OCEANO DUNES STATE VEHICULAR RECREATION AREA UPDATED DUST CONTROL PROGRAM DESCRIPTION (Coastal Development Permit (CDP) #03-12-50)

The California Department of Parks and Recreation (CDPR), Off-Highway Motor Vehicle Recreation (OHMVR) Division proposes to implement a five-year program (Program) to control and minimize emissions of dust and particulate matter (PM) that are generated at Oceano Dunes SVRA during periods of strong, persistent winds and subsequently blown downwind of the SVRA and onto the Nipomo Mesa.

Oceano Dunes SVRA is located in southwestern San Luis Obispo (SLO) County, approximately twelve miles south of the City of SLO, within the Coastal Zone established by the California Coastal Act. The SVRA borders and is contiguous with parts of Pismo State Beach. The two parks provide public access to beaches and public, coastal recreation opportunities, including off-highway motor vehicle (OHV) recreation in certain designated areas. In November 2012, the OHMVR Division submitted a Coastal Development Permit (CDP) application to the California Coastal Commission (CCC), Central Coast District Office, describing the proposed Dust Control Program in detail. Since 2012, the OHMVR Division has modified its proposed Dust Control Program. The currently proposed Program was described in the OHMVR Division's Dust Control Program Environmental Impact Report (EIR) (State Clearinghouse #2012121008), and this updated project description is based on the proposed Program as described in the OHMVR Division's EIR. This updated project description describes the activities the OHMVR Division is including in CDP application #03-12-050, and fully replaces the description of activities the OHMVR Division provided to the CCC in November 2012.

1 DUST CONTROL PROGRAM BACKGROUND

The OHMVR Division directs the CCC to Draft Program EIR Chapter S.0 (Executive Summary), Chapter 1 (Introduction), and Chapter 2 (Project Description), Sections 2.1 (Dust Control Program Objectives) and 2.2 (Oceano Dunes SVRA Overview) for an overview and brief summary of pertinent background information regarding the proposed Dust Control Program. The OHMVR Division also directs the CCC to Final Program EIR Chapter 2 (Additional Information), Chapter 3 (Errata and Revisions), and Chapter 4 (Responses to Draft EIR Comments), Section 4.3 (Response to Comments from the California Coastal Commission), for additional contextual and background information on the proposed Program.

2 DUST CONTROL PROGRAM ACTIVITIES INCLUDED IN CDP APPLICATION #03-12-050

The activities included in the OHMVR Division's CDP application include new dust control and monitoring activities, the continuation of certain existing dust control and monitoring activities, and the implementation of the Dust Control Program EIR's requirements and mitigation measures. These activities are described below.

2.1 New Dust Control and Monitoring Activities

The Dust Control Program CDP application includes the following "new" activities the OHMVR Division is proposing to undertake to control and monitor dust and PM in accordance with

current obligations, including compliance with SLO County Air Pollution Control District (SLOAPCD) Rule 1001:

- **Planting approximately 20 acres of native vegetation per year at Oceano Dunes SVRA.** The OHMVR Division would plant this vegetation during the fall, when rains support the establishment of native dune vegetation. In total, the OHMVR Division could plant approximately 100 acres of native vegetation over the five-year period evaluated in the Dust Control Program EIR.
- **Deploying approximately 40 acres of seasonal dust control measures from approximately March to September at Oceano Dunes SVRA.** The OHMVR Division would deploy dust control measures such as wind fencing, straw bales, porous roughness elements (PREs), and, potentially, non-toxic, environmentally friendly soil stabilizer to control and minimize dust on a seasonal basis. These seasonal measures could be installed as early as March 1 and removed as late as September 30. Seasonal dust control measures could also include pilot and/or demonstration projects as new control measures are identified by the OHMVR Division for implementation at Oceano Dunes SVRA.
- **Potentially planting trees downwind of Oceano Dunes SVRA.** The OHMVR Division may plant native, fast growing trees on private lands located downwind of the SVRA. Tree plantings would be unlikely to control or minimize dust emissions during the five-year period covered by the Dust Control Program EIR, but could provide for the long term control of dust emissions.
- **Dust and meteorological monitoring at Oceano Dunes SVRA.** The OHMVR Division would install, maintain, and operate scientific monitoring equipment to investigate and evaluate dust levels and control measure effectiveness.
- **Preventing track-out of sand onto Grand Avenue in the City of Grover Beach and Pier Avenue in Oceano.** The OHMVR Division would install, operate, and maintain grooved concrete at Pismo State Beach exits on Grand Avenue in the City of Grover Beach and Pier Avenue in the community of Oceano.

The above activities, including a list of native plants that could be used in vegetation projects, are described in more detail in Draft Program EIR Section 2.3.2.

2.2 Continuation of Existing Dust Control and Monitoring Activities

The OHMVR Division's Dust Control Program CDP application also includes the continuation of certain existing activities related to dust control and monitoring obligations:

- **Deploying seasonal sand fencing upwind of Grand Avenue, Pier Avenue, and Strand Way.** From approximately March to July of each year, the OHMVR Division installs approximately 1,700 linear of sand fencing to control natural sand drift from the beach onto Grand Avenue and Pier Avenue, as well as parking areas and other structures such as residences on Strand Way that front the southern portion of Pismo Beach. The installation of seasonal wind fencing upwind of Grand Avenue is exempt from CDP requirements and the fencing upwind of Pier Avenue and Strand Way is performed in a manner consistent with an existing CDP Waiver (3-08-041W). The continuing installation of this fencing is an activity included in the OHMVR Division's Dust Control Program CDP application.

- **Continuing Operation of the "S1" and "Oso Flaco" Meteorological and Air Quality Monitoring Stations.** Since June 2010, the OHMVR Division has operated and maintained a meteorological tower near the center of Oceano Dunes SVRA, referred to as the "S1" meteorological tower. The S1 tower is installed with concurrence from the SLO County Planning Division (DRC 2010-0003) and was included in a permit application to the CCC for five total wind towers in and near Oceano Dunes SVRA. The permit application is currently under appeal to the CCC (A3-SLO-11-021), and there is no timeline for a public hearing. Nonetheless, the continuing operation and maintenance of the S1 meteorological tower is an activity included in the OHMVR Division's Dust Control Program CDP application.

  In addition, in May 2015, the OHMVR Division installed an air quality monitoring station, referred to as the "Oso Flaco" monitoring station, in the southeast corner of Oceano Dunes SVRA. The Oso Flaco monitoring station was installed in accordance with emergency permit G-3-15-00014. The continuing operation and maintenance of the Oso Flaco monitoring station is also an activity included in the OHMVR Division's Dust Control Program CDP application.

- **Full revegetation of 30 acres of a former straw bale dust control project.** In March 2014, the OHMVR Division installed approximately 5,000 straw bales on a 30-acre area along the eastern boundary of Oceano Dunes SVRA, outside of the SVRA's open riding and camping area. These straw bales were installed in accordance with emergency permit G-3-14-00007. The straw bales were left in place and, overtime, became partially buried and/or used as ground coverage to support vegetation plantings. All vegetation was installed during fall planting periods in 2014, 2015, and 2016. No additional planting is proposed and all straw bales that the OHMVR Division could access have been broken up and incorporated into vegetation restoration projects.

The above existing activities are described in more detail in Draft Program EIR Section 2.2.7.

2.3 Implementation of EIR Requirements and Mitigation Measures

The OHMVR Division's Dust Control Program EIR identifies approximately 35 requirements and/or mitigation measures incorporated into the proposed Program to reduce and/or avoid the program's potential adverse environmental impacts. Most of the EIR's requirements involve planning or design considerations that do not constitute development under the Coastal Act; however, certain requirements could result in ancillary development and/or affect how the OHMVR Division can implement dust control measures. For example, nesting bird protection requirements could result in the installation of temporary protective fencing and Mitigation Measure REC-1 could result in the installation of education kiosks near dust control measures. In addition, Mitigation Measure REC-1 requires the OHMVR Division to identify areas for additional camping or OHV recreation opportunities and to diligently pursue opening such areas as a means to mitigate the loss of OHV recreation lands identified in the EIR.

The EIR's requirements and mitigation measures are compiled in the Mitigation Monitoring and Reporting Plan (MMRP) the OHMVR Division adopted for the proposed Dust Control Program (see Exhibit B).

3 DUST CONTROL PROGRAM AREA

As described in Draft Program EIR Section 2.3.1, the proposed Dust Control Program area primarily consists of approximately 690-acres of state-owned and state-operated lands at Oceano Dunes SVRA (see Exhibit A, Figures, for Draft Program EIR Figure 2-5)[1]. An additional, approximately 295-acre area of privately-owned lands located immediately downwind and adjacent to Oceano Dunes SVRA is the area in which all potential tree plantings would occur. Track-out prevention devices and the continued operation and maintenance of existing dust control and monitoring activities would also occur in small isolated areas at and near Oceano Dunes SVRA, but outside of the primary 690-acre Program area.

The proposed Program area includes the portion of Oceano Dunes SVRA located between approximately 280 degrees to 315 degrees upwind of the SLOAPCD's CDF ambient air quality monitoring station. The Program area includes most of the open sand areas in the central to northern portion of the Oceano Dunes SVRA open riding and camping area, commonly referred to as the "La Grande Tract." SLOAPCD and OHMVR Division studies have identified this area as the area most likely influencing air quality measurements at the CDF station and air quality conditions on the Nipomo Mesa (see Draft Program EIR Section 1.1.2). The proposed Program area also includes the areas where seasonal wind fencing and straw bale arrays were implemented in 2014, 2015, and 2016 by the OHMVR Division and SLOACPD, in consultation with CARB (see Draft Program EIR Section 2.2.7.4). Finally, the proposed Program area is situated in the middle of the SLOAPCD's CDF air quality forecast zone, which is the zone that experiences the worst air quality conditions during high wind and dust events.

The proposed Program area avoids USFWS-designated critical habitat for the western snowy plover, which borders the Program area to the west.

4 DUST CONTROL PROJECT SITING FACTORS AND ADAPTIVE MANAGEMENT APPROACH

The OHMVR Division has identified conceptually preferred and alternate scenarios for possible Program implementation (see Exhibit A, Figures, for Draft Program EIR Figures 2-8 and 2-9). Importantly, although conceptual scenarios were included in the EIR for impact evaluation purposes, final locations for dust control projects have not been identified or evaluated for consistency with the Program EIR's objectives, impacts, etc. Thus, actual planting areas and seasonal dust control measure locations are subject to change.

The OHMVR Division directs the CCC to Draft Program EIR Section 2.3.3, which describes the environmental, technical, and logistical factor that would generally guide where the OHMVR Division would ultimately plant vegetation and deploy seasonal dust control measures. These factors, include but are not limited to, Rule 1001 compliance, resource and recreation management considerations, and material availability and cost factors. In addition, the OHMVR Division would incorporate the latest results from any dispersion modeling exercises completed by the OHMVR Division, SLOAPCD, and the California Air Resources Board, as such dispersion modeling is intended to assist with the selection of potential dust control project locations (see Final Program EIR Section 2.2).

[1] The exact acreage of this primary Dust Control Program area is 688 acres.

Although initial dispersion model results are now available, the OHMVR Division notes there is uncertainty surrounding the magnitude of dust control measures needed to comply with the Rule 1001 performance standard. This uncertainty is a major reason why the OHMVR Division established clear, yet flexible objectives for its proposed Program. This uncertainty is also a major reason why the OHMVR Division prepared a Program EIR that evaluates different types of dust control measures located throughout more than one square mile of land at and near Oceano Dunes SVRA.

The proposed Program would involve an iterative series of dust control activities that would be evaluated and revised as necessary to meet goals set by the OHMVR Division, SLOAPCD, and CARB (see Draft Program EIR page 2-1). The OHMVR Division would evaluate the relative success of the proposed Dust Control Program over time and, if necessary, revise and improve dust control activities. Initially, the OHMVR Division anticipates such revisions would consist of changing the location of seasonal dust control measures or vegetation plantings and identifying the most effective patterns for seasonal dust control arrays (e.g., increase density of fencing, combined porous roughness elements and fencing arrays, etc.). Thus, the proposed Program implements controls, measures success, and adapts methods based on measured results, which is a standard adaptive management approach.

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EXHIBIT A: FIGURES

- Draft Program EIR Figure 2-5
- Draft Program EIR Figure 2-8
- Draft Program EIR Figure 2-9

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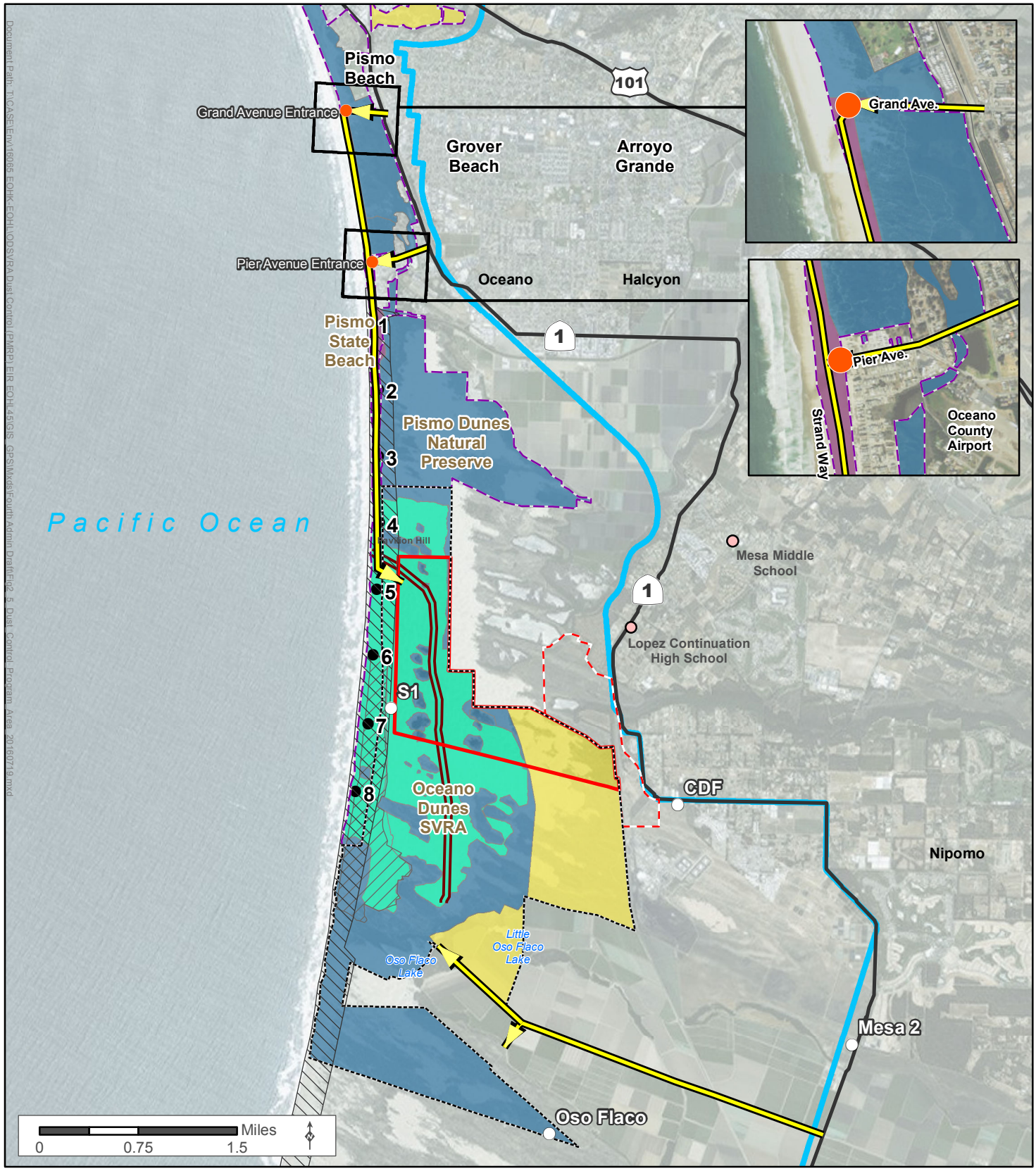
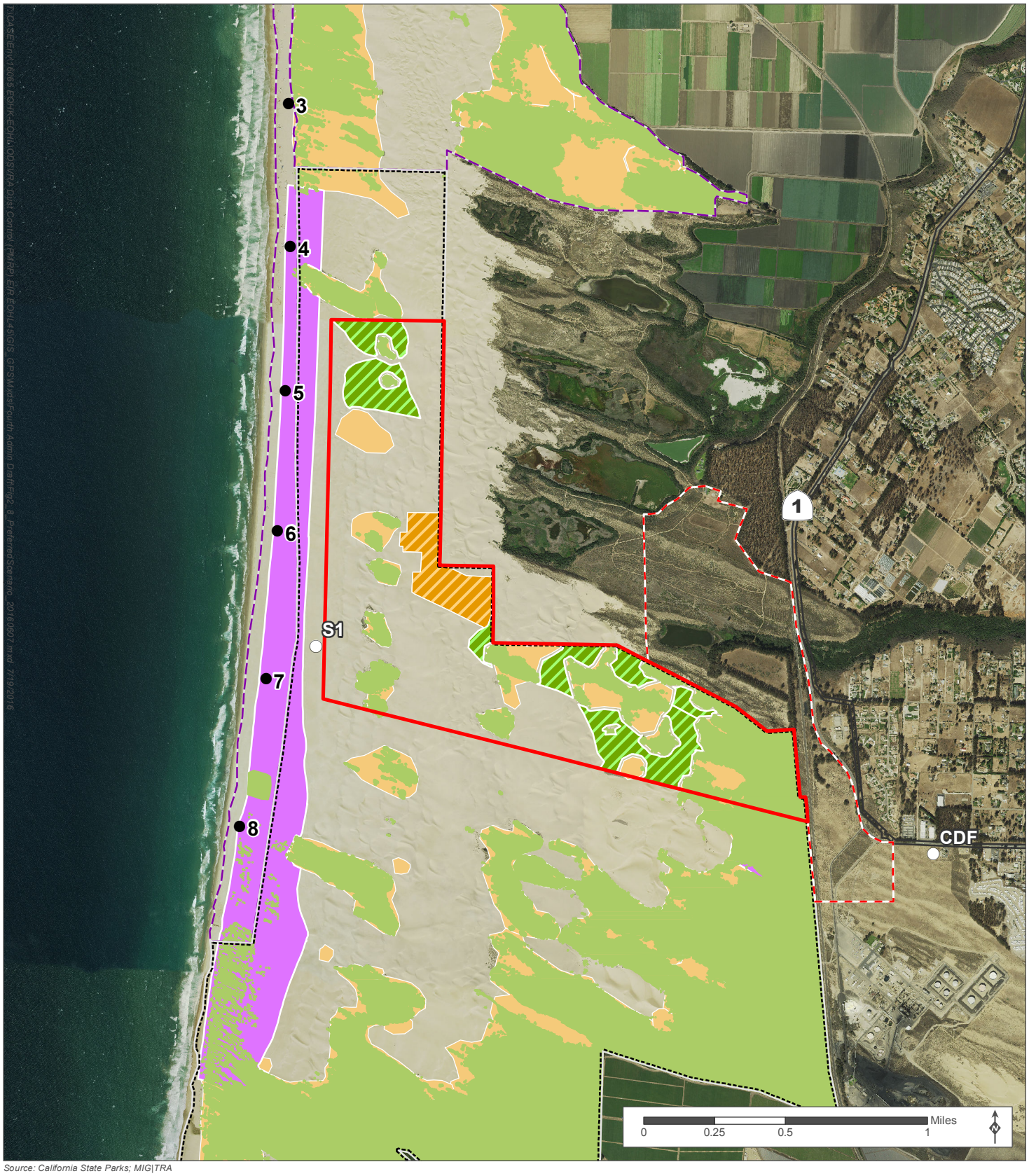


Figure 2-5 Dust Control Program Area



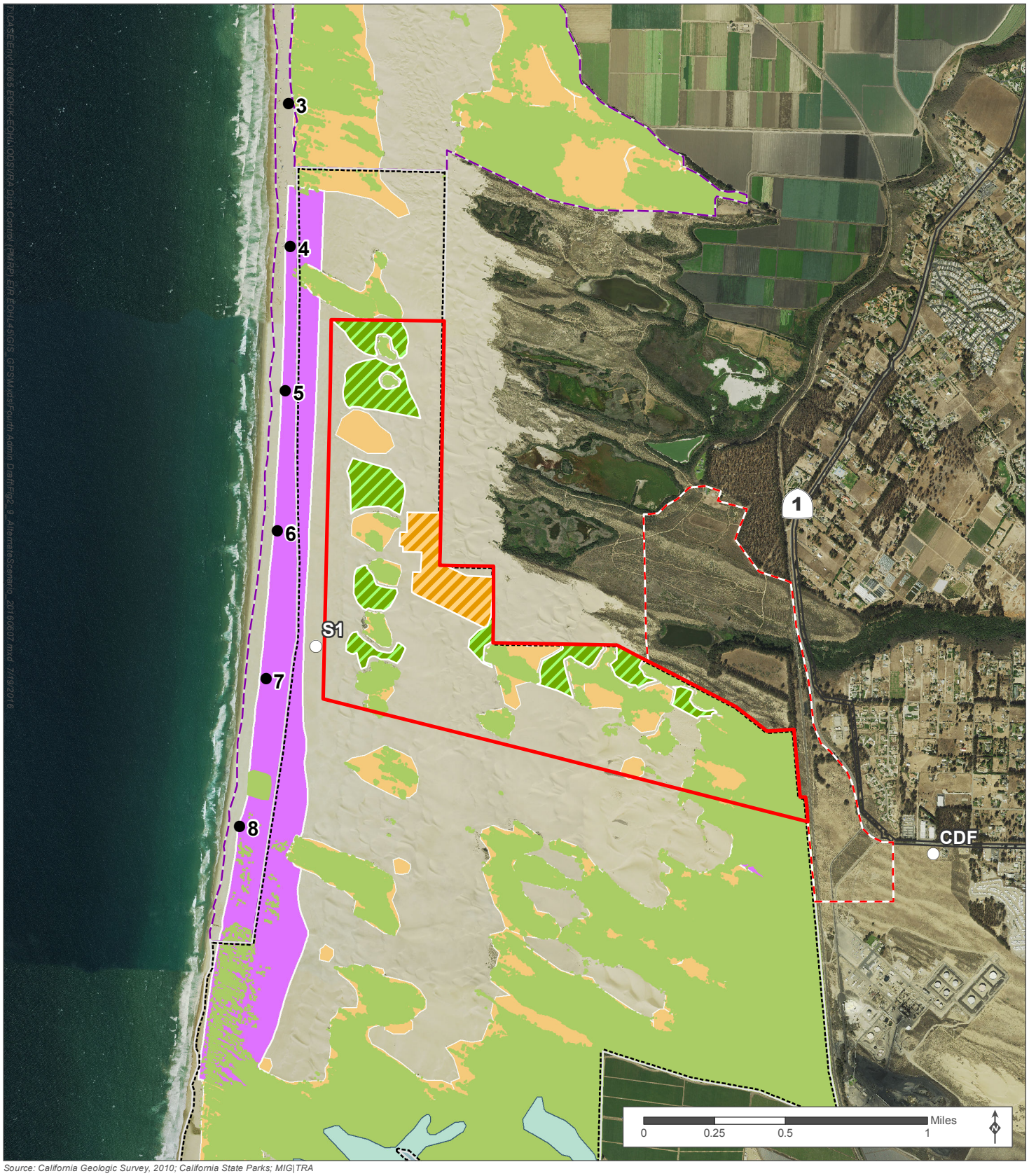
Source: California State Parks; MIG|TRA

- Proposed Dust Control Program area (688 acres)
- Potential tree planting area (295 acres)
- Oceano Dunes SVRA
- Pismo State Beach
- Marker post
- Existing air quality monitor
- Existing vegetation
- Medium and high cultural sensitivity area
- High biological sensitivity area

Proposed Dust Control Measures - Conceptual Locations (Preferred)

- Conceptual vegetation plantings (approx. 100 acres)
- Conceptual seasonal dust control measure (approx. 40 acres)

Figure 2-8 Dust Control Program - Preferred Scenario



Source: California Geologic Survey, 2010; California State Parks; MIG|TRA

- Proposed Dust Control Program area (688 acres)
- Potential tree planting area (295 acres)
- Oceano Dunes SVRA
- Pismo State Beach
- Marker post
- Existing air quality monitor
- Exisitng vegetation
- Medium and High Cultural Resource Sensitivity Area
- High Biological Resource Sensitivity Area

Proposed Dust Control Measures - Conceptual Locations (Alternate)

- Conceptual vegetation plantings (approx. 100 acres)
- Conceptual seasonal dust control measure (approx. 40 acres)

Figure 2-9 Dust Control Program - Alternate Scenario

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EXHIBIT B: ADOPTED MITIGATION MONITORING AND REPORTING PLAN FOR THE OCEANO DUNES SVRA DUST CONTROL PROGRAM

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OCEANO DUNES STATE VEHICULAR RECREATION AREA DUST CONTROL PROGRAM

MITIGATION, MONITORING, AND REPORTING PLAN

This Mitigation, Monitoring, and Reporting Plan (MMRP) has been prepared for the Oceano Dunes State Vehicular Recreation Area (SVRA) Dust Control Program pursuant to California Environmental Quality Act (CEQA) Guidelines (California Code of Regulations, Title 14), which state the following:

> In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency, [here, the Off-Highway Motor Vehicle Recreation (OHMVR) Division] shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects." (CEQA Guidelines §15097(a))
>
> The public agency may choose whether its program will monitor mitigation, report on mitigation, or both. 'Reporting' generally consists of a written compliance review that is presented to the decision making body or authorized staff person. A report may be required at various stages during project implementation or upon completion of the mitigation measure. 'Monitoring' is generally an ongoing or periodic process of project oversight. There is often no clear distinction between monitoring and reporting and the program best suited to ensuring compliance in any given instance will usually involve elements of both." (CEQA Guidelines §15097 (c))

The mitigation measures were identified in a Draft Program EIR prepared for the Oceano Dunes SVRA Dust Control Program in August 2016 and reflect modifications resulting from finalizing the EIR in March 2017. Furthermore, since the OHMVR Division is a state agency subject to compliance with public resources codes for protection of sensitive resources, several standard and project-specific requirements were incorporated in the Program to protect resources. The application of these requirements is assumed and, therefore, they are not considered mitigation measures but rather resource protection measures that are part of the Program.

Standard and Specific Requirements Included in the Dust Control Program

Table 1 lists the standard and specific requirements incorporated into the Oceano Dunes SVRA Dust Control Program.

Table 1. Standard and Specific Requirements Included in the Dust Control Program

Standard Requirements That Would Reduce Effects in Multiple Resource Areas

- **Minimize Ground Disturbance and Land Occupancy.** The OHMVR Division shall:
  - Design and implement the Dust Control Program to disturb and occupy as little land as possible
  - Prior to the start of Dust Control Program-related work activities (e.g., installation of dust control measures, monitoring equipment maintenance), the OHMVR Division shall determine the minimum area required to complete the work and define the boundaries of the work area on project drawings and with flagging or fencing on the ground, as appropriate
  - Use existing paths of travel to access project-related work areas
  - Restore all disturbed areas to the maximum extent feasible

Hazards and Hazardous Materials

- **Designate Vehicle and Equipment Storage, Staging, and Clean-up Locations.** The OHMVR Division shall store, stage, and clean-up all vehicles and equipment used for Dust Control project-related work activities at its maintenance yard on SR 1 in Oceano when not in use.
- **Designate Vehicle and Equipment Fueling Locations.** The OHMVR Division shall also store and conduct all re-fueling activities at its maintenance yard on SR 1 in Oceano.
- **Inspect for Equipment Leaks.** The OHMVR Division shall inspect all off-road and other construction equipment for leaks prior to and at the conclusion of any installation, operation, or maintenance activity. If leaks are observed, the leaking equipment shall be removed from the project site and repaired. All contaminated water, sludge, spill residue, or other hazardous compounds discovered during inspections shall be contained and disposed of, as necessary, at lawfully permitted or authorized disposal sites.
- **Prepare and Implement Spill Prevention and Response Plan.** The OHMVR Division shall prepare a Spill Prevention and Response Plan (SPRP) to provide protection to on-site workers, the public, and the environment from accidental leaks or spills of vehicle fluids or other potential contaminants. At a minimum, this plan will include (but not be limited to):
  - A map that delineates equipment staging, refueling, and maintenance areas and the BMPs that would be implemented to prevent spills or leaks from leaving these areas
  - A list of project materials which, if released, could pose a hazard to the public or the environment
  - Procedures for the proper storage, use, and disposal of any solvents or other chemicals used in project activities;
  - Procedures for the immediate containment and clean-up of any spills or leaks of hazardous materials, including a list of items to be maintained in an on-site spill response kit at all times
  - Identification of lawfully permitted or authorized disposal destinations outside of the project site

Table 1. Standard and Specific Requirements Included in the Dust Control Program

Aesthetics

- **Vegetation Design Considerations.** The OHMVR Division shall:
  - Use local, native vegetation that matches the existing plant community composition of the planting area.
  - Plant vegetation in patterns and shapes that reflect the natural plant colonization and dune-building processes of the dunes (e.g., planting along the prevailing wind direction, avoid planting in regular shapes like squares or rectangles).
- **Seasonal Dust Control Measure Design Considerations.** The OHMVR Division shall, to the maximum extent feasible and supported by scientific data:
  - Deploy seasonal dust control measures in locations that minimize conflict with scenic views of the ocean from sensitive park visitor viewpoints, including camping areas, hiking trails, established paths of travel, and other areas of high visitation.
  - Deploy muted green- or neutral-colored (e.g., sand-colored or brown) wind fencing when existing orange-colored fencing supplies deteriorate or run out.

Biological Resources

- **Minimize Ground Disturbance and Land Occupancy.** The OHMVR Division shall:
  - Design and implement the Dust Control Program to disturb and occupy as little land as possible
  - Prior to the start of Dust Control Program-related work activities (e.g., installation of dust control measures, monitoring equipment maintenance), the OHMVR Division shall determine the minimum area required to complete the work and define the boundaries of the work area on project drawings and with flagging or fencing on the ground, as appropriate
  - Use existing paths of travel to access project-related work areas
  - Restore all disturbed areas to the maximum extent feasible
- **Minimize and/or Avoid Impacts to Special-Status Plants.** The OHMVR Division would implement the following measures to minimize and/or avoid impacts to special-status plants:
  - Prior to starting all work under the Dust Control Program, a qualified biologist shall survey for the presence of special-status plants in and within 100 feet of work areas (including new access routes). These surveys should be conducted prior to the commencement of Program activities, during the appropriate blooming period for species that are known to or have the potential to occur in work areas, and shall follow protocols established by the USFWS (USFWS 1996), CDFW (CDFG 2009), and CNPS (CNPS 2001), including the use of reference sites to confirm appropriate survey timing, if necessary.
  - A qualified biologist shall map, flag, and protect special-status plants identified during surveys.
    - The qualified biologist shall establish clear avoidance areas around California and federal endangered or threatened plant locations. This avoidance area shall provide a minimum 25-foot buffer from all work activities (the biologist may establish a larger buffer if appropriate). Sturdy, visible fencing or other protective features shall be installed around all avoidance areas. Fencing shall be securely staked and installed in a manner that would be reasonably expected to

Table 1. Standard and Specific Requirements Included in the Dust Control Program

withstand winds and sand transport levels typical of Oceano Dunes SVRA. Fencing and other protective features shall be removed upon completion of work activities.

- If California or federal endangered or threatened plant species are observed in a work area or along an access path to a work area, the OHMVR Division shall prepare and submit a report detailing the find to the appropriate resource agency (i.e., USFWS, CDFW) prior to starting work. If a California or federal endangered or threatened plant species cannot be avoided during work activities, the USFWS and/or CDFW shall be consulted regarding the appropriate avoidance, minimization, and/or mitigation measures prior to conducting the work.

- Special-status plant species that are not California or federal listed shall be avoided to the extent feasible. If it is not feasible to avoid the loss of special-status plants that are not California or federal listed, the OHMVR Division shall, if feasible, compensate for this loss by reseeding, replanting, and/or restoring the disturbed areas with locally collected seed stock from nearby plant locations.

- **Qualified Biologist.** A qualified biologist shall be an individual with a minimum of five years of academic training and professional experience in biological sciences and related resource management activities with a minimum of two seasonal years conducting surveys for special-status species that may be present in the project area.
- **Minimize and/or Avoid Impacts to Special-Status Amphibians and Reptiles.** The OHMVR Division would implement the following measures to minimize and/or avoid impacts to special-status amphibians and reptiles:
  - Immediately prior to starting all work under the Dust Control Program, a qualified biologist shall survey for the presence of special-status amphibians and reptiles (other than California red-legged frog) in and within 100 feet of work areas (including new access routes). These surveys may include a combination of visual and trapping surveys (if authorized by CDFW).
  - If special-status amphibians and/or reptiles are identified during surveys (other than California red-legged frog), a qualified biologist shall coordinate with and receive approval from CDFW to capture and relocate the animal to nearby, suitable habitat that is at least 300 feet from the work area.
  - No trash shall be deposited on the site during work activities. All trash shall be placed in trash receptacles with secure lids or stored in vehicles.
- **Minimize and/or Avoid Impacts to California Red-Legged Frog.** The OHMVR Division would implement the following measures to minimize and/or avoid impacts to the California red-legged frog:
  - Immediately prior to starting all work under the Dust Control Program, a qualified biologist shall survey the work site for California red-legged frogs. If found, the biologist shall delineate and maintain an appropriate sized buffer and contact the USFWS to determine if moving the animal(s) is appropriate. In making this determination, the USFWS will consider if an appropriate relocation site exists. If the USFWS approves moving animals, an approved biologist will be allowed sufficient time to move them from the work site before work activities begin. Only USFWS-approved biologists shall participate in activities associated with the capture and handling of California red-legged frogs.

Table 1. Standard and Specific Requirements Included in the Dust Control Program

- If a project is proposed near an area that could potentially support California red-legged frog, a biological monitor shall remain onsite to monitor for the presence of California red-legged frog throughout the installation of all dust control measures. The on-site biological monitor shall have the authority to halt any action that might result in impacts that exceed the levels anticipated by the USFWS during review of the proposed action. If work is stopped, the USFWS shall be notified immediately by the biological monitor.

- **Minimize and/or Avoid Impacts to Nesting and Special-Status Birds.** The OHMVR Division would implement the following measures to minimize and/or avoid impacts to special-status birds:
  - Program implementation will avoid the avian breeding season (generally February 1 through September 15) to the extent feasible. If work occurs during the avian breeding season, a qualified biologist shall survey for nesting birds within the work area, along the access path to the work area, and in a sufficient area around the work area to identify nests that could be impacted by activities. These surveys shall be performed no more than seven (7) days prior to the start of work.
    - Identified active nests (i.e., a nest with eggs or chicks) shall be regularly surveyed by a qualified biologist for the first 24 hours prior to any Program-related activities to establish a behavioral baseline. Once work commences, all nests shall be regularly monitored to detect any behavioral changes as a result of the activities. If behavioral changes are observed, the work causing that change shall cease and USFWS and/or CDFW shall be consulted for additional avoidance and minimization measures. If regular monitoring of active nests by a qualified biologist is not feasible, the following measure shall be implemented.
    - If active nests are found during surveys, the OHMVR Division shall establish a buffer zone around the nest until the breeding season has ended, or until a qualified biologist has determined that young have fledged and are no longer reliant upon the nest or parental care for survival. The size of the buffer shall be determined by the qualified biologist, and shall depend on the species and topography, but would generally be 250 feet around active non-listed small bird species nests and 500 feet around active non-listed raptor nests. For the purposes of this measure only, non-listed shall refer to those species not listed under the federal or state Endangered Species Act and/or as state fully-protected species.
  - Prior to starting all work under the Dust Control Program in suitable burrowing owl habitat areas in the backdunes from September 1st through February 28th, a qualified biologist shall survey for potential burrows in the vicinity of the work area.
    - If small mammal burrows are detected, the biologist shall scan the area for burrowing owls and will search for signs of burrowing owls including feathers, whitewash, or pellets.
    - If any occupied burrows are detected, the OHMVR Division shall establish a minimum 100-foot buffer zone around the occupied burrow. A qualified biologist may increase the buffer area if it is determined that a larger buffer is necessary to reduce disturbance.
    - If no burrowing owls or signs of burrowing owls are detected, no further action is required.
  - The OHMVR Division has designed the project to avoid western snowy plover and

Table 1. Standard and Specific Requirements Included in the Dust Control Program

California least tern habitat (generally flat, unvegetated, or sparsely vegetated sand near the shoreline); however, some activities may occur in the vicinity of these species. To the extent feasible, the OHMVR Division shall perform Dust Control Program work activities in the vicinity of western snowy plover and California least tern habitat from October 1 through February 28, which is outside of the nesting season for these species. If work activities must be conducted March 1 through September 30, the OHMVR Division would implement the following measures:

- No more than three days prior to starting work in the vicinity of western snowy plover and California least tern habitat from March 1 to September 30, a qualified biologist shall survey for western snowy plover and California least tern nests. If nests are found during this survey, the OHMVR Division shall establish a minimum 300-foot buffer zone around the nest.
- If nesting activity is initiated within 300 feet of in-progress or installed project activities, the OHMVR Division shall stop all active work and install additional fencing on the existing exclosure (i.e., fence bump-out) if the nest is near an existing exclosure or install a circular single nest exclosure (200-foot diameter for snowy plovers and 330-foot diameter for least terns) if the nest is not near any existing exclosure. The exclosure fence shall consist of 2-inch by 4-inch mesh wire fencing with a height of 5 feet (8 inches buried) to protect the nest from people and predators. No additional dust control activities shall be performed within 300 feet of such exclosure until after the nest fate is determined.
- A biological monitor shall be available to monitor for the presence of nesting activity throughout the installation of all dust control measures. The on-site biological monitor shall have the authority to halt any action that might result in impacts to individual birds or nests. If work is stopped, the USFWS shall be notified immediately by the on-site biological monitor.

- The OHMVR Division shall plan and design Dust Control Program activities to avoid changing breeding habitat in the vicinity of known or potential snowy plover and least tern nesting areas. Program activities that could facilitate predator movement into known or potential nesting areas for plover and tern shall be minimized. If avoidance is not feasible, additional predator control resources (e.g., enhanced monitoring and/or trapping) shall be secured to reduce predator presence and impacts to plover and tern adults, juveniles, chicks, and nests. In addition, if particular structures associated with the Program are confirmed to be used by avian predators for perching and contributing to western snowy plover or least tern predation, they will be removed and relocated immediately.
- The OHMVR Division shall maintain 15 mile per hour vehicle speeds during all travel to and from dust control projects.

- **Minimize and/or Avoid Impacts to American Badger and Badger Dens.** No more than seven days prior to installation of project features, a qualified biologist shall perform a pre-construction survey for badger dens in the vicinity of work areas. If any dens are found, the OHMVR Division shall establish a minimum 100-foot buffer zone around the den.
- **Minimize and/or Avoid Impacts to Wetland Habitats.** The OHMVR Division shall implement the following measures to minimize and/or avoid impacts wetland habitats:

Table 1. Standard and Specific Requirements Included in the Dust Control Program

- The OHMVR Division will avoid or minimize impacts to federally protected wetlands to the maximum extent feasible by conducting work in upland areas.
- If necessary, the OHMVR Division shall verify the Pacific Ocean's high tide line in the vicinity of Pier Avenue and Grand Avenue and ensure the installation and placement of all piles, beams, or other track-out prevention structures occur above the high tide line.
- The OHMVR Division shall not install any project features within wetlands or other jurisdictional waters, and shall setback all project features a minimum of 150 feet from all such areas.
- The OHMVR Division shall not perform any equipment maintenance within 150 feet of any wetland or jurisdictional water where equipment fuel, oil, etc. could enter the such areas.
- The OHMVR Division shall not allow water containing mud, silt, or other pollutants to be placed in locations that may be subjected to high storm flows.
- Raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to vegetation or wildlife resources, resulting from project-related activities, shall be prevented from contaminating the soil.
- When operations are completed, any excess materials or debris shall be removed from the work area.
- To minimize disturbance to the work area, the OHMVR Division shall limit crew size, number of vehicles and equipment, and access points.

- **Employee Education.** If, in the opinion of the project biologist, a work area is in or near an area that is known or has the potential to support listed species, all construction personnel shall receive training on listed species and their habitats by a USFWS-approved biologist. The importance of these species and their habitat as well as the minimization and avoidance measures that are to be implemented as part of the project will be described to all employees.
- **Avoid Open Trenches.** If track-out prevention installation results in open trenches, the OHMVR Division shall cover such trenches at the close of each working day with plywood or similar materials, or shall include escape ramps constructed of earth fill or wooden planks so that animals may exit the trench. A staff biologist, or other staff trained by a staff biologist will inspect trenches and pipes for wildlife at the beginning of each workday. If a trapped animal is discovered, it will be released in suitable habitat at least 300 feet from the work area.
- **Notification to the California Natural Diversity Database (CNDDB).** If any listed, rare, or special-status species are detected during surveys or program activities, OHMVR Division shall submit notification to the CNDDB within 14 working days of the sightings.

Table 1. Standard and Specific Requirements Included in the Dust Control Program

Cultural Resources

- **Inventory Cultural Resources.** Conduct a records search and field survey for historical and archaeological resources prior to the start of specific work activities; map and record all resources.
- **Monitor Cultural Resources.** Evaluate whether the project will adversely change the significance of a historical resource; first consult with and involve a Native American representative; have a qualified monitor present during all installation activities within the vicinity of the resource.
- **Avoid Cultural Resources.** Avoid substantial adverse changes to cultural resources; review ground disturbing activities, flag or fence buffers around all cultural resources in the vicinity of work activities, train construction personnel on cultural resources identification and avoidance.
- **Avoid Impacts from Accidental Discoveries.** In the event cultural resources are accidentally discovered during work activities, stop all work and immediately have the resource evaluated by a qualified state archaeologist. If human remains are accidently discovered, stop all work and contact the county coroner.
- **Native American Consultation and Monitoring.** Consult with and involve Native American representatives during near and long-term project implementation.
- **Preserve Cultural Resources in Place.** The OHMVR Division shall, to the maximum extent feasible and supported by Dust Control Program data, preserve cultural resources in place and avoid substantial adverse changes to historical and archaeological resources. The OHMVR Division shall ensure adequate paths of travel are maintained around or between dust control measures and historical or archaeological resource and existing protections are sufficient to maintain resource protection.

Hydrology and Water Quality

- **Minimize Ground Disturbance and Land Occupancy.** The OHMVR Division shall:
  - Design and implement the Dust Control Program to disturb and occupy as little land as possible
  - Prior to the start of Dust Control Program-related work activities (e.g., installation of dust control measures, monitoring equipment maintenance), the OHMVR Division shall determine the minimum area required to complete the work and define the boundaries of the work area on project drawings and with flagging or fencing on the ground, as appropriate
  - Use existing paths of travel to access project-related work areas
  - Restore all disturbed areas to the maximum extent feasible
- **Manage Seasonal Dust Control Measure Stockpiles.** The OHMVR Division shall locate stockpiles of seasonal dust control measures such as straw bales at least 50 feet away from concentrated storm water flows.
- **Designate Vehicle and Equipment Storage, Staging, and Clean-up Locations.** The OHMVR Division shall store, stage, and clean-up all vehicles and equipment used for Dust Control Program-related work activities at its maintenance yard on SR 1 in Oceano when not in use.
- **Designate Vehicle and Equipment Fueling Locations.** The OHMVR Division shall store all fuel and conduct all re-fueling activities at its maintenance yard on SR 1 in

Table 1. Standard and Specific Requirements Included in the Dust Control Program

Oceano.

- **Inspect for Equipment Leaks.** The OHMVR Division shall inspect all off-road and other construction equipment for leaks prior to and at the conclusion of any installation, operation, or maintenance activity. If leaks are observed, the leaking equipment shall be removed from the field and repaired immediately. All contaminated water, sludge, spill residue, or other hazardous compounds discovered during inspections shall be contained and disposed of, as necessary, at lawfully permitted or authorized disposal sites.
- **Soil Stabilizer Selection:** If soil stabilizers are used, the OHMVR Division shall, in consultation with CCC staff, select a non-toxic, environmentally friendly soil stabilizer to control sand transport. The selection should take into consideration a variety of factors including but not limited to: surface runoff carrying suppressants and/or breakdown of products, uptake of dust suppressants by plants, ingestion of dust suppressant constituents by animals, volatilization, transport of suppressant particulates by wind erosion to unintended areas, consumption of contaminated groundwater, downwind drift of spray off-site during application, and ingestion of dust suppressant constituents by humans.
- **Track-Out Device Installation:** The OHMVR Division shall, to the maximum extent feasible, minimize disturbance to or disruption of any existing storm water flows, drainage facilities, and systems on Grand Avenue in Grover Beach and Pier Avenue in Oceano. This may be accomplished by, but not limited to, installing track-out prevention devices that have the potential to interfere with or disrupt storm water facilities during the dry season (April 15 to October 15) or provide temporary storm water drainage facilities during track-out installation. If necessary, the OHMVR Division shall prepare a Storm Water Pollution Prevention Plan for track-out prevention device installation and obtain all necessary permits for installation, operation, and maintenance of the track-out prevention devices.
- **Regularly Remove, Test, and Dispose of Sediment from Track-out Prevention Devices.** The OHMVR Division shall:
  - Regularly remove the sediment that accumulates in any sediment trapping devices, oil/water separators, or other track-out prevention devices to ensure storm water flows do no back-up or spill out into local storm water collection systems or the beach.
  - Inspect and, if necessary, test the sediment collected by track-out prevention devices for the presence of pollutants such as fuel, oils, or other waste and appropriately disposed of in accordance with solid and/or hazardous waste regulations.

Noise

- **Reduce Equipment Noise.** To reduce equipment-related noise, the OHMVR Division shall:
  - Store and/or stage all construction equipment away from sensitive receptor locations as possible
  - Maintain all construction equipment in good working order
  - Ensure construction vehicles, equipment, and machines incorporate design features in good operating order that meet current industry standards for noise muffling and reduction, e.g., internal combustion engines shall be equipped with a muffler,

Table 1. Standard and Specific Requirements Included in the Dust Control Program

engines should be enclosed or shielded, etc.

- Shield stationary equipment such as compressors, generators, and welder machines or locate/operate this equipment as far away from sensitive receptors as possible. If stationary noise sources must be located near sensitive noise receptors (within 100 feet), stationary noise sources shall be muffled, shielded, or enclosed within a temporary shed

- **Limit Construction Hours.** The OHMVR Division shall limit construction equipment use to daylight hours, Monday – Friday, to the maximum extent feasible. If work during weekends or holidays is required, the OHMVR Division shall limit construction activities to the hours of 8 AM to 5 PM.

Impacts, Mitigation Measures, and Timing of and Responsibility for Implementing the Mitigation Measures

Table 2 lists the potentially significant impacts and proposed mitigation measure identified in the EIR. Table 2 also describes the timing of implementation of the mitigation measure (i.e., when the measure will be implemented) and the parties responsible for ensuring implementation of the measures and for monitoring the mitigation measures.

According to CEQA Guidelines Section 15126.4 (a) (2), "Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally-binding instruments." Therefore, the OHMVR Division will consider whether to adopt the mitigation measures when it considers whether to approve the project.

Table 2. Impacts, Mitigation Measures, and Timing of and Responsibility for Implementing the Mitigation Measures				
Impact	**Mitigation Measure**	**Implementation Responsibility & Timing**	**Monitoring Responsibility**	**Verified Implementation**
NOISE				
Impact NOI-2: The Dust Control Program would generate track-out prevention-related noise on Grand Avenue and Pier Avenue. **Significance of Impact Before Mitigation:** Potentially Significant **Significance of Impact After Mitigation:** Less than Significant	**Mitigation Measure NOI-2: Reduce Track-out Prevention Noise** The OHMVR Division shall, given the specific engineering and vehicle conditions present at the Pismo State Beach Pier Avenue exit, reduce noise from track-out prevention devices by: • Minimizing the width between concrete grooves as much as possible (while still ensuring sufficient spacing to provide effective track-out control) • Considering installing sinusoidal shaped concrete grooves if research indicates such devices are cost effective and would produce lower vehicle noise levels than rectangular or cylindrical shaped.	**Implementation Responsibility:** OHMVR Division, Oceano Dunes District **Timing:** Concrete groove-width and -shape restrictions shall be included in track-out prevention projects prior to finalizing project plans and requesting appropriation of project funds.	**Monitoring Responsibility:** OHMVR Division Senior Environmental Scientist or other appropriate staff (e.g., professional registered engineer) shall review final track-out prevention project plans for noise-attenuating design features.	Initials_____ Date _____
RECREATION				
Impact REC-1: The Dust Control Program would limit and interfere with coastal vehicular recreation opportunities at Oceano Dunes SVRA **Significance of Impact Before Mitigation:** Significant **Significance of Impact**	**Mitigation Measure REC-1: Minimize Loss of Coastal Vehicular Recreation Opportunities** The OHMVR Division shall minimize the loss of coastal vehicular recreational opportunities at Oceano Dunes SVRA by: • Planting vegetation outside the Oceano Dunes SVRA open riding and camping area • Planting vegetation and deploying seasonal dust control measures in a manner that does not interfere with the Oceano Dunes SVRA	**Implementation Responsibility:** OHMVR Division, Oceano Dunes District **Timing:** By August 1 of each year of the Dust Control Program (beginning in 2017), the OHMVR Division shall identify planned planting activities (i.e., location,	**Monitoring Responsibility:** OHMVR Division Senior Environmental Scientist or other appropriate staff (e.g., staff working under supervision of a Senior	Initials _____ Date _____

Table 2. Impacts, Mitigation Measures, and Timing of and Responsibility for Implementing the Mitigation Measures				
Impact	**Mitigation Measure**	**Implementation Responsibility & Timing**	**Monitoring Responsibility**	**Verified Implementation**
After Mitigation: Potentially Significant and Unavoidable	"Sand Highway" and other established paths of travel in the SVRA • Deploying seasonal dust control measures from March 1 through September 30 only • Considering potential hazards to public recreation from the seasonal deployment of dust control measures (e.g., ensuring that areas are safe for resumption of OHV recreation following removal of the project) • Integrating recreation opportunities, including OHV recreation opportunities, into dust control measures. This could be achieved by: o Educational kiosks that highlight the progression of dune vegetation / ecosystems o Establishing and maintaining motorized and non-motorized trails through large, continuous blocks of planted vegetation o Embedding OHV training or vendor areas in dust control measures large enough to support such areas • Identifying areas to provide additional camping or OHV recreation opportunity and diligently pursue opening those areas to OHV recreation with existing staff levels and funding considerations. Any such expansion shall occur in a manner that is	planned planting methods, and potential site-specific resources present), complete any necessary resource evaluations (e.g., biological surveys, cultural surveys, agency and/or other consultations), and document the planned planting activity's consistency with this measure. By November 15 of each year, the OHMVR Division shall finalize this documentation (related to planned planting activities). For potential Spring 2017 seasonal dust control measures, the OHMVR Division shall identify planned seasonal dust control measures (i.e., location, planned planting methods, and potential site-specific resources present), complete any necessary resource evaluations (e.g., biological surveys, cultural surveys, agency and/or other consultations), and document	Environmental Scientist) shall prepare documentation by the dates listed.	

Table 2. Impacts, Mitigation Measures, and Timing of and Responsibility for Implementing the Mitigation Measures				
Impact	**Mitigation Measure**	**Implementation Responsibility & Timing**	**Monitoring Responsibility**	**Verified Implementation**
	consistent with the Public Resources Code and other applicable laws and regulations and shall not impede achievement of the performance standard set by Rule 1001. o The additional camping and/or OHV recreation opportunities to be pursued as part of this measure shall be, to the maximum extent feasible, similar to the type and amount of land affected as a result of the proposed Dust Control Program. Specifically, the OHMVR Division shall, if feasible, provide a 1:1 replacement of coastal vehicular recreation lands within the same regional geographic location as Oceano Dunes SVRA. For the purposes of this measure, inland OHV recreation opportunities are not considered similar to the opportunities provided by Oceano Dunes SVRA. o The OHMVR Division shall actively research and identify opportunities to provide additional camping and/or OHV recreation opportunities until three years after the completion of the propose Dust Control Program, or 2025, whichever is later. If additional opportunities are not identified by this time, they shall be considered to not be available to the OHMVR Division.	the planned seasonal dust control activity's consistency with this measure. For seasonal dust control measures in 2018 and beyond, the OHMVR Division shall by December 1 of each year of the Dust Control Program (beginning in 2017), identify planned seasonal dust control measures (i.e., location, planned planting methods, and potential site-specific resources present), complete any necessary resource evaluations (e.g., biological surveys, cultural surveys, agency and/or other consultations), and document the planned seasonal dust control activity's consistency with this measure. By March 1 of each year (beginning in 2018), the OHMVR Division shall finalize this documentation (related to seasonal dust control measures).		

Table 2. Impacts, Mitigation Measures, and Timing of and Responsibility for Implementing the Mitigation Measures				
Impact	**Mitigation Measure**	**Implementation Responsibility & Timing**	**Monitoring Responsibility**	**Verified Implementation**
		The OHMVR Division shall include a summary / update of its active search to identify and pursue opening areas to OHV recreation in each final document related to planned planting activities (which are due by November 15 of each year, beginning in 2017).		
LAND USE AND PLANNING				
Impact LUP-1: The Dust Control Program would conflict with the Pismo Dunes SVRA (now Oceano Dunes SVRA) General Development Plan and Resources Management Plan. **Significance of Impact Before Mitigation:** Significant **Significance of Impact After Mitigation:** Potentially Significant and Unavoidable	**See Mitigation Measure REC-1 above.**	**Implementation Responsibility:** OHMVR Division, Oceano Dunes District **Timing:** See Mitigation Measure REC-1 above. .	**Monitoring Responsibility:** See Mitigation Measure REC-1 above.	Initials _____ Date _____

Table 2. Impacts, Mitigation Measures, and Timing of and Responsibility for Implementing the Mitigation Measures				
Impact	**Mitigation Measure**	**Implementation Responsibility & Timing**	**Monitoring Responsibility**	**Verified Implementation**
Impact LUP-2: The Dust Control Program could conflict with the California Coastal Act. **Significance of Impact Before Mitigation:** Significant **Significance of Impact After Mitigation:** Potentially Significant and Unavoidable	**See Mitigation Measure REC-1 above.**	**Implementation Responsibility:** OHMVR Division, Oceano Dunes District **Timing:** See Mitigation Measure REC-1 above. .	**Monitoring Responsibility:** See Mitigation Measure REC-1 above.	Initials _____ Date _____
CUMULATIVE				
Impact CML-1: The Dust Control Program would contribute to cumulative, seasonal and permanent reductions in coastal vehicular recreational opportunities at Oceano Dunes SVRA.	**See Mitigation Measure REC-1 above.**	**Implementation Responsibility:** OHMVR Division, Oceano Dunes District **Timing:** See Mitigation Measure REC-1 above. .	**Monitoring Responsibility:** See Mitigation Measure REC-1 above.	Initials _____ Date _____

Table 2. Impacts, Mitigation Measures, and Timing of and Responsibility for Implementing the Mitigation Measures				
Impact	**Mitigation Measure**	**Implementation Responsibility & Timing**	**Monitoring Responsibility**	**Verified Implementation**
Impact CML-2: The Dust Control Program would contribute to a cumulative loss in OHV recreation lands that conflicts with the Pismo Dunes SVRA (now Oceano Dunes SVRA) General Development Plan and Resource Management Plan and the California Coastal Act.	**See Mitigation Measure REC-1 above.**	**Implementation Responsibility:** OHMVR Division, Oceano Dunes District **Timing:** See Mitigation Measure REC-1 above. .	**Monitoring Responsibility:** See Mitigation Measure REC-1 above.	Initials _____ Date _____

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