a qualified biologist shall collect seed and deposit accessions into a permanent conservation seedbank established for the species at the Santa Barbara Botanic Garden or equivalent. The topsoil of impacted habitat shall be collected prior to ground disturbance (site clearing or soil sampling) in order to preserve the seed bank. Topsoil shall be relocated to restored habitat areas to promote the expansion of occupied habitat. Criteria shall be prepared in coordination with the USFWS and CDFW from non-impacted individuals to provide additional backup seeds to the U.S. Department of Agriculture’s National Laboratory for Genetic Resource Preservation seed vault, located in Fort Collins, Colorado. The specifics of seed collection and details of the mitigation shall be provided in the HRRP. 8. The locations of proposed restoration area for mitigation shall be delineated and restored or reestablished NML population areas. If on-site mitigation is not feasible or would not be biologically viable and therefore would not adequately mitigate the loss of biological functions and values, off-site | | | | | | |

7.0 Mitigation Monitoring and Reporting Program

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|-----------------------------------|--|-----------------|---------------------------------|---------------------------|---------------------------|---|--|
| | | <p>mitigation through habitat creation and/or acquisition and preservation in perpetuity shall be identified, preferably within the Nipomo Dunes complex.</p> <p>9. The proposed restoration area(s) shall be protected in perpetuity by an easement or deed restriction in a form approved by County Counsel. The easement shall either be an open space easement, or a conservation easement if required by the California Department of Fish and Wildlife and United States Fish and Wildlife Service, or if chosen by the Applicant. The easement shall be in a form approved by County Counsel and CDFW and/or USFWS if required by those agencies.</p> <p>10. The HRRP shall address success criteria for reestablished areas based on CDFW criteria and funding shall be provided by the Applicant until these success criteria are achieved.</p> <p>Upon successful completion of the program and subsequent approval by the permitting resource agencies, the applicant shall consider providing non-profit organizations such as California Native Plant Society and The Land Conservancy with long term access to the restoration site for the purposes of education, and long-term maintenance of the restoration site. Long-term maintenance activities would only occur if permitted by the applicant and would require coordination with California Department of Fish and Wildlife and United States Fish and Wildlife Service. If restoration is onsite, access to the site is not guaranteed as a result of this measure. Funding for any future long-term maintenance activities shall be facilitated by the non-profit organization.</p> | | | | | | |
| BIO.3 | Impacts to CRPR 1-4 plant species | <p>BIO.3-1: CRPR 1-4 Plant Species Surveys. The following requirements shall be incorporated to the BRAMMP/HRRP and implemented upon approval by the County: Populations of special-status plants shall be avoided to the maximum extent practicable. Known population areas shall be identified on all demolition/grading plans submitted to the County for approval. Additional surveys shall be conducted prior to construction permits being issued (or prior to mobilization and ground-disturbing activity) and annually thereafter until demolition and Project-related remediation work is complete. Surveys shall be conducted at identified appropriate times based on seasonal weather conditions and shall follow the methods outlined in CDFW 2018 and CNPS 2001. Areas to be avoided shall initially be informed by previous surveys and clearly delineated on all demolition and remediation plans and submitted to the County in support of permits for any demolition or remediation activity.</p> | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The BRAMMP and HRRP for approval and implementation | County Department of Planning & Building |

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

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|----------|-----------------------------------|---|-----------------|---------------------------------|---------------------------|---------------------------|---|--|
| | | <p>A minimum of a 25-foot buffer shall be placed around all known locations of special-status plant species within 100 feet of Project activities to avoid potential impacts to seed banks and microhabitats that support the species. Buffers shall be clearly shown on all demolition and remediation plans. Buffers shall be expanded by the Lead Biologist as needed on site if necessary. These buffers shall be flagged/fenced and avoided during construction. Tracking shall be done through daily monitoring logs and summarized in annual reports as described in measure BIO.1-2. The results of the surveys before and after construction in any area shall be compiled to an updated site plan and reported annually to the County for use with permit review in the subsequent year.</p> | | | | | | |
| BIO.3 | Impacts to CRPR 1-4 plant species | <p>BIO.3-2: CRPR 1-4 Plant Species Salvage. The following measure shall be included in the BRAMMP and HRRP prior to County permit issuance: If CRPR 1-4 species cannot be avoided, the individual plants shall be salvaged (e.g., plant placed in large nursery pot and/or seed collection) for use in habitat restoration activities once Project-related construction activities are complete. Details of the proposed salvage activity would be presented in the HRRP (refer to BIO.1-3). All plants directly salvaged or propagated from collected seed shall be monitored and must survive in good health or demonstrate stable or expanding populations, for a minimum of three years, post planting, for salvage to be considered successful. Details of the salvage methodology and reporting would be presented in the HRRP detailed under measure BIO.1-3.</p> | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The BRAMMP and HRRP for approval and implementation | County Department of Planning & Building |
| BIO.3 | Impacts to CRPR 1-4 plant species | <p>BIO.3-3: CRPR 1-3 Plant Species Habitat Creation. The following measure and requirements shall be incorporated to the BRAMMP and HRRP prior to County permit issuance, and implemented as applicable: If CRPR 1-3 species cannot be avoided, impacts shall be mitigated through the restoration of suitable habitat at a minimum 2:1 ratio of individuals impacted to individuals restored, in coordination with the County Environmental Monitor. Impacts shall be documented and tracked throughout the Project and the area of impact and mitigation requirements for each species reported annually to the County. Compensation for impacts to CRPR 1-3 species may be achieved by either a) on-site habitat creation or enhancement of impacted communities with similar species compositions to those present prior to remediation activities; b) off-site creation or enhancement of dune scrub communities; or c) participation in an established mitigation bank program. If on- or off-site habitat creation or enhancement is proposed as mitigation, this shall be detailed in the HRRP required in mitigation measure BIO.1-3. The long-term protection of all restored or reestablished population areas shall be protected in perpetuity through an accompanying deed restriction in</p> | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The BRAMMP and HRRP for approval and implementation | County Department of Planning & Building |

7.0 Mitigation Monitoring and Reporting Program

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|-----------------------------------|--|-----------------|---------------------------------|---------------------------|---------------------------|---|--|
| | | a form approved by County Counsel or conservation easement. It is the responsibility of the Applicant, or designee, to track individual specimens and species impacted and compensatory mitigation conducted to offset these impacts as a requirement of measure BIO.1-2. | | | | | | |
| BIO.3 | Impacts to CRPR 1-4 plant species | BIO.3-4: CRPR 4 Plant Species Habitat Creation. The following measure and requirements shall be incorporated to the BRAMMP AND HRRP prior to County permit issuance, and implemented as applicable: If Project-related impacts result in the loss of more than 10 percent of the on-site population of any CRPR 4 plant species, compensatory mitigation shall be provided at a minimum 1:1 ratio of individuals impacted to individuals restored. Impacts shall be documented and tracked throughout the Project and the area of impact and mitigation requirements for each species reported annually to the County. Compensation shall be provided for all impacts that exceed the 10 percent threshold (e.g., impacts to 15 percent of a population would only require compensation for five percent or the amount of impacts that exceed the 10 percent threshold). Compensation for impacts to CRPR 4 species may be achieved either by a) on-site habitat creation or enhancement of impacted communities with similar species compositions to those present prior to remediation activities; b) off-site creation or enhancement of dune scrub communities; or c) participation in an established mitigation bank program at a 1:1 mitigation ratio (one acre preserved for each acre impacted). If on- or off-site habitat creation or enhancement is proposed as mitigation, this shall be detailed in the HRRP required in mitigation measure BIO.1-3. The long-term protection of all restored or reestablished population areas shall be protected in perpetuity through an accompanying deed restriction in a form approved by County Counsel or conservation easement. It is the responsibility of the Applicant, or designee, to track individual specimens and species impacted and compensatory mitigation conducted to offset these impacts as a requirement of measure BIO.1-2. | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The BRAMMP and HRRP for approval and implementation | County Department of Planning & Building |
| BIO.4 | Impacts to monarch butterflies | BIO.4-1: Monarch Butterfly Preconstruction Surveys. The following measure and requirements shall be incorporated into the BRAMMP prior to County permit issuance and implemented as applicable: If any project activities are scheduled between October 1 st and the end of February, the Applicant or designee shall conduct preconstruction surveys of potential monarch butterfly overwintering habitat on site or adjacent to the site. The surveys shall be conducted by a qualified monarch butterfly biologist approved by the County. The resume of the proposed biologist along with the survey schedule shall be submitted to the County for review and approval no more than 14 days prior to beginning | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The BRAMMP for approval and implementation | County Department of Planning & Building |

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|-------------------------------|---|-----------------|---------------------------------|---------------------------|---------------------------|--|--|
| | | <p>surveys. The proposed biologist must have demonstrated experience in monarch butterfly ecology and habitat in order to conduct the surveys.</p> <p>If site disturbance is proposed within 200 feet of potential monarch butterfly overwintering locations and will occur (i.e., permit issuance occurs) during the aggregation season (October 1 through the end of February), surveys shall be conducted from the Project site and/or public roads for three mornings at least one week prior to planned disturbance.</p> <p>If clustering monarch butterflies are observed, the following shall be implemented:</p> <ol style="list-style-type: none"> 1. Site disturbance and construction activity within 200 feet of monarch butterfly overwintering habitat shall be prohibited while monarch butterflies are in an overwintering aggregation. 2. A 200-foot buffer shall be installed with T-posts and rope and labelled as Environmentally Sensitive Habitat every 75 to 100 feet during the occupation period. 3. Monitoring visits shall be conducted during daily active construction to document numbers and assure that no disturbance of the aggregation is caused by construction. 4. Reporting on the survey results and any protective measures implemented shall be submitted to the County by March 15 annually. | | | | | | |
| BIO.5 | Impacts to western bumble bee | <p>BIO.5-1: Surveys for Western, Crotch, and Obscure Bumble Bee and Implement Avoidance Measures. The Applicant or its designee, within one year (and at least 90 days) prior to submittal of an application for a County permit, shall conduct visual surveys to determine the presence/absence of Western, Crotch, and Obscure bumble bees. The surveys shall be conducted by a County-approved qualified biologist(s) familiar with the species behavior and life history. The resume(s) of the proposed biologist(s) shall be submitted to the County, along with the survey schedule, for review and approval no more than 14 days prior to conducting surveys. CDFW survey protocols shall be implemented “Survey Considerations for CESA Candidate Bumble Bee Species” (CDFW 2023c). Survey results, including negative findings, shall be submitted to the County prior to permit issuance. If survey results are negative, no further actions are required. If Western, Crotch, and Obscure bumble bee nests/colonies (or potential nests/colonies) are determined to be present during surveys, the Applicant or its designee shall develop a plan in consultation with the County following CDFW guidance and in coordination with CDFW to protect the nest/colony site(s). No construction permits shall be issued until the plan has been approved by the County.</p> | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The BRAMMP for approval and implementation | County Department of Planning & Building |

7.0 Mitigation Monitoring and Reporting Program

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|---|---|-----------------|---------------------------------|---------------------------|---------------------------|--|--|
| BIO.6 | Impacts to California red-legged frogs | <p>BIO.6-1: Red-Legged Frog Assessment and Measures. The following measure shall be included in the BRAMMP and HRRP submitted for County approval: At least 90 days prior to submittal of a County application for construction permit for the Project, The Applicant or its designee shall prepare a California red-legged frog site assessment. The assessment shall follow USFWS Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog (USFWS 2005) for artificial water features PW 1 and PW 2, submitted to USFWS for review and copied to the County. The assessment shall be conducted by a USFWS- and County-approved biologist, with the results provided to and approved by the County. The County shall receive the name and qualifications of the proposed biologist conducting surveys for approval prior to initiating the field work under the assessment. Within 14 days of completion of the final survey, the Applicant or its designee shall provide to the County a report describing the findings of the site assessment. If the survey results are negative, no further actions are required. If the site assessment report and surveys indicate that red legged frogs are determined to be present, the Applicant or its designee shall develop a plan in consultation with the County and in coordination with USFWS to protect the species in accordance with USFWS Guidance (USFWS 2005). The plan shall include measures to be taken to prevent red-legged frog impacts as required by USFWS, identify reception sites to relocate red-legged frogs if they need relocation, clearance surveys and fencing requirements, and, procedures for reporting of monitoring, handling, and relocation issues. The Applicant shall submit the plan (if applicable) to the County with documentation from the USFWS that consultation has been conducted and USFWS guidance is being followed.</p> | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The BRAMMP for approval and implementation | County Department of Planning & Building |
| BIO.7 | Impacts to California legless lizard and Blainville’s horned lizard | <p>BIO.7-1: Lizard Relocation Surveys. The following measure shall be included in the BRAMMP submitted for County approval prior to issuance of County construction permits: Relocation surveys for special-status reptiles shall be conducted in undeveloped areas where earthwork is required for Project activities such as remediation prior to permit issuance and mobilization, or as described. Surveys shall be performed during appropriate times of year when the species are active and can be located. The following measures shall apply.</p> <p>5. Cover board and raking surveys for legless lizard shall be conducted between January and July. California legless lizards are not expected to move back into work areas after relocation; therefore, these surveys can be done well in advance of earthwork. The surveyor should utilize cover board methods in areas of disturbance where legless lizards</p> | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The BRAMMP for approval and implementation | County Department of Planning & Building |

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|--|--|-----------------|---------------------------------|---------------------------|---------------------------|--|--|
| | | <p>are expected to be found (e.g., under shrubs, other vegetation, or debris).</p> <p>6. Hand search surveys should be completed during times of year when the species are active and can be located and immediately prior to and during grading activities.</p> <p>7. During initial ground disturbance activities, the biologist shall walk behind the grading equipment to capture California legless lizards that are unearthed by the equipment. The surveyor shall capture and relocate any legless lizards or other reptiles observed during the survey effort. The captured individuals shall be relocated from the remediation area and placed in suitable habitat outside of any current or future work areas.</p> <p>8. Following the survey and monitoring efforts, for each new permit work area the biologist shall submit to the County a Project completion report that documents the survey date(s) and area limits surveyed, number of special-status reptiles and other reptiles captured and relocated, and a post-construction summary of the number of special-status reptiles or other reptiles taken during earthwork and remediation activities.</p> <p>9. These requirements shall either be reproduced on each plan set submitted for permit, or included in the BRAMMP.</p> | | | | | | |
| BIO.8 | Impacts to special-status birds, raptors, and nesting birds. | <p>BIO.8-1: Nesting Bird Preconstruction Survey and Nest Avoidance. The following measures shall be included in the Project BRAMMP prepared for County approval, prior to issuance of any County construction permits: Within 10 days prior to construction activities, including disassembling and demolition of existing structures, if permits are issued, or work occurs, between February 1 and September 15, nesting bird surveys shall be conducted. Surveys shall include a sufficient buffer area around the Project area, as determined by a qualified biologist, to the extent feasible. A sufficient buffer shall mean any area potentially affected by the Project. If surveys do not locate nesting birds, construction activities may begin. If nesting birds are located, no construction activities shall occur within 250 feet of nests or within 500 feet of raptors until chicks have fledged.</p> <p>The Project biologist may recommend a buffer decrease depending on site conditions (such as line-of-sight to the nest) and the birds' level of tolerance for construction activities. The biologist shall collect data on the birds' baseline behavior and their tolerance to disturbance by observing the birds at the nest prior to construction activities. If the birds are incubating, the biologist shall record how long they stay in the nest. If nestlings are present, the biologist shall record how frequently adults deliver food and visit the nest. The biologist shall also record the birds' reaction to the</p> | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The BRAMMP for approval and implementation | County Department of Planning & Building |

7.0 Mitigation Monitoring and Reporting Program

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|--|---|-----------------|---------------------------------|---------------------------|---------------------------|--|--|
| | | <p>biologist and how close the biologist can get to the nest before the birds’ behavior is altered or they show signs of stress or disturbance. The biologist shall set the reduced buffer distance based on these data. Nesting bird buffers may be reduced up to 50 feet, while raptor nest buffers may be reduced up to 250 feet. If nest buffers are reduced, the biologist shall monitor any construction activities that take place within 100 feet of nesting birds and 500 feet of raptor nests. If nesting birds show any signs of disturbance, including changes in behavior, significantly reducing frequency of nests visits, or refusal to visit the nest, the biologist would stop work and increase the nest buffer.</p> <p>If fully protected raptors are located within the Project area or within 500 feet of the Project area, a 500-foot no-disturbance buffer shall be implemented. If the 500-foot no-disturbance buffer cannot be feasibly implemented, the Lead Biologist shall contact CDFW to identify additional avoidance measures.</p> <p>These requirements shall either be reproduced on each plan set submitted for construction permit or included in the BRAMMP for the Project.</p> <p>Within 30 days following completion of the survey and monitoring efforts for each permit area (as applicable), the biologist shall submit to the County a Project completion report that documents the number of nests observed and actions taken to avoid impacts to nesting birds. An annual summary of activities and permits monitored shall be submitted to the County by December 1 for each nesting season through Project construction and remediation.</p> | | | | | | |
| BIO.8 | Impacts to special-status birds, raptors, and nesting birds. | <p>BIO.8-2: Burrowing Owl Preconstruction Surveys. The following measure shall be included in the BRAMMP prepared for County approval prior to issuance of County permits: The Applicant or its designee shall conduct preconstruction surveys for burrowing owl shall follow the California Burrowing Owl Consortium’s Burrowing Owl Survey Protocol and Mitigation Guidelines (California Burrowing Owl Consortium 1993) and CDFW Staff Report on Burrowing Owl Mitigation (CDFW 2012). In the event a burrowing owl is located, disturbance buffers shall be implemented as outlined in the CDFW Staff Report on Burrowing Owl Mitigation, unless a qualified biologist approved by the CDFW verifies through non-invasive methods that (1) the birds have not begun egg laying and incubation or (2) that juveniles from the occupied burrows are foraging independently and capable of independent survival. Burrows that are verified as unoccupied by the Lead Biologist may be made inaccessible to owls (e.g., by collapsing, covering, or other appropriate means). Annually and</p> | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The BRAMMP for approval and implementation | County Department of Planning & Building |

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|-----------------------------|---|-----------------|---------------------------------|---------------------------|---------------------------|--|--|
| | | following Project completion, the biologist shall submit to the County a summary completion report that documents the locations, associated permits, results of preconstruction surveys conducted and actions taken to avoid impacts to burrowing owls. | | | | | | |
| BIO.9 | Impacts to roosting bats | <p>BIO.9-1: Bat Preconstruction Surveys and Measures. The following measures shall be included in the BRAMMP prepared for County approval prior to issuance of County permits: Upon Applicant submittal of demolition permits to County Planning and Building, the following shall be noted on plans: Prior to mobilization or initiation of demolition activity, the Applicant or its designee shall conduct preconstruction surveys of suitable roosting habitat features (e.g., structures and trees or snags to be removed that are greater than 20 inches diameter at breast height). Surveys shall be conducted within the Project site permitting area and a 300-foot buffer by a qualified biologist within 30 days of construction activities. Surveys shall occur during the appropriate time of day to maximize detectability to determine if bat species are roosting on site or near Project work areas. Surveys may include observational methods, echolocation monitoring, etc. to determine whether bats are present. A survey report shall be completed and submitted to the County that includes, but is not limited to, the survey methodology and biologist qualifications and, if bats are present, the colony size, roost location, and characteristics. If bats are not present and findings are negative, the report will indicate that the survey area is cleared for mobilization under the Permit.</p> <p>Passive Relocation of night roosts: If a bat night roost is found, the qualified biologist shall implement passive relocation measures, such as installation of one-way valves. A report summarizing all passive relocation activities and any follow-up to verify success shall be completed and submitted to the County prior to Permit issuance.</p> <p>Day roosts and maternity colonies: If surveys confirm that bats daytime roost in areas that would be impacted by the Project, Phillips 66 shall maintain a 300-foot buffer around bat daytime roost sites during Project activities. Bat maternity colonies may not be disturbed. If a bat maternity colony is found or if a 300-foot buffer around bat daytime roost sites is not feasible, the Applicant would consult with CDFW and the County to determine what additional avoidance, minimization, and mitigation measures are necessary. An updated bat mitigation report shall be submitted to the County and CDFW following implementation of any additional avoidance, minimization, and mitigation measures.</p> | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The BRAMMP for approval and implementation | County Department of Planning & Building |
| BIO.10 | Impacts to American Badgers | <p>BIO.10-1: Badger Den Preconstruction Survey and Relocation. The following measures shall be included in the BRAMMP prepared for County approval prior to issuance of County permits:</p> | Class II | Prior to County | County issuance of permit | The Applicant or designee | The BRAMMP for approval | County Department of |

7.0 Mitigation Monitoring and Reporting Program

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|------------------------|---|-----------------|------------------|------------------|-------------------|--------------------|---------------------|
| | | <p>Preconstruction surveys for American badger shall be conducted within 30 days prior to initiating any construction activities under any permit. Preconstruction surveys shall cover the immediate areas of permit limits for any proposed demolition and remediation activities plus a 500-foot buffer.</p> <p>If suitable American badger dens are identified within the disturbance footprint, den openings shall be monitored with tracking medium or an infrared camera for three consecutive nights to determine current use. If the den is not in use, the den shall be excavated and collapsed to ensure that no animals are present during construction. If the den is occupied during the non-maternity period, badgers may be relocated by first incrementally blocking the den over a three-day period, followed by slowly excavating the den (either by hand or with mechanized equipment under the direct supervision of a qualified biologist, removing no more than 4 inches at a time) before or after the rearing season (February 15– June 30). Passive relocation of American badgers shall be conducted under the direction of a qualified biologist after submittal of qualifications to, and approval by, the County.</p> <p>If the preconstruction survey finds potential badger dens, the dens shall be inspected by the Lead Biologist to determine whether they are occupied. If a potential badger den is too long to completely inspect from the entrance, a fiber optic scope may be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent reuse of dens during construction. If badgers occupy active dens in proposed work areas between February and July, nursing young may be present.</p> <p>To avoid disturbance and the possibility of direct impacts to adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, American badger dens determined to be occupied during the breeding season (February 15–June 30) shall be flagged. Between February and July, no grading or ground-disturbing activities shall occur within 100 feet of active badger dens to protect adults and nursing young. Buffers may be modified by the qualified biologist, provided the badgers are protected, and buffers only removed after the qualified biologist determines that the den is no longer in use.</p> <p>If a potential den is located outside of the disturbance footprint but within 500 feet of ground-disturbing activities (including staging areas), dens shall be avoided by installation of highly visible orange construction fencing a minimum of 100 feet from the den, designating the area an Environmentally Sensitive Area. Fencing shall be installed in a manner that allows badgers to move through the fencing at will. No equipment, vehicles, or</p> | | permit issuance | | | and implementation | Planning & Building |

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|---|---|-----------------|---------------------------------|---------------------------|---------------------------|---|--|
| | | <p>personnel shall be permitted within Environmentally Sensitive Areas without clear permission from a qualified biologist.</p> <p>Following the survey, passive relocation activities and monitoring efforts, the biologist shall submit to the County a Project completion report that documents the permitting area, number of potential badger dens identified, the number occupied, and any avoidance or minimization measures implemented to avoid direct or indirect impacts to badgers. This information shall be included in the annual reporting.</p> | | | | | | |
| BIO.11 | Impacts to silver dune lupine – mock heather scrub and Central Dune Scrub | <p>BIO.11-1: Coastal Dune Scrub Avoidance. The following measures shall be included in the BRAMMP and HRRP prepared for County approval prior to issuance of County permits: Demolition and remediation activities shall be done in such a manner as to minimize the removal of Coastal Dune Scrub habitat, which includes silver dune lupine - mock heather scrub. If the disturbance of this sensitive natural community cannot be avoided, and the removal is approved by the County, the impacted plant community shall be replaced at a mitigation ratio of 2:1 for like kind habitat (i.e., silver dune lupine - mock heather scrub shall be replaced by restoring silver dune lupine - mock heather scrub, etc.). The compensation for the loss of habitats may be achieved either by a) on-site habitat creation or enhancement of impacted communities with similar species compositions to those present prior to construction; b) off-site creation or enhancement of dune scrub communities; or c) participation in an established mitigation bank program. If on- or off-site habitat creation or enhancement is proposed as mitigation, this shall be detailed in the HRRP required in mitigation measure BIO.1-3. The long-term protection of all mitigation areas shall be protected in perpetuity through an accompanying deed restriction in a form approved by County Counsel or conservation easement. It is the responsibility of the Applicant, or designee, to track the Dune Scrub impacted and compensatory mitigation conducted to offset these impacts as a requirement of measure BIO.1-2.</p> | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The BRAMMP and HRRP for approval and implementation | County Department of Planning & Building |
| BIO.12 | Impacts to County designated unmapped ESHA | <p>BIO.12-1: ESHA Protection Plan. The Applicant shall prepare an ESHA Protection Plan that addresses the steps that will be taken to minimize the projects impacts to ESHA to be included in the HRRP. The plan shall require the following:</p> <ul style="list-style-type: none"> Delineate the areas of ESHA within the Project area for each construction permit and identify on plans the square footage of ESHA, and Sensitive Communities, as applicable. The plans shall show the areas of ESHA that will be avoided and any of the areas of ESHA that will be impacted. Any disturbance or removal of ESHA must be approved by the County. | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The BRAMMP and HRRP for approval and implementation | County Department of Planning & Building |

7.0 Mitigation Monitoring and Reporting Program

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|------------------------|--|-----------------|------------------|------------------|-------------------|------------------|-------------------|
| | | <ul style="list-style-type: none"> • Provide flagging or protective fencing as needed around the sensitive habitat area. • The plan shall address measures to implement if activities require driving through any areas designated as ESHA (including site assessment and soil sampling activities). Measures shall include the Biological Monitor identifying the least disturbing access corridor, cutting vegetation at ground level within the access corridor, the use of mats to drive equipment over to reduce impacts to subsurface roots and topsoil, and the removal of mats in a timely manner. • The Lead Biologist shall monitor all areas where ESHA is to be disturbed or removed. In cases of removal, the plants that can be saved shall be relocated • Prior to each permit completion or final inspection, the Biologist shall quantify the area of ESHA impacted under the permit, and verify that the replacement vegetation is in kind at the ratio(s) specified. • The final ESHA Impact Summary shall be provided to County Planning for review, and incorporated into the HRRP plan for the permit. A running total of ESHA impacted and replaced shall be maintained for the Project. <p>The impacted ESHA shall be replaced at a mitigation ratio of 1:1. If the ESHA removed consists of Sensitive communities (e.g., Coastal Dune Scrub and silver dune lupine – mock heather scrub), it shall be replaced at a mitigation ratio of 2:1 consistent with mitigation measure BIO.11-1. The compensation for the loss of habitats may be achieved either by a) on-site habitat creation or enhancement of impacted communities with similar species compositions to those present prior to construction, b) off-site creation or enhancement of dune scrub communities, or c) participation in an established mitigation bank program. If on- or off-site habitat creation or enhancement is proposed as mitigation, this shall be detailed in the HRRP required in mitigation measure BIO.1-3. The long-term protection of all mitigation areas shall be protected in perpetuity through an accompanying deed restriction in a form approved by County Counsel or conservation easement. An annual summary report of the impacted areas and mitigation acreage requirements, and updated mapping of impacted or removed ESHA within the identified Project ESHA areas shall be submitted to the County as the Project progresses, until Project permits are completed. It is the responsibility of the Applicant, or designee, to track the Dune Scrub impacted and compensatory mitigation conducted to offset these impacts as a requirement of measure BIO.1-2.</p> | | | | | | |

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|---|---|-----------------|---------------------------------|---------------------------|---------------------------|---|--|
| BIO.14 | Impacts on movement of wildlife species | See BIO.4-1, BIO.5-1, BIO.6-1, BIO.7-1, BIO.8-1, BIO.8-2, BIO.9-1, and BIO.10-1. | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The BRAMMP for approval and implementation | County Department of Planning & Building |
| BIO.15 | Conflicts with local policies, such as damage of ESHA | See BIO.12-1: ESHA Protection Plan. | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The BRAMMP and HRRP for approval and implementation | County Department of Planning & Building |
| BIO.16 | Impacts to protected trees within the Coastal Zone | <p>BIO.16-1: Tree Avoidance and Replacement. The following measures shall be included in the BRAMMP and HRRP prepared for County approval prior to issuance of County permits: All trees with trunks equal to or greater than eight inches in diameter at four feet above grade shall be avoided to the maximum extent practicable. If avoidance is not feasible, the Applicant shall obtain a tree removal permit, as required pursuant to Section 23.05.064 of the CZLUO. Trees removed with trunks equal to or greater than eight inches in diameter at four feet above grade shall be replaced at the County standard 4:1 ratio, with in-kind species or a similar, native variety, and success is measured as 75% (three out of four) surviving at least five years.</p> <p>The location of replacement trees shall either be on site or within the larger property owned by Phillips 66. Compensatory mitigation shall be a condition of the Grading or the Demolition permit that requires tree removal, and the proposed tree replacement species and location shall be identified with the Permit. Prior to the Permit Inspection, the proposed Tree Monitor and a Tree Replacement Monitoring Plan shall be provided to the County for review; the replacement trees shall be planted and verified by the County prior to final Permit signoff. Compensatory mitigation trees shall be caged for protection, provided with temporary irrigation, and monitored on a quarterly basis at minimum. Any required maintenance shall also occur on a quarterly basis, at minimum. Maintenance activities would include weeding, debris removal, replanting (if necessary), repair of any vandalism, fertilizing, and/or pest control and would be dictated by the results of the quarterly monitoring effort. Supplemental water shall be provided for no more than three years after planting. Monitoring reports of the quarterly inspections and maintenance shall be prepared and submitted to the County on an annual basis. Tree replacement efforts shall achieve 75 percent success at the end of a five-year growth period (i.e., from planting date of the oldest 3 trees) and require no further maintenance for survival. The annual monitoring report submitted at Year 5 from installation of at least</p> | Class II | Prior to County permit issuance | County issuance of permit | The Applicant or designee | The BRAMMP for approval and implementation | County Department of Planning & Building |

7.0 Mitigation Monitoring and Reporting Program

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|-----------------------------------|---|---|-----------------|--|--|-------------------|----------------------|---|
| | | three replacement trees (for each mature tree removed) shall serve as a final completion report denoting success. | | | | | | |
| Alt-Full Removal -Bio Marine. 1-1 | Impacts to marine biology during the Full Removal of Facilities Alternative | <p>Alt-Fullremoval-BioMarine.1-1 Marine Protection Plan: A marine protection plan shall be developed that includes a preconstruction survey for black abalone, anchoring measures to prevent impacts from barge and vessel anchors, measures to prevent impacts from potential spills, and measures to reduce the potential for impacts to marine species. These are addressed below:</p> <p>a) Preconstruction Survey for Black Abalone: Prior to removal of the outfall, the Applicant or its designee shall conduct a survey by a qualified biologist (i.e., certified/approved by NOAA Fisheries and CDFW) within the area of impact to determine if black abalone are present. If black abalone are discovered in the work area, they shall be relocated by a qualified biologist with appropriate authorization from NOAA Fisheries and CDFW to predetermined suitable habitat areas located outside the immediate impact area. Relocation of black abalone would require a biologist with a scientific collection permit, and obtaining a Project incidental take permit and letter of authorization from CDFW. Monitoring shall also be conducted to assess the effectiveness of relocation for a duration as prescribed by NOAA Fisheries, and CDFW. Results of each such survey and relocation monitoring event shall be submitted to the County, State Lands Commission, NOAA Fisheries, and CDFW within 30 days following completion of surveys, and a final summary report submitted within 60 days following completion of construction activity.</p> <p>b) Anchoring Measures: The Applicant shall prepare marine safety and anchoring measures to avoid or minimize, as feasible, impacts to Essential Fish Habitat (EFH) Habitat of Particular Concern (HAPC) such as rocky reef habitat, canopy kelp, or eelgrass beds. The measures components would be developed following the analysis of a pre-construction seafloor habitat and bathymetric survey. Additionally, a confirmation or ground truthing survey shall be conducted to ensure that all pre-determined anchor locations are positioned in sedimentary habitats and avoid impacts to rocky substrata, kelp, or eelgrass beds. The measures shall also include the types and sizes of vessels to be anchored, anchoring and mooring systems that may be utilized, and general anchoring procedures. The measures shall be incorporated into any permits related to barge loading or offshore demolition. Documentation of the mooring system installation shall be</p> | Class I | Prior to offshore demolition permit issuance | Issuance of offshore demolition permit | The Applicant | Black Abalone Survey | CDFW, CSLC, NOAA, and County Department of Planning & Building. |

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

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|----------|------------------------|---|-----------------|------------------|------------------|-------------------|------------------|-------------------|
| | | <p>submitted to the County within 30 days of installation to document compliance with this measure.</p> <p>c) Spill Prevention Measures: The Applicant shall provide an Oil Spill Response Plan to outline initial response and procedures to be followed in the event of an inadvertent release of hazardous materials such as fuel or oil as a result of Project activities. The plan shall include at a minimum, a description of the Project scope-of-work and geographic area; pre-work planning needed to prepare for a possible nearshore oil spill; initial response procedures including agency notifications and on-site team communications; how the waste from the oil spill will be handled and disposed of; and a description of how the area will be decontaminated and how any contaminated materials will be handled. The plan shall be reviewed and approved by various agencies including, at a minimum, the County, CSLC, CDFW, NOAA Fisheries, and the CDFW Office of Spill Prevention and Response (OSPR). Each Project vessel shall have a copy of the plan and shall maintain the required spill response equipment. Additional shore-based response equipment shall be on site, which can be used for first-response containment and collection of petroleum that reaches the shoreline. If necessary, additional personnel and equipment shall be deployed to assist in the recovery and disposal of spilled petroleum.</p> <p>d) Marine Mammal Monitoring and Protection Measures: The Applicant shall develop a Marine Mammal and Sea Turtle Mitigation and Monitoring Plan to ensure that no harassment of marine mammals or other marine life occurs during both offshore and onshore Project activities. The plan shall be developed and approved by the County as part of NOAA Fisheries, CDFW, and USFWS consultation under the Marine Mammal Protection Act, and shall include:</p> <ul style="list-style-type: none"> a. Description of the work activities including vessel size, activity types and locations, and proposed Project schedule. b. The qualifications, number, location, and roles/authority of dedicated marine wildlife observers (MWOs). c. The distance, speed, and direction transiting vessels shall maintain when in proximity to a marine mammal or turtle. d. Observation recording procedures and reporting requirements in the event of an observed impact to marine wildlife. Collisions with marine wildlife shall be reported promptly to the NOAA Fisheries, CDFW, CCC, | | | | | | |

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Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

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|---|--|--|-----------------|---|---|---------------------------|--|--|
| | | USFWS, and CSLC pursuant to each agency’s reporting procedures. A final report summarizing daily reports and any actions taken shall be submitted to the County, NOAA Fisheries, CDFW, CCC, CSLC, and USFWS within 60 days following completion of monitoring. | | | | | | |
| CULTURAL AND TRIBAL CULTURAL RESOURCES (Section 4.5) | | | | | | | | |
| CT.2 | Substantial adverse change in the significance of previously undiscovered archaeological resources | CT.2-1: Retain a County-qualified Project Archaeologist. At the time of application for County demolition or construction permits, a Project Archaeologist whose training and background conforms to the US Secretary of the Interior’s Professional Qualifications Standards, as published in Title 36, Code of Federal Regulations, part 61 (36 C.F.R., part 61) shall be retained by the Applicant or its designee to prepare and oversee a Cultural Resources Monitoring and Discovery Plan (CT.2-3), the Cultural Resources Environmental Awareness Program (CT.2-5) training, and manage all cultural resources monitoring, mitigation, and curation, if necessary, activities for the Project. A copy of the Project Archaeologist’s qualifications shall be provided to the County of San Luis Obispo Planning and Building Department (County) for review and approval. The qualifications of the Project Archaeologist shall be appropriate to the needs of the Project and demonstrate prior experience on the Central Coast of California. The Project Archaeologist’s qualifications shall be provided by the County to the Tribes designated point of contact with whom the County conducted Assembly Bill (AB) 52 consultation for the Project (hereinafter referred to as “appropriate consulting Tribes”) for review and comment prior to approval by the County. | Class II | At the time of application for County demolition and construction permits | Submittal of County permit applications | The Applicant or designee | Submittal of proposed Project Archaeologist qualifications | County Department of Planning & Building |
| CT.2 | Substantial adverse change in the significance of previously undiscovered archaeological resources | CT.2-2: Retain County-qualified Project Archaeological Monitors. Prior to application for County demolition or construction permits, Project Archaeological Monitors shall be retained by the Applicant or its designee to assist in the monitoring, mitigation, and curation activities for the Project. The Monitors shall have the following minimum qualifications: 1. A BS or BA degree in anthropology, archaeology, historic archaeology, or a related field and two years’ experience monitoring in California including demonstrated experience with coastal cultural resources. Preference will be given to those with demonstrated experience along the coast of Central California; or 2. An AS or AA degree in anthropology, archaeology, historic archaeology, or a related field and four years’ experience monitoring in California including demonstrated experience with coastal cultural resources. Preference will be given to | Class II | Prior to the application for County demolition and construction permits | Issuance of County permit | The Applicant or designee | Archaeological Monitor Qualifications | County Department of Planning & Building |

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

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|----------|--|---|-----------------|---|--------------------|---------------------------|-----------------------|--|
| | | <p>those with demonstrated experience along the coast of Central California; or</p> <p>3. A BS or BA degree and enrollment in graduate level classes pursuing a Master’s degree in the fields of anthropology, archaeology, historic archaeology, or a related field and two years of monitoring experience in California including demonstrated experience with coastal cultural resources. Preference will be given to those with demonstrated experience along the coast of Central California. If the Monitor’s undergraduate degree is not in anthropology, archaeology, or a related field, two graduate classes in anthropology or archaeology must have been completed prior to the Monitor working on site.</p> <p>A Monitor with a degree in historic archaeology must also have completed coursework in anthropology or archaeology and have demonstrated experience monitoring for California prehistoric archaeological resources.</p> <p>A copy of each Monitor’s qualifications shall be provided to the County for review and approval. Each Monitor’s qualifications shall be provided by the County to the appropriate consulting Tribes for review and comment prior to approval by the County.</p> | | | | | | |
| CT.2 | Substantial adverse change in the significance of previously undiscovered archaeological resources | <p>CT.2-3: Develop a Cultural Resources Monitoring and Discovery Plan. At the time of application for County demolition and construction permits, the Project Archaeologist shall develop and submit a Cultural Resources Monitoring and Discovery Plan (CRMDP) to the County for review and approval. No ground disturbing activities can occur until the CRMDP is approved by the County. A draft of the CRMDP shall be provided by the County to the appropriate consulting Tribes and an independent third-party County qualified archaeologist for a 45-day review and comment period. No ground disturbance can occur before approval of any construction-related permits by the County.</p> <p>At a minimum, the CRMDP shall include the following:</p> <ol style="list-style-type: none"> 1. An introduction outlining the project description, purpose for monitoring, summary of resources studies or description of known resources, anticipated construction schedule, anticipated impacts to cultural resources, if discovered, curation, and treatment options. Permanent curation of cultural resources will not take place unless approved in writing by the appropriate consulting Tribes. 2. A description of the monitoring personnel involved with the Project (Project Archaeologist, Archaeological Monitors, and Chumash Tribal Monitors (CT.4-1) and their responsibilities, which shall include but are not limited to: | Class II | At the time of application for County demolition and construction permits | Issuance of permit | The Applicant or designee | County-approved CRMDP | County Department of Planning & Building |

7.0 Mitigation Monitoring and Reporting Program

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|------------------------|--|-----------------|------------------|------------------|-------------------|------------------|-------------------|
| | | <ul style="list-style-type: none"> a. A list of personnel involved in the monitoring activities and their availability; b. A description of how the monitoring shall occur; c. A description of how the monitoring schedule will be developed and implemented given that different areas of ground disturbance may occur simultaneously; d. A description of what resources could be encountered and where they could be encountered; and e. A description of monitoring reporting procedures. <p>3. A description of the Cultural Resources Worker Environmental Awareness Program training (CT.2-5) and when and how that will take place.</p> <p>4. Definition and description of authorities, protocols, and procedures for halting and/or pausing work in order to record, evaluate, and identify any necessary treatment for any cultural resources encountered. This shall include protocols for ensuring all treatment or recovery of cultural resources is completed prior to work resuming in the area of the find.</p> <p>5. Information that the Project Archaeologist, Archaeological Monitor(s), and the Chumash Tribal Monitor(s) shall have the authority to halt ground disturbing activities in the event cultural resources are encountered as a result of that ground disturbing activity.</p> <p>6. Details regarding the immediate cessation of ground disturbing activities within a minimum of 100 feet of the discovery of any cultural resources or human remains and measures to delineate the area with clearly visible lath, flagging tape, or other marking. The County and the appropriate consulting Tribes shall be consulted on a determination of significance.</p> <p>7. Notification procedures of unanticipated discoveries of cultural resources including human remains (CT.2-4). The County and appropriate consulting Tribes shall be notified of a discovery as soon as possible but no later than 24 hours of the find. If the discovery occurs on a Friday, the County can be notified the following Monday morning.</p> <p>8. Specific in-field procedures for collecting, handling, and categorizing cultural resources, including human remains, encountered and a detailed process for evaluating unanticipated discoveries.</p> <p>9. Development of a preliminary treatment plan which shall, at a minimum, include:</p> <ul style="list-style-type: none"> a. A description of the treatment options for each type of resource which include, in order of priority: 1) preservation in place, where feasible; 2) the development | | | | | | |

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| | | <p>of a treatment plan, archaeological testing, or data recovery; 3) reburial as close as possible to the location where all artifacts, remains, and/or funerary objects were found; and 4) reburial near the Project site. Any Chumash cultural materials disinterred as a result of this Project shall be curated or reinterred upon determination by the Most Likely Descendant (MLD) after notification by the Project Archaeologist to the appropriate consulting Tribes. Reinterment shall be conducted on a weekly basis or as deemed appropriate by the MLD after notification by the Project Archaeologist to the appropriate consulting Tribes.</p> <p>b. The location of a secured, on-site storage area for recovered artifacts and human remains shall be identified before any ground disturbing activities occur. The location shall be determined in consultation with the appropriate consulting Tribes.</p> <p>c. In the event of a human remains discovery, the County and appropriate consulting Tribes shall be notified by the Applicant or Project Archaeologist no later than 24 hours of the find along with one of the proposed treatment options outlined above, by the MLD, in consultation with the Applicant. The County and appropriate consulting Tribes shall be given 72 hours from the time of notification to provide comments on the proposed treatment option to the MLD.</p> <p>d. In the event human remains are discovered, a Project Osteologist shall be retained by the Applicant or its designee to assist in the identification of any human remains. The Project Osteologist shall have the following minimum qualifications:</p> <ol style="list-style-type: none"> 1. A graduate degree in archaeology, forensic anthropology, or related discipline, with four years' experience working with archaeological and Tribal Cultural resources in California; 2. If an Osteologist with four years' experience is not available, a candidate with no less than two years' experience may be considered; and 3. A copy of the Project Osteologist's qualifications shall be provided to the County for review and approval. The Project Osteologist's qualifications shall be provided by the County to appropriate consulting Tribes for review and comment prior to approval by the County. | | | | | | |

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| | | <p>e. For the location near the Project site for reburial of human remains and artifacts, the location must be surveyed prior to its use, to determine if the location may be used (i.e., there are no biological and/or cultural/tribal resources sensitivities). In addition, the location must be limited to the reburial of human remains and artifacts from the Phillips 66 SMR site. Lastly, the location, if needed, must be put under a deed restriction, protecting any reburials of human remains and artifacts in perpetuity.</p> <p>f. A commitment from the Applicant to pay all treatment costs for artifacts, funerary objects, and remains discovered, from discovery to reinternment, and for related documentation produced, if any, during cultural resources investigations conducted for the Project.</p> <p>10. Procedures for the Project Archaeologist, the Applicant, or its contractors to provide immediate notification to the County of San Luis Obispo Planning and Building Department and the appropriate consulting Tribes and immediately cease any earthwork conducted outside the limits of the approved grading plan or land use permit as these activities require prior approval by the County.</p> <p>11. Outline of reporting procedures, including monthly summary reports and an annual archaeological monitoring report to be submitted by the Project Archaeologist to the County of San Luis Obispo Planning and Building Department and appropriate consulting Tribes for review throughout the duration of Project disturbance activities. The County shall provide copies of the plan to the appropriate consulting Tribes for review. Formal technical reports are required for any archaeological testing or data recovery conducted. Annual archaeological monitoring reports and any technical testing or data recovery reports shall be submitted to the County and Central Coast Information Center. Upon completion of all monitoring or treatment activities at Project completion, the Project Archaeologist shall submit a final report under confidentiality to the County summarizing all monitoring/treatment activities. The County shall provide copies of the confidential final report to the appropriate consulting Tribes.</p> <p>Phillips 66 or its designee(s) will consult with the County and appropriate consulting Tribes to develop measures for long term management of any discovered resources, including any routine maintenance that may need to occur within discovered culturally sensitive areas that retain resource integrity, including tribal</p> | | | | | | |

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| | | cultural integrity, and including archaeological material, Traditional Cultural Properties, and cultural landscapes, in accordance with state and federal guidance including National Register Bulletin 30 (Guidelines for Evaluating and Documenting Rural Historic Landscapes), Bulletin 36 (Guidelines for Evaluating and Registering Archaeological Properties), and Bulletin 38 (Guidelines for Evaluating and Documenting Traditional Cultural Properties). | | | | | | |
| CT.2 | Substantial adverse change in the significance of previously undiscovered archaeological resources | <p>CT.2-4: Inadvertent Discoveries. In the event that Tribal Cultural Resources, archaeological, or cultural resources are exposed during demolition or remediation, all ground disturbing activity occurring within a minimum of 100 feet of the find shall immediately stop until the Project Archaeologist, Archaeological Monitor, and Chumash Tribal Monitor(s) can evaluate the significance of the find and determine, in consultation with the County of San Luis Obispo Planning and Building Department, whether additional study is warranted, including any efforts necessary to delineate the resource boundary.</p> <p>The area of the discovery shall be delineated with clearly visible lath, flagging tape, or other marking and the County notified within 24 hours of a discovery. If the discovery occurs on a Friday, the County can be notified the following Monday morning.</p> <p>Depending upon the significance of the find, the Project Archaeologist or Archaeological Monitor and Chumash Tribal Monitor may record the find and allow work to continue. The County shall be consulted on a determination of significance. If the discovery proves significant under the California Environmental Quality Act (CEQA), every effort will be made to preserve the resource in place, if possible. If avoidance/preservation in place is not feasible, specific resource documentation or recovery shall be implemented in accordance with the treatment options in the CRMDP (CT.2-3), including, but not limited to, the preparation of a treatment plan, archaeological testing, or data recovery.</p> <p>During the assessment and potential treatment time, construction work may proceed in other areas outside the minimum 100-foot buffer consistent with CT.2-3. Work at the discovery location cannot resume until all necessary investigation and evaluation under CEQA, Tribal consultation, and/or the procedures under PRC Section 5097.98 and Health and Safety Code Section 7050.5 have been satisfied and released by the County. This requirement shall be reproduced on all grading and construction plans for the Project.</p> | Class II | During Project demolition and remediation activities | Notification and consultation with County Planning and Building staff at time of discovery. Issuance of permit | The Applicant or designee | Construction Note on Plans | County Department of Planning and Building. |
| CT.2 | Substantial adverse change in the significance | <p>CT.2-5: Cultural Resources Worker Environmental Awareness Program. Prior to and for the duration of any ground disturbance, the Applicant or its designee shall provide Cultural Resources Worker Environmental Awareness Program (WEAP) training to all</p> | Class II | No more than 135 days prior to Project- | County approval of WEAP. | The Applicant or designee | County-approved WEAP | County Department of Planning and Building. |

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Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

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| | of previously undiscovered archaeological resources | <p>new workers prior to any new worker beginning work on the Phillips 66 SMR site.</p> <p>The training program shall be developed by the Project Archaeologist with input from appropriate consulting Tribes and may be presented in the form of a video. A draft of the training program shall be provided to the County of San Luis Obispo Planning and Building Department for review and approval no fewer than 135 days prior to any Project-related ground disturbance at the site. A draft of the training program (i.e., video and written materials shall be provided by the County to the appropriate consulting Tribes for a 45-day review and comment period, prior to approval by the County. The training may be conducted concurrent with other environmental training (e.g., biological resources awareness training, safety training, etc.).</p> <p>The training shall include, at a minimum:</p> <ol style="list-style-type: none"> 1. An overview by a tribal member from the appropriate consulting Tribes; 2. A description of the types of Tribal Cultural Resources, archaeological, and cultural resources that may be encountered during demolition and remediation activities; 3. Steps to follow in the event of an unanticipated discovery; 4. Contact information for the County of San Luis Obispo Planning and Building Department, Project Archaeologist, Archaeological and Chumash Tribal Monitors, and appropriate consulting Tribes; 5. Samples or visual of artifacts that might be found on the site; 6. Information that the Project Archaeologist, Archaeological Monitors, and Chumash Tribal Monitors shall have the authority to halt ground disturbing activities in the event previously unknown, or suspected cultural resources are encountered as a result of that ground disturbing activity; 7. Instructions that workers are to halt work on their own within 100-feet of a potential cultural resource discovery, shall contact their supervisor and the Project Archaeologist or Archaeological Monitor, and that redirection of work shall be determined by the Project Archaeologist and Chumash Tribal Monitors; 8. Emphasize the requirement for confidentiality and culturally appropriate treatment of any discovery of significance to Native Americans and discuss appropriate behaviors and responsive actions, consistent with Native American tribal values; 9. An information brochure that identifies reporting procedures in the event of a discovery; | | related ground disturbance | Issuance of permit | | | |

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| | | <p>10. An acknowledgement form signed by each worker indicating that the worker has received the training and will abide by the Project requirements; and</p> <p>11. A sticker that shall be placed on hard hats indicating that environmental training has been completed.</p> <p>The Applicant or its designee shall provide to the County, within a Project Monthly Compliance Report (CT.4-2), the WEAP training acknowledgement forms for persons who have completed the training in the prior month and a running total of all persons who have completed the training to date.</p> | | | | | | |
| CT.3 | Disturbance or destruction of unknown human remains | <p>CT.3-1: Discovery of Human Remains. In the event human remains are discovered during demolition all Project activity shall immediately cease with a minimum of 100 feet of the discovery site, and the area delineated with clearly visible lath, flagging tape, or other marking. The County and appropriate consulting Tribes must be notified within 24 hours of the find as outlined in the CRMDP (CT.2-3). The Applicant or its designee shall comply with Section 15064.5 (e) (1) of the State CEQA Guidelines, and the procedures described in Section 7050.5 of the California Health and Safety Code. The Project Archaeologist and Project Osteologist with a Chumash Tribal Monitor shall inspect the remains and confirm that they are human, and if so, shall immediately notify the County Coroner in accordance with PRC Section 5097.98 and Health and Safety Code Section 7050.5. Treatment, handling, and storage of remains will follow the protocols outlined in the CRMDP (CT.2-3).</p> <p>If the coroner determines the remains are Native American, the coroner shall contact the Native American Heritage Commission (NAHC). As provided in PRC Section 5097.98, the NAHC will notify the person or persons it believes to be the Most Likely Descendent (MLD) from the deceased Native American. The MLD must follow the procedures and preliminary treatment options in the CRMDP and make a recommendation to the County and appropriate consulting Tribes for means of treating, with appropriate dignity, the human remains, and any associated grave goods as provided in PRC Section 5097.98 and as outlined in CT.2-3, above. If more than one MLD is designated for the Project by the NAHC, each MLD shall be consulted regarding the handling of the human remains, and any associated grave goods and/or burial related soils. Burial associated grave goods and soil shall be reinterred with the associated burial. This measure shall be included in the CRDMP.</p> | Class II | N/A | N/A | The Applicant or designee | Notification of County and consulting Native American Tribes | N/A |
| CT.4 | Substantial adverse change in the | <p>CT.4-1: Retain Chumash Tribal Monitors. At the time of application for any County Grading or Construction Permit, Chumash Tribal Monitors from appropriate consulting Tribes shall</p> | Class II | At the time of permit application; | Issuance of permit | The Applicant or designee | Identification of retained | County Department of |

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| | significance of previously undiscovered tribal cultural resources | be retained by the Applicant or its designee to assist in the monitoring, mitigation, and curation activities for the Project. | | prior to any permit issuance | | | Chumash Tribal Monitors | Planning & Building |
| CT.4 | Substantial adverse change in the significance of previously undiscovered tribal cultural resources | <p>CT.4-2: Archaeological and Tribal Monitoring. During and throughout all Project-related activities, including soil testing, Archaeological Monitors and Chumash Tribal Monitors shall conduct full-time on-site monitoring during all ground disturbing activities, including those occurring in previously disturbed soil and soil sampling associated with remediation activities. Monitoring may not be required during hydroseeding or paving activities, unless an exception is demonstrated as warranted by the Project Archaeologist and approved by the County of San Luis Obispo Planning and Building Department, after consultation with the appropriate consulting Tribes.</p> <p>Where multiple areas of work are concurrently permitted for grading or disturbance, or where multiple pieces of equipment are operating within the same work area, there shall be multiple monitors, at least one for each area, and a sufficient number of Archaeological Monitors and Chumash Tribal Monitors shall be on site to ensure all concurrent activities are monitored. The Chumash Tribal Monitors may be rotated to ensure that all appropriate consulting Tribes can observe the areas of work. The Project Archaeologist shall be responsible for creating monitoring schedules for the Archaeological Monitors and Chumash Tribal Monitors, and specifying the locations where they will monitor.</p> <p>The Archaeological Monitors shall work under the direction of the Project Archaeologist and shall submit daily logs detailing the types of activities, soils observed, and any discoveries to the Project Archaeologist. The daily log shall also identify the nature of any resource found and the method of mitigation treatment. The Project Archaeologist shall prepare a weekly summary report, with all daily monitoring logs appended, on the progress or status of cultural resources related activities which shall be provided to the appropriate consulting Tribes on a weekly basis. The weekly summary reports shall be provided to the County in the Project Monthly Compliance Report.</p> <p>Cultural resources monitoring activities are the responsibility of the Project Archaeologist. Any interference with monitoring activities, removal of a monitor from duties assigned by the Project Archaeologist, or direction to a monitor to relocate or cease monitoring activities by anyone other than the Project Archaeologist shall be considered a non-compliance event. In the event a Chumash Tribal Monitor is dismissed from monitoring and</p> | Class II | During and throughout all Project-related activities; prior to any permit issuance | Issuance of permit | The Applicant or designee | Weekly summary reports | County Department of Planning & Building |

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| | | <p>the County determines this to be in error, the Chumash Tribal Monitor will be compensated for time lost by the Applicant. Any disagreements between the Project Archaeologist and Chumash Tribal Monitors shall be brought to the County’s attention for resolution.</p> <p>The Project Archaeologist or appropriate consulting Tribes shall notify the Applicant and the County by telephone or email, of any incidents of non-compliance with any cultural resource mitigation measure or condition within 24 hours of becoming aware of the situation. The Project Archaeologist and appropriate consulting Tribes shall also recommend corrective action(s) to resolve the problem or achieve compliance with the mitigation measure or Project condition.</p> <p>In the event of a non-compliance issue, the Project Archaeologist shall write a report within two weeks after resolution of the issue that describes the issue, resolution of the issue, and the effectiveness of resolution measures. The report shall be provided in the next Monthly Compliance Report, which is submitted to the County. The Applicant or its designee shall also provide a copy of the non-compliance report to the consulting Tribe when issued to the County.</p> | | | | | | |
| HAZARDS AND HAZARDOUS MATERIALS (Section 4.9) | | | | | | | | |
| HAZ.1 | Hazards due to routine transport, use, or disposal of hazardous materials | <p>HAZ.1-1: Contaminated Soil Management Plan. The Project Applicant shall prepare and follow a contaminated soil handling management plan in coordination with the San Luis Obispo County Air Pollution Control District (SLOCAPCD) that provides the procedures for addressing the following issues: Soil samples that exceed reactive organic compound (ROC) concentrations of 50 parts per million (ppm) require special soil handling procedures to be implemented under the plan. Those special soil vapor testing and handling procedures would include:</p> <ol style="list-style-type: none"> 1. Assuring sufficient moisture content of the soil to prevent dust during soil movement; 2. Covering excavated soil with tarps/impermeable coverings, or applying soil seal or “soil-ement” or equivalent, to minimize the generation of wind-blown dust as well as minimize ROC emissions; 3. Conduct ROC monitoring every 15 minutes during excavation activities; 4. The Plan shall include a compliance reporting schedule, a description of the information to be reported to the County, and include a sample report form. | Class II | Prior to County permit issuance | Issuance of County permit | The Applicant or designee | Approved Contaminated Soil Management Plan | County Department of Planning & Building and SLOCAPCD |
| HAZ.2 | Reasonably foreseeable upset & | <p>HAZ.2-1: Spill Response Planning. The Applicant shall prepare an Oil/Hazardous Material Spill Contingency Plan (Spill Contingency Plan) (including provisions for spill prevention,</p> | Class II | Prior to County | Issuance of County permit | The Applicant or designee | Spill Contingency Plan | California Coastal Commission, |

7.0 Mitigation Monitoring and Reporting Program

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|---|---|-----------------|--|--------------------------------------|---------------------------|-------------------------------------|---|
| | accident conditions involving release of hazardous materials | control, and countermeasures/responses) that demonstrates that effective prevention, protection, containment, and clean-up equipment and procedures will be in place to protect coastal resources in the event of such spills. The Plan must, at a minimum include/identify: <ol style="list-style-type: none"> The sources of potential spills; Spill prevention measures to minimize the risk of such spills; A worst-case spill assessment, and identification of the coastal resources at risk from spill impacts at representative levels up to and including the worst-case spill; A response capability analysis of the equipment, personnel, and strategies (both on site and under contract) capable of responding to spills, again at representative levels up to and including the worst case spill; Spill control, drainage and management at the Project site; Spill notification procedures to be implemented in the event of a spill; and The Plan shall include a compliance reporting schedule, describe the information to be reported to the County, and include a sample report form. The Spill Contingency Plan must adequately cover all activities related to facility demolition and remediation (both aboveground and belowground), as well as the handling, transfer, and transportation of materials (e.g., via truck and/or train, etc.) to off-site locations. It must identify the reporting thresholds and requirements and identify the person/party responsible for monitoring and implementing actions needed. | | permit issuance | | | | Central Coast Water Board, and County Department of Planning & Building |
| HAZ.2 | Reasonably foreseeable upset & accident conditions involving release of hazardous materials | HAZ.2-2: Asbestos and Lead Handling Plan. The Applicant shall comply with asbestos-containing material (ACM) and lead-containing materials handling requirements detailed in a ACM/Lead Handling Plan. Requirements of the plan shall include requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40 CFR 61, Subpart M - asbestos NESHP) and those of the SLOCAPCD for lead. These requirements include but are not limited to: <ol style="list-style-type: none"> Notification to the SLOCAPCD; An asbestos survey conducted by a Certified Asbestos Inspector; Applicable removal and disposal requirements of identified ACM. More information on asbestos is available at http://www.slocleanair.org/business/asbestos.php; and Obtaining a SLOCAPCD permit, as necessary, for lead-based paint removal activities. | Class II | Prior to County demolition permit issuance | Issuance of County demolition permit | The Applicant or designee | Approved ACM and Lead Handling Plan | SLOCAPCD and County Department of Planning & Building |

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|---|--|-----------------|---------------------------------|---------------------------|---------------------------|--|--|
| HAZ.4 | Hazards due to hazardous materials sites | HAZ.4-1: Sitewide Sampling and Remediation Plan. The Applicant shall develop a plan that includes sitewide sampling of soils and remediation details to ensure that all areas of the site are appropriately remediated. The plan shall address measures to be performed if groundwater is suspected to be contaminated and shall include a contaminated soil management plan. The plan shall include sampling intervals and patterns delineated on maps, and include all process, tank, and coke areas. It shall define testing requirements and methods, including coke area leaching testing to ensure that groundwater is protected. It shall include measures to prevent runoff from contaminated soils during remediation activities. It shall define measures to be taken if additional contamination is discovered, such as in soils outside the site or in groundwater. It shall also define the management and containment and handling of contaminated soils. It shall also include sampling of proposed backfill materials analyzed for potential contaminants of concern to confirm that it is clean prior to use as backfill. The Plan shall include a compliance reporting schedule, describe information to be reported to the County and other agencies, and include a sample report form. The reports shall be provided monthly at a minimum. | Class II | Prior to County permit issuance | Issuance of County permit | The Applicant or designee | Approved Sampling and Remediation Plan | Central Coast Water Board and County Department of Planning & Building |
| HAZ.7 | Risk of loss, injury, or death involving wildland fires | HAZ.7-1: Fire Response Planning. The Applicant shall ensure that fire response capabilities are in place during the entire Project, including the following: <ol style="list-style-type: none"> All construction/demolition plans and use of the facility shall comply with all applicable standards, regulations, codes, and ordinances at time of Building Permit issuance; A registered Fire Protection Engineer is required to provide a written technical analysis of the fire protection requirements for the demolition of the structures under each permit; Project has existing water service that will need to be maintained and tested to NFPA 25 California addition; Access roads shall be maintained to support apparatus weighing 75,000 lbs. Access to structures during the Project will remain open; Provide fire department access roads to within 150 feet of any exterior portion of the buildings as measured by an approved route around the exterior of the building or facility; Gates for driveways and/or roadways shall comply with the California Fire Code (CFC) Sec. 503; Fire hydrants shaft be tested and maintained per NFPA 25 2016 edition during demolition; Commercial - Fire Department Connections (FDC) for automatic sprinkler systems shall be located fully visible and recognizable from the street or fire apparatus access roads; | Class II | Prior to County permit issuance | Issuance of County permit | The Applicant or designee | Fire Response Assessments, a Wildland Fuel Management Program, and description of capabilities noted on all construction plans | CAL FIRE/County Fire and County Department of Planning & Building |

7.0 Mitigation Monitoring and Reporting Program

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|------------------------|--|-----------------|------------------|------------------|-------------------|------------------|-------------------|
| | | <p>9. Fire equipment to remain in service until last possible minute. Ex. Fire Sprinklers/standpipes/hydrants etc. CFC 905 & Chapter 33 buildings being demolished will require fire protection systems to remain in operations with NFPA 25-California for testing and maintenance;</p> <p>10. All buildings shall comply with CFC, Chapter 10 Means of Egress requirements. Including but not limited to; exit signs, exit doors, exit hardware and exit illumination. Additional egress requirements for demolition will be referenced in CFC Chapter 33;</p> <p>11. Provide 100 feet of defensible space around all structures. This Project will develop and maintain a wildland fuel management program to provide fire safe zones around the facility and access roads. CFC Ch. 49 Wildland-Urban Interface Areas;</p> <p>12. All demolition will meet CFC Chapter 33 and NFPA 241 references;</p> <p>13. Project shall have a Hazardous Material Plan that addresses CFC Chapter 50. CFC 5001 and Facility Closer. 5001.5.2 Inventory Statement;</p> <p>14. Cutting and welding shall comply with CFC 3304.6 and NFPA 51B;</p> <p>15. Fire Watch shall conform to CFC 3304.5;</p> <p>16. Approved vehicle access for firefighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet (30 480 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available;</p> <p>17. Include with plans upon submittal the signed agreed upon operational plan stated in Project Description;</p> <p>18. Fire extinguishers are required in accordance with CFC 3315 and 906;</p> <p>19. All construction equipment used for any vegetation clearing shall be equipped with spark arrestors, and monitoring and training to prevent vehicle traffic off roadways to ensure activities do not impact dry brush and lead to fire;</p> <p>20. Requirements shall be posted at all construction areas and placed on construction plans; and</p> <p>21. If firefighting foam is proposed for use, it shall be PFAS-free.</p> | | | | | | |

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|---|---|--|-----------------|---------------------------------|---------------------------|---------------------------|---|--|
| HYDROLOGY AND WATER QUALITY (Section 4.10) | | | | | | | | |
| HWQ.1 | Degrade surface water quality and groundwater quality. | See HAZ.2-1: Spill Response Planning | Class II | Prior to County permit issuance | Issuance of County permit | The Applicant or designee | Spill Contingency Plan | California Coastal Commission, Central Coast Water Board, and County Department of Planning & Building |
| LAND USE AND PLANNING (Section 4.11) | | | | | | | | |
| LUP.2 | Conflict with General Plan COSE Policy AQ 3.3 regarding air pollutant emissions | See AQ.1-1: Demolition & Remediation Activity Management Plan (DRAMP) and AQ.3-1 Clean Construction Equipment | Class II | Prior to County permit issuance | Issuance of County permit | The Applicant or designee | Approved De-commissioning & Remediation Activity Management Plan (DRAMP) | SLOCAPCD, County Public Health, and County Department of Planning & Building |
| NOISE (Section 4.12) | | | | | | | | |
| NOI.1 | Temporary increase in ambient noise levels in the Project vicinity | NOI.1-1: Nighttime Activities Limits. Noise activities during the nighttime shall be prohibited in order to reduce the potential for impacts to surrounding residences and other sensitive receptors. County Land Use Ordinance 23.06.040 construction time limits (Noise sources associated with construction shall not take place before 7:00 a.m. or after 9:00 p.m. any day except Saturday or Sunday, or before 8:00 a.m. or after 5:00 p.m. on Saturday or Sunday). This requirement shall be incorporated into the NOI.1-2 Construction Noise Control Management Plan, reproduced on plans submitted for permits, and strictly enforced throughout construction. | Class II | Prior to County permit issuance | Issuance of County permit | The Applicant or designee | Construction Noise Control Management Plan, and description of requirements on all construction plans | County Department of Planning & Building |
| NOI.1 | Temporary increase in ambient noise levels in the Project vicinity | NOI.1-2: Construction Noise Control Measures. The Applicant shall provide the following construction noise control performance, implementation, management, and reporting measures, described in a Construction Noise Control Management Plan: 1. All noise-producing construction equipment and vehicles using internal combustion engines shall be equipped with critical grade mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition and appropriate for the equipment that meet or exceed original factory specifications. Mobile or fixed “package” equipment (e.g., arc-welder, air compressors) shall be equipped with shrouds and noise control features that are readily available for that type of equipment; 2. All heavy-duty stationary construction equipment (including generators and crushers/pulverizers) shall be placed so that | Class II | Prior to County permit issuance | Issuance of County permit | The Applicant or designee | Construction Noise Control Management Plan and description of requirements on all construction plans | County Department of Planning & Building |

7.0 Mitigation Monitoring and Reporting Program

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|----------|------------------------|--|-----------------|------------------|------------------|-------------------|------------------|-------------------|
| | | <p>emitted noise is directed away from the nearest sensitive receptors;</p> <ol style="list-style-type: none"> 3. Smart back-up alarms shall be used with mobile construction equipment that automatically adjust the sound level of the alarm in response to ambient noise levels or back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction; 4. Limit unnecessary idling of construction equipment; 5. Communication or music systems shall not be audible at any adjacent receptor; 6. Inform residents and other noise sensitive receptors within 3,000 feet of Project work areas of anticipated noise disturbances two to four weeks prior to construction, including a contact telephone number to register noise complaints. The Project Applicant shall ensure that a noise liaison is assigned to respond to all public construction noise complaints in a timely manner, and either a) the telephone number is staffed by the noise liaison during construction hours; or b) the phone number is connected to an automatic answering feature, with date and time stamp recording, to answer calls when the phone is unattended; 7. Noise complaints shall be forwarded to the County of San Luis Obispo Planning and Building Department within 24 hours, along with the Owner/Applicant's initial response to the complaint; 8. The noise complaint telephone number shall be posted in a manner visible to passersby and provided individually to potentially affected residences as part of the notification efforts; 9. Should a complaint be received and verified as determined by the County, the Applicant shall do the following to reduce noise: <ol style="list-style-type: none"> a. Schedule construction activities to avoid operating construction spreads in the same location or the same distance from the same receptor simultaneously, with a minimum separation distance of 1,000 feet between spreads (relative to the same receptor); b. Install barriers or shrouds between the noisy construction equipment (generators and crushers/pulverizers) and the closest noise receptor; and c. Conduct noise monitoring at the construction site and along the site boundary and at the closest receptor to ensure noise levels do not exceed a 10 dBA Leq increase over background levels at the closest residence. | | | | | | |

Table 7.1 Phillips 66 SMR Demolition and Remediation Project – Impacts and Mitigation Measures

| Impact # | Description of Impact* | Mitigation Measures | Residual Impact | Submittal Timing | Approval Trigger | Responsible Party | What is Required | To Whom Submitted |
|--------------------------------------|--|--|-----------------|---------------------------------|---------------------------|---------------------------|--|--|
| | | 10. The Plan shall include a compliance reporting schedule and outline the information to be reported to the County, and include a sample report form. | | | | | | |
| TRANSPORTATION (Section 4.15) | | | | | | | | |
| TR.1 | Traffic impacts on roadways in the Project vicinity and increase in vehicle miles traveled | <p>TR.1-1: Construction Traffic Management Plan. Prior to issuance of demolition permits, the Applicant shall develop a Construction Traffic Management Plan for review and approval by County Department of Planning and Building, County Department of Public Works, and Caltrans. The plans shall include at least the following items:</p> <ol style="list-style-type: none"> 1. A scheduling plan showing operational schedules to minimize traffic congestion during peak hours. The plan shall limit Project-related traffic to and from the SMR during the peak AM and PM hours. This plan shall note the schedule for completing various demolition and remediation activities. The plan shall show the hours of operation to minimize traffic congestion during peak hours; 2. Willow Road shall be used for truck deliveries to and from the SMR; 3. Monitoring program for street surface conditions so that damage or debris resulting from construction of the Project can be identified and corrected by the Applicant; 4. A traffic control plan showing proposed temporary traffic control measures, if any; and 5. A delivery schedule for construction materials and equipment. | Class II | Prior to County permit issuance | Issuance of County permit | The Applicant or designee | Submittal of a Construction Traffic Management Plan | Caltrans, County Department of Public Works, and County Department of Planning and Building. |
| WILDFIRE (Section 4.16) | | | | | | | | |
| WF.1 | Exacerbated wildfire risk | See HAZ.7-1: Fire Response Planning | Class II | Prior to County permit issuance | Issuance of County permit | The Applicant or designee | Fire Response Assessments, a Wildland Fuel Management Program, and description of capabilities noted on all construction plans | CAL FIRE/County Fire and County Department of Planning & Building |

* Refer to the respective issue area sections of the EIR for the full text of the impact description and its relation to the respective significance thresholds.

7.0 Mitigation Monitoring and Reporting Program

Table 7.2 Mitigation Measure Required Plans

| Required Plan | Mitigation Measure |
|--|---------------------------|
| Demolition & Remediation Activity Management Plan (DRAMP) | AQ.1-1 |
| Odor Control and Purging Plan | AQ.4-1 |
| Air Quality Recordkeeping Plan | AQ.5-1 |
| Worker Environmental Awareness Program (WEAP) | BIO.1-1 |
| Biological Resources Adaptive Management & Monitoring Plan (BRAMMP) | BIO.1-2 |
| Habitat Restoration and Revegetation Plan (HRRP) | BIO.1-3 |
| Weed Management Plan (WMP) | BIO.1-4 |
| ESHA Protection Plan | BIO.12-1 |
| Cultural Resources Monitoring and Discovery Plan | CT.2-3 |
| Cultural Resources Worker Environmental Awareness Program (WEAP) | CT.2-5 |
| Contaminated Soil Management Plan | HAZ.1-1 |
| Spill Response Plan | HAZ.2-1 |
| Asbestos and Lead Handling Plan | HAZ.2-2 |
| Sitewide Sampling and Remediation Plan | HAZ.4-1 |
| Construction Noise Control Management Plan | NOI.1-2 |
| Construction Traffic Management Plan | TR.1-1 |
| Offshore Alternatives Only | |
| Marine Protection Plan Oil Spill Response Plan Marine Mammal and Sea Turtle Mitigation and Monitoring Plan | Alt- BioMarine. 1-1 |