

**DOCKETED**

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<b>Project Title:</b>	Pecho Energy Storage Center
<b>TN #:</b>	240712-19
<b>Document Title:</b>	Pecho Energy Center's Application for Certification-Land Use
<b>Description:</b>	N/A
<b>Filer:</b>	Chester Hong
<b>Organization:</b>	Golder
<b>Submitter Role:</b>	Applicant Consultant
<b>Submission Date:</b>	11/23/2021 4:49:00 PM
<b>Docketed Date:</b>	11/23/2021

## 5.6 Land Use

This section discusses the environmental and regulatory setting as well as, includes an analysis of potential impacts associated with the Applicant's (Pecho LD Energy Storage, LLC) Advanced Compressed Air Energy Storage (A-CAES) facility in unincorporated San Luis Obispo County, California (CA). The estimated approximately 80-acre Pecho Energy Storage Center (PESC) will occur on an approximately 303-acre site located just over one mile east of the City of Morro Bay, CA. Herein, references to PESC equate to the location of the A-CAES facility.

The PESC will include a 400-megawatt (MW) x 8-hour energy storage facility that will provide electricity via a 3.75-mile transmission line (Preferred Route) to an existing substation located at the Pacific Gas & Electric (PG&E) Morro Bay Power Plant. Alternate Route 1 is a minor alignment modification that takes a slightly more easterly path just west of the PESC site before intersecting with the Preferred Route prior to the PG&E substation. Alternate Route 2 is a 4.1-mile interconnection transmission line that parallels an existing PG&E corridor slightly further to the north than Preferred Route. Figures 5.6-1 and 5.6-2 illustrate the project locations for the PESC site and potential transmission line routes, respectively.

The State of California requires that cities and counties adopt comprehensive, long-term general plans for physical development within their jurisdictions. The comprehensive plans include a Land Use Element (LUE) that establishes a desired pattern of appropriate land use, as well as policies and guidelines for the development of those uses. Local governments and their resource managers use local zoning ordinances, specific plans, and maps to implement a general plan's LUE.

In addition to general plans, communities within the coastal zone as defined by the California Coastal Act must implement a Local Coastal Program (LCP) that includes a Local Coastal Plan. LCPs are policy and regulatory documents required by the California Coastal Act. They establish land use, development, natural resource protection, coastal access, and public recreation policies for their jurisdiction's coastal zone. The Coastal Act defines "coastal zone" as an area, shown on a map filed with the California Secretary of State, extending three miles seaward and inland generally 1,000 yards. In areas where significant coastal estuarine habitats and recreational lands and waterbodies occur, the coastal zone extends inland to a maximum of five miles.

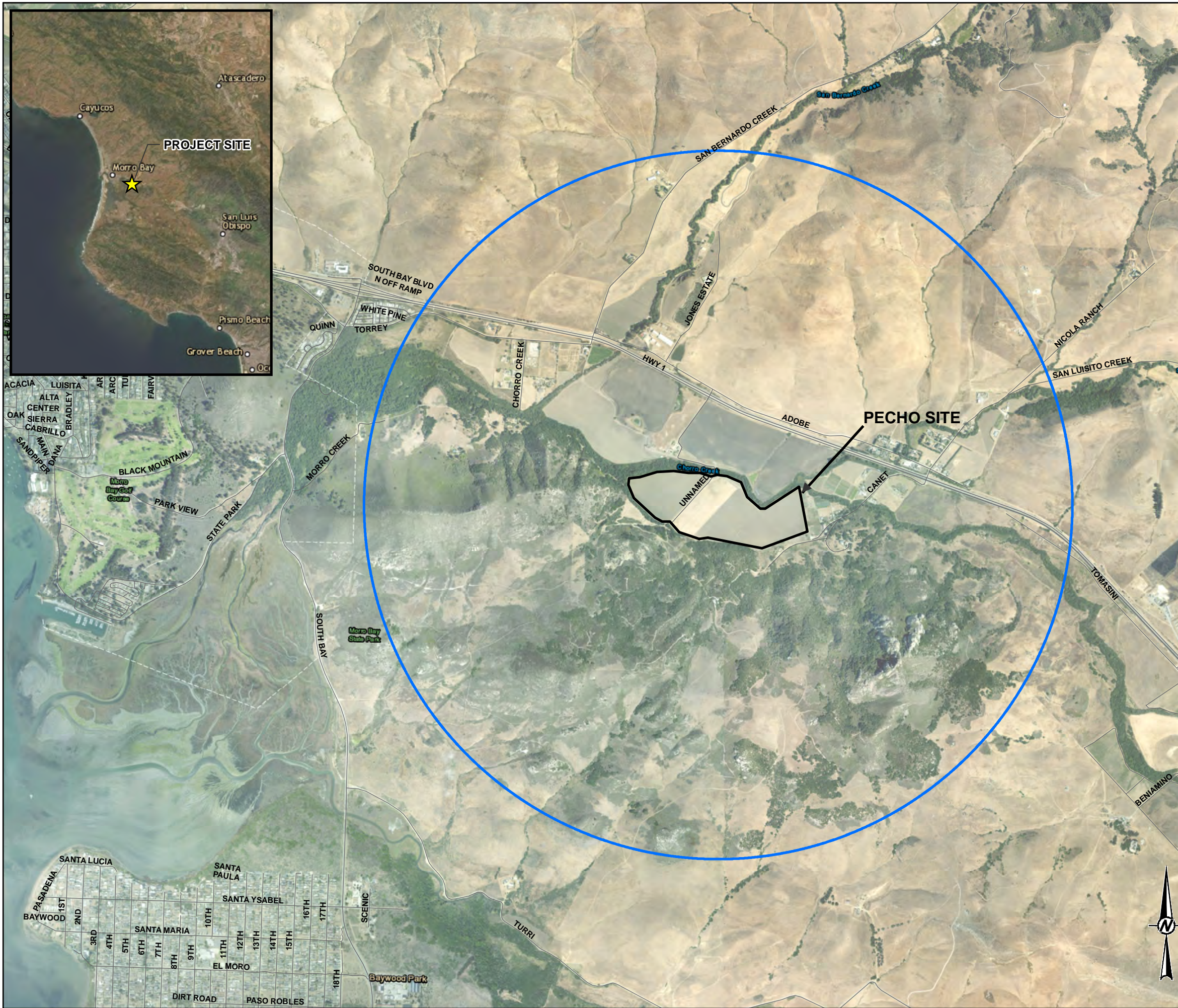
In accordance with Title 20 of the California Code of Regulations (CCR), this section defines the study area, also referred to as the affected environment, as those areas within 1 mile of the PESC as well as, areas within 0.25 miles of potential transmission line routes. This evaluation of land use within the study area includes the following elements:

Section 5.6.1 includes a discussion regarding the environment that the project may affect; Section 5.6.2 presents an environmental analysis of project development; Section 5.6.3 discusses potential cumulative effects; Section 5.6.3 presents possible mitigation measures; Section 5.6.4 presents a description of the laws, ordinances, regulations, and standards (LORS) applicable to land use and the project; Section 5.6.5 provides a list of agencies and agency contacts for land use issues applicable to the project; Section 5.6.6 includes a description of the necessary land use permits required to construct and operate the PESC and its appurtenances; and Section 5.6.7 provides a list of references used in the preparation of this land use evaluation.

### 5.6.1 Affected Environment

The San Luis Obispo County geographic region is located on the Pacific coast, approximately halfway between the metropolitan areas of Los Angeles and San Francisco. San Luis Obispo County covers approximately 3,300 square miles and borders Monterey County to the north, Kern County to the east, Santa Barbara County to the south, and 100 miles of Pacific coastline to the west.





**LEGEND**

- PECHO SITE (PESC)
- BUFFER 1 MILE
- BUFFER 0.25 MILE



**REFERENCE**  
 COORDINATE SYSTEM: NAD 1983 STATEPLANE CALIFORNIA V  
 FIPS 0405 FEET

**CLIENT**  
 HYDROSTOR, INC.

**PROJECT**  
 PECHO ENERGY STORAGE CENTER (PESC)

**TITLE**  
 VICINITY MAP FOR PESC

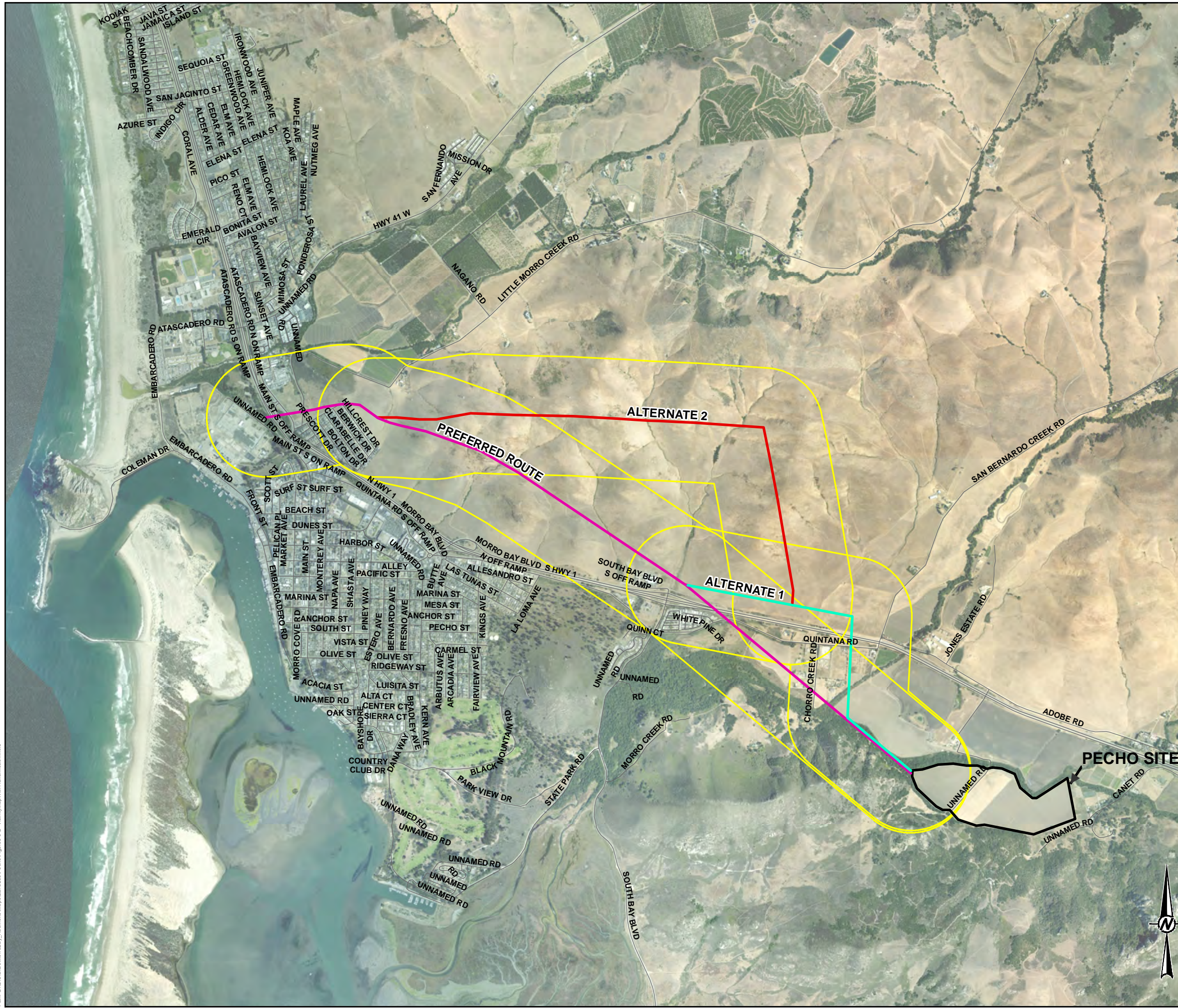
CONSULTANT	YYYY-MM-DD	2021-08-06
	PREPARED	MR
	DESIGN	MR
	REVIEW	JP
	APPROVED	JP

PROJECT No. 21465954      CONTROL ---      Rev. ---      **FIGURE 5-6-1**

Path: G:\GIS\State\MorroBay\_Removal\Map\SanDiego\PEcho\Figure5-6-1\_VicinityMap.mxd

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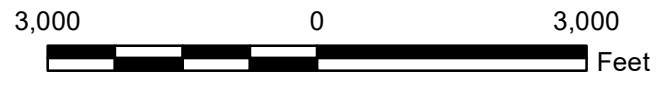




**LEGEND**

**ROUTE**

- PREFERRED ROUTE
- ALTERNATE 1
- ALTERNATE 2
- PECHO SITE (PESC)
- BUFFER 1 MILE
- BUFFER 0.25 MILE



**REFERENCE**  
 COORDINATE SYSTEM: NAD 1983 STATEPLANE CALIFORNIA V  
 FIPS 0405 FEET

**CLIENT**  
 HYDROSTOR, INC.

**PROJECT**  
 PECHO ENERGY STORAGE CENTER (PESC)

**TITLE**  
 SITE VICINITY MAP WITH TRANSMISSION ROUTE

CONSULTANT	YYYY-MM-DD	2021-10-07
<b>GOLDER</b> MEMBER OF WSP	PREPARED	MR
	DESIGN	MR
	REVIEW	JP
	APPROVED	JP

PROJECT No. 21465954      CONTROL ---      Rev. ---      **FIGURE 5-6-2**

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### 5.6.1.1 Existing Land Uses within the Study Area

The PESC is located entirely within the coastal zone of San Luis Obispo County. The PESC site is located west of Cabrillo Highway (Hwy) (State Hwy 1). The San Luis Obispo County Assessor's Office property identification number for the PESC site is 073-121-009. Figure 5.6-3 presents the San Luis Obispo County Assessor's Office parcel numbers for the tracts of land within the PESC study area. The Assessor's mailing address for the approximately 303-acre parcel is 2284 Adobe Rd, Morro Bay, CA. The mailing address is associated with a single-family residence.

The parcel is zoned Agriculture (AG) per Title 23 of the San Luis Obispo County Code and is currently under row cropping (County of San Luis Obispo 2019; County of San Luis Obispo 2021). Figure 5.6-4 illustrates the land use designations for the study area. Table 5.6-1 presents current land uses for the parcels located adjacent to the PESC:

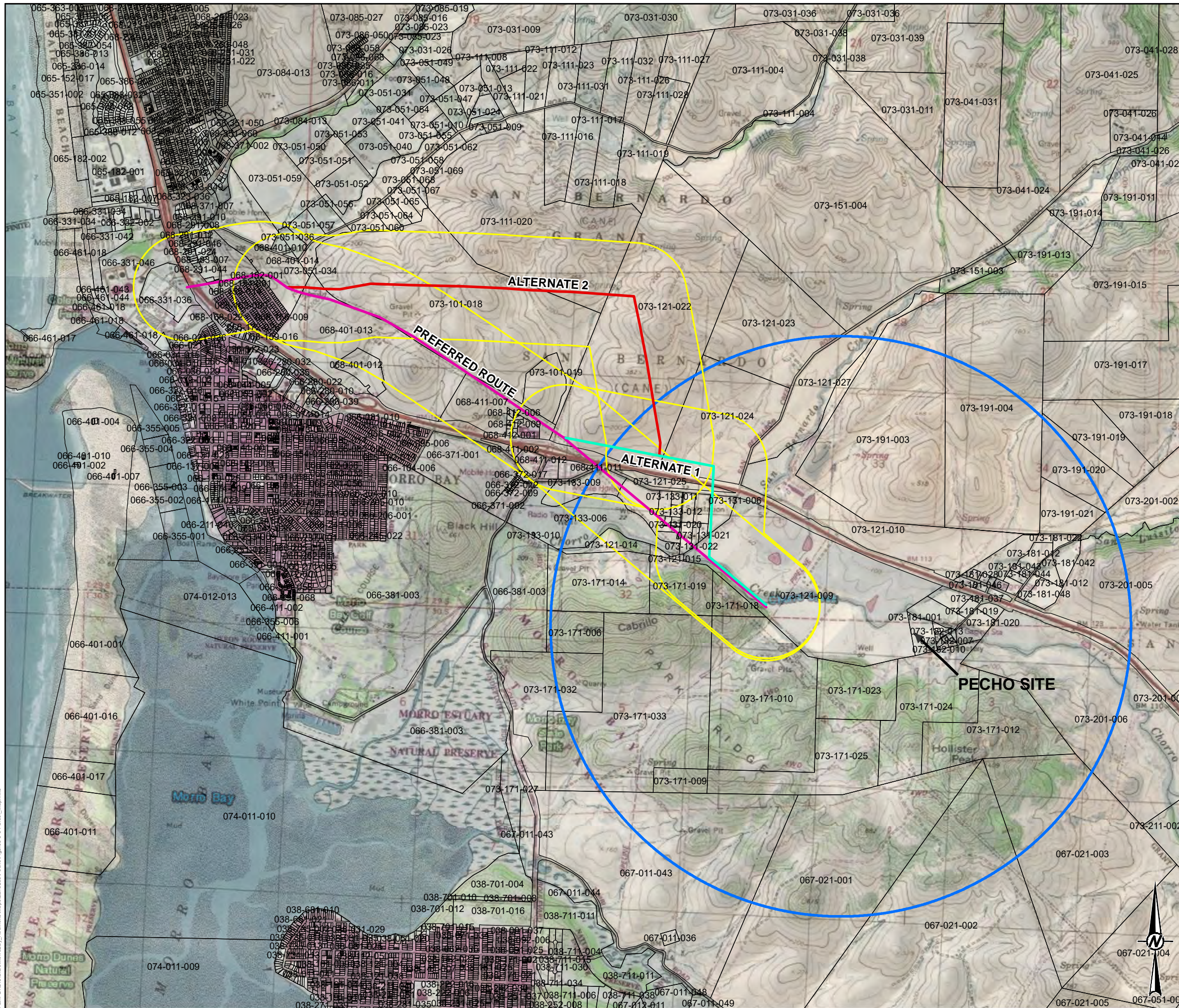
**Table 5.6- 1: Parcels and Land Use Descriptions Adjacent to PESC**

Adjacent Parcel ID	Land Use Code	Land Use Code Description and Zoned Land Use	Current Status
073-131-006	AG	Residential Uses in the Agriculture Land Use Category	1 Single-Family Residence and 2 Manufactured Homes
073-131-021	AG	Residential Uses in the Agriculture Land Use Category	1 Single-Family Residence
073-131-022	AG	Residential Uses in the Agriculture Land Use Category	1 Single-Family Residence
073-131-010	AG	Residential Uses in the Agriculture Land Use Category	Vacant Land
073-121-015	AG	Residential Uses in the Agriculture Land Use Category	Vacant Land
073-171-019	AG	Residential Uses in the Agriculture Land Use Category	1 Single-Family Residence
073-171-018	AG	Residential Uses in the Agriculture Land Use Category	Vacant Land
073-171-010	AG	Residential Uses in the Agriculture Land Use Category	Vacant Land
073-171-023	AG	Residential Uses in the Agriculture Land Use Category	1 Manufactured Home
073-171-024	AG	Residential Uses in the Agriculture Land Use Category	4 Single-Family Residences
073-181-001	AG	Residential Uses in the Agriculture Land Use Category	1 Single-Family Residence and 1 Manufactured Home
073-181-050	AG	Residential Uses in the Agriculture Land Use Category	1 Manufactured Home
073-181-003	AG	Residential Uses in the Agriculture Land Use Category	1 Single-Family Residence
073-121-010	AG	Residential Uses in the Agriculture Land Use Category	1 Single-Family Residence

Source: San Luis Obispo County Assessor 2021

As noted, the A-CAES system's appurtenances include an interconnection transmission line that will connect the PESC with an existing substation at the decommissioned Morro Bay Power Plant. The existing substation is located approximately 3.5 miles northwest of the PESC. The Applicant is proposing to transfer electricity to the substation through an existing utility right-of-way (ROW) that will follow alongside or cross existing roadways and traverse over undeveloped or vacant lands. The existing utility ROW is inclusive of transmission lines that originate from the Morro Bay Power Plant and their associated transmission towers.





**LEGEND**

**ROUTE**

- PREFERRED ROUTE
- ALTERNATE 1
- ALTERNATE 2
- PECHO SITE (PESC)
- BUFFER 1 MILE
- BUFFER 0.25 MILE
- PARCEL BOUNDARY



**REFERENCE**  
 COORDINATE SYSTEM: NAD 1983 STATEPLANE CALIFORNIA V  
 FIPS 0405 FEET

**CLIENT**  
 HYDROSTOR, INC.

**PROJECT**  
 PECHO ENERGY STORAGE CENTER (PESC)

**TITLE**  
 PARCEL MAP

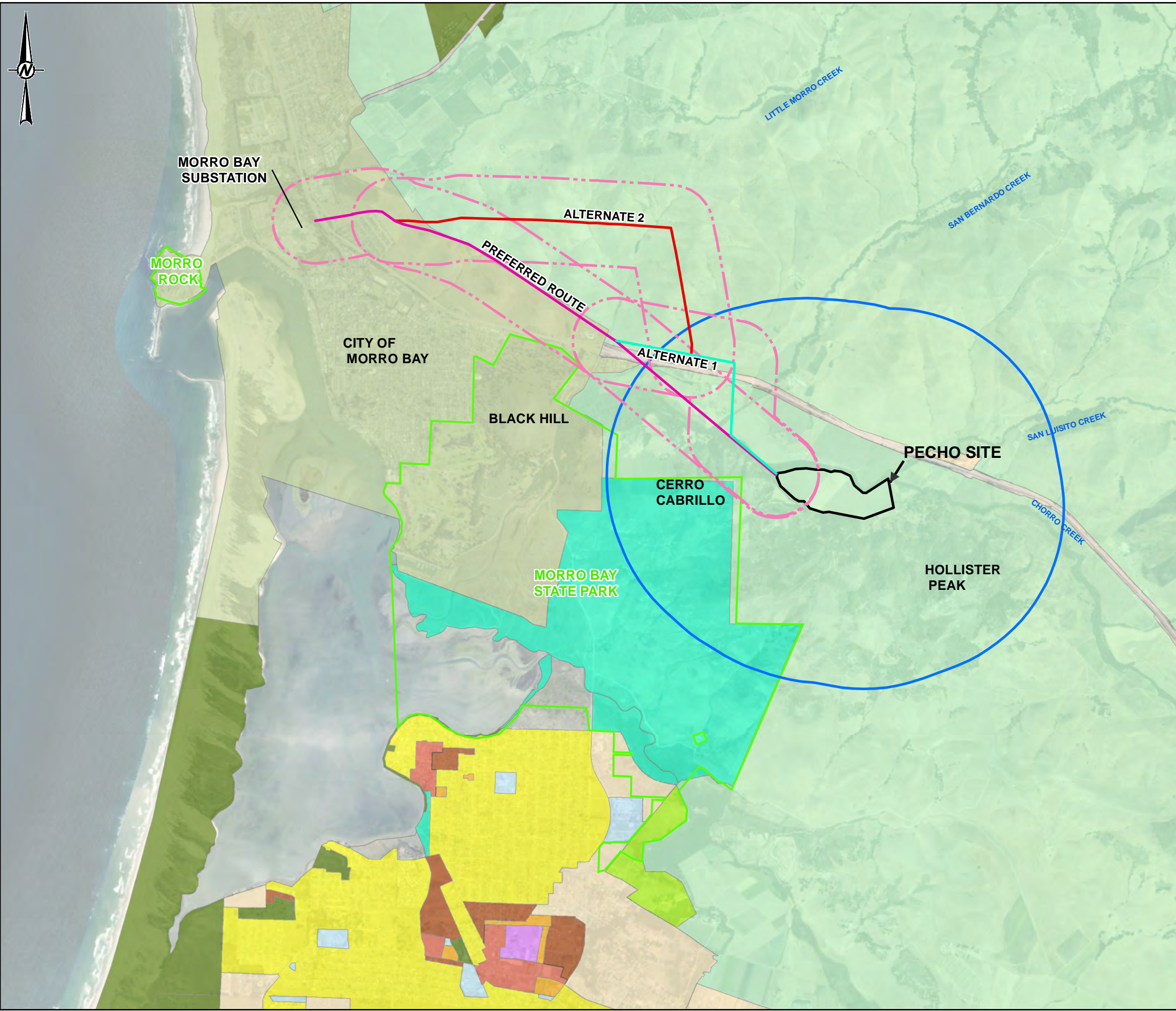
CONSULTANT	DATE	REVISION
	YYYY-MM-DD	2021-10-07
	PREPARED	MR
	DESIGN	MR
	REVIEW	JP
	APPROVED	JP

PROJECT No. 21465954      CONTROL ---      Rev. ---      **FIGURE 5-6-3**

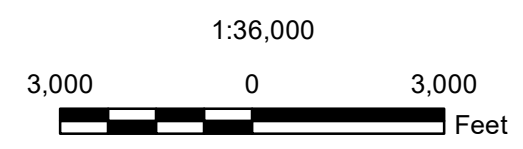
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- LEGEND**
- ROUTE**
- PREFERRED ROUTE
  - ALTERNATE 1
  - ALTERNATE 2
  - ROADS
  - BUFFER 0.25 MILE
  - BUFFER - 1 MILE
  - PECHO SITE
  - PARK BOUNDARIES
- LAND USE**
- AG -
  - CR - COMMERCIAL RETAILS
  - CS - COMMERCIAL SERVICE
  - CITY
  - OP - OFFICE PROFESSIONAL
  - OS - OPEN SPACE
  - PF - PUBLIC FACILITY
  - REC - RECREATION
  - RMF - RESIDENTIAL MULTI FAMILY
  - RR - RESIDENTIAL RURAL
  - RS - RESIDENTIAL SUBURBAN
  - RSF - RESIDENTIAL SUBURBAN
  - WH - MORRO BAY



**REFERENCE**  
 COORDINATE SYSTEM: NAD 1983 STATEPLANE CALIFORNIA V  
 FIPS 0405 FEET

CLIENT  
 HYDROSTOR, INC.

PROJECT  
 PECHO ENERGY STORAGE CENTER (PESC)

TITLE  
**LAND USE DESIGNATION MAP**

CONSULTANT	YYYY-MM-DD	2021-10-07
	PREPARED	MR
	DESIGN	MR
	REVIEW	JP
	APPROVED	JP

PROJECT No. 21465954      CONTROL ---      Rev. ---      **FIGURE 5.6-4**

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Figure 5.6-1 and Figure 5.6-2 illustrate the various elements of the regional and local roadway transportation system. The main transportation corridors that connect the PESC to the region include the following:

- Cabrillo Highway (State Highway 1) connects the City of Morro Bay, CA with the City of San Luis Obispo, CA.
- Atascadero Road (State Highway 41) connects the City of Morro Bay with the City of Atascadero, CA.
- Cabrillo Highway (U.S. Highway 101) connects the City of San Luis Obispo, CA with the City of Atascadero, CA.

Local improved roadways that connect the PESC to the surrounding community include the following:

- Canet Road provides street level access to the PESC site via State Highway 1.
- San Luisito Creek Road provides street level access to the PESC site via State Highway 1.
- San Bernardo Road provides street level access to the PESC site via State Highway 1.
- Quintana Road is a local roadway that connects the PESC site to South Bay Boulevard.

The siting of an interconnection transmission line route between the PESC and a substation at the Morro Bay Power Plant will intersect the following roadways:

- State Highway 1 north of Quintana Road.
- Chorro Creek Road west of the PESC site.
- Little Morro Creek Road east of the Morro Bay Power Plant.
- Main Street east of the Morro Bay Power Plant.
- State Highway 1 east of the Morro Bay Power Plant.

#### **5.6.1.1.1 Unincorporated San Luis Obispo County**

Chorro Creek intersects parcel 073-121-009 just north of where the PESC will be located. Chorro Creek flows roughly in a westerly direction where it discharges into the Morro Bay estuary. The Morro Bay estuary watershed includes Chorro Creek.

The coastal zone under San Luis Obispo County's jurisdiction spans 96 miles of coastline. In San Luis Obispo County the coastal zone extends further inland in several areas because of important habitat, recreational, and agricultural resources. Those areas include the lands surrounding Nipomo Dunes, Hearst Ranch and other north coast areas, and the Morro Bay watershed.

The Morro Bay estuary is an approximately 2,300-acre tidally influenced semi-enclosed body of water. The watershed that drains into Morro Bay covers approximately 48,000 acres, or 75 square miles. The Morro Bay watershed is comprised of two major sub-watersheds, the Chorro Creek and Los Osos Creek watersheds. The Chorro Creek sub-watershed accounts for about 60 percent of the total land area draining into the estuary. Land use within the watershed includes row cropping, rangeland, recreation, conservation, and United States Department of Defense operations (Morro Bay National Estuary Program 2012).



### 5.6.1.1.2 City of Morro Bay

The City of Morro Bay lies on the narrow coastal shelf between the ocean and the coastal hills. It is within the north coastal area of San Luis Obispo County and is approximately 12 miles from the City of San Luis Obispo. Undeveloped land on the north, east, and south bound the City of Morro Bay. The Pacific Ocean bounds the City of Morro Bay to its West. The entire community of Morro Bay lies within the Coastal Zone. The City of Morro Bay's LCP Land Use Plan (LUP) applies to all, but the foothills located on the north side of the City of Morro Bay (City of Morro Bay 2021a). The existing substation at the Morro Bay Power Plant lies within the coastal zone.

### 5.6.1.2 Specific Land Uses within the PESC Study Area

This section provides a description of land uses located near the PESC as well as, potential interconnection transmission line routes. The specific land use review extended 1 mile from the proposed location of the PESC and 0.25 miles from potential siting routes for an interconnection transmission line.

#### 5.6.1.2.1 Industrial

As shown in Figure 5.6-4, the PESC site is in a rural agriculturally zoned area situated between State Highway 1 and the City of Morro Bay. The parcel proposed for the siting of the A-CAES system is currently under agricultural production. As noted in Table 5.6-1, San Luis Obispo County has zoned the parcels surrounding the PESC for agricultural use with allowances for supporting single-family residences.

PG&E maintains a distribution substation at the intersection of Quintana Road and Chorro Creek Road. The distribution substation located 0.64 miles from the PESC site, services the rural community that occurs within the 1-mile study area buffer. Facilities such as metals processing, glass and pipe manufacturing, and automobile repair and storage do not currently exist within the 1-mile study area buffer.

Parcels with similar agricultural land use designations surround each of the potential transmission line routes from the PESC to just east of State Highway 1 near the Morro Bay Power Plant. As the existing utility ROW approaches State Highway 1 and the Morro Bay Power Plant, the surrounding land use includes a residential subdivision to the south and an area zoned as light industrial to the north. Daily Machine & Marine: Marine Welding and Machining is located on the north side of the existing utility ROW. Immediately west of Main Street and State Highway 1, sits the Morro Bay Power Plant. PG&E built the power plant in the 1950s. Dynegy took ownership of the plant in 2007 before closing it permanently in 2014. Vistra Corp. owns the Morro Bay Power Plant.

#### 5.6.1.2.2 Commercial/General Office

There are no commercial facilities or offices within the 1-mile study area buffer. There are no general office spaces within the 0.25-mile study area buffer. Lemo's Feed and Pet Supply on Main St. is the only entirely commercial operation located within the 0.25-mile study area buffer. The pet store is located south of the existing substation and existing utility ROW.

To the north of the substation and ROW, a series of mix commercial and industrial facilities line Main St. The three most prominent operations within the 0.25-mile study area buffer are Daily Machine & Marine: Marine Welding and Machining, Estero Glass, and Morro Bay R.V. and Marine.



### 5.6.1.2.3 Residential

For information on operational noise generated at the PESC see Section 5.7, Noise. As shown in Figure 5.6-1, the area within the 1-mile study area buffer consists of a limited number of single-family residences that support associated farming operations. The residences nearest to the PESC site are located within unincorporated San Luis Obispo County. The nearest residences are as follows:

- **2550 Canet Road SLO, CA 93405-7836 (Parcel 073-181-001):** This residence is located approximately 330 feet to the east of the PESC.
- **2548 Canet Road SLO, CA 93405-7836 (Parcel 073-182-012):** This residence is located approximately 600 feet to the east of the PESC.
- **2091 Adobe Road Morro Bay, CA 93442-2463 (Parcel 073-121-009):** This residence is located on the same parcel as the PESC and is approximately 350 feet to the north of the A-CAES facility.
- **487 Sicily Street, Morro Bay, CA 93442-2941 (Parcel 073-131-022):** This residence is located approximately 2,400 feet to the west northwest of the PESC.

There are no residential properties within the 1-mile study area buffer to the southwest of the PESC. The proposed route for an interconnection transmission line between the PESC and the Morro Bay Power Plant will parallel an existing utility ROW. West of the PESC site, the 0.25-mile study area buffer includes a few single-family residences as well as, the Bay Pines Mobile Home Park. The mobile home park is located on Quintana Road just east of the intersection between South Bay Boulevard and Quintana Road. Upon crossing State Highway 1 heading east and north, the existing ROW traverses undeveloped rangeland until it approaches the Morro Bay Power Plant. As the utility ROW crosses Main Street several commercial and industrial facilities occur to the north. To the south, a residential subdivision is located within the 0.25-mile buffer. The subdivision entrance is at the intersection of Radcliff Avenue and Main Street.

### 5.6.1.2.4 Agricultural Use

The California Department of Conservation (CDOC), Farmland Mapping and Monitoring Program (FMMP) developed categorical definitions of important farmlands for land inventory purposes. Important farmlands provide the best opportunity for agricultural production. Farmland of Local Importance is land of importance to the local economy, as defined by each county's local advisory committee and adopted by its Board of Supervisors.

Farmland of Local Importance is either currently producing or has the capability of production; but does not meet the criteria of Prime, Statewide or Unique Farmland. Authority to adopt or to recommend changes to the category of Farmland of Local Importance rests with the Board of Supervisors in each county.

The 2016 San Luis Obispo County Important Farmland Map designates land within the 1-mile and 0.25-mile study area buffers as Prime Farmland, Farmland of Local Potential, and Other Land (CDOC 2016). The prime farmland located on Parcel 073-121-009 comprises 2.13% of the total prime farmland in San Luis Obispo County. Figure 5.6-5 illustrates the farmland designations for the study area. San Luis Obispo County defines Farmland of Local Importance and Potential as follows:

***“Local Importance:** areas of soils that meet all the characteristics of Prime or Statewide, with the exception of irrigation. Additional farmlands include dryland field crops of wheat, barley, oats, and safflower*

***“Farmland of Local Potential:** lands having the potential for farmland, which have Prime or Statewide characteristics and are not cultivated (CDOC 2016).”*







The CDOC defines Prime Farmland and Other Lands as follows:

***“Prime Farmland:*** *Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date (CDOC 2021).”*

***“Other Land:*** *Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land (CDOC 2021).*

The California Land Conservation Act of 1965 authorizes local governments to contract with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. Resource managers refer to these contracts as Williamson Act contracts. The minimum term for a Williamson Act contract is ten years. The parcel proposed for PESC, 073-121-009, is under a Williamson Act contract. In addition to the PESC site, parcels to the north and south of the facility’s proposed location are also under Williamson Act contracts. Of said parcels, the proposed transmission line routes may intersect either parcel 073-121-022 or 073-121-024 depending on which route the Applicant selects (San Luis Obispo County 2021).

#### **5.6.1.2.5 Recreation**

Morro Bay State Park’s land boundaries extend into the 1.0-mile study area buffer. Although the park includes several preserves as well as, the Morro Bay State Park Museum of Natural History and the Morro Bay State Park Golf Course, there are no vertical facilities or play fields within the study area. However, California State Parks maintains an extensive network of hiking trails to the south of the PESC site. These trails include the 3.1-kilometer Quarry and Park Ridge Loop Trail. Visitors use the Quarry and Park Ridge Loop Trail for hiking, running, horseback riding, and mountain biking.

The 0.25-mile study area buffer surrounding potential transmission line routes does not intersect a recreational area except for the City of Morro Bay’s Lila Keiser Park. Lila Keiser Park is located approximately 800-feet north of the Morro Bay Power Plant. Lila Keiser Park includes baseball and softball fields as well as, various picnic areas.

#### **5.6.1.2.6 Open Space**

Under Section 65560 of the California State Government Code, open space is defined as any parcel or area of land or water that is essentially unimproved and devoted to an open-space use, and that is designated on a local, regional, or state open space plan as any of the following: open space for the preservation of natural resources, open space used for the managed production of resources, open space for outdoor recreation, or open space for public health and safety.

Open space use within the study area is synonymous with water resources, recreation, agriculture, or vacant land. The land boundaries of Morro Bay State Park extend into the 1.0-mile study area buffer. Other than the sparsely populated single-family residences that are supporting agriculture, vacant land for the purposes of recreation and preservation of natural resources occurs throughout the study area.



Chorro Creek is the main water feature within the 1-mile study area buffer. The creek helps supply water to municipal, domestic, and agricultural customers through groundwater recharge and freshwater replenishment, as well as supports recreation and habitat enhancement (County of San Luis Obispo 2014).

#### **5.6.1.2.7 Scenic Areas**

As previously noted, the land boundaries of Morro Bay State Park extend into the 1.0-mile study area buffer. California State Park's maintain an extensive network of hiking trails to the south of the PESC site. Hollister Peak is a 1,404-foot volcanic mountain located within the 1-mile study area buffer. The peak is located to the south of the PESC site and is one of the Nine Sisters of the Morros. The Nine Sisters of the Morros are a chain of volcanic mountains in San Luis Obispo County. Hollister Peak is not open to the public.

In 1999, the State of California officially designated State Highway 1 as a scenic highway from the San Luis Obispo city limits to the Monterey County line. The study area for the PESC and its appurtenances intersects State Hwy 1 within the roadway's officially designated scenic corridor. There are several candidate highways within San Luis Obispo County. The study area does not intersect any of the eligible candidate highways (Caltrans 2021).

#### **5.6.1.2.8 Natural Resource Protection**

Neither the PESC nor its appurtenances intersect a Habitat Conservation Plan (HCP). San Luis Obispo County is preparing an HCP for the 3,644-acre area centered on the unincorporated community of Los Osos; however, its boundaries do not intersect the study area's boundaries.

The Morro Bay National Estuary Program has prepared a series of comprehensive conservation and management plans for the Morro Bay estuary. The plans include recommendations for its watershed which includes the sub-watershed of Chorro Creek. The proposed location for the PESC is within the Chorro Creek watershed. The United States Environmental Protection Agency (USEPA) lists Chorro Creek as an impaired waters under the federal Clean Water Act Section 303(d) (California Water Boards Central Coast R3 2018).

#### **5.6.1.2.9 Educational/Child Care/Nursing Home**

There are no educational facilities within the study area. The study area is within the San Luis Coastal Unified School District. The following schools are located outside the PESC study area:

- Family Partnership Charter School is 3.3 roadway miles west of the PESC site via State Highway 1.
- Family Partnership Charter School is 0.8 roadway miles south of the substation at the Morro Bay Power Plant and the existing utility ROW via Main Street.
- Morro Bay High School is one roadway mile north of the Morro Bay Power Plant and existing utility ROW via Main Street.
- Los Osos Middle School is 4.7 roadway miles south of the PESC site via South Bay Boulevard.

#### **5.6.1.2.10 Religious**

There are no religious institutions within the study area. Rock Harbor Christian Fellowship is 2.1 roadway miles to the east of PESC via Quintana Road. It is located just west of the intersection between Quintana Road and South Bay Boulevard



### 5.6.1.2.11 Cultural and Historic

Section 5.3, Cultural Resources, provides a discussion of cultural and historic resources in the study area, including implementation of standard mitigation measures to address incidental discovery of resources during construction of the PESC and interconnection transmission line.

### 5.6.1.2.12 Unique Land Uses

This assessment has identified no unique land uses within the study area.

## 5.6.1.3 General Plan Land Use Designations

### 5.6.1.3.1 General Plan Land Use Designations within the Study Area

This section describes the land use designations for properties located within the study area. Figure 5.6-4 shows the general plan land use designations within the study area, and Table 5.6-2 describes these designations. Per California State Government Code 65302, land use provisions included in every California city and county general plan reflect the goals and policies that guide physical development of land within their jurisdiction.

Within San Luis Obispo County, the LUP is the LUE for the coastal zone, which is the area subject to the California Coastal Act of 1976. The following describes the various components of San Luis Obispo’s General Plan LUE that applies to the PESC site:

- LCP: Coastal Zone Framework for Planning,
- Coastal Zone Land Use Ordinance (CZLUO),
  - The CZLUO is codified in Title 23 of San Luis Obispo County Code,
- Coastal Plan Policies Document,
- The Estero Area Plan, and
- Land Use Category maps (County of San Luis Obispo 2018).

The City of Morro Bay approved Plan Morro Bay in May 2021. Plan Morro Bay is the City of Morro Bay’s General Plan, LCP, and LUP. Plan Morro Bay’s land use designations apply to every parcel within the City of Morro Bay. Plan Morro Bay established 17 primary land use designations and 2 overlay designations (City of Morro Bay 2021a).

**Table 5.6-2: General Land Use Designations within the Study Area**

General Plan Land Use Designation	Land Use Designation of Figure 5.6-4	Description
San Luis Obispo County		
Agriculture (AG)	AG	In many instances, coastal agricultural lands, such as areas for cattle grazing and row crops, display a rural and open character, and therefore have open space values. As used in this discussion, 'open space' is meant in the context of the Williamson Act.
Open Space (OS)	OS	The Open Space category is applied to lands in public fee ownership, or private lands where an open space agreement or easement has been executed between the property owner and the county. The category may also be applied to areas left open as part of density transfer negotiated through the amendment process. Applying the Open Space category to a parcel of land does not in and of itself, convey or imply any right of public access, use, trespass, or violation of privacy. The open space designation may be applied to public or private lands with public easements, including the undeveloped portions of state park properties.



General Plan Land Use Designation	Land Use Designation of Figure 5.6-4	Description
City of Morro Bay		
Agriculture	City / Not Shown	The purpose of the agriculture (AG) district is to provide for the continuation of agricultural uses in suitable areas and for supplemental commercial uses which may be necessary to support such continued agricultural activities. New development in this district shall also be sited and designed to protect and enhance scenic resources associated with the rural character of agricultural lands.
Low Density Residential (Formerly Suburban Residential)	City / Not Shown	Purpose of the suburban residential (R-A) district is to permit estate lot homes and small-scale agricultural uses; to provide an area for people to have parcels of land larger than more typical single-family residential lots, where livestock, poultry and small animals may be raised in limited number for home use, or for pleasure.
General Light Industrial	City / Not Shown	The purpose of the light industrial district is to provide districts for industrial development wherein manufacturing and other industries can locate and operate, while maintaining an environment minimizing offensive or objectionable noise, dust, odor, or other nuisances, all well designed and properly landscaped
Coastal-Dependent Industrial	City / Not Shown	The purpose of the coastal-dependent industrial district is to provide districts for industrial development wherein manufacturing and other industries which require a site on or close to the ocean or harbor can locate and operate while maintaining an environment minimizing offensive or objectionable noise, dust, odor, or other nuisances, all well designed and properly landscaped.

Source: San Luis Obispo 2018. City of Morro Bay 2021a

### 5.6.1.3.2 General Plan Land Use Designations, PESC Site

The Revised September 2018 San Luis Obispo County General Plan LUE for Coastal Zone Framework for Planning designates the PESC site as AG. The Coastal Zone Framework for Planning describes this designation as follows:

*In many instances, coastal agricultural lands, such as areas for cattle grazing and row crops, display a rural and open character, and therefore have open space values. As used in this discussion, 'open space' is meant in the context of the Williamson Act (San Luis Obispo County 2018)*

### 5.6.1.4 Study Area Zoning

While General Plan land use designations are more generalized in nature, zoning codes and zoning districts provide specific controls on land use or the density or intensity of development. The County of San Luis Obispo's Land Use Ordinance (LUO) and their CZLUO are the County's administrative mechanisms for implementing their General Plan's guidance.

Title 23 of the San Luis Obispo County Code presents the CZLUO for areas within the County's coastal zone. Similarly, Title 17 of the City of Morro Bay Municipal Code is the implementing mechanism for Plan Morro Bay. Figure 5.6-2 depicts the zoning districts in the study area. Table 5.6-3 provides definitions and information about the zoning districts within the study area.



**Table 5.6-3: Zoning districts within the Study Area**

ZONE	TYPICAL USES	MINIMUM PARCEL SIZE
San Luis Obispo County		
Agriculture (AG)	Areas of prime and non-prime agricultural soils, and other productive and potentially productive lands located inside and outside of urban and village reserve lines where land use conflicts with other adjacent uses can be mitigated. Areas for agricultural processing and its support services. Areas where the residential uses allowed are for property owners or employees actively engaged in agricultural production on the same property. All lands previously designated as agricultural preserve, whether or not under contract, according to the adopted agricultural preserve rules of procedure. Lands that may be eligible for agricultural preserve if the rules of procedure are satisfied. Areas where existing land uses are mainly truck crops, specialty crops, row and field crops, irrigated crops and pasture, irrigated vineyards and orchards, dry farm orchards and vineyards, dry farm, and grain, grazing and rangeland. Areas where parcel sizes and ownership patterns are sufficiently large to make agricultural operations economically viable, given other features such as soil types, water supply, topography, and commercial potential through optimum management. Areas with an existing pattern of smaller parcels that cannot support self-sustaining agricultural operations, but where physical factors of soil, water supply and topography would support agricultural production.	320 to 20 acres per dwelling; Farm Support Quarters: 320 to 20 acres per dwelling
Open Space (OS)	National Forest, Bureau of Land Management or other public lands specifically reserved or proposed for watershed preservation, outdoor recreation wilderness or wildlife/nature preserves. Sites or portions of a site with natural features such as unique topography, vegetation or stream courses without a quality or extent sufficient to necessitate application of a Sensitive Resource Area combining designation. May also include Environmentally Sensitive Habitat for animal or plant community. Areas reserved for passive, non-intensive recreational uses such as riding and hiking trails, primitive trail camps, etc. Areas where only appropriate residential use in an open space category would be ranger or caretaker quarters, established without division of the underlying parcel.	Not Applicable
City of Morro Bay		
Low Density Residential	Single-family dwelling, employee Housing (max 36 beds in a group quarters or 12 units or spaces); supportive housing and transitional housing; crop and tree farming; rabbit and chicken ranching involving not more than twelve (12) animals; Accessory uses and buildings normally incidental to other permitted uses but not including commercial uses, and located in accordance with Title 7; home occupations; guest house (no kitchen) or granny unit with a single family residence; temporary produce stands; additional residences for agricultural employees, equestrian boarding.	0-4.0 du/ac
Agriculture	Land for cultivating crops and raising animals.	N/A
Light Industrial	Light industry land uses which do not require materials or equipment which emit excessive air, audio, water, or land pollutants, or would require considerable outdoor storage, are allowable in this designation. The city would like to encourage the location of light industries that would specifically cater to commercial fishing and regional needs, such as machine shops, auto mechanic shops, black smith, cold storage, warehousing and food processing, light manufacturing, component assembling and small parts processing.	0.5 FAR



ZONE	TYPICAL USES	MINIMUM PARCEL SIZE
Coastal Dependent Industrial	This land use specially relates to those industrial land uses which are given priority by the Coastal Act of 1976 for location adjacent to the coastline. Examples of uses in this designation are thermal power plants, seawater intake structures, discharge structures, tanker support facilities, and other similar uses which must be located on or adjacent to the sea in order to function. The Morro Bay wastewater treatment facilities are protected in their present location since an important operational element, the outfall line, is coastal dependent.	0.65 FAR

Source: County of San Luis Obispo 2019; City of Morro Bay 2021b.

FAR = Floor Area Ratio

du/ac = dwelling unit per acre

### 5.6.1.5 Project Site and Linear Zoning

San Luis Obispo County has zoned the PESC site and potential transmission line routes as AG. In addition to being zoned AG, the PESC site maintains four combining designations. The following describes each of the combining designations:

- **Flood Hazard Area:** The Flood Hazard combining designation is applied to areas where terrain characteristics would present new developments and their users with potential hazards to life and property from potential inundation by a 100-year frequency flood or within coastal high hazard areas. These standards are also intended to minimize the effects of development on drainage ways and watercourses. Drainage plan approval is required where any portion of the proposed site is located within a Flood Hazard combining designation.
- **GSA Geologic Area:** The GSA combining designation is applied to areas where geologic and soil conditions could present new developments and their users with potential hazards to life and property. These standards are applied where seismic hazards, landslide hazards, or liquefaction hazards exist.
- **Sensitive Resource Area:** Applied to areas having high environmental quality and special ecological or educational significance. The SRA includes four types of Environmentally Sensitive Habitats: Wetlands, Coastal Streams and Riparian Vegetation, Terrestrial Habitats and Marine Habitats.
- **LCP:** Applied to areas of the county within the coastal zone, to which the LCP applies (County of San Luis Obispo 2021).

The City of Morro Bay’s, Plan Morro Bay 2021, includes two overlays that the city can be add to an area’s designated land use. Neither the Mixed-Use Residential overlay nor the Environmentally Sensitive Habitat Areas overlay apply to the designated land uses for PESC project areas.

### 5.6.1.6 Other Applicable Planning Documents

Aside from the general plan, coastal plans, area plan, and zoning ordinances implemented by the applicable jurisdiction, there are no other planning documents that provide for land use or development guidance/restrictions that could affect the PESC project.



### **5.6.1.7 Recent Proposed Zone Changes and General Plan Amendments**

There are no recent or proposed General Plan amendments or rezones within San Luis Obispo County or the City of Morro Bay that may affect the PESC project. San Luis Obispo County revised their General Plan's LCP: Coastal Zone Framework for Planning in September 2018 and CZLUO in April 2019. In May 2021, the City of Morro Bay accepted Plan Morro Bay. Plan Morro Bay is the City of Morro Bay's General Plan, LCP, and LUP.

### **5.6.1.8 Recent Discretionary Review by Public Agencies**

Neither San Luis Obispo County nor the City of Morro Bay have publicly identified any discretionary reviews related to their General Plans, LCPs, or zoning ordinances that will affect the study area.

### **5.6.1.9 Population and Growth Trends**

Land use and growth trends identified for the study area are based on population estimates, projections, and current land use plans. The California Department of Finance (CDOF) estimates that San Luis Obispo County's 2021 population is 278,574. In 2010, the county's population was 269,450 according to the American Community Survey. The CDOF estimates San Luis Obispo County's population in 2030 will be 284,729 (CDOF 2021). Based on San Luis Obispo County population data for years 2010 and 2020, population growth within the county was 0.25 percent. This equates to a net population increase of 6,701 residents for the 10-year period from 2010-2020.

According to the United States Environmental Protection Agency's (USEPA) environmental justice screening tool, <https://ejscreen.epa.gov/mapper/>, the 2018 population for the 10-mile area surrounding PESC was 86,143. This equates to a population density of 371 people per square mile (USEPA 2021). The current population for the City of Morro Bay is 10,543 (US Census Bureau 2019). The City of Morro Bay has passed various measures to assist in restricting population growth within its city limits. These includes Measure F passed in 1984 and subsequent city ordinance 266. The City's intent with passing these laws and regulations was to assist in minimizing future strains on local resources.

## **5.6.2 Environmental Analysis**

### **5.6.2.1 Significance Criteria**

Factors typically used to evaluate the significance of project-related impacts are set forth in Appendix G of the California Environmental Quality Act (CEQA). Appendix G is a screening tool, not a method for setting thresholds of significance. Appendix G is typically used in the Initial Study phase of the CEQA process, asking a series of questions. The purpose of these questions is to determine whether a project requires an Environmental Impact Report, a Mitigated Negative Declaration, or a Negative Declaration. As the Governor's Office of Planning and Research stated, "Appendix G of the Guidelines lists a variety of potentially significant effects but does not provide a means of judging whether they are indeed significant in a given set of circumstances." The answers to the Appendix G questions are not determinative of whether an impact is significant or less than significant. Nevertheless, the questions presented in CEQA Appendix G are instructive:

- Will the project physically divide an established community?
- Will the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- Will the project conflict with any applicable habitat conservation plan or natural community conservation plan?

- Will the project convert prime farmland, unique farmland, or farmland of statewide importance (farmland), as shown on the maps prepared pursuant to the FMMP of the California Resources Agency, to nonagricultural use?
- Will the project involve other changes in the existing environment which, given their location and nature, could result in conversion of farmland to nonagricultural use?

### **5.6.2.2 Potential Effects on Land Use during PESC Construction and Operation**

#### **5.6.2.2.1 Divide an Established Community**

PESC will be located on a vacant parcel in unincorporated San Luis Obispo County. Existing roadways connect the PESC to the surrounding community and region. The 1-mile study area buffer includes a few single-family residences that are currently supporting agricultural operations. The Applicant has identified a series of existing utility ROWs for siting a transmission line that will connect the A-CAES system to a substation at the Morro Bay Power Plant. Therefore, implementation of PESC by the Applicant will not divide an established community or affect access to a city or project area.

Due to the agricultural zoning designations within the study area, PESC will not displace existing nonindustrial development or result in new development that will physically divide future neighborhoods. Additionally, PESC will not introduce incompatible land uses to the study area as the County Board of Supervisors will maintain authority to approve land use changes and issuance of land use permits for future development.

#### **5.6.2.2.2 Conflict with an Applicable Land Use Plan, Policy, or Regulation**

Within the jurisdiction of the County of San Luis Obispo, the PESC site and interconnection transmission line routes will be located on land zoned AG. The County's LCP lists electric generating plants as a potential special land use associated with lands zoned Agriculture – Non-Prime Farmland. The Special use designation states that a project may be subject to special standards and/or processing requirements, unless otherwise limited by a specific planning area standard. The LCP does not list electric generating plants as a land use compatible with lands designated Agriculture - Prime Farmland (County of San Luis Obispo 2018; County of San Luis Obispo 2019).

Consistent with the Application for Certification (AFC) process, the CEC will review the Applicant's development and design plans for consistency with applicable land use plans, policies, and regulations. But for the CEC process, compliance with local land use plans, policies, and zoning ordinances would be the sole responsibility of the County Board of Supervisors. Where not preempted, the San Luis Obispo County Board of Supervisors approves land uses through issuance of a Land Use Permit under San Luis Obispo County Code Title 23.

The Applicant will work cooperatively with the CEC and the County Board of Supervisors on land use designations issues that will ensure that the project does not conflict with the County's general plan and LCP. Table 5.6-4 details the project's conformity with local land use plans and policies.



**Table 5.6-4: Project Conformity with Local Land Use Plans and Policies**

Goal/Policy	Project Consistency
<b>San Luis Obispo County General Plan</b>	
<b>Conservation and Open Space Element</b>	
<b>Air Quality</b>	
<p>Goal AQ 3 State and federal ambient air quality standards will, at a minimum, be attained and maintained.</p> <p>Policy AQ 3.7 Reduce vehicle idling: Encourage the reduction of heavy vehicle idling throughout the county, particularly near schools, hospitals, senior care facilities, and areas prone to concentrations of people, including residential areas.</p> <p>Policy AQ 3.8 Reduce dust emissions: Reduce PM10 and PM2.5 emissions from unpaved and paved County roads to the maximum extent feasible.</p>	<p>PESC is consistent with Goal AQ 3 and Policies AQ 3.7 and 3.8. For additional information of air quality, refer to Section 5.1. The proposed action is an energy storage facility. The facility does not require fossil fuels for its operation. The project will submit design plans to the CEC for review and approval prior to the commencement of construction, which will ensure design review consistent with best practices.</p>
<b>Biological Resources</b>	
<p>Goal BR 1 Native habitat and biodiversity will be protected, restored, and enhanced.</p> <p>Goal BR 2 Threatened, rare, endangered, and sensitive species will be protected.</p> <p>Policy BR 1.2 Limit Development Impacts Regulate and minimize proposed development in areas that contain essential habitat for special-status species, sensitive natural communities, wetlands, coastal and riparian habitats, and wildlife habitat and movement corridors.</p> <p>Policy BR 2.6 Development Impacts to Listed Species Ensure that potential adverse impacts to threatened, rare, and endangered species from development are avoided or minimized through project siting and design.</p>	<p>PESC is consistent with Policies BR1, BR2, BR1.2, and BR 2.6. Refer to Section 5.2, Biological Resources, for additional information on threatened and endangered species.</p>
<b>Cultural Resources</b>	
<p>Goal CR 3 The county's historical resources will be preserved and protected.</p> <p>Goal CR 4 The county's known and potential Native American, archaeological, and paleontological resources will be preserved and protected.</p> <p>Policy CR 3.1 The County will provide for the identification, protection, enhancement, perpetuation, and use of features that reflect the County's historical, architectural, Native American, archaeological, cultural, and aesthetic heritage.</p> <p>Policy CR 4.5 Protect paleontological resources from the effects of development by avoiding disturbance where feasible.</p>	<p>PESC is consistent with Goal CR3, CR4, and Polices 3.1 and 4.5. Refer to Section 5.3 Cultural Resources and Section 5.8 Paleontological Resources, for additional information on cultural resources</p>
<b>Energy</b>	
<p>Goal E 1 The County will have an environmentally sustainable supply of energy for all county residents.</p> <p>Goal E 6 The use of renewable energy resources will be increased.</p> <p>Goal E 7 Design, siting, and operation of non-renewable energy facilities will be environmentally appropriate.</p> <p>Policy E 6.2 Commercial solar and wind power and other renewable energy systems. Encourage and support the development of solar</p>	<p>PESC is an energy storage facility and as such, is consistent with Goals E1, E6, and E7 and Policy E 6.2.</p>

Goal/Policy	Project Consistency
and wind power and other renewable energy systems as commercial energy enterprises.	
<b>Soils</b>	
<p>Goal SL 1 Soils will be protected from wind and water erosion, particularly that caused by poor soil management practices.</p> <p>Goal SL 2 Watershed and ecological function will be maintained through soil conservation.</p> <p>Goal SL 3 Important agricultural soils will be conserved.</p> <p>Policy SL 1.1 Prevent Loss of Topsoil in All Land Uses.</p> <p>Policy SL 3.1 Conserve Important Agricultural Soils Conserve the Important Agricultural Soils.</p>	<p>PESC is consistent with Goals SL 1, SL 2, and SL 3 as well as, Policies SL 1.1. Refer to Section 5.11, Soil Resources, for additional information on soils. PESC will develop a portion of agriculturally designated parcel 073-121-009. The development of parcel 073-121-009 will be inconsistent with Policy SL 3.1. The Applicant will work cooperatively with the CEC and the County Board of Supervisors on land use designations issues that will ensure future consistency with the Conservation and Open Space Element goal and policy of protecting agricultural soil.</p>
<b>Agricultural Element</b>	
Policy AG3: Protect Agricultural Lands	<p>PESC will develop a portion of agriculturally designated parcel 073-121-009. The development of parcel 073-121-009 will be inconsistent with Policy AG3. The Applicant will work cooperatively with the CEC and the County Board of Supervisors on land use designations issues that will ensure future consistency with the Agricultural Element's goal and policy of protecting agricultural lands. Additionally, the project will not cause development of surroundings agricultural lands as they are located within the Chorro Valley Agricultural Preserve, and many are currently under Williamson Act contracts preventing their development for non-agricultural purposes.</p>



Goal/Policy	Project Consistency
<b>Noise Element</b>	
<p>Goal 1. To protect the residents of San Luis Obispo County from the harmful and annoying effects of exposure to excessive noise.</p> <p>Goal 2. To protect the economic base of San Luis Obispo County by preventing incompatible land uses from encroaching upon existing or planned noise-producing uses.</p> <p>Goal 3. To preserve the tranquility of residential areas by preventing the encroachment of noise-producing uses, noise and the methods available for minimizing such exposure.</p> <p>Goal 5. To avoid or reduce noise impacts through site planning and project design, giving second preference to the use of.</p> <p>Policy 3.3.4 New development of noise-sensitive land uses shall not be permitted where the noise level due to existing stationary noise sources will exceed the noise level standards unless effective noise mitigation measures have been incorporated into the design of the development to reduce noise exposure to or below the applicable standards.</p> <p>Policy 3.3.5 Noise created by new proposed stationary noise sources or existing stationary noise sources which undergo modifications that may increase noise levels shall be mitigated as follows and shall be the responsibility of the developer of the stationary noise source</p>	<p>PESC is consistent with Goals 1, 2, 3, and 5 and 3 and Policies 3.3.4 and 3.3.5. Refer to Section 5.7, Noise, for additional information on facility operations, construction schedules, and mitigation measures.</p>
<b>Safety Element</b>	
<b>Emergency Preparedness</b>	
<p>GOAL S-1: Attain a high level of emergency preparedness.</p> <p>Policy S-1: Response: Support the response programs that provide emergency and other services to the public when a disaster occurs. The focus of response activities is saving lives and preventing injury, and reducing immediate property damage</p>	<p>PESC is consistent with Goal S-1 and Policy S-1. Refer to Section 5.16, Worker Health and Safety, for additional information on potential hazards and mitigation measures. The project will submit design plans to the CEC for review and approval prior to the commencement of construction, which will ensure design review consistent with the county's emergency preparedness requirements.</p>
<b>Fire Safety</b>	
<p>GOAL S-4: Reduce the threat to life, structures, and the environment caused by fire.</p> <p>Policy S-13 Pre-Fire Management: New development should be carefully located, with special attention given to fuel management in higher fire risk areas.</p>	<p>PESC is consistent with Goal S-4 and Policy S-13. Refer to Section 5.16, Worker Health and Safety, for additional information on potential hazards and mitigation measures. The project will submit design plans to the CEC for review and approval prior to the commencement of construction, which will ensure design review consistent with the county's fire safety requirements.</p>

Goal/Policy	Project Consistency
<b>Geologic and Seismic Hazards</b>	
<p>GOAL S-5: Minimize the potential for loss of life and property resulting from geologic and seismic hazards</p> <p>Policy S-18 Fault Rupture Hazards                      Locate new development away from active and potentially active faults to reduce damage from fault rupture.</p> <p>Policy S-19 Reduce Seismic Hazards                      The County will enforce applicable building codes relating to the seismic design of structures to reduce the potential for loss of life and reduce the amount of property damage.</p> <p>Policy S-20 Liquefaction and Seismic Settlement                      The County will require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the currently adopted Uniform Building Code.</p> <p>Policy S-22 Readiness and Response                      Fire and law enforcement agencies will maintain</p>	<p>PESC is consistent with S-5 and Policy S-18. Refer to Section 5.4, Geological Hazards, for additional information on potential hazards and mitigation measures. The project will submit design plans to the CEC for review and approval prior to the commencement of construction, which will ensure design review consistent with the county's geologic hazard safety requirements.</p>
<b>Other Safety Issues</b>	
<p>GOAL S-6: Reduce the potential for harm to individuals and damage to the environment from aircraft hazards, radiation hazards, hazardous materials, electromagnetic fields, radon, and hazardous trees.</p> <p>Policy S-26 Hazardous Materials Reduce the potential for exposure to humans and the environment by hazardous substances.</p>	<p>PESC is consistent with Goal S-6 and Policy S-26. Refer to Section 5.16, Worker Health and Safety, Section 5.9 Public Health, and Section 5.5 Hazardous Materials for additional information on potential hazards and mitigation measures. The project will submit design plans to the CEC for review and approval prior to the commencement of construction, which will ensure design review consistent with the county's emergency preparedness requirements.</p>
<b>Estero Area Plan</b>	
<b>Rural Land Use Policies</b>	
<p>Policy 1. Maintain agriculture and the rural character of the area.</p> <p>Policy 2. Protect agriculture, open space, and sensitive resources.</p> <p>Policy 6. Protect scenic vistas of the Morros</p> <p>Policy 7. Support cooperative efforts to develop a consensus-based plan for the Morros that conserves, enhances and manages its valuable resources, including agriculture.</p>	<p>PESC will develop a portion of agriculturally designated parcel 073-121-009. The development of parcel 073-121-009 will be inconsistent with Policies 1, 2, and 7. The Applicant will work cooperatively with the CEC and the County Board of Supervisors on land use designations issues that will ensure future consistency with the Agricultural Element's goal and policy of protecting agricultural lands. Additionally, the project will not cause development of surroundings agricultural lands as they are located within the Chorro Valley Agricultural Preserve, and many are currently under Williamson Act contracts preventing their development for non-agricultural purposes. PESC is consistent with Policy 6. Refer to Section 5.13, Visual Resources, for additional information on the projects viewshed</p>



Goal/Policy	Project Consistency
<b>Morro Bay Fringe Land Use Policies</b>	
<p>Policy 1. Prevent urban development outside the Morro Bay city limits, and direct future growth onto developable, non-prime lands within the city.</p> <p>Policy 2. Establish a "project referral area" that includes the Morro and Chorro Creek hydrologic basins within the sphere of influence of the city of Morro Bay. Refer to the city for its review and comment proposed development subject to discretionary review.</p>	<p>PESC is consistent with Policy 1 and Policy 2. The project will submit design plans to the CEC for review and approval prior to the commencement of construction, which will ensure plan review is consistent with the goals and policies of the Estero Area Plan.</p>
<b>Morro Bay Estuary and its Watershed</b>	
<p>Policy 1. Slow the process of bay sedimentation. Keep Chorro and Los Osos Creeks and other watercourses free of excessive sediment and other pollutants to maintain freshwater flow into the estuary, nurture steelhead and support other plant and animal species.</p>	<p>PESC is consistent with Goals SL 1, SL 2, and SL 3 as well as, Policies SL 1.1. Refer to Section 5.11, Soil Resources, for additional information on soils.</p>
<b>City of Morro Bay Plan Morro Bay</b>	
<b>Land Use Element</b>	
<b>Diverse Mix of Land Uses</b>	
<p>Goal LU-1: The community form of Morro Bay reflects its vision and values, promoting a strong economy and high quality of life.</p> <p>Policy LU-1.1: Land Use Pattern. Maintain the current pattern of Morro Bay's land use to preserve the distinct character areas and community form, while enhancing and transforming areas with greatest potential for change to improve economic activity and align them with the community vision.</p>	<p>PESC is consistent with Goal LU-1 and Policy LU-1.1. The project actions within the City of Morro Bay's jurisdiction will rely on an existing utility ROW. Refer to Section 2.0, Project Description, for additional information of project actions and limits of disturbance.</p>
<b>Agriculture and Aquaculture</b>	
<p>Policy LU-5.2: Agricultural Uses. Maintain prime agricultural land and other lands suitable for agricultural use in the planning area in long-term agricultural production.</p>	<p>PESC is consistent with Policy LU-5.2. The project actions within the City of Morro Bay's jurisdiction will rely on an existing utility ROW. Refer to Section 2.0, Project Description, for additional information of project actions and limits of disturbance.</p>
<b>Coastal Access</b>	
<p>Goal LU-7: All residents and visitors have unimpeded and convenient public access to and along the coast.</p>	<p>PESC is consistent with Policy LU-7. The project actions within the City of Morro Bay's jurisdiction will rely on an existing utility ROW. Refer to Section 2.0, Project Description, for additional information of project actions and limits of disturbance.</p>

### 5.6.2.2.3 Conflict with an Applicable Habitat Conservation Plan

The PESC is not located within the limits of any adopted HCP or Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan; thus, there will be no impact.

### 5.6.2.2.4 Convert Farmland to Non-agricultural Uses

The PESC will be located on land that is currently supporting row cropping. The CDOC maps the PESC project site as Prime Farmland and Farmland of Local Potential. Therefore, the construction and operation of PESC will result in conversion of designated agricultural lands to other land use. The PESC will not affect the surrounding parcels' agricultural land use designation. Potential routes for an interconnection transmission line will parallel an existing utility ROW that traverses lands with similar designations. The existing utility ROW currently contains transmission lines and transmission towers.

### 5.6.2.2.5 Cause Changes that will Result in the Conversion of Farmland

Title 22 and 23 of San Luis Obispo County Code requires that development within unincorporated San Luis Obispo County comply with the County's General Plan for lands zoned as agriculture. As such, the PESC project will not cause land use changes that will induce other land use changes resulting in the long-term conversion of farmland.

### 5.6.2.3 Compatibility with Existing and Designated Land Uses and Applicable Planning Policies

Table 5.6-4 lists applicable local plans and policies and describes the project's conformity with them.

## 5.6.3 Cumulative Effects

A cumulative impact refers to a proposed project's incremental effect together with other closely related past, present, and reasonably foreseeable future projects whose impacts may compound or increase the incremental effect of the proposed project (Public Resources Code [PRC] Section 21083; CCR, Title 14, Section 15064[h], 15065[c], 15130, and 15355). The CEQA Guidelines further note that:

*The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative effects can result from individually minor, but collectively significant, projects taking place over a period of time (CCR Section 15355).*

Cumulative land use impacts could occur if the development of the PESC and other related past, present, and reasonably foreseeable probable future projects will be inconsistent with applicable plans and policies or have other cumulative land use-related impacts such as the conversion of farmland.

The Applicant will work cooperatively with the CEC and the County Board of Supervisors on land use designations issues that will ensure the project's consistency with land use plans and policies. Therefore, the project will not contribute to cumulative impacts associated with land use compatibility. Moreover, there are no past, present, or reasonably foreseeable future projects proposed within the study area that would result in adjacent incompatible land uses (see Appendix 5.6A for a list of cumulative projects).



Long-term cumulative impacts are not anticipated with the implementation of PESC and the listed projects because each project is required to comply with CEQA guideline requirements for evaluating potential cumulative impacts, and/or obtain approval from the Lead Agency prior to permitting and construction by demonstrating conformance to existing land use policies. For these reasons, PESC will not cause a significant cumulative land use impact.

#### **5.6.4 Mitigation Measures**

The Applicant will work cooperatively with the CEC and the County Board of Supervisors on land use designations issues to achieve a satisfactory level of consistency with applicable land use plans and designations. As such, additional mitigation measures beyond those incorporated into the project's design will not be required.

#### **5.6.5 Laws, Ordinances, Regulations, and Standards**

This section lists and discusses the land use LORS that apply to PESC. Consistent with AFC requirements, all plans, and policies applicable to the 1-mile area surrounding the PESC and 0.25-mile area surrounding the offsite interconnection transmission line are summarized below. As discussed above, PESC is located primarily within unincorporated San Luis Obispo, CA. The final section of the interconnection transmission line route will cross into the City of Morro Bay's jurisdiction.

##### **5.6.5.1 Federal LORS**

Because PESC is located on private lands within the State of California and in the County of San Luis Obispo and the City of Morro Bay, there are no federal laws and regulations that apply to the construction and operation of the project.

##### **5.6.5.2 State LORS**

###### **5.6.5.2.1 Warren Alquist Act**

The AFC process is a certified regulatory process pursuant to the Warren-Alquist Act and, therefore, fulfills the requirements of CEQA. CEQA is codified in the California PRC, Section 21000-21178.1. Guidelines for implementation of CEQA are codified in the CCR, Sections 15000-15387. The Applicant will work cooperatively with the CEC and the County Board of Supervisors all issues.

###### **5.6.5.2.2 California Land Conservation Act (Williamson Act)**

The California Land Conservation Act of 1965, commonly known as the Williamson Act, was enacted to encourage preservation of agricultural lands and encourage open space preservation and efficient urban growth. The Williamson Act provides incentives to landowners through reduced property taxes to create an agricultural preserve and agree to keep their land in agricultural production (or another compatible use) for at least 10 years. Maps, statistics, and reports on Williamson Act lands are available online. The PESC project is located on lands under Williamson Act contracts. The Applicant will work with the San Luis Obispo County Board of Supervisors on either a consistency determination or the possible cancellation of the parcel's Williamson Act contract as it applies to the project site.

##### **5.6.5.3 Local LORS**

Each California government's General Plan (California State Planning Law, Government code Section 65302 et seq.) include land use provisions that reflect the goals and policies that guide the physical development of land in their jurisdiction. San Luis Obispo County Planning and Building is responsible for enforcing the county zoning ordinances for unincorporated San Luis Obispo County. The City of Morro Bay's Planning Division is responsible

for enforcing the city's zoning ordinances. Table 5.6-5 lists the applicable LORS, the agencies that administer them, and the AFC section that discusses the project's conformance with the LORS.

**Table 5.6-5: LORS for Land Use**

LORS	Requirement/Applicability	Administering Agency	AFC Section Explaining
<b>State</b>			
CEQA PRC Code, Sections 21000-21178.1, including Guidelines for implementation of CEQA are codified in the CCR Sections 15000-15387	Establishes policies and procedures for review of proposed power plants in California.	CEC	Section 5.6.5.2
Warren-Alquist Act PRC Section 25000 et seq.)	Legislation that created and gives statutory authority to the CEC.	CEC	Section 5.6.5.2
California Lands Conservation Act (Williamson Act)	Preserves agricultural land and encourages open space preservation and efficient urban growth.	CDOC	Section 5.6.5.2
CEQA PRC Code, Sections 21000-21178.1, including Guidelines for implementation of CEQA are codified in the CCR Sections 15000-15387	Establishes policies and procedures for review of proposed power plants in California.	CEC	Section 5.6.5.2
<b>Local</b>			
County of San Luis Obispo: General Plan and LCP	Comprehensive long-range plan to serve as the guide for the physical development of the County.	County of San Luis Obispo: Planning and Building	Section 5.6.2.2, Section 5.6.2.3, and Table 5.6-4
County of San Luis Obispo: CZLUO	To implement the San Luis Obispo County General Plan and the San Luis Obispo County LCP, and to guide and manage the future growth of the county in accordance with those plans.	County of San Luis Obispo: Planning and Building	Section 5.6.2.3, and Table 5.6-4
City of Morro Bay LCP: Plan Morro Bay 2021	Comprehensive long-range plan to serve as the guide for the physical development of the city.	City of Morro Bay Community Development: Planning Division	Section 5.6.2.3 and Section 5.6.2.3



### 5.6.6 Agencies and Agency Contacts

Table 5.6-6 provides a list of agencies and contacts.

**Table 5.6-6: Agency Contacts for Land Use**

Issue	Agency	Contact
Zoning and Land Use Data	County of San Luis Obispo: Planning and Building	Trevor Keith Director of Planning & Building Phone: 805-781-5600 976 Osos Street Room 200 San Luis Obispo, CA 93408
	City of Morro Bay Community Development: Planning Division	Scot Graham Community Development Director Phone: 805-772-6291 955 Shasta Avenue Morro Bay, CA 93442

### 5.6.7 Permits and Permit Schedule

The Energy Commission’s exclusive siting jurisdiction preempts the state law authority of the California Coastal Commission (CCC), as it does on all state law issues (Public Resources Code 25500). Since the PESC Project was not required to file a Notice of Intent, the CCC does not file a “report”, but instead may, at its discretion, participate in the Energy Commission’s proceedings consistent with California Coastal Act Section 30413(e). Because of the exclusive jurisdiction of the CEC, no other land use permits are required for the PESC. Nevertheless, the Applicant will work cooperatively with the CEC and the County Board of Supervisors on issues.

### 5.6.8 References

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