

**6.0 Other Required CEQA Sections**

This section of the Draft Environmental Impact Report (EIR) addresses other California Environmental Quality Act (CEQA)-related requirements. These include the following: 1) identification of significant environmental effects which cannot be avoided if the Project is implemented; 2) evaluation of the Project-related growth-inducing effects; and 3) known areas of controversy. The following sections evaluate the Project considering these requirements. The last part of this section identifies the issue areas where impacts were found to be less than significant as part of the scoping process.

**6.1 Significant Environmental Effects Which Cannot be Avoided if the Project is Implemented**

One significant and unavoidable impact is identified as part of the Project. This is related to the short-term construction activities that would increase the emissions of fugitive dust on the Nipomo Mesa (impact LUP.2). The Nipomo Mesa is classified as a Level of Severity III for Air Quality by the County's Resource Management System in the General Plan Conservation Element Policy AQ 3.3. The Nipomo Mesa has a history of fugitive dust impacts, primarily due to the dunes that are located to the west of the Project site (see Section 4.3, Air Quality). Although the Project would emit fugitive dust levels below the San Luis Obispo County Air Pollution Control District (SLOCAPCD) thresholds, it would still generate a net increase in fugitive dust on the Mesa and therefore be in conflict with land use policy AQ 3.3 and potentially contribute to existing health impacts from fugitive dust on the Mesa. Note that long-term fugitive dust emissions (impact LUP.3) would decrease with the Project implementation and is considered beneficial.

Another significant and unavoidable impact associated with two of the alternatives (full removal and outfall removal only) is potential impacts on black abalone.

A number of significant impacts were identified in the following areas which would be reduced to less than significant with mitigation (see the respective sections for more discussion):

- Agricultural Resources (Section 4.2)
- Air Quality (Section 4.3);
- Biological Resources (Section 4.4)
- Cultural and Tribal Cultural Resources (Section 4.5)
- Hazards and Hazardous Materials (Section 4.9);
- Hydrology and Water Quality (Section 4.10);
- Land Use and Planning (Section 4.11);
- Noise (Section 4.12);
- Transportation (Section 4.15); and
- Wildfire (Section 4.16).

### 6.2 Growth Inducement

Section 15126.2(d) of the CEQA Guidelines requires that EIRs provide a discussion of the growth-inducing impacts of the project. Growth-inducing impacts could be caused by projects that foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Growth-inducing impacts can also be caused by removing obstacles to population growth such as an expansion of a wastewater treatment plant. Growth-inducing impacts can result from population increases that require the construction of new community services facilities.

In general terms, a project may induce spatial, economic, or population growth in a geographic area if it meets any of these four criteria:

- Removal of an impediment to growth (e.g., establishment of an essential public service or the provisions of new access to an area);
- Economic expansion or growth (e.g., changes in revenue base, employment expansion);
- Establishment of a precedent-setting action (e.g., an innovation, a change in zoning or general plan amendment approval); or
- Development or encroachment in an isolated area or one adjacent to open space (being different from an “infill” type of project).

Should a project meet any one of the above-listed criteria, it can be considered growth inducing. The impacts of the Project are evaluated below with regard to these four growth-inducing criteria.

#### 6.2.1 Removal of an Impediment to Growth

The Project would involve the demolition and remediation of the Project site. The Project site is zoned industrial, and an industrial, or other use, may be established on the site at some point in the future. The Project would not necessarily generate any future development at the Project site and future development is speculative at this time.

The Project would not result in the establishment of an essential public service. The Project would not be responsible for, nor contribute to, the expansion of utility services into a previously unserved area or an underserved area. Water for the Project would be provided by on-site wells and would not exceed the historical water use by the Santa Maria Refinery (SMR). The Project would not result in new access to a previously inaccessible area.

#### 6.2.2 Economic Expansion or Growth

Economic growth is evaluated to the extent that it would relate directly or indirectly to a physical impact on the environment. Economic growth could occur in the area during construction of the Project. Employment due to construction would be limited to mostly short-term temporary labor. The construction is expected to last about three to 10 years at varying levels, which could produce some short-term economic growth. It is expected that most of the construction workers would

come from the local contractor pool within 20 to 30 miles of the Project site. Therefore, no growth in hotel services would be expected to occur.

No new operational employment would be associated with the Project. Given the limited increase in local expenditures associated with the Project, the economic growth associated with the Project would not be significant from an environmental standpoint.

### **6.2.3 Precedent-Setting Action**

The purpose of the Project is to demolish the existing facilities at the SMR and remediate the site. The San Luis Obispo County Zoning Ordinance allows industrial uses at the Project site with a Coastal Development Permit. The Project would be within the property boundaries of the SMR and would not involve the construction of new development, and therefore would not be a precedent-setting action that would create significant growth-inducing impact.

### **6.2.4 Development of Open Space**

Development of open space is considered growth inducing when it encroaches upon urban-rural interfaces or in isolated localities. The Project is located on lands that are zoned for industrial use (including refining operations). Future use of the site is speculative at this time.

### **6.2.5 Effects Found Not to be Significant**

As discussed in Chapter 1.0, Introduction, the County of San Luis Obispo (County), as Lead Agency under CEQA, determined that an EIR would be required as part of the permitting process for the Project. In compliance with CEQA Guidelines, the County solicited public and agency input through distribution of a Notice of Preparation (NOP) and conducted an independent analysis of possible Project impacts. Sections 4.1 through 4.16 provide an analysis of the Project for those issues areas that were anticipated to have possible significant impacts. Section 4.17 provides a discussion of the following issue areas where the scoping process determined no significant impacts would occur:

- Mineral Resources; and
- Population and Housing.

### **6.3 Known Areas of Controversy**

CEQA requires that an EIR discuss areas of controversy known to the Lead Agency including issues raised by agencies and the public (CEQA Guidelines Section 15123 (b)(2)). Controversial issues related to the Project are primarily those related to potential future use of the site or related to coastal access requirements. See Section 4.14, Recreation and Coastal Access, for more discussion. As the Nipomo Mesa has a history of elevated particulate matter (see Section 4.3, Air Quality), air quality issues related to dust are a concern, as noted by the designation of the short-term net air quality increase in dust emissions during the Project being a Class I significant and unavoidable impact.

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