



CITY OF MORRO BAY PLANNING COMMISSION AGENDA

The City of Morro Bay provides essential public services and infrastructure to maintain a safe, clean, and healthy place for residents and visitors to live, work and play.

Regular Meeting - Tuesday, May 7, 2024
Veteran's Memorial Building – 6:00 P.M.
209 Surf Street, Morro Bay, CA

Chairperson – William Roschen

Vice-Chairperson Mike Rodriguez
Commissioner Asia King

Commissioner Joseph Ingraffia
Commissioner Eric Meyer

Public Participation:

Remote public participation is allowed in the following ways:

- *Community members may attend the meeting in person at the Morro Bay Veterans Hall*
- *Members of the public may watch the meeting and speak during the general Public Comment or on a specific agenda item by logging in to the Zoom webinar using the information provided below. Please use the "raise hand" feature to indicate your desire to provide public comment.*

Please click the link below to join the webinar:

- <https://us02web.zoom.us/j/82722747698?pwd=aWZpTzcwTHlRTk9xaTlmWVNWRWFUQT09>

Password: 135692

- *Or Telephone Attendee: 1 (408) 638-0968 or 1 (669) 900 6833 or 1 (346) 248 7799; Webinar ID: 827 2274 7698; Password: 135692; Press * 9 to "Raise Hand" for Public Comment*
- *Alternatively, members of the public may watch the meeting either on cable Channel 20 or as streamed on the City [website](#).*
- *Community members are encouraged to submit agenda correspondence in advance of the meeting via email to the Planning Commission at planningcommission@morrobayca.gov prior to the meeting. Agenda correspondence received at planningcommission@morrobayca.gov by 10 a.m. on the meeting day will be posted on the City website.*

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE/PLEDGE OF ALLEGEANCE
PLANNING COMMISSIONER ANNOUNCEMENTS

PUBLIC COMMENT

Members of the audience wishing to address the Planning Commission on City business matters not on the agenda may do so at this time. For those desiring to speak on items on the agenda, but unable to stay for the item, may also address the Planning Commission at this time.

PRESENTATIONS

A. CONSENT CALENDAR

- A-1** Current and Advanced Planning Processing List
Staff Recommendation: Receive and file.

B. PUBLIC HEARINGS

C. NEW BUSINESS

- C-1** Workshop to Receive Public Comments on the Draft Environmental Impact Report (DEIR) for the Vistra Battery Energy Storage System (BESS) Project (1290 Embarcadero - CDP20-026/CUP20-14); Morro Bay Power Company LLC. This Planning Commission Workshop will provide members of the public an additional opportunity to make comments on the DEIR.

D. UNFINISHED BUSINESS

E. PLANNING COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

G. ADJOURNMENT

Adjourn to the next regular Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on May 21, 2024, at 6:00 p.m.

PLANNING COMMISSION MEETING PROCEDURES

This Agenda is subject to amendment up to 72 hours prior to the date and time set for the meeting. Please refer to the Agenda posted at the Community Development Department, 955 Shasta Avenue, for any revisions, or call the Department at 805-772-6264 for further information.

Written testimony is encouraged so it can be distributed in the Agenda packet to the Commission. Material submitted by the public for Commission review prior to a scheduled hearing should be received by the Planning Division at the Community Development Department, 955 Shasta Avenue, no later than 5:00 P.M. the Tuesday (eight days) prior to the scheduled public hearing. Written testimony provided after the Agenda packet is published will be distributed to the Commission but there may not be enough time to fully consider the information. Mail should be directed to the Community Development Department, Planning Division.

This Agenda may be found on the Internet at: www.morrobayca.gov/planningcommission or you can subscribe to Notify Me for email notification when the Agenda is posted on the City's website. To subscribe, go to www.morrobayca.gov/notifyme and follow the instructions.

The Brown Act forbids the Commission from taking action or discussing any item not appearing on the agenda, including those items raised at Public Comment. In response to Public Comment, the Commission is limited to:

1. Responding to statements made or questions posed by members of the public; or
2. Requesting staff to report back on a matter at a subsequent meeting; or
3. Directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Commission meetings are conducted under the authority of the Chair who may modify the procedures outlined below. The Chair will announce each item. Thereafter, the hearing will be conducted as follows:

1. The Planning Division staff will present the staff report and recommendation on the proposal being heard and respond to questions from Commissioners.

2. The Chair will open the public hearing by first asking the project applicant/agent to present any points necessary for the Commission, as well as the public, to fully understand the proposal.
3. The Chair will then ask other interested persons to present testimony either in support of or in opposition to the proposal.
4. Finally, the Chair may invite the applicant/agent to respond to the public testimony. Thereafter, the Chair will close the public testimony portion of the hearing and limit further discussion to the Commission and staff prior to the Commission taking action on a decision.

APPEALS

If you are dissatisfied with an approval or denial of a project, you have the right to appeal this decision to the City Council up to 10 calendar days after the date of action. Pursuant to Government Code §65009, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Commission, at, or prior to, the public hearing. The appeal form is available at the Community Development Department and on the City's web site. If legitimate coastal resource issues related to our Local Coastal Program are raised in the appeal, there is no fee if the subject property is located within the Coastal Appeal Area. If the property is located outside the Coastal Appeal Area, the fee is a \$326 flat fee. If a fee is required, the appeal will not be considered complete if the fee is not paid. If the City decides in the appellant's favor then the fee will be refunded.

City Council decisions may also be appealed to the California Coastal Commission pursuant to the Coastal Act Section 30603 for those projects that are in their appeals jurisdiction. Exhaustion of appeals at the City is required prior to appealing the matter to the California Coastal Commission. The appeal to the City Council must be made to the City and the appeal to the California Coastal Commission must be made directly to the California Coastal Commission Office. These regulations provide the California Coastal Commission 10 working days following the expiration of the City appeal period to appeal the decision. This means that no construction permit shall be issued until both the City and Coastal Commission appeal period have expired without an appeal being filed. The Coastal Commission's Santa Cruz Office at (831) 427-4863 may be contacted for further information on appeal procedures.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (805) 772-6264. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.



City of Morro Bay
Community Development Department
Current & Advanced Project Tracking Sheet

This tracking sheet shows the status of the work being processed by the Planning & Building Divisions
New Planning items or items recently updated are highlighted in yellow.
Approved projects are deleted on next version of log.

Agenda No: A-1
Meeting Date 05-07-2024

#	Applicant/ Property Owner			Application Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
Hearing or Action Ready Projects:											
13	Arnold	2870	Cedar	10/23/2023	CDP23-017	New 2,380 sf Single Family home with an attached 1,115 sf ADU and 468 sf garage.	Incomplete letter sent 11/16. Resubmittal 4/4/2024. Planning disapproval 4/25. Resubmitted 4/29. Deemed Complete 4/30. Noticing period set from 5/3-5/13. Planning decision on or after 5/14.				st
30 -Day Review, Incomplete or Additional Submittal Review Projects:											
30	Morro Bay LLC (Keller)	1108	Front Steet	4/19/24	CUP24-01/CDP24-08 (formerly MAJ21-007)	Major Modification permit for Expansion and extensive remodel of second floor short term rental unit.	Planning comments sent 11/23/21, requires resubmittal. Applicant put this application on hold until the adoption of the new zoning code (i.e. includes street setbacks closer to the actual placement of the building) (needs the IP sections to be final via CCC approval). CUP/CDP under review.	BLDG. - Approved 11/17/21 CO			st
19	Morro Rock LLC	1260	Main	4/15/2024	DR24-001/CDP23-009	Convert existing building into 5 new hotel rooms associates with the Masterpiece Hotel	Under review, requires new zoning code - on hold until new zoning code is certified by CCC. Requires PC Design Review Permit. Applied, under review.				st
9	Kingston	684	Ponderosa	4/15/2024	CDP24-019	Addition to existing workshop and convert to ADU. Convert existing garage to JADU.	Under Review	Bldg. - Approved 4/24/24			ao
3	Karp/Frietas	765	Pacific St	4/9/2024	CDP24-011	CDP for the conversion of an existing garage/workshop into an ADU	Under review .				ao
4	Baker	499	Little Morro Creek Rd	4/4/2024	CDP24-014	CDP for the demolition of a residence damaged beyond repair by the early 2023 storms. The residence will be replaced with a 2,240 sf modular home, the existing garage shall remain.	Planning disapproved 4/30, minor corrections needed. Tentatively set for 5/21 PC meeting.				st
5	Medina	3390	N. Main St	3/25/2024	CDP24-012	Admin CDP for ADU and JADU attached to a proposed single family home.	Incomplete letter sent 4/29. Awaiting resubmittal.				kf
6	Lor	1145	Morro Ave	2/20/2024	CDP24-010	Proposed demolition of existing 561 sf single story garage and creation of a two story 1,461 sf residence with a 497 sf ADU and a 968 sf garage.	Incomplete letter sent 3/14. Resubmitted 4/15, under review.				st
7	Daniels	1180	Front St	2/15/24	CR24-001	Front Street Getaway Hotel - Conceptual Review	Under review.				kf
8	Thus	1309	Berwick Dr.	1/30/2024	CDP24-007	Proposed 2 story single family dwelling unit with an attached garage and ADU on a vacant lot.	Incomplete letter sent 3/8. Awaiting resubmittal.				kf
10	Wilson	2840	Alder	1/18/2024	CDP23-025	Removal of existing structures on site and replacing with two 939sf manufactured homes, one as the primary residence and one as an ADU	Incomplete letter sent 2/12. Awaiting resubmittal.				st
11	Gumm	780	Monterey Ave	1/2/2024	CDP23-028	Office conversion to retail and lodging	Incomplete letter sent 1/31. Awaiting resubmittal.				st
12	Erfanian	310	Sicity St	12/18/2023	MUP23-04/CDP23-029	Minor Use Permit and Coastal Development Permit for a new 1,991 sf single family home with a 287 sf garage on a vacant lot.	Incomplete letter sent 1/10 . Resubmitted 1/25, comments emailed 2/6. Awaiting resubmittal.				st
15	Eiseman	541	Atascadero Rd	8/17/2023	MAJ23-003 (modification to CUP21-09 and CDP21-029 still processing)	Major modification while processing for a 4 unit attached home project	Planning comments sent October 19, 2023, requires resubmittal. Requires environmental, updated proposal received - contract with consultant complete.. Environmental review in progress.				kf
16	Champi	460	Errol	7/19/2023	TUP23-02	Temporary Use Permit for fencing and outdoor storage to assist with storm cleanup	Received submittal, under review. Planning disapproved August 15, 2023, requires a resubmittal.				kf
17	Gumm	735	Napa	6/15/2023	CDP23-010	Convert three retail spaces into 3 residential units	Planning Review completed - need PW comments. Comments provided to applicant on 7/16/23. Requires a resubmittal. Due to the cost of the PW frontage improvement requirements, the property owner may change direction and withdraw request for new housing approval and proceed with new commercial uses in the existing spaces.				st
18	Iwanicha	640	Elena	6/8/2023	CDP23-011	Remodel and addition to existing 2 bedroom/1 bath home	Planning disapproved the project on 7/27/23, requires response to comments and a resubmittal.				st
20	Borges	640	Kings	3/30/2023	CDP23-006	New detached 908sf ADU with attached to a 720sf garage below.	Incomplete Letter sent 4/20. Letter of Intent to Deem Application Withdrawn sent 12/19/2023. Resubmitted 2/22. Incomplete letter sent 3/6	BLDG. - Disapproved CO			st

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21	Gillen	495	Embarcadero	3/7/2023	CUP23-04	Conceptual Review (no application) of potential redevelopment of city lease site at 495 Embarcadero as a mixed use development of hotel, restaurant, and retail uses.	Under review. Project received Consent of Landowner. Applicant project in process currently. Under review	BLDG. - COND Approved CO			kf
22	McDonald	300	Sicity St	1/31/2023	CDP23-002	New 2155 s.f. SFR w/ attached 284 s.f. garage and 409 s.f. decking on a vacant lot .	Incomplete letter sent 3/13/2023. Resubmitted 12/7, application for Minor Use Permit, as well as new code needed for approval.	BLDG. - Approved 2/10/23 CO			st
23	Barton	983	Carmel St	11/15/2022	CDP22-038	Admin CDP for a new 857af attached ADU to an existing 900sf single story home with a 491 f garage.	Incomplete letter sent 12/13/22. Resubmitted 1/17/24, incomplete letter sent 2/15/24. Resubmitted 4/19/2014, under review.				st
24	Gonzalez	590	Radcliff	10/25/2022	CDP22-034	Admin CDP for a new 1,956 two story SFR with a 522sf attached garage and 640sf second story deck.	Under review. Planning disapproved and incomplete letter sent on 11/22/22. Resubmitted 1/29/24, incomplete letter sent 2/22.	BLDG. - Approved 10/27/22 CO			ao
25	Shepler	2181	Sunset Ave	8/24/2022	CDP22-029	CDP Application for a new third dwelling and one ADU on a property with two existing homes	Comment letter sent on 9-5-22. Resubmittal received 10/24/22, planning requires minor changes and sent letter November 10, 2022. Requires resubmittal.	BLDG. - Approved 8/25/22 CO			st
26	Kersten	1358	Prescott	7/27/2022	CDP22-024	Admin CDP for partial conversion of an existing (522sf) attached garage into a single story 276sf ADU.	Incomplete letter sent on 08/09/22	BLDG. - Approved 8/9/22 CO			st
27	McDonald	471	Panay	6/1/2022	CDP22-019	Admin CDP for the new construction of a two story residence	Incomplete Letter Sent 6/14	BLDG. - Approved 6/14/22 CO			st
28	Vanderbyl	531	Yerba Buena	4/20/22	CDP22-015	Admin CDP for shed conversion into 468 sf ADU	Correction Letter send 5/12/22. Resubmittal received 7/21/22 - review comments sent on August 6, 2022, requires resubmittal. Resubmittal received and planning disapproved based on fire/life/safety issues on 10/24/22. Resubmittal required.	BLDG. - COND Approved 5/11/22 CO			st
29	Morro 94 LLC	3300	Panorama	1/18/2022	CUP 22-05/CDP22-003/TTM22-02	Submittal of combined concept and precise plan review for 61 unit subdivision. Project revised to 48 total housing units.	Received and under review. Notify Me account set up to provide information and publically available documents on the project. Subdivision Review committee meeting scheduled. Project comment letter sent 2/18/22, requires resubmittal and environmental review. Planning consultant team is preparing to hold a neighborhood meeting April 20, 2022 at Del Mar Elementary School at 6pm. City working with selected environmental consultant on contract and owner reimbursement agreements. TTM resubmittal received October 10, 2022, under review. Tentative Tract Map disapproved on November 2, 2022. REquires resubmittal with the CUP/CDP plans in order to be processed together. Environmental review is under contract and work has commenced. Anticipate process to take 6-9 months to complete. Resubmittal information received, planning and public works comments sent. Scheduled for a conceptual review at a PC hearing November 7, 2023. Project requires modifications based on the PC comments and resubmittal.	BLDG. - Approved 2/14/22 CO			kf
31	Shorey	545	Atascadero Rd	3/30/21	CUP21-04/CDP21-013	Proposed 16 units of new townhomes on sloped vacant parcel	Project was reviewed and comments provided in 2021. Applicant requested to keep the project open and has been working with public works and caltrans on utility requirements and frontage improvements. Project resubmitted for review on April 19, 2023 - under review by all departments. Planning deemed project complete on 5-23-23. Requires environmental study before scheduling for PC hearing. Environmental consultant contract and related reimbursement agreement are under review.				kf
32	Vistra	1290	Embarcadero	12/28/20	CDP20-026 & CUP20-14	Battery Energy Storage System (BESS) - New proposed project to construct 600MW BESS on old tank farm north of existing Morro Bay Power Plant. BESS to be constructed as 3 separate buildings, 30 feet in height plus 10 feet of screening for rooftop equipment.	Under initial review. Project deemed incomplete and incomplete letter sent 1-21-2021. Applicant resubmittal received 2-17-2021 and under review currently. Project deemed complete for processing on 2/23/2021. Project plans and documents being evaluated. Environmental review process in progress. NOP released and two scoping meetings held on 6/21/22 and 6/29/22. Environmental review and analysis still in process.	BLDG. - Approved 3/11/21 CO			kf
33	Vistra	1290	Embarcadero		Master Plan (MAJ23-001)	Morro Bay Power Plant Master Plan	2/20/2024 Study Session to discuss with the Planning Commission the topic of the draft Master Plan for the Morro Bay Power Plant. The 2/20/24 PC meeting is not a public hearing, it is solely a study session to solicit additional input to assist with development of the draft Master Plan. The Master Plan for the Power Plant property was initiated in 2022 as a result of General Plan/LCP Policy LU-5.4 which requires a master plan be developed as a result of the planning permit application for the Battery Energy Storage System Project. Master Plan community workshop was held 9/14/22. Survey on the Master Plan done and tabulations still in process. The survey was done to seek additional community feedback on development of the Master Plan. The survey focused on the community's land use preferences, circulation improvements, and design amenities for the overall property. Consultant currently working on background documentation, and draft Master Plan. Planning Commission study session and presentation from Consultant to be 2/20/2024				kf
Projects Appealed to Planning Commission or PC Continued projects - none											
Projects Appealed or Forwarded to City Council - none											
Environmental Review - none											
Final Map Under Review Projects:											
34	Huber	2783	Coral Ave	8/30/22	TTM22-03	5 unit residential subdivision	Planning approved, forwarded to PW.	BLDG. - Approved 4/14/22 CO			kf

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Projects going forward to Coastal Commission for review (Pending LCP Amendments) / or State Department of Housing - none											
Grants:											
35	City of Morro Bay		City-wide			Community Development Block Grant/HOME Program - Urban County Consortium	Staff has ongoing responsibilities for contract management in coordination with County staff administration. City Council approved Cooperation Agreement for 2021-2023 CDBG Program Years at 5/26/20 Council meeting. Notice of Funding Availability for 2023 Program Year released fall 2022. Council draft recommendations considered 12/22 and final funding recommendations to be on 3-28-2023 to forward to County Board of Supervisors for inclusion in their Annual Action Plan 4/18/23. 2024 Notice of Funding Availability released and application considered by Council in December 2023, with final funding recommendations to be in March 2024.	No review performed.	N/R		kf
36	City of Morro Bay		City-wide			Climate Action Plan - Implementation	Staff has ongoing responsibilities for implementation of Climate Action Plan as adopted by City Council January 2014. Staff coordinating activities with other Cities and County of SLO via APCD. Cal Poly Graduate student in City and Regional Planning Program assisting the City on an update of the 2014 CAP.				kf
Projects in Building Plan Check:											
1	Conway	305	Arbutus	1/4/2023	B22-0269	DIGEPLAN - 390 sf addition, expanding lower level family room and 2nd level primary bedroom & bath, the remodel includes kitchen and relocating two bathrooms to accommodate the installation of new elevator. The addition creates a 2nd level 378 sf rear deck.	Planning approved 7/20/23	Bldg. - Approved 6/12/23			st
2	Morro Strand One/ Marchell	210 & 220	Atascadero	4/8/2024	B24-0102	Repair substandard drainage improvements and provide proper parking lot drainage for Morro Strand RV Park (both locations, see separate permit for location across Atascadero Road) and Flippos.	Under review	Under review			
3	Allen/Brum	431	Avalon St.	1/16/2024	B24-0012	Remodel (2) existing bedrooms, bathroom, living room and kitchen. Adding 662 sq ft for master bedroom and bath, covered patio and porch.		Bldg. - Disapproved 2/14/24			ao
4	Newman	961	Balboa	1/25/2024	B24-0024	New 2058 sq. ft. residence with attached 409 sq. ft. garage and detached 450 sq. ft. ADU (Permit B24-0029)	Planning disapproved 2/23/24	Bldg. - Disapproved 2/22/24			st
5	Goldstein	186	Bayshore Dr.	11/4/20	B20-0190	Remodel kitchen, dining & living area.	Planning disapproved 11-6-20	Bldg. - Approved 11/09/20			kf
6	Carter	2035	Bayview Ave.	8/5/21	B21-0135	New SFR, 1980 sf living, with 483 sf attached garage, 96 sf covered deck, 267 sf covered rear patio and 32 sf covered front porch.	Disapproved 8-26-21. am, Approved 10/17/23	Bldg. Disapproved 9/21/21, Bldg approved 3/12/24	PW - Disapproved 3/22/24		st
7	Perry	3202	Beachcomber Dr	2/9/23	B22-0264	Demo existing, new construction of 2567 sf home iwth a 2424 sf subterranean garage on lower level and 963 sf roof deck. Home to be located on newly configured parcel (requires final TM)	Planning disapproved 2/19/23. nh Disapproved 6/15/23 - minor correction on title page. Approved 11/15/23	Bldg. - Approved 6/20/23	PW - Disapproved 3/4/24		kf
8	Perry	3230	Beachcomber Dr	2/9/23	B22-0265	New SFR on new parcel. Home is 1816 sf with a 471 sf garage and a roof deck.	Planning disapproved 2/19/23. nh Disapproved 6/15/23 - minor correction on title page. Approved 11/15/23	Bldg. - Approved 6/20/23	PW - Disapproved 2/9/24		kf
9	Baker	1288	Berwick Dr.	11/22/23	B23-0307	Install (1) prefabricated aluminum lattice patio cover, 15' x 8' onto existing slab and wall. Engineered by Four Seasons Bldg Products	Under review	Bldg. -Approved 11/28/23			ao
10	Baker	1288	Berwick Dr.	4/3/24	B24-0109	Main bathroom remodel - remove existing shower floor and wall tile, enlarge shower 11", add a freestanding tub right of the current shower. Remove a wall and door that separates the main bath from closet, move toilet 4', build a 36"x77" wall, relocate sink vanity to the wall L of opening.	Under review	Under review			
11	Segovia	2824	Birch Ave.	3/21/22	B22-0057	Cover patio, conversion to sunroom.	Disapproved 4/1/22 am	Bldg. - Approved 3/24/22	PW - disapproved 3/23/22		st
12	Dillard	1256	Bolton	3/30/22	B22-0072	Convert Unfinished Underfloor Space in 986 sf of conditioned livable space	Disapproved 4/7/22. Resubmittal approved 7/29/22.	Ready to issue			st

#	Applicant/ Property Owner			Application Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
13	Zero Impact Solutions	339	Embarcadero	10/24/23	B23-0260	DIGEPLAN - Installation of two, level 2 Electric Vehicle Chargers in the Tideland Park parking lot. Trenching for electrical at existing panel at restroom building to EV chargers, Includes four ports, one is van accessible and three are standard.	Under Review	Bldg. - Disapproved 11/1/23			
14	Guldenbrein	481	Estero Ave	1/5/23	B23-0003	New fencing & retaining walls, exterior electrical grading & catch basin installation w/pump in front yard. (see plans)	Disapproved 1/19/23	Bldg. - Disapproved 1/18/23			
15	Morro Strand One/ Marchell	221	Highway 41	4/8/24	B24-0112	Repair sub-standard drainage improvements and provide proper parking lot drainage (continuation of B24-0102, as Morro Strand RV Park encompasses three properties, two are located across Atascadero Rd).	Under review	Under review			
16	Sotelo	2990	Ironwood Ave	3/2/23	B22-0285	DIGEPLAN - New three story SFR - 3799 sf living, 926 sf attached garage, with 2nd and 3rd floor decks totaling 210 sf, 562 sf covered patios and 535 sf under floor storage area.	Planning approved 8/2/23	BLDG. - Approved 8/31/23, Ready to issue			st
17	Johnston	2781	Juniper Ave.	6/2/21	B21-0094	New 463 sf 2nd story deck at rear of existing SFR, also replace five existing windows with three new sliding glass doors.	Planning disapproved 6/3/21. Planning approved resubmittal 7-20-21.	Ready to issue			kf
18	Gale	550	Kern Ave	8/29/23	B23-0209	DIGEPLAN - New 2 story single family residence, 2412sf of living, 464sf attached garage, and 398sf 2nd story deck. Attached lower level ADU under B23-0210	Planning disapproved 10/6/23, 4/3/24	Bldg. - Disapproved 10/5/23, Approved 3/27/24	PW - Disapproved 4/12/24		st
19	Gale	550-A	Kern Ave	8/29/23	B23-0210	DIGEPLAN - Attached ADU, 925sf lower level ADU, constructed with new 2 story single family residence under B23-0209	Planning disapproved 10/6/23, 4/3/24	Bldg. - Disapproved 10/5/23, Approved 3/27/24	PW - Disapproved 4/15/24		st
20	Cia	2551	Koa Ave.	2/23/22	B22-0038	New 3 bed 2.5 bath SFR w/attached 2-car garage.	Planning Approved resubmittal 6/28	Ready to issue			st
21	Carpenter/Ferreira	470-A	La Jolla St	4/8/24	B24-0114	DIGEPLAN - Detached ADU, convert an existing 361 sf detached garage (formerly converted to habitable space) to a 361 sf Accessory Dwelling Unit.	Under review	Under review			ao
22	Albano/Campbell	551	La Jolla St	4/1/24	B24-0100	204 sf self supporting second story deck adjacent to home, with stairs, guardrail and handrails. No direct access to home.	Planning disapproved 4/8/24	Bldg. - Approved 4/3/24			
23	Daniels	964	Las Tunas St.	8/3/21	B21-0133	Remodel the laundry room & add a bedroom, bathroom & hallway to the back of existing home in phase I. Phase 2, build a detached garage	Planning approved 5-12-22	Bldg. - Approved 5/16/21 ON HOLD			kf
24	Kevorkian	2615	Laurel Ave.	1/10/23	B23-0005	Addendum #1 to B22-0183, Change the deck configuration to reduce square foot to below existing square foot.	Planning disapproved and sent incomplete comment letter on 1/27/23.	Bldg. - Approved 1/17/23			st
25	Novell/Johnson	273	Main St.	2/23/23	B23-0038	DIGEPLAN - 73 sf stairway addition to existing home to create interior connection between the upper and lower floors.	Planning disapproved 3/6/23. Resubmittal received and reviewed. Planning approved 9/1/23.	BLDG. - Disapproved 3/2/23 . Approved 8/29/23. Permit ready to issue.			kf
26	Drinkwater/ Rogall	301	Main St.	12/6/23	B23-0308	DIGEPLAN - Remove and replace a 435 sf deck at the rear of home. Deck height is approximatley 36"	Under Review	Under review			
27	Meisterlin	844	Main St.	4/22/24	B24-0130	Adding ADA bathroom to commercial space.	Under review	Under review			
28	CenCal Enterprise, INC	2030	Main St.	9/21/22	B22-0232	The scope of work has changed. Applicant is now proposing to convert an existitng space into an office space, and staff is awaiting the withdrawal of MIN22-005 to proceed with the Building Permit review process.	Planning approved 1/11/23	Bldg. - Disapproved 11/15/22			st
29	Pantoja	440	Mindoro St.	12/6/23	B23-0318	Adding 141 sf 2nd story deck, w/ access door from upper bedroom. (Removing existing window to install access door.)	Under review	Under review			

#	Applicant/ Property Owner			Application Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
30	Scenic Coast Board of Realtors/Hakker	830	Morro Bay Blvd.	3/27/24	B24-0099	Commercial T.I.- Remodel existing Association of Realtor offices, relocate restroom with ADA upgrades, interior & exterior accessibility upgrades (parking & path of travel), replace doors, windows, HVAC, electrical, and reroof with tile roofing.	Under review	Under review			
31	De Fazio	570-A	Olive	9/12/23	B23-0221	Addendum to permit B22-0122 - Addition of a 49sf unconditioned utility room off the back of ADU.	Planning disapproved 9/25/23., Approved 11/28/23	Bldg. - Approved 9/18/23 Ready to Issue			kf
32	Currey	154	Orcas St	4/23/24	B24-0131	Addendum to permit B22-0062 - Addendum #1 to Permit B22-0062 - Change includes changing subfloor to concrete slab in ADU portion, additional shear walls.	Under review	Under review			
33	Aguiar/Sandahl	351-A	Panay St	1/16/24	B24-0010	DIGEPLAN - 316 sf attached first floor Accessory Dwelling Unit (ADU). See permit B23-0329 for new two-story SFR.		Under review			
34	Wall	938	Pecho	4/23/24	B24-0132	Remodel interior of existing 1 story SFR and add 113 sq ft living area.	Under review	Under review			ao
35	Myers	961	Pelican	4/25/24	B24-0136	Changing deck material from traditional wood to timber tech tvek. Also fixing/changing dry rot wood in current deck joist.	Under review	Under review			ao
36	Lutschaunig	965	Pelican	2/27/23	B23-0044	Addition to existing bathroom for a shower, 42 sf. Also reconfiguring existing bathroom.	Planning disapproved 3/2/23	BLDG. - Approved 3/2/23			st
37	Appel	400-A	Pico St	8/18/21	B21-0149	Convert existing garage to an ADU without changing the footprint of the garage.	Approved 8/25/21	Bldg. Disapproved 9/10/21	PW - Disapproved 9/15/21		st
38	Phelps	490	Piney Way	10/19/23	B23-0267	Addendum #1 to B22-0017 - Drainage details that were not included on the landscape or erosion control sheets in the approved plans	Approved 10/23/23	Ready to issue			
39	Lee	684	Piney Way	9/10/20	B20-0168	Demo existing detached 416 sf work shed with bathroom & reconstruct new 416 sf garage/shop with electrical, keeping existing bathroom on existing slab/foundation.	Planning disapproved 9/15/20. Requires a Admin CDP and Parking Exception prior to review and approval of the building permit. Planning disapproved resubmittal 2/24/21.	Bldg. - Disapproved 3/1/21			kf
40	Giannini	750	Radcliff Ave.	7/22/19	B19-0156	Remove three existing panel antennas, three radio and replace with three radio intergrated antennas and assoicated cabling. Install equipment expansions to the top of existing cabinets (approx 1'2") with associated electrical wiring.	Approved 9/26/19.	Ready to issue/Permit Expired 3/6/24			kf
41	Corsiglia	3027	Sandalwood Ave	3/26/24	B24-0098	282 sf addition to single level SFR consisting of new master bathroom and walk-in closet, interior remodel includes an additional full bath, kitchen remodel, new gas FP insert, furnace, tankless water heater, windows, and doors.	Planning disapproved 4/9/24	Under review			ao
42	Gellerman/Wiese	154	Sandpiper Lane	3/26/24	B24-0085	Kitchen remodel, demo kitchen and remove stud wall (or portion of) new electrical, mechanical and plumbing also remove fireplace and hearth and install new fireplace.	Under Review	Under review			
43	Hanton	425	Shasta Ave	1/17/23	B23-0004	DIGEPLAN - Enclose the current breezeway to create a new 90 sf entry, a 350 sf addition creating a primary suite and bathroom, also create a valuted space in the existing garage by removing roof and replace with new composition roof.	Planning disapproved 2/16/23, approved 3/5/24	Bldg. - Approved 8/15/23 Ready to Issue			st
44	Parker	580	Shasta Ave	8/31/20	B20-0159	Add new detached garage	Planning under review. Planning disapproved 9/8/20. Need resubmittal	Bldg. - Disapproved 9/14/20			kf

#	Applicant/ Property Owner			Application Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations	Project Planner
45	Doughty/Erfanian	310	Sicily St	12/22/23	B23-0337	New Single Family Residence, 1,991 sf living, 287 sf garage with 2nd story 180 sf deck		Under review			
46	James	360	Tulare Ave	4/12/24	B24-0121	DIGEPLAN - 111 sf addition from converting existing garage space to conditioned space (reduced garage size 601 sf). Remove & replace windows throughout, remodel kitchen, hall bath, and primary bath. New 205 sf deck and stairs at rear (new home size 2666 sf).		Under review			ao
47	Morro Bay Ventures	201	Verdon Ct.	1/4/23	B22-0273	DIGEPLAN - New single story, single-family residence, 2,361 sf living, with 483 sf covered porch and a 450 sf attached garage.	Planning disapproved 1/11/23. Planning approved 7/26/23	Bldg. - Approved 7/20/23			kf
48	Morro Bay Ventures	202	Verdon Ct.	1/4/23	B22-0277	DIGEPLAN - New single story, single-family residence, 2,361 sf living, with 483 sf covered porch and a 450 sf attached garage.	Planning disapproved 2/2/23. Planning approved 7.26.23	Bldg. - Approved 7/20/23			kf
49	Morro Bay Ventures	205	Verdon Ct.	1/4/23	B22-0274	DIGEPLAN - New single story, single-family residence, 2,312 sf living, with 168 sf and 250 sf covered porches and a 485 sf attached garage. See permit B22-0279 for attached ADU.	Planning disapproved 1/11/23. Planning approved 7/26/23	Bldg. - Conditionally Approved 7/20/23			kf
50	Morro Bay Ventures	205-A	Verdon Ct.	1/4/23	B22-0279	DIGEPLAN - New 517 sf attached Accessory Dwelling Unit (ADU). See permit B22-0274 for new SFR.	Planning disapproved 1/11/23. Planning approved 7/26/23	Bldg.- Conditionally Approved 7/20/23			kf
51	Morro Bay Ventures	206	Verdon Ct.	1/4/23	B22-0276	DIGEPLAN - New single story, single-family residence, 2,312 sf living, with 168 sf and 250 sf covered porches and a 485 sf attached garage.	Planning disapproved 1/11/23. Planning approved 7/26/23	Bldg. - Approved 7/20/23			kf
52	Morro Bay Ventures	210	Verdon Ct.	1/4/23	B22-0275	DIGEPLAN - New single story, single-family residence, 2,312 sf living, with 168 sf and 250 sf covered porches and a 485 sf attached garage. See permit B22-0280 for attached ADU.	Planning disapproved 1/11/23. Planning approved 7/26/23	Bldg. - Conditionally Approved 7/20/23			kf
53	Morro Bay Ventures	210-A	Verdon Ct.	1/4/23	B22-0280	DIGEPLAN - New 517 sf attached Accessory Dwelling Unit (ADU) - See permit B22-0275 for new SFR.	Planning disapproved 1/11/23. Planning approved 7/26/23	Bldg.- Conditionally Approved 7/20/23			kf

Planning Projects & Permits with Final Action

	Bartolic	525	Bonita	1/30/2024	CDP24-005	CDP for the conversion of existing 400 sf guest room above garage into an ADU.	Incomplete Letter sent 2/23. Resubmitted 4/3/2024. Deemed complete 4/11/2014. Noticing from 4/17 to 4/29. Administrative decision on or after 4/30.				st
	Hartman	320	Orcas St	4/14/22	MUP23-03/ CDP22-010	New SFR with attached garage to replace home destroyed in fire	Correction letter sent 5/1/22. Resubmittal received March 28, 2023. Planning comments sent on April 10, 2023, project requires resubmittal with changes. Planning Comments sent - requires a resubmittal. Resubmittal received and under review. Planning comments sent 5/17/23, requires a resubmittal. Project designed for new zoning code, so needs to wait for the code certification or redesign to the existing code. Comments provided.	BLDG. - Approved 3/30/23 CO			st

Staff Directory:
Michael Codron - mc Chad Ouimet - co Kim Fowler - kf Pam Newman - pn Susana Toner - st Alex Ortega - ao



AGENDA NO: C-1

MEETING DATE: May 7, 2024

Staff Report

TO: Planning Commissioners **DATE:** May 1, 2024

FROM: Michael Codron, Interim Community Development Director

SUBJECT: Workshop to Receive Public Comments on the Draft Environmental Impact Report (DEIR) for the Vistra Battery Energy Storage System (BESS) Project (1290 Embarcadero - CDP20-026/CUP20-14); Morro Bay Power Company LLC. This Planning Commission Workshop will provide members of the public an additional opportunity to make comments on the DEIR.

RECOMMENDATION:

No action is recommended. The purpose of the meeting is to provide the public with an additional opportunity to comment on the DEIR.

APPLICANT:

Applicant: Morro Bay Power Company LLC; Vistra

BACKGROUND:

See Exhibit A for the Project Description and Executive Summary of the Draft EIR.

The complete Draft EIR is not attached but is available on the City's [website](#):

- <https://www.morrobayca.gov/842/Current-Planning-Projects>

Documents available at the above link include:

- [Notice of Availability](#)
- [BESS Draft Environmental Impact Report \(EIR\), March 2024 - Volume 1 of 2](#)
- [BESS Draft Environmental Impact Report \(EIR\), March 2024 Appendices - Volume 2 of 2](#)
- [Notice of Completion & Environmental Document Transmittal](#)

Prepared By: MC

Department Review: CAO

Public Review Period: Comments on the Draft EIR may be submitted in writing between Monday, March 11, 2024, and Tuesday, May 28, 2024. Written comments must be received by 5:00 p.m. on the last day of the review period and should be sent to the City of Morro Bay at the following address:

City of Morro Bay
Attn: Kim Fowler, Interim Planning Manager
955 Shasta Avenue
Morro Bay, California 93442

Comments may also be sent via e-mail: BESScomments@morrobayca.gov

DISCUSSION:

A Draft Environmental Impact Report has been prepared for the Vistra BESS project and associated Master Plan proposed on the Power Plant Property located on 1290 Embarcadero. While not legally required under the California Environmental Quality Act (CEQA), the Planning Commission is holding a public workshop solely to provide an additional forum for members of the public (and applicable agencies) to provide comments on the DEIR. As such, comments on the DEIR are encouraged and may be submitted during the workshop in writing or provided verbally during the public comment portion of the meeting. Alternatively, comments on the Draft EIR can be submitted as noted above until the close of the comment period on May 28, 2024.

The purpose of the public review and comment period under CEQA is for the public to assist the lead agency (in this case the City of Morro Bay) to refine the analysis of the environmental impacts of a project and the development of feasible mitigation for such impacts. The public review period for a Draft EIR provides an opportunity to address concerns related to any potential direct or indirect impacts to the physical environment, including impacts to aesthetics, air quality, noise, traffic, biological resources, water quality and historic, cultural, and tribal cultural resources. In order to assist the City in the EIR process, comments should specifically point out errors, inconsistencies, omissions of data or analyses, conclusions not based on evidence, or failures to provide discussion required by CEQA. Substantive comments backed by factual support can lead to changes to the project itself or the Final EIR produced by the City (as the lead agency).

No decisions will be made during this workshop. Members of the public are encouraged to provide comments. Comments should be relevant to the DEIR. General comments, simply for or simply against the project, are discouraged to the extent that they do not pertain to the Draft EIR itself. As part of the normal CEQA process, responses to comments that are relevant to the DEIR will be provided in the Final EIR.

EXHIBITS:

Exhibit A – Vistra BESS DEIR Executive Summary

Executive Summary

This document is an Environmental Impact Report (EIR) analyzing the environmental effects of the proposed Morro Bay Battery Energy Storage System Project (proposed project or project). This section summarizes the characteristics of the proposed project, the environmental impacts and mitigation measures associated with the proposed project, and the alternatives to the proposed project.

Project Synopsis

Project Applicant

Morro Bay Power Company LLC
Attn: Ms. Claudia Morrow
6555 Sierra Drive
Irving, Texas 75039
(214) 875-9249

Lead Agency Contact Person

Cindy Jacinth, Planning Manager
City of Morro Bay
Community Development Department
955 Shasta Avenue
Morro Bay, California 93442
(805) 772-6261

Project Description

This EIR has been prepared to examine the potential adverse environmental effects of the proposed project. The following is a summary of the full project description, which can be found in Section 2.0, *Project Description*.

Project Location and Existing Site Characteristics

The approximately 107-acre Morro Bay Power Plant property (Power Plant Property) (Assessor's Parcel Number [APN] 066-331-046) is located at 1290 Embarcadero south of State Route 1 (SR 1)/Cabrillo Highway and north of Embarcadero in the City of Morro Bay (City). The Morro Bay Power Plant has been idle since its retirement in 2014. The Power Plant Property currently contains the idle power plant building and smokestacks (stacks), Lila Keiser Park, and facilities operated by Pacific Wildlife Care and Marine Mammal Center. The Power Plant Property is surrounded by Pacific Gas and Electric (PG&E) switchyards and State Route 1 (SR 1) to the northeast; the Embarcadero, commercial uses, and a marina to the southwest; Morro Creek, a recreational vehicle (RV) park, and temporary lodging facilities (hotel and motel) to the north; and Coleman Park, the Morro Bay harbor walk, and dune habitat associated with Morro Rock beach to the west.

Exhibit A

City of Morro Bay

Morro Bay Battery Energy Storage System Project

The Project Site covers approximately 43 acres of the 107-acre Power Plant Property.¹ The Project Site includes approximately 24 acres located immediately north of the inactive power plant building that would be used for construction of a 600 megawatt (MW) BESS (BESS Site). This area is currently vacant but was previously developed with above-ground fuel oil storage tanks. In addition, the Project Site includes approximately 19 acres in the southwestern area of the site that includes the inactive power plant building and three inactive stacks immediately southwest of the power plant building (Demolition Site). The Project Site also includes the approximately 2.75-acre driveway that connects the power plant building to Quintana Road.

Under Plan Morro Bay, which was adopted by the City in May 2021 and serves as the City's General Plan and Local Coastal Program (LCP) Land Use Plan, the Project Site has a land use designation of Visitor Serving Commercial with a Mixed-Use Residential Overlay. A comprehensive update to the Zoning Ordinance/Implementation Plan was adopted in November 2022, which changed the Project Site's zoning from M-2/PD/I with a Planned Development overlay and Interim Use overlay designation to Visitor Serving Commercial.²

The Project Site is subject to two land use restrictions, as described below.

PG&E Deed Restriction

PG&E purchased the Morro Bay Power Plant site in 1951 and constructed the Power Plant in the early 1950s. In connection with the subsequent sale of the property to Duke Energy in 1997, PG&E imposed a deed restriction across the Power Plant Property, including the entire Project Site. That deed restriction prohibits developing the Power Plant Property (including the Project Site) with new permanent or temporary lodging, hospitals or other health-care facilities, schools, daycare centers for children, parks, playgrounds, or other recreational uses. This deed restriction remains in place today.

DTSC Land Use Restriction

In 2006, PG&E entered into a Corrective Action Consent Agreement with the California Department of Toxic Substances Control (DTSC) to address areas of the Power Plant Property that were contaminated as a result of past operations at the Morro Bay Power Plant. In October 2021, DTSC released a Revised Statement of Basis for the Morro Bay Power Plant site. In that document, DTSC proposed to impose a land use restriction on areas of the Project Site that previously contained the above-ground storage tanks. This area is referred to as "Area of Concern 1" (AOC 1) in the Revised Statement of Basis. The final Limited Use Covenant (LUC), recorded on July 21, 2022, covers most of AOC 1 and 20.5 acres of the 24-acre BESS Site. This final LUC restricts future land uses in the covered areas to commercial/industrial uses and prohibits future development of the property for permanent or temporary lodging, school, day care centers, recreation, or hospital uses.

¹ Following are definitions for several key terms used:

Power Plant Property refers to the approximately 107-acre Morro Bay Power Plant property.

Project Site refers to the portions of the Power Plant property that would be used for the proposed project. The Project Site covers approximately 43 acres of the 107-acre Power Plant property.

BESS Site refers to the portions of the Project Site used for construction and operation of the BESS and supporting facilities such as Gen-tie lines and access roads. The BESS Site includes approximately 24 acres of the 43-acre Project Site.

Demolition Site refers to the portions of the Project Site used for remediation and demolition of the idled power plant building and stacks. The Demolition Site includes the remaining 19 acres of the 43-acre Project Site.

² The comprehensive update to the Zoning Code/Implementation Plan that was adopted by the City Council in November 2022 (Ordinance 654) and amended in December 2023 (Ordinance 661 and 662) is currently anticipated to be certified by the California Coastal Commission in March 2024.

Project Characteristics

The proposed project includes three components: (1) construction and operation of a 600-MW Battery Energy Storage System facility (BESS Facility), (2) demolition and removal of the existing power plant building and stacks, and (3) adoption of a Master Plan, which would apply to the entire Power Plant Property and would change the land use designation of the BESS Site from Visitor Serving Commercial to General (Light) Industrial and the zoning from Visitor Serving Commercial (VSC) to Industrial-General (IG).

Construction, Operation, and Future Decommissioning of the BESS Facility

Of the 43 acres included in the Project Site, approximately 24 acres (the BESS Site) would be used for construction and operation of the BESS Facility. The DTSC Land Use Restriction applies to most of the 24-acre BESS Site, while the PG&E deed restriction applies to the Power Plant Property, including the entire Project Site. The BESS Facility would provide power to utility customers by interconnecting to the existing PG&E switchyard located east of the Project Site. The BESS Facility would operate year-round to store and discharge electricity to support demand on the power grid and improve grid reliability. In doing so, the BESS would facilitate the efficient use of existing renewable energy sources and the development of new renewable energy facilities, thereby reducing fossil fuel consumption and related emissions.

The BESS Facility would include three enclosed buildings with fire protection systems to house the batteries. Each building would contain approximately 2,400 battery racks and be surrounded by approximately 60 Power Conversion Systems (PCSs) located on concrete pads outside the buildings. The BESS Facility would also include three substations with transformers, a transmission line connecting to the PG&E switchyard, water supply system improvements, and internal access roads. Table ES-1 summarizes the primary characteristics of the BESS Facility.

Table ES-1 BESS Facility Characteristics

Address	1290 Embarcadero, Morro Bay, California 93442
APN	066-331-046
Parcel Acreage	107 acres
BESS Site Acreage	24 acres
Demolition Site Acreage	19 acres
Battery Storage Buildings (3)	91,000 sf, 35.2 feet tall (2 stories)
Power Conversion Systems (approx. 180)	300 sf
Substations (3)	49,704 sf, 30 feet tall
Control House (1)	1,200 sf, 15 feet tall

sf = square feet

FENCING AND LANDSCAPING

An approximately six-foot-high fence (topped with one-foot of three-strand barbed wire) would surround the area containing the buildings, PCSs, and substations, including the substation control house. Security cameras would be located at key locations. The 24-acre BESS Site would not be landscaped to reduce the risk of vegetation disrupting BESS Facility operation. Due to the existing berms surrounding the former tank farm area, lower elevations of the former tank farm pads where

Exhibit A

City of Morro Bay

Morro Bay Battery Energy Storage System Project

the buildings would be placed, and existing vegetation along the existing berms, no additional vegetative screening is proposed.

Up to six Monterey cypress trees could be removed for access west of the proposed southernmost building and associated substation. Any removed trees would be replaced per the City's Major Vegetation Guidelines. The open areas surrounding the buildings would include access roads and paths. All other surfaces would be rock.

WATER AND SEWER SERVICES

The Project Site is within the City limits and receives water and sewer services from the City. Improvements to the water system, including a new diesel fire pump as part of an upgrade to the existing fire loop system, may be required to supplement City water service to provide adequate fire protection.

SITE ACCESS AND PARKING

Site access would be provided at the Power Plant Property main gate located along the Embarcadero. Permanent staff for the BESS Facility would use existing parking located adjacent to the BESS Facility's operations and maintenance building (i.e., the existing administration building).

OFF-SITE FRONTAGE AND INFRASTRUCTURE IMPROVEMENTS

Required frontage improvements would include a 12-foot multi-use path, storm drainage, and street trees along the Project Site frontage with Embarcadero pursuant to the Morro Bay Public Works Department requirements, predicated on evaluation of the Environmentally Sensitive Habitat Area (ESHA) along the Project Site frontage. Any work within the City right-of-way (ROW) would comply with the requirements of the City's encroachment permit.

BESS FACILITY CONSTRUCTION

Construction of the BESS Facility is anticipated to take 36 to 48 months. Construction would generally occur in three phases, which would overlap. For example, Phase 2 would begin towards the end of Phase 1. Phasing is anticipated to occur as follows:

- Phase 1, Site Preparation, would extend for a duration of 12-18 months;
- Phase 2, Installation, would extend for a duration of 18-36 months; and
- Phase 3, Commissioning (Start-up and Testing), would extend for a duration of 12-18 months.

No more than 300 workers would be present on the Project Site at any given time, with the average number of workers on site during project construction expected to be between 100 and 300. The majority of the labor force is expected to come from San Luis Obispo County.

BESS OPERATION AND MAINTENANCE

Once operational, the BESS Facility would operate continuously. The BESS Facility would store and dispatch power during both daylight and non-daylight hours as required by grid operators year-round. Operational activities at the BESS Facility would include the following:

- Routine inspection and testing;
- Vegetation, weed, and pest management;
- Security;

- Routine maintenance;
- Occasional equipment repair and replacement; and
- Communicating with customers, transmission system operators, and other entities involved in facility operations.

The BESS Facility would not require new continuous, exterior lighting. Motion sensor lighting would be placed in specific locations as needed to assure safe ingress and egress from the BESS Facility buildings and the substations. The battery storage buildings would include interior lighting. The buildings would be secured, and access would be controlled to allow only authorized persons to enter the buildings.

FUTURE DECOMMISSIONING

The BESS Facility is anticipated to have an operating life of up to 40 years. At the end of the BESS Facility's operating life, the Project Applicant would either replace or upgrade the technology to extend the operating life, or the BESS Facility would be decommissioned. This EIR considers the potential for decommissioning the BESS Facility to provide a comprehensive review of the potential environmental effects of all reasonably foreseeable outcomes of the project.

Demolition of Existing Power Plant Building and Stacks

Following construction of the BESS, the Project Applicant would remediate and demolish the existing power plant building and stacks. These activities would be expected to commence within six months of completion of the BESS Facility. The PG&E Deed Restriction described above covers the entirety of the Demolition Site. Environmental remediation and demolition would include the removal of equipment, removal of remaining regulated materials, dismantling of plant facilities and infrastructure, salvage and recycling of remaining equipment, waste management transport and disposal and backfill of below grade voids. Remediation and demolition is anticipated to take up to two years to complete. Demolition of these structures would allow for future redevelopment of the Power Plant Property in a manner that is consistent with Plan Morro Bay and the Master Plan discussed below.

Master Plan for Redevelopment of the Power Plant Property

The proposed project includes a Master Plan, which establishes a vision for the redevelopment of the Power Plant Property as well as recommended improvements to pedestrian and circulation connections in the area, consistent with the requirements of Plan Morro Bay Policy LU-5.4. The Master Plan would amend the General Plan and LCP Land Use Plan land use designation on the BESS Site from Visitor Serving Commercial to General (Light) Industrial and the zoning from Visitor Serving Commercial (VSC) to Industrial-General (IG). The proposed Master Plan would not modify the existing land use or zoning designation on the remainder of the Power Plant Property, retaining the Visitor Serving Commercial designation and Mixed-Use Residential Overlay implemented through Plan Morro Bay, and the Visitor Serving Commercial zoning implemented through the recent comprehensive update to the Zoning Ordinance/Implementation Plan that was adopted by the City Council in November 2022 (Ordinance 654) and amended in 2023 (Ordinance 662).

Project Objectives

The Project Applicant has identified the following objectives for the proposed project:

- Provide a Master Plan that is consistent with Plan Morro Bay Policy LU-5.4 and updates the LCP Land Use Plan land use designation on the BESS Site while carrying forward the Visitor Serving Commercial designation and Mixed-Use Residential Overlay recently implemented through Plan Morro Bay on the remainder of the Power Plant Property.
- Reduce the amount of fossil fuels consumed during peak hours and maximize usage of energy from renewable sources such as wind and solar facilities that may not be able to produce energy during times of peak demand.
- Assist California utilities in meeting their obligations under the CPUC's Energy Storage Framework and Design Program, which includes the procurement of locally sited energy storage systems.
- Realize economies of scale inherent in constructing a large-scale storage facility on contiguous lands in the immediate vicinity of a high-voltage interconnection to the California Independent System Operator (CAISO) controlled grid.
- Site the BESS Facility to minimize environmental and social impacts by being located on land that has historically been used for power generation. The BESS Facility will take advantage of existing infrastructure and not create impacts to undisturbed areas of the City of Morro Bay.
- Improve aesthetics, sight lines, and view corridors along the Morro Bay waterfront and Embarcadero areas in relation to the Power Plant Property in a manner consistent with Plan Morro Bay policies on improving degraded viewsheds and preserving the visual character of Morro Bay (see Plan Morro Bay Policies C-9.6, C-9.7, C-9.8, and C-9.9).

Alternatives

As required by the California Environmental Quality Act (CEQA), this EIR examines alternatives to the proposed project. Studied alternatives include the following five alternatives. Based on the alternatives analysis, Alternative 3 was determined to be the environmentally superior alternative.

- Alternative 1: No Project
- Alternative 2: Plan Morro Bay Consistency
- Alternative 3: BESS Facility Without Demolition
- Alternative 4: Reduced BESS Facility
- Alternative 5: Enclosure-Based BESS Facility

Alternative 1 (No Project) assumes the BESS Facility is not constructed and the Master Plan is not implemented. The Power Plant Property currently encompasses the idle Power Plant building and smokestacks, Lila Keiser Park, and facilities operated by Pacific Wildlife Care and Marine Mammal Center. Under the No Project Alternative, the Power Plant building and stacks would not be demolished, the Power Plant Property would remain in its existing condition, and the Project Site's land use designation would not be modified. The No Project Alternative assumes no future development would occur on the Power Plant Property in the immediate future. The only activity on the Project Site that is assumed to take place under the No Project Alternative is routine maintenance activities that would be required to maintain the structural integrity of the existing Power Plant building and stacks.

Alternative 2 (Plan Morro Bay Consistency Alternative) assumes the BESS Facility is not constructed, and the Power Plant Property is instead redeveloped consistent with the current Visitor Serving Commercial land use designation. Consistent with Plan Morro Bay Policy LU-5.4, this alternative would continue to require implementation of a Master Plan³ prior to the approval of any future development of the Power Plant Property. The Plan Morro Bay Consistency Alternative assumes the Master Plan created for development at the Power Plant Property would not change the existing Visitor Serving Commercial land use designation on the BESS Site, instead retaining the Visitor Serving Commercial land use designation on the entirety of the Power Plant Property. However, the Master Plan could permit specific optional land use overlays at the Power Plant Property, such as a mixed-use residential overlay.

This alternative would result in demolition of the existing Power Plant building and smokestacks to prepare the Project Site for future development under the Visitor Serving Commercial land use designation. Redevelopment of the Power Plant Property with Visitor Serving Commercial uses under this alternative is assumed to occur prior to Plan Morro Bay's horizon year of 2040.

This alternative anticipates the Master Plan required under Plan Morro Bay Policy LU-5.4 would carry forward and would not modify any General Plan and/or LCP goals and policies. Accordingly, the potential environmental impacts anticipated with implementation of this alternative are largely those which are identified in the 2021 Final EIR for Plan Morro Bay, certified by the Morro Bay City Council on May 25, 2021. These impacts are discussed within the Previous Environmental Review discussions in Sections 4.1 through 4.9 of this EIR, and further detailed in the 2021 Final EIR for Plan Morro Bay.

Alternative 3 (BESS Facility Without Demolition) would include the construction and operation of a 600 MW BESS facility and adoption of a Master Plan consistent with Plan Morro Bay Policy LU-5.4; however, this alternative would exclude demolition and removal of the existing Power Plant building and stacks. Under the BESS Facility without Demolition Alternative, the existing Power Plant building and stacks would remain as they are under existing conditions. Therefore, the BESS Facility Without Demolition Alternative has the potential to result in the need for occasional routine maintenance activities for upkeep of the existing Power Plant building and stacks. In addition, retaining the existing Power Plant building and stacks would limit the future development potential for Visitor Serving Commercial uses on the remainder of the Power Plant Property envisioned in Plan Morro Bay.

Alternative 4 (Reduced BESS Facility) would include the construction and operation of a BESS Facility, demolition and removal of the existing Power Plant building and smokestacks, and adoption of a Master Plan, similar to the proposed project. However, under this reduced project alternative, the BESS Facility would include three smaller enclosed buildings, resulting in a reduced BESS Site area and 100 MW reduction in total storage capacity. Under the Reduced BESS Facility Alternative, each building would have a building area of 75,700 sf, resulting in a total building area of approximately 227,000 sf on a 21-acre BESS Site. Similar to the proposed project, the buildings would be up to 35.2 feet in height from average natural grade. Each building would house approximately 2,000 racks containing lithium-ion batteries with storage capacity of approximately 166 MW for a total storage capacity of approximately 500 MW. Construction of the Reduced BESS Facility would take 36 to 42 months, compared to the proposed project's construction schedule of 36 to 48 months. The Reduced BESS Facility Alternative would require approximately 1,000 fewer drilled pilings compared to the proposed project. In addition, the Reduced BESS Facility is expected

³ The Master Plan developed for the proposed project would be required to be revised in accordance with the anticipated buildout of the Plan Morro Bay Consistency Alternative.

to require a slight reduction in permanent operation and maintenance staff activities compared to the proposed project.⁴

Alternative 5 (Enclosure-Based BESS Facility) would include the construction and operation of a 600 MW BESS facility, demolition and removal of the existing Power Plant building and stacks, and adoption of a Master Plan, similar to the proposed project. However, instead of the three large permanent structures envisioned by the proposed project, the enclosure-based alternative would utilize 174 battery storage enclosures, each separated approximately 10 feet apart, and each with its own independent fire protection system and thermal management system. The battery storage enclosures would be approximately 15 ft tall. The Enclosure-Based BESS Facility Alternative would also only include the construction of one approximately 46,000 square foot (sf), 30-foot tall substation, instead of the three approximately 49,700 sf, 30-foot tall substations envisioned in the proposed project. Construction of the enclosure-Based BESS Facility Alternative would take 24 to 36 months, compared to the proposed project's construction schedule of 36 to 48 months. The Enclosure-Based BESS Facility Alternative would require approximately 5,500 to 6,500 drilled pilings, similar to the proposed project.

Refer to Section 5, *Alternatives*, for the complete alternatives analysis.

Areas of Known Controversy

Based on the Notice of Preparation (NOP) comment letters, summarized in Table 1-2, of Section 1, *Introduction*, and included as Appendix A of this EIR, issues known to be of concern to members of the public and responsible agencies include, but are not limited to, potential project impacts associated with aesthetics, air quality, cultural resources and tribal cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, noise, and transportation. Refer to Table 1-1 for a summary of the NOP comments received, and Appendix A of this EIR for copies of the NOP comment letters.

Project Approvals

The proposed development and demolition would require entitlements from the City, as well as approvals from other agencies. Required entitlements from the City include a Coastal Development Permit (CDP), Modification Permit, Design Review Permit, and a General Plan and Coastal Land Use Plan Map and Zoning Map Amendment to incorporate the Master Plan and associated land use and zoning designations into Plan Morro Bay. Approval of these entitlements would satisfy the requirements of Plan Morro Bay Policy LU-5.4 and Chapter 3 of the Coastal Act, requiring a CDP for any associated development on the Power Plant Property, and would allow a final development plan for the Project Site (consistent with the requirements of the granted entitlements) including the following ministerial approvals from the City: grading permits, improvement plans, building permits, and a Flood Zone Hazard Development Permit.

The Project Applicant, in conjunction with its contractors, would be required to obtain all necessary federal, State, and local permits and approvals prior to the start of remediation and demolition activities.

⁴ Note that this Reduced BESS Facility Alternative could also be accomplished through the use of an enclosure-based approach for the BESS Facility, similar to the proposal for Alternative 5, which could result in additional reductions to the potential impacts that may result from this Alternative 4, so long as the enclosure system proposed is consistent with the development footprint and building area for the Reduced BESS Facility Alternative.

Development of the Project Site would be required to comply with the Regional Water Quality Control Board (RWQCB) Post Construction Storm Water Requirements and City of Morro Bay Low Impact Development and Post-Construction Requirements for redeveloped sites.

Future development projects in the Master Plan area would be required to prepare focused, project-level environmental review consistent with the requirements of CEQA, which may include mitigation to reduce potential project-level environmental impacts.

Issues Not Studied in Detail in the EIR

Section 4.10, *Effects Found Not to Be Significant*, summarizes topics from the CEQA Guidelines Appendix G environmental checklist that were determined to not have the potential to result in a significant environmental impact. Some topics were addressed in their entirety in Section 4.10, while other topics were addressed through a combination of analysis in Section 4.10 and another EIR section. The following list presents the topics addressed in their entirety within Section 4.10. As indicated therein, there is no substantial evidence that significant impacts would occur related to the following topics:

- Agricultural and Forestry Resources
- Energy
- Land Use/Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Utilities/Service Systems
- Wildfire

The following list presents the additional issues addressed in Section 4.10. These issues represent individual components of an overarching topic included in the CEQA Guidelines Appendix G environmental checklist. For informational purposes, the overarching topic associated with each issue is shown in parentheses at the end of its respective bulleted line. As indicated in Section 4.10, there is no substantial evidence that significant impacts would occur related to the following issues:

- Conflicts with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan (Biological Resources)
- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving rupture of a known earthquake fault, strong seismic ground shaking, landslides (Geology and Soils)
- Result in substantial soil erosion or loss of topsoil (Geology and Soils)
- Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater (Geology and Soils)
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25-mile of an existing or proposed school (Hazards and Hazardous Materials)

Exhibit A

City of Morro Bay

Morro Bay Battery Energy Storage System Project

- For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area (Hazards and Hazardous Materials)
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires (Hazards and Hazardous Materials)
- Violate any water quality standards or waste discharge requirements (Hydrology and Water Quality)
- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin (Hydrology and Water Quality)
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; and/or impede or redirect flood flows (Hydrology and Water Quality)
- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan (Hydrology and Water Quality)
- For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels (Noise)
- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment) (Transportation)
- Result in inadequate emergency access (Transportation)

Other issues related to Aesthetics and Visual Resources, Air Quality, Biological Resources, Cultural Resources and Tribal Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Noise, and Transportation were found to involve potentially significant impacts and are addressed in detail this EIR.

Summary of Impacts and Mitigation Measures

Table ES-2 summarizes the environmental impacts of the proposed project, proposed mitigation measures, and residual impacts (the impact after application of mitigation, if required). Impacts are evaluated against various thresholds of significance and are categorized as follows:

- **Significant and Unavoidable.** An impact that cannot be reduced to below the threshold level of significance despite the implementation of reasonably available and feasible mitigation measures. Pursuant to Section 15093 of the *CEQA Guidelines* (California Code of Regulations, Title 14), such an impact requires a Statement of Overriding Considerations to be issued if the project is approved.
- **Less than Significant with Mitigation Incorporated.** An impact that can be reduced to below the threshold level of significance with implementation of reasonably available and feasible mitigation measures. Pursuant to Section 15091 of the *CEQA Guidelines*, such an impact requires findings if the project is approved.

- **Less than Significant.** An impact that may be adverse, but that does not exceed the threshold level of significance and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.
- **No Impact:** The proposed project would have no adverse effect on environmental conditions or would reduce existing environmental problems or hazards.

Table ES-2 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure (s)	Residual Impact
Aesthetics and Visual Resources		
Impact AES-1. The project would not have a substantial adverse effect on a scenic vista. Compliance with Plan Morro Bay policies and Title 17 of the Morro Bay Municipal Code would protect scenic vistas and ensure that development under the Master Plan would not adversely affect public views. These impacts would be less than significant.	None required.	Less than significant.
Impact AES-2. The project would not result in damage to a scenic resource. The Morro Bay Power Plant building and stacks are historic resources pursuant to CEQA, but the Morro Bay Power Plant is not identified as a scenic resource in the San Luis Obispo North Coast Scenic Byway Corridor Plan, which regulates preservation of the scenic quality of SR 1. Compliance with Plan Morro Bay policies and Title 17 of the Morro Bay Municipal Code would ensure that development under the Master Plan would not result in damage to scenic resources. This impact would be less than significant.	None required.	Less than significant.
Impact AES-3. Demolition of the Morro Bay Power Plant building and stacks and development of the BESS Facility would alter, but not degrade, the visual character of public views of the Power Plant Property. Compliance with existing standards and Plan Morro Bay goals and policies would ensure that redevelopment or new development under the Master Plan complements the existing visual character and quality of Morro Bay. Therefore, the project would have less than significant impacts on visual character and quality.	None required.	Less than significant.
Impact AES-4. Demolition of the Morro Bay Power Plant building and stacks, construction and decommissioning of the BESS, and the Master Plan would not create a new source of substantial light or glare. Operation of the Proposed BESS Facility would result in new sources of light and glare; however, operational levels of light and glare would be minor, similar to existing conditions, and all lighting associated with the project and future development under the Master Plan would be shielded and directed downward in accordance with the goals and policies in Plan Morro Bay and the Morro Bay Municipal Code. This impact would be less than significant.	None required.	Less than significant.
Air Quality		
Impact AQ-1. The project would be consistent with existing rules and measures contained in the SLOAPCD 2001 Clean Air Plan. Through regulatory compliance, this impact would be less than significant.	None required.	Less than significant.
Impact AQ-2. Construction and future decommissioning of the BESS Facility and demolition of the Morro Bay Power Plant building and stacks have the potential to generate criteria air pollutant emissions that would exceed SLOAPCD’s Tier 1 and Tier 2 thresholds. Implementation of Mitigation Measures AQ-1(a) and AQ-1(b) would reduce ROG, NO _x , and DPM emissions below the applicable SLOAPCD criteria air pollutant emissions thresholds. As a result, this impact would be less than significant with mitigation incorporated.	<p>AQ-1(a): SLOAPCD Standard Mitigation Measures for Construction Equipment. The project shall implement the SLOAPCD’s “Standard Mitigation Measures for Construction Equipment.” These standard measures include:</p> <ul style="list-style-type: none"> ▪ Maintain all construction equipment in proper tune according to manufacturer’s specifications; ▪ Fuel all off-road and portable diesel powered equipment with CARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road); ▪ Use diesel construction equipment that complies with the State off-Road Regulation; ▪ Use on-road heavy-duty trucks that meet the ARB’s 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation; ▪ Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOX exempt area fleets) may be eligible by proving alternative compliance; ▪ All on and off-road diesel equipment shall not idle for more than 3 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the City’s 3 minute idling limit; ▪ Diesel idling within 1,000 feet of sensitive receptors is not permitted; ▪ Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors; ▪ Electrify equipment when feasible; ▪ Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and, ▪ Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel. <p>AQ-1(b): SLOAPCD Standard Mitigation Measures for Construction Equipment. Mobile off-road construction equipment (wheeled or tracked) greater than 50 hp used during construction of the project shall meet at least the U.S. EPA Tier 4 final standards. In the event of specialized equipment use where Tier 4 equipment is not commercially available at the time of construction, the equipment shall, at a minimum, meet the Tier 3 standards. Zero-emissions construction equipment may be incorporated in lieu of Tier 4 final equipment. The Project Applicant shall ensure these requirements are incorporated into applicable bid documents, purchase orders, and contracts. Contractors shall confirm the ability to supply the compliant construction</p>	Less than significant.

Impact	Mitigation Measure (s)	Residual Impact
	equipment prior to initiation of any ground-disturbing and construction activities. A copy of each equipment’s certified tier specification or model year specification shall be available upon request at the time of mobilization of each piece of equipment	
<p>Impact AQ-3. Construction activities including demolition, site preparation, grading, building construction, paving, and architectural coating have the potential to expose sensitive receptors to substantial criteria air pollutant concentrations. Implementation of Mitigation Measures AQ-1(a) and AQ-1(b) would reduce DPM and TAC emissions below applicable screening thresholds for associated health risks. Therefore, this impact would be less than significant with mitigation incorporated.</p>	<p>Mitigation Measures AQ-1(a) and AQ-1(b) included under Impact AQ-2 would be required.</p>	<p>Less than significant.</p>
<p>Impact AQ-4. The project would not result in other emissions, such as odors or naturally occurring asbestos, that would adversely affect a substantial number of people. Impacts would be less than significant.</p>	<p>None required.</p>	<p>Less than significant.</p>
<p>Biological Resources</p>		
<p>Impact BIO-1. Construction and future decommissioning of the BESS Facility and demolition of the Morro Bay Power Plant building and stacks have the potential to result in temporary and permanent impacts to special-status plant and wildlife species. Implementation of required mitigation would reduce this impact to a less than significant level.</p>	<p>BIO-1(a): Worker Environmental Awareness Program. Prior to initiation of construction activities (including staging and mobilization), all personnel associated with project construction shall attend a Worker Environmental Awareness Program (WEAP) training, conducted by a qualified biologist, to aid workers in recognizing special-status species (e.g., California red-legged frog, Blochman’s leafy daisy), nesting birds, and other sensitive biological resources that may occur within the Project Site. The specifics of this program will include identification of special-status species with potential to occur, a description of their regulatory status and habitat requirements, general ecological characteristics of any other sensitive resources, and a review of the limits of construction and measures required to avoid and/or reduce impacts to biological resources within the Project Site. A fact sheet conveying this information will also be prepared for distribution to all contractors, their employers, and other personnel involved with construction. All employees shall sign a form provided by the biologist indicating they have attended the WEAP training and understand the information presented to them. The construction foreman will be responsible to ensure crew members are aware of project boundaries and adhere to the mitigation measures designed to avoid or minimize effects to listed species, nesting birds, and other special-status species and sensitive biological resources.</p> <p>BIO-1(b): Construction General Best Management Practices. The Project Applicant and developer shall ensure implementation of the following general best management practices (BMPs) during vegetation removal, ground disturbing activities, and construction of the BESS Facility. Prior to issuance of grading and building permits, applicable best management practices shall be included on all land use, grading, and building plans.</p> <ol style="list-style-type: none"> 1. Prior to the initiation of construction activities, high-visibility orange construction fencing shall be installed along the limits of the project disturbance area to ensure avoidance of sensitive resources to the maximum extent feasible. A qualified biologist will facilitate installation of the avoidance fencing and will conduct periodic site visits to ensure that the fencing remains intact for the duration of project activities. 2. Access routes, staging, and construction areas shall be limited to the minimum area necessary to achieve the project goal and minimize impacts to biological resources. 3. Exterior lighting during any nighttime construction activities shall consist of motion sensor lighting that is shielded to prevent light pollution in adjacent wildlife habitat and ESHAs. 4. All food waste and other construction-related trash shall be contained in secured waste bins and regularly removed from the Project Site. <p>BIO-1(c): Pre-Construction Survey for Special-Status Wildlife Species. A qualified biologist approved by the City shall conduct a pre-construction survey of the Project Site and adjacent habitat no more than two weeks prior to the start of project activities. The biologist will document the presence or absence of any special-status wildlife species with potential to occur within the Project Site and/or within 50 feet of the Project Site. If special-status species are observed onsite during the pre-construction surveys, they will be allowed time to leave or be relocated prior to the initiation of construction activities. Special-status wildlife will not be handled without prior permission from the necessary regulatory agencies, if applicable. If obscure bumblebee and/or Morro Bay blue butterfly is/are detected onsite, suitable habitat (e.g., Silver Dune Lupine Scrub) impacted will be mitigated through development and implementation of a Habitat Mitigation and Monitoring Plan (HMMP), as described in Mitigation Measure BIO-1(j) which includes the required content of an HMMP. Species-specific survey requirements are addressed in BIO-1(e) through BIO-1(i) and may be superseded or added to by resource agency permits and/or incidental take authorizations.</p> <p>BIO-1(d): Biological Monitoring. A qualified biologist approved by the City shall be onsite during all vegetation removal, initial ground disturbing activities, and/or during any construction activities that may impact sensitive biological resources. The biologist will be responsible for ensuring project compliance with biologically related measures and permit conditions, relocating wildlife species out of the impact area, and surveying and documenting wildlife species occurring onsite or in the immediate vicinity. The biologist will have the authority to temporarily halt or redirect work to avoid potential impacts to special-status species or other protected biological resources. Special-status wildlife will not be handled without prior permission from the necessary regulatory agencies. Species-specific monitoring requirements are addressed in BIO-1(e) through BIO-1(i) and may be superseded or added to by resource agency permits and/or incidental take authorizations.</p> <p>BIO-1(e): Avoidance, Minimization, and/or Mitigation Measures for the California Red-legged Frog. The Project Applicant and developer shall ensure implementation of the following measures prior to and during vegetation removal, ground disturbing activities, and construction of the BESS Facility:</p>	<p>Less than significant.</p>

Impact	Mitigation Measure (s)	Residual Impact
	<ul style="list-style-type: none"> a. Only USFWS-approved biologists shall participate in activities associated with the capture, handling, and other actions resulting in a “take” of California red-legged frog (CRLF). “Take” authorization would be applied for through Section 7 or Section 10 of the FESA. b. A City-approved biologist shall survey the Project Site no more than 48 hours before the onset of work activities. If any life stage of the CRLF is found and these individuals are likely to be killed or injured by work activities, the approved biologist will be allowed sufficient time to move them from the work site before work begins. The City-approved biologist will relocate the CRLF individuals the shortest distance possible to a location that contains suitable habitat and that will not be affected by activities associated with project development. The relocation site shall be in the same drainage and will be determined and approved by the USFWS prior to the capture of any CRLFs. c. As described in BIO-1(c), a City-approved biologist shall be present at the work site until all known CRLFs have been relocated (if relocation is authorized by the USFWS) and disturbance of habitat has been completed. After this time, the City-approved biologist shall designate a monitor to document on-site compliance with all measures. The City-approved biologist will ensure that the monitor receives appropriate training in the identification of CRLFs. d. Work activities shall be scheduled for times of the year when impacts to the CRLF would be minimal, to the extent feasible. For example, work that would affect dispersal habitat shall be minimized during the breeding season (November through May). e. Unless approved by the USFWS, water shall not be impounded in a manner that may attract CRLFs. f. Herbicides should not be used as the primary method used to control invasive, exotic plants. If it is determined that the use of herbicides is the only feasible method for controlling invasive plants at the Project Site, herbicides shall be applied in accordance with USFWS-approved methods. 	
	<p>BIO-1(f): Avoidance, Minimization, and/or Mitigation Measures for Special-Status Reptiles. The Project Applicant and developer shall ensure implementation of the following measures prior to and during vegetation removal, ground disturbing activities, and construction of the BESS Facility:</p> <ul style="list-style-type: none"> a. As described in BIO-1(c), prior to the onset of construction activities, a qualified biologist shall conduct focused surveys for the legless lizard and coast horned lizard within all potentially suitable habitat onsite. Cover boards will be placed within suitable habitat for such species thirty days in advance of the start of construction and shall be checked one week prior to the start of construction. If no legless lizards or coast horned lizards are observed, no further efforts are required. b. If legless lizards and/or coast horned lizards are observed onsite, the qualified biologist shall map their locations using a GPS unit with sub-meter accuracy. A technical report (or memorandum) shall be prepared and submitted to the City that documents the survey results prior to the onset of construction activities. Mapped locations of special-status reptile species shall be integrated into the WEAP training (refer to Mitigation Measure BIO-1[a]). c. If it is determined that complete avoidance of an identified legless lizard and/or coast horned lizard individual(s) is not feasible, then a qualified biologist shall carefully rake or use an equivalent method to scarify the ground surface within suitable habitat to encourage the reptiles to vacate the area prior to construction initiation. At this time, the qualified biologist may also capture and relocate lizards to suitable habitat outside the works areas. This shall occur at least 48 hours prior to the construction activities and shall be repeated if construction is halted for more than 48 hours. Alternatively, or in conjunction with the aforementioned ground-scarifying and capture/relocation efforts, the qualified biologist shall facilitate the installation of drift/silt fencing around the occupied habitat, before construction begins, to exclude the reptiles from entering the work areas. d. A qualified biologist will be present to monitor during all vegetation clearing activities and scarifying the ground surface and shall capture and relocate any legless lizards and/or coast horned lizards to suitable habitat outside the work areas. 	
	<p>BIO-1(g): Avoidance, Minimization, and/or Mitigation Measures for Special-Status Birds and Other Nesting Birds. The Project Applicant and developer shall ensure implementation of the following avoidance and minimization measures prior to and during vegetation removal, ground disturbing activities, and construction of the BESS Facility:</p> <ul style="list-style-type: none"> a. Above-ground electrical transmission lines shall be designed using industry best practices to minimize bird electrocution hazards. These may include, but are not limited to, adequate phase-to-phase or phase-to-ground separation and/or appropriate insulation of components. Where insulation is not feasible near perching locations, bird deterrent materials may be used as an alternative. b. If at any time during project operations special-status bird species are observed within the work area, work shall be stopped and/or redirected to an area that would not pose a danger to the bird(s). Special-status birds will be monitored and upon its/their flight out of the work area, work activities may resume. c. If ground-disturbing and/or noise-producing activities occur within nesting bird season (i.e., February 1 through August 31), the following conditions shall be implemented to protect all nesting birds during project activities: <ul style="list-style-type: none"> 1. A pre-construction nesting bird survey shall be conducted by a qualified avian biologist no more than 14 days prior to initiation of project activities. The survey shall be conducted within the Project Site and include a 100-foot buffer for passerines and a 500-foot buffer for raptors. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in the region and shall focus on trees, vegetated areas, and other potential nesting habitat within the vicinity of the Project Site. If active nests are found, an appropriate avoidance buffer (typically 100 feet for passerine species and 500 feet for raptors) will be determined and demarcated by the biologist with high visibility material located within or adjacent to the Project Site. The nest buffer may be reduced based on the species, activities that occurred 	

Impact	Mitigation Measure (s)	Residual Impact
	<p>prior to and/or during nest building, ambient conditions (e.g., existing elevated noise due to proximity to a roadway/highway), and the biologist's professional opinion and City's concurrence.</p> <p>2. All project personnel shall be notified as to the existence of the exclusionary buffer zone and no project activities shall occur within the buffer until the avian biologist has confirmed that breeding/nesting is complete, and the young have fledged the nest. This buffer may be reduced as described above. The nest shall be monitored by the qualified avian biologist and if the monitoring biologist observes signs of distress, then they shall stop construction work within the buffer and coordinate with the City and/or one or more regulatory agencies (i.e., CDFW and USFWS) to establish additional protection measures to ensure avoidance of nest abandonment prior to the re-start of project activities within the exclusionary buffer.</p>	
	<p>BIO-1(h): Avoidance, Minimization, and/or Mitigation Measures for Pallid Bat, Townsend's Big-Eared Bat, and Big Free-tailed Bat. The Project Applicant and developer shall ensure implementation of the following avoidance and minimization measures prior to and during vegetation removal, ground disturbing activities, and construction of the BESS Facility, to avoid potential impacts to pallid bat, Townsend's big-eared bat, and big free-tailed bat:</p> <ol style="list-style-type: none"> An acoustic survey shall be conducted by a qualified biologist to identify bat species prior to the maternity roosting season (approximately mid-May to August) of the year that demolition of existing structures is scheduled, or the year prior if demolition is planned to occur before mid-May. The survey shall occur over at least three nights to determine presence/absence of bats within the structures. If bats are not detected, buildings and the stacks shall be sealed off to prevent entry of bats (exclusion materials may consist of wood, plastic, or other suitable exclusion devices). If bats are detected, the buildings and the stacks shall be partially sealed off until bats leave the structures to forage, during which time the remaining openings will be sealed off with one-way door systems installed to allow bats to leave the structures but to prevent re-entry. This procedure would only be done during the non-maternity roosting season, which is typically from September 1 to February 15. Demolition of the existing structures would not occur until a qualified biologist has determined that roosting bats are no longer present. If bats are using the Project Site as a maternity location, a qualified biologist will monitor the colony and provide a written report to the City that concludes the bats are no longer rearing young and recommends that demolition activities may commence. In this instance, demolition activities cannot occur without written approval from the City and CDFW. 	
	<p>BIO-1(i): Avoidance, Minimization, and/or Mitigation Measures for Blochman's Leafy Daisy and/or Other Special-Status Plants. The Project Applicant and developer shall ensure implementation of the following avoidance and minimization measures prior to and during vegetation removal, ground disturbing activities, and construction of the BESS Facility, to avoid potential impacts to Blochman's leafy daisy and/or other special-status plants (i.e., sticky sand verbena, Miles' milk vetch, Kellogg's horkelia, and dune ragwort).</p> <ol style="list-style-type: none"> Prior to initiation of construction activities (any vegetation removal, grubbing, or grading), a pre-construction botanical survey shall be conducted within the Silver Dune Lupine Scrub and Mixed Dune habitats onsite. This survey shall be conducted within the appropriate bloom period for Blochman's leafy daisy and the other potentially occurring special-status plants, typically June through October. The botanical survey shall be conducted by a qualified botanist. The purpose of the survey will be to document the location(s), aerial extent(s), and number(s) of individuals for Blochman's leafy daisy and other special-status plant occurrence(s) within the construction footprint. All individuals identified onsite shall be mapped using a GPS unit with sub-meter accuracy. If Blochman's leafy daisy and/or any other special-status plant species is(are) observed during the botanical survey described above, the Project Applicant shall reconfigure and redesign the development footprint to avoid impacts to special-status plants to the maximum extent feasible. Avoidance shall be accomplished by installation of high visibility fencing around areas that are occupied by Blochman's leafy daisy and/or other special-status plant species. A qualified botanist shall oversee, direct, and generally facilitate fence installation and will monitor the fencing periodically to ensure that it remains intact and is effective for the intended avoidance throughout the duration of construction activities within this location. After construction within this area is complete, the fencing may be removed by construction personnel under the supervision of the qualified botanist. If avoidance of Blochman's leafy daisy and/or any other special-status plant species is not feasible, seed shall be collected from each individual Blochman's leafy daisy and/or any other special-status plant species observed within the project footprint by a qualified botanist. Seed collection shall be conducted prior to initial grading, when seed is ripe, typically at the end and/or after the typical blooming season (e.g., August through November for Blochman's leafy daisy). In addition, individual plants may be salvaged and transplanted to containers, if feasible. The seed and/or salvaged plants would be used for future habitat restoration as mitigation for removal of Blochman's leafy daisy and/or any other special-status plant species. The HMMP prepared for the project (required in Mitigation Measure BIO-1[k]) shall include details on the seed salvage, transplantation, and habitat restoration that shall be implemented as compensatory mitigation for any impacts to Blochman's leafy daisy and/or any other special-status plant species. 	

Impact	Mitigation Measure (s)	Residual Impact
	<p>BIO-1(j): Habitat Mitigation and Monitoring Plan. The Project Applicant shall prepare a Habitat Mitigation and Monitoring Plan (HMMP) for any ESHAs, sensitive plant communities and/or sensitive plant species permanently impacted by the project. The HMMP shall be prepared by a qualified biologist/restoration ecologist and approved by the City prior to the initiation of any ground disturbing activities. At a minimum, the HMMP shall include the following:</p> <ul style="list-style-type: none"> ▪ A description of the ESHAs, sensitive plant communities and/or sensitive plant species permanently impacted by the project. ▪ An acreage calculation of all ESHAs, sensitive plant communities and/or sensitive plant species that will be permanently impacted by the project, as determined through the surveys called for in Mitigation Measure BIO-1(c) and Mitigation Measure BIO-1(i), as well as Mitigation Measure BIO-2. ▪ A plant palette and methods of salvaging, propagating, seeding, and/or planting any sensitive plant species (e.g., Blochman’s leafy daisy) or sensitive plant communities (e.g., silver dune lupine scrub) permanently impacted by the project. ▪ Compensatory replanting for the removal of all native trees that are 6 inches or greater at 54 inches above grade, as per City and LCP requirements. The trees shall be irrigated for a period of three years, or until deemed self-sufficient by a qualified biological monitor. ▪ The locations for onsite or offsite mitigation (mitigation areas) for all permanent impacts to ESHAs, sensitive plant communities and/or sensitive plant species. Onsite mitigation through enhancement, restoration, and/or creation of suitable habitat on the Project Site or other areas of the Power Plant Property is preferred. The City may also approve off-site mitigation at a location in the same watershed that meets applicable City policy requirements and resource agency permitting requirements. Mitigation for permanent impacts shall be at a minimum ratio of 3:1 (area enhanced, restored, and/or created: area/individuals permanently impacted). ▪ Measures to avoid inadvertent impacts to sensitive plant or wildlife species in connection with establishing and maintaining onsite or offsite mitigation. ▪ A description of the activities necessary to ensure the establishment, long-term success and maintenance of any onsite or offsite mitigation areas. Such necessary activities may include weed abatement, propagating and planting, soil preparation, erosion control, and periodic monitoring. ▪ A schedule for periodic maintenance and monitoring activities. <p>Contingency and adaptive management measures to address unforeseen changes in conditions on the Project Site and/or mitigation areas.</p>	
<p>Impact BIO-2. Project construction, demolition, and future decommissioning activities have the potential to result in direct and indirect impacts to riparian habitats and sensitive natural communities. implementation of required mitigation would reduce this impact to a less than significant level.</p>	<p>Implement Mitigation Measures BIO-1(a), BIO-1(b), BIO-1(d), and BIO-1(j).</p> <p>BIO-2: Avoidance, Minimization, and Mitigation Measures for Sensitive Natural Communities and Environmentally Sensitive Habitat Areas. The Project Applicant and developer shall ensure implementation of the following avoidance and minimization measures prior to and during vegetation removal, ground disturbing activities, and construction of the BESS Facility:</p> <ol style="list-style-type: none"> a. All development in and impacts to sensitive plant communities and/or ESHAs shall be avoided to the maximum extent feasible. b. Prior to the start of project construction, all sensitive plant community and/or ESHA boundaries that are not separated from work/staging areas or access routes by the existing permanent fencing shall be clearly delineated with orange construction fencing or other high visibility materials. c. The use of heavy equipment and vehicles shall be limited to the Project Site limits, existing roadways, and defined staging areas/access points with the exception of construction activities in support of the multi-use path along the Embarcadero. No unauthorized personnel or equipment shall be allowed within delineated sensitive plant communities and/or ESHAs. d. Drainage plans shall be designed to prevent runoff into adjacent sensitive plant community and/or ESHA. e. The following BMPs shall be implemented throughout the construction phase of the project to curtail the spread of invasive plant species: <ul style="list-style-type: none"> ▪ No fill shall be imported and soils currently existing on-site shall be used for fill material. If the use of imported fill material is necessary, the imported material must be obtained from a source that is known to be free of invasive plant species; or the material must consist of purchased clean material such as crushed aggregate, sorted rock, or other similar substances. ▪ Any removed topsoil shall be stockpiled and redeposited onsite or transported to a certified landfill for disposal. ▪ All erosion control materials including straw bales, straw wattles, or mulch used on-site shall be free of invasive species seed to the maximum extent practicable. ▪ Exotic and invasive plant species shall be excluded from any erosion control seed mixes and/or landscaping plant palettes associated with the project. f. The use of heavy equipment to construct the pathway under the Rookery ESHA shall be minimized to the greatest extent feasible and shall be scheduled to avoid the nesting bird season, typically February 1 through August 31. g. The HMMP prepared for the project (required in Mitigation Measure BIO-1[k]) will include compensatory mitigation for any impacts to Silver Dune Lupine Scrub and ESHAs. 	<p>Less than significant.</p>

Impact	Mitigation Measure (s)	Residual Impact
<p>Impact BIO-3. The Project Site does not contain wetlands but is adjacent to freshwater wetlands and estuarine wetlands of Morro Bay. Project construction, demolition, and future decommissioning activities could potentially indirectly impact wetlands. However, with implementation of a SWPPP in compliance with the NPDES Construction General Permit, potential impacts to wetlands would be less than significant.</p>	<p>Implement Mitigation Measures BIO-1(b), BIO-1(d), and BIO-2.</p>	<p>Less than significant.</p>
<p>Impact BIO-4. Several species may use the Project Site during movement or migration throughout the region. This impact would be less than significant with mitigation incorporated.</p>	<p>Implement Mitigation Measures BIO-1(b) through BIO-1(h) and BIO-2.</p>	<p>Less than significant.</p>
<p>Impact BIO-5. The project would potentially conflict with Plan Morro Bay and the Morro Bay Municipal Code. However, implementation of required mitigation to minimize potential impacts on biological resources would ensure the project would not conflict with local policies or ordinances protecting biological resources. This impact would be less than significant with mitigation incorporated.</p>	<p>Implement Mitigation Measures BIO-1(a) through BIO-1(j) and BIO-2.</p>	<p>Less than significant.</p>
<p>Cultural Resources and Tribal Cultural Resources</p>		
<p>Impact CUL-1. The project would result in the demolition of buildings and structures that contribute to the Morro Bay Power Plant’s eligibility for the National Register of Historic Places and California Register of Historical Resources. As a result, the project would result in a significant and unavoidable impact to historical resources.</p>	<p>CUL-1(a): Building Recordation. Impacts resulting from the proposed demolition of the Morro Bay Power Plant’s building and boiler stacks shall be minimized through archival documentation of the as-built and as-found condition. Prior to issuance of demolition permits, the lead agency shall ensure that the existing Historic American Engineering Record (HAER) be updated and shall document the buildings and structures proposed for demolition. The Level-III documentation shall be completed to National Park Service (NPS) Heritage Documentation Program-like standards and include high resolution digital photographic recordation, an outline format historical report, and compilation of historic research. The documentation shall be completed by a qualified architectural historian or historian who meets the Secretary of the Interior’s Professional Qualification Standards for History and/or Architectural History. The documentation shall be offered as donated material by the lead agency to repositories, such as the Historical Society of Morro Bay and the San Luis Obispo County Historical Society, that will make it available for current and future generations. Receiving repositories may specify preferred format, including digital copies, to accommodate their capacity and/or needs. Original archival quality copies of the documentation also shall be submitted to the City of Morro Bay and the Morro Bay Public Library, where it would be available to local researchers. Completion of this mitigation measure shall be monitored and enforced by the City of Morro Bay or designee.</p> <p>CUL-1(b): Interpretative Display. Impacts resulting from the demolition of the Morro Bay Power Plant shall be minimized through the installation of a high-quality, on-site interpretive display in a publicly accessible location within the Power Plant Property at the Project Applicant’s expense to be installed within one year of the removal of the structures proposed for demolition as part of the project. The display shall focus on the Power Plant’s history, particularly its engineering features. The content for the interpretive display shall be prepared by a historian, and the interpretive display shall be designed by a professional exhibit designer. Historic information contained in the Historical Resource Evaluation can serve as the basis for the interpretive display. The goal of the interpretive display will be to educate the public about the Power Plant’s historic themes and associations within broader cultural contexts. The content of the display shall be approved by the City of Morro Bay or designee.</p>	<p>Significant and unavoidable.</p>
<p>Impact CUL-2. The project would involve ground disturbance and construction activities that could impact buried archaeological resources. This impact would be less than significant with mitigation incorporated.</p>	<p>CUL-2(a): Cultural Resource Avoidance. To minimize potential impacts to buried cultural deposits, the Master Plan shall specify that new development on the Morro Bay Power Plant Property shall be designed and engineered to minimize disturbance below the uppermost five feet of soil at the Project Site. This recommendation is consistent with Policy C-2.3 of Plan Morro Bay’s Conservation Element.</p> <p>CUL-2(b): Construction Monitoring Treatment Plan. A Construction Monitoring Treatment Plan shall be developed and implemented to ensure that any new discoveries of archaeological materials are adequately recorded, evaluated, and if significant, mitigated. The Construction Monitoring Treatment Plan shall provide the following:</p> <ul style="list-style-type: none"> h. All ground disturbances shall be monitored by a qualified archaeologist and Native American observer. i. Procedures for notifying the City and other involved or interested parties in case of a new discovery. The qualified archaeologist and/or Native American observer shall have the authority to temporarily halt or redirect construction in the vicinity of any potentially significant discovery to allow for adequate recordation and evaluation. j. Preparation and approval of a plan that identifies procedures that shall be used to promptly record, evaluate, and mitigate unanticipated discoveries of archaeological materials during ground disturbing construction activities with a minimum of delay. Procedures may include, but would not be limited to, a temporary work stoppage within the vicinity of the unanticipated discovery and a Phase II Archaeological Investigation to assess the California Register of Historical Resources eligibility of the unanticipated discovery, if warranted. k. Procedures that shall be followed in case of discovery of human remains. In the event that isolated human remains are encountered, consultation with the most likely Native American descendant, pursuant to Public Resources Code Section 5097.97 and 5097.98, shall apply. l. Results of the monitoring program shall be documented in a technical report after completion of all ground disturbances. <p>CUL-2(c): Worker’s Environmental Awareness Program. A qualified archaeologist shall be retained to conduct Worker Environmental Awareness Program training on archaeological sensitivity for all construction personnel prior to the commencement of any ground-disturbing activities. The training shall be conducted by an archaeologist who meets or exceeds the Secretary of Interior’s Professional Qualification Standards for archaeology (NPS 1983) and a Native American representative. Archaeological sensitivity training shall include a description of the types of cultural material that</p>	<p>Less than significant.</p>

Exhibit A

Impact	Mitigation Measure (s)	Residual Impact
	<p>may be encountered, cultural sensitivity issues, regulatory issues, and the proper protocol for treatment of the materials in the event of a find of archaeological materials.</p> <p>CUL-2(d): Cultural Resource Monitoring. All construction-related ground disturbance, including clearing/grubbing, shall be monitored by a qualified archaeologist and a Native American representative, consistent with the Construction Monitoring Treatment Plan prepared under Mitigation Measure CUL-2(b). Depending on the type of work, multiple teams of monitors may be necessary to observe construction activities occurring in separate areas. Although sterile deposits were encountered up to 10 feet below surface, monitoring below 5 feet is required due to the variation in fill cover and the unpredictable nature of the depth of sterile soils in the areas. In the event of an unanticipated discovery of archaeological materials during ground disturbing construction activities, the Construction Monitoring Treatment Plan may require the implementation of procedures including, but not limited to, a temporary work stoppage in the vicinity of the unanticipated discovery and a Phase II Archaeological Investigation.</p> <p>CUL-2(e): Phase III Data Recovery Excavations. In the event that prehistoric materials associated with CA-SLO-2124 or CA-SLO-16 are encountered during construction-related ground disturbances, a Phase II Archaeological Testing and Evaluation would be required. If the materials are determined to be significant and avoidance is not possible, a Phase III Data Recovery Excavation would be required. The Phase III Data Recovery Excavation will collect and analyze data from cultural resource deposits and loci, to preserve important information that will be lost during construction activities.</p> <p>The Phase II Archaeological Testing and Evaluation and Phase III Data Recovery Excavations shall be directed by a qualified archaeologist, and the Phase III Data Recovery Excavations shall be carried out in accordance with a research design and testing plan prepared in advance by the qualified archaeologist and approved by the City of Morro Bay and consulting Native American tribes, as applicable. Data recovery investigations shall use a combination of excavation techniques such as excavation units and collection units with the number and location of each testing technique to be determined once Phase III Data Recovery Excavations commence.</p> <p>Any formed tools exposed during Phase III Data Recovery Excavations shall be collected. If archaeological features are exposed (including but not limited to hearths, storage pits, or midden deposits), each feature shall be exposed, recorded, and sampled according to standard archaeological procedures. Organic remains shall be dated using the radiocarbon method and technical analyses of plant remains, bone and shell dietary debris, and other important materials shall also be performed. A final technical report shall be prepared that describes field and laboratory methods, results of technical analysis of recovered materials, and site interpretations. Artifacts, records, and other associated materials shall be deposited with an appropriate curation facility following completion of the work; the Project Applicant shall be responsible for all curation costs.</p>	
<p>Impact CUL-3. Construction of the project would involve ground disturbing activities such as grading and surface excavation, which have the potential to unearthen or adversely impact previously unidentified human remains. This impact would be less than significant.</p>	<p>None required.</p>	<p>Less than significant.</p>
<p>Impact CUL-4. Project construction activities have the potential to disturb buried tribal cultural resources. This impact would be less than significant with mitigation incorporated.</p>	<p>Implementation of Mitigation Measures CUL-2(a) through CUL-2(e), listed above under Impact CUL-2, would be required.</p>	<p>Less than significant.</p>
<p>Geology and Soils</p>		
<p>Impact GEO-1. The Project Site is in an area with the potential for ground shaking, which can cause liquefaction, settlement, lateral spreading, subsidence, and/or collapse in areas with loose sand or silt where groundwater is shallow. With implementation of mitigation requiring the Project Applicant to implement project-specific design recommendations to treat the Project Site in such a manner as to address seismically induced geologic hazards, this impact would be reduced to a less than significant level.</p>	<p>GEO-1: Geotechnical Assessments. Future development proposals on the Power Plant Property, including the BESS Facility, shall require a project-specific geotechnical assessment to be prepared by a qualified engineer prior to issuance of grading permits. Geotechnical assessments shall include onsite sampling of existing soil to ascertain current conditions and characterize the potential for risks associated with liquefaction (such as lateral spreading, sand boils, etc.) and implications for future building foundation elements (including drilled piles). The analysis of the onsite potential for liquefaction, settlement, lateral spreading, and the presence of expansive soils, will be based on laboratory results generated in accordance with current procedures and applicable State and local construction, engineering, and geotechnical building standards at the time the assessment is prepared. Project design and construction shall incorporate all recommendations of the project-specific geotechnical assessment by a California-licensed geotechnical engineer. The design shall be prepared by a California-licensed engineer, and shall comply with current State and Local Building Codes and Department of Transportation design standards. The design of all building foundations, subgrades, and transportation infrastructure shall be such that they can withstand existing conditions, or the site shall be treated in such a manner as to address the conditions.</p> <p>Suitable measures to reduce impacts include, but are not limited to, the following:</p> <ul style="list-style-type: none"> ▪ Specialized design of foundations by a structural engineer ▪ Removal or treatment of liquefiable soils ▪ In-situ densification of soils or other alterations to soil characteristics ▪ Excavation and recompaction of onsite or imported soils ▪ Treatment of existing soils with fixing agents prior to recompaction 	<p>Less than significant.</p>
<p>Impact GEO-2. The Project Site is in an area with expansive soils with the potential to shrink and swell. With implementation of mitigation requiring the Project Applicant to implement project-specific design recommendations to treat the Project Site in such a manner as to address expansive soil conditions, this impact would be reduced to a less than significant level.</p>	<p>Implement Mitigation Measure GEO-1.</p>	<p>Less than significant.</p>

Impact	Mitigation Measure (s)	Residual Impact
<p>Impact GEO-3. Construction of the BESS Facility has the potential to impact previously undiscovered paleontological resources during mass grading on the Project Site. With implementation of mitigation requiring the Project Applicant to establish a protocol to follow if a paleontological resource is encountered during project construction, this impact would be reduced to a less than significant level.</p>	<p>GEO-2: Paleontological Worker Environmental Awareness Program. Future development proposals on the Power Plant Property, including the BESS Facility, shall require a paleontological Worker Environmental Awareness Program (WEAP). Prior to the start of construction, a Qualified Professional Paleontologist (as defined by the Society for Vertebrate Paleontology Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources [SVP 2010]) or their designee shall conduct a paleontological WEAP training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff.</p> <p>GEO-3: Unanticipated Discovery of Paleontological Resources. In the event a fossil is discovered during construction of a project on the Power Plant Property, excavations within 50 feet of the find shall be temporarily halted or delayed until the discovery is examined by a Qualified Professional Paleontologist. The Project Applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the find is determined to be significant, the applicant shall retain a Qualified Professional Paleontologist to direct all mitigation measures related to paleontological resources. The Qualified Professional Paleontologist shall design and carry out a data recovery plan consistent with the SVP (2010) standards.</p>	<p>Less than significant.</p>
<p>Greenhouse Gas Emissions</p>		
<p>Impact GHG-1. Demolition of the Morro Bay Power Plant Building, and construction, operation, and decommissioning of the BESS Facility would not generate GHG emissions that exceed applicable GHG thresholds. This impact would be less than significant.</p>	<p>None required.</p>	<p>Less than significant.</p>
<p>Impact GHG-2. The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. This impact would be less than significant.</p>	<p>None required.</p>	<p>Less than significant.</p>
<p>Hazards and Hazardous Materials</p>		
<p>Impact HAZ-1. Construction and Operation of the BESS Facility, demolition of the Morro Bay Power Plant building and stacks, and future land uses developed under the Master Plan would include routine transport, use, storage, and disposal of hazardous materials. Compliance with applicable federal, State, and local laws, regulations, standards, and guidelines related to the handling, Transport, disposal, and storage of hazardous materials would minimize the risk of public exposure to these substances and reduce the risk of significant hazards to the public or the environment from hazardous materials. This impact would be less than significant.</p>	<p>None required.</p>	<p>Less than significant.</p>
<p>Impact HAZ-2. Portions of the Project Site are known to contain soil contaminants including metals and petroleum. Project construction and operational activities could expose construction workers, future BESS Facility employees, and the environment to contaminants, resulting in potentially significant impacts. Implementation of Mitigation Measures HAZ-1 and HAZ-2, which require implementation of all remedial measures and soil management practices described in the DTSC-approved SMP, would reduce construction and operational hazardous material impacts to a less than significant level.</p>	<p>HAZ-1: DTSC Regulatory Agency Submittal and Cleanup/Remediation. Prior to commencement of construction/grading activities and/or demolition activities at the Project Site, the Project Applicant, as well as future applicants for development proposals on the Power Plant Property, shall submit the following documents to the DTSC project manager of the open Corrective Action and Cleanup Program Site cases:</p> <ul style="list-style-type: none"> ▪ Current development plan and any modifications to the development plan ▪ All environmental documents completed for the project, including the April 2023 Hazardous Materials Technical Study ▪ All future environmental documents completed for the project <p>Upon submittal of the information above, the DTSC may require actions such as: development of subsurface investigation workplans; completion of soil, soil vapor, and/or groundwater subsurface investigations; installation of soil vapor or groundwater monitoring wells; soil excavation and offsite disposal; completion of human health risk assessments; development of a new LUC for AOC 7 or an expansion of the existing AOC 1 LUC to include AOC 7; and/or completion of remediation reports or case closure documents. Subsurface soil, soil vapor, and groundwater investigations, if required, shall be conducted in accordance with a sampling plan that shall be reviewed and approved by the DTSC. Documentation of compliance with applicable DTSC requirements shall be submitted to the City and reviewed by the Project Applicant prior to issuance of grading permits.</p> <p>It should also be noted that the DTSC may determine that EHS or the RWQCB may be best suited to perform the cleanup oversight agency duties for the assessment and/or remediation of this project. Should the cleanup oversight agency be transferred from the DTSC to EHS or RWQCB, this and other mitigation measures will still apply.</p> <p>HAZ-2: Soil Management Plan and Land Use Covenant. Future project applicants under the Master Plan that propose soil or ground disturbing activities within AOC 7 shall retain a qualified environmental consultant to prepare an SMP to address potential contamination in AOC 7 that has not yet been assessed. The SMP shall address:</p> <ul style="list-style-type: none"> ▪ On-site handling and management of impacted soils or other impacted wastes (e.g., stained soil, soil, or groundwater with solvent or chemical odors) if such soils or impacted wastes are encountered, and ▪ Specific actions to reduce hazards to construction workers and offsite receptors during the construction phase. <p>The SMP shall establish remedial measures and soil management practices to ensure construction worker safety, the health of future workers and visitors, and the off-site migration of contaminants from the project alignment. These measures and practices shall include, but are not limited to:</p> <ul style="list-style-type: none"> ▪ Stockpile management including stormwater pollution prevention and the installation of BMPs ▪ Proper disposal procedures of contaminated materials 	<p>Less than significant.</p>

Impact	Mitigation Measure (s)	Residual Impact
	<ul style="list-style-type: none"> ▪ Monitoring and reporting ▪ A health and safety plan for contractors working at the site that addresses the safety and health hazards of each phase of site construction activities with the requirements and procedures for employee protection ▪ The health and safety plan will also outline proper soil handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction. <p>The DTSC shall review and approve the SMP prior to construction (grading or other ground or soil disturbing) activities at AOC 7. The City shall review and approve the SMP prior to issuance of grading permits for future projects under the Master Plan. The SMP shall be implemented during construction at AOC 7.</p>	
<p>Impact HAZ-3. Construction and demolition activities and staging areas would be limited to the Project Site and would not require roadway closures or detours that could affect emergency response and evacuation. Implementation of the proposed BESS Facility safety standards and features, as well as response features required by the MBFD, and compliance with the provisions of the Emergency Response Plan would ensure project construction, operation, and future decommissioning activities would not substantially impair an adopted emergency response or emergency evacuation plan. This impact would be less than significant.</p>	<p>None required.</p>	<p>Less than significant.</p>
<p>Impact HAZ-4. The Project Site is located in a Tsunami Hazard Area and is subject to flooding risk. However, implementation of the proposed safety standards and features, CBC structural design standards, local, State and federal regulations regarding the use, storage, and disposal of hazardous materials, and the required Tsunami Response Plan, as well as compliance with the provisions of the Emergency Response Plan, would collectively minimize the potential for the project to release pollutants due to project inundation. These impacts would be less than significant.</p>	<p>None required.</p>	<p>Less than significant.</p>
Noise		
<p>Impact NOI-1. Project construction, future decommissioning, and demolition activities would not result in a substantial temporary increase in ambient noise levels in excess of applicable noise standards. Operation of the BESS Facility would not result in a substantial permanent increase in ambient noise levels in excess of applicable noise standards. These impacts would be less than significant.</p>	<p>None required.</p>	<p>Less than significant.</p>
<p>Impact NOI-2. Construction and demolition activities would not result in the generation of excessive groundborne vibration or groundborne noise levels. This impact would be less than significant.</p>	<p>None required.</p>	<p>Less than significant.</p>
Transportation		
<p>Impact TRA-1. Operation of the BESS Facility and future land uses developed under the Master Plan would implement planned circulation improvements envisioned in the Plan Morro Bay Circulation Element. This impact would be less than significant.</p>	<p>None required.</p>	<p>Less than significant.</p>
<p>Impact TRA-2. Operation of the BESS Facility would not result in new vehicle travel that would exceed the applicable vehicle miles travelled (VMT) screening criteria. Future development under the Master Plan would continue to result in long-term VMT, consistent with the conclusions of the 2021 Final EIR for Plan Morro Bay. However, the change to the land use designation of the BESS Site from Visitor Serving Commercial to General (Light) Industrial would substantially reduce long-term increase in VMT associated with future development of the Master Plan area. As a result, this impact would be less than significant.</p>	<p>None required.</p>	<p>Less than significant.</p>