

2019029010



NEGATIVE DECLARATION & NOTICE OF DETERMINATION

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

ENVIRONMENTAL DETERMINATION NO. ED Number 18-073

DATE: February 6, 2019

PROJECT/ENTITLEMENT: Allan Minor Use Permit DRC2018-00026

APPLICANT NAME: Vincent Allan

Email: vincent.allan@gmail.com

ADDRESS: 1035 Leff Street, San Luis Obispo, CA 93401

CONTACT PERSON: Vincent Allan

Telephone: 805-459-0339

PROPOSED USES/INTENT: A request by Vincent Allan for a Minor Use Permit (DRC2018-00026) to establish 22,000 square feet of indoor commercial cannabis cultivation on a portion of a 317-acre project site. On-site development includes construction of nine greenhouses totaling 25,800 square feet combined, 1,920 square feet of ancillary structures for cannabis processing (drying and curing), parking and turnaround areas, remodeling of a portion of an existing barn for administrative purposes, and improvements to an existing unpaved ranch road. The proposed project would result in approximately 1.3 acres of disturbance on a portion of the site. Commercial operations would occur between the hours of 8:00 AM and 5:00 PM, Monday through Sunday. A modification from the parking standards set forth in Land Use Ordinance Section 22.18.050.C.1 is requested to reduce the required number of spaces from 57 to nine (9). The project site is located at 9009 Huasna Road in the Huasna-Lopez Sub-Area of the South County Planning Area.

LOCATION: The project would be located on a 317-acre site at 9009 Huasna Road, Arroyo Grande, California (APN 085-232-005) in the Huasna-Lopez Sub Planning Area of the South County Planning Area in the Agriculture land use category.

LEAD AGENCY: County of San Luis Obispo
Dept of Planning & Building
976 Osos Street, Rm. 200
San Luis Obispo, CA 93408-2040
Website: <http://www.sloplanning.org>

STATE CLEARINGHOUSE REVIEW: YES ☒ NO ☐

OTHER POTENTIAL PERMITTING AGENCIES:

ADDITIONAL INFORMATION: Additional information pertaining to this Environmental Determination may be obtained by contacting the above Lead Agency address or (805)781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT4:30 p.m. (2 wks from above DATE)

30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☒ *Lead Agency*
☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures and monitoring were made a condition of approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at the 'Lead Agency' address above.

Megan Martin (805-781-4163 or mamartin@co.slo.ca.us)

County of San Luis Obispo

Signature

Name

Date

Public Agency



Initial Study Summary – Environmental Checklist

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

(ver 5.10)

Project Title & No. Allan - Minor Use Permit **ED18-073 (DRC2018-00026)**

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Transportation/Circulation
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water /Hydrology
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Robert A. Mullane, AICP

Prepared by (Print)

Signature

1/25/19

Date

Megan Martin, Supervising Planner

Reviewed by (Print)

Signature

Ellen Carroll,

Environmental Coordinator

(for)

1/25/19

Date





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LOCATION: The project would be located on a 317-acre site at 9009 Huasna Road, Arroyo Grande, California (APN 085-232-005) in the Huasna-Lopez Sub Planning Area of the South County Planning Area in the Agriculture land use category.

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Megan Martin (805-781-4163 or mamartin@co.slo.ca.us)

County of San Luis Obispo

Signature**Name****Date****Public Agency**

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The County Planning Department uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Planning Department, 976 Osos Street, Rm. 200, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: The proposed project is a request by Vincent Allan for a Minor Use Permit (DRC2018-00026) for indoor commercial cannabis cultivation. As shown in Figure 1, on-site development would include construction of nine greenhouses totaling 25,800 square feet for indoor cultivation, 1,920 square feet of ancillary structures for cannabis processing (drying and curing), parking and turnaround areas, remodeling of 584 square feet of an existing 4,200-square foot barn for administrative purposes (e.g. bathrooms, employee break room and lockers, and offices), and improvements to an existing unpaved ranch road. An existing 30-foot by 45-foot pole barn adjacent and to the northeast of the main barn would be used for storage of soil amendments, fertilizer, pesticides, potting materials, and related supplies. No processing or storage of cured product would occur in the main barn or the pole barn. Cultivation operations would include harvesting, drying, curing, grading or trimming of cannabis, as well as storage, packaging and labeling of non-manufactured cannabis products. Commercial operations would be limited to the hours of 8:00 AM to 5:00 PM Monday through Sunday. The project would employ six full-time employees. No signage relating to the cannabis cultivation business is proposed.

Construction of the project would occur in two phases. Phase One would include construction of four greenhouses with a combined area of 12,600 square feet and one 960-square foot processing structure. Phase One would also include construction of three new parking spaces, in addition to the existing six spaces, road improvements leading to the greenhouses and processing structure, and conversion of 548 square feet of the existing barn structure for operational support.

Phase Two would include construction of five additional greenhouses with a combined area of 13,200 square feet and a second 960-square foot processing structure. At full build-out, the greenhouse area would be 25,800 square feet. The total floor area, including the converted barn spaces, greenhouses, and two processing buildings totals 28,268 square feet.

Full buildout of the greenhouses and ancillary structures, as well as improvements to the access road, would result in a total disturbance area of approximately 53,700 square feet. A total of 2,263 cubic yards of material would be moved for buildout of the cultivation area, as well as improvements to the access road (Table 1).

Phase One would require the removal of four oak trees. Phase Two construction activities would require removal of six oak trees. Full buildout of the cultivation area would impact, but not remove, five oak trees, and improvements to the access road would impact, but not remove, seven oak trees as a result of ground disturbance and pruning. Mitigation ratios for removed and impacted trees are 4:1 and 2:1, respectively.

Table 1 – Project Components by Phase

Project Component	Quantity	Size	Total
Phase I			
Greenhouses	3	3,360 sq.ft.	12,600 sq.ft.
	1	2,520 sq.ft.	
Processing Building	1	960 sq.ft.	960 sq.ft.
Conversion of A Portion of Existing Barn for Administrative Purposes	1	548 sq.ft.	548 sq.ft.
Sub-Total of Buildings in Phase I	6	--	14,108 sq.ft.
Phase II			
Greenhouses	2	3,360sq.ft.	13,200 sq.ft.
	2	2,520 sq.ft.	
	1	1,440 sq.ft.	
Processing Building	1	960 sq.ft.	960 sq.ft.
Sub-Total of Buildings in Phase II	6	--	14,160 sq.ft.
Total At Buildout			28,268 sq.ft.
Total Site Disturbance			53,700 sq.ft. (1.3 Acres)
Cut and Fill (both phases)			Cut: 1,165 cy Fill: 1,098 cy
Oak Trees Removed (both phases)			10
Oak Trees Impacted But Not Removed (both phases)			12
New septic leach field			1

Restrooms would be included in the 548 square feet of converted barn space as part of the barn's proposed modifications in support of the cannabis cultivation operations. The greenhouses would include integrated charcoal fixed filters and fogger systems. Each greenhouse would be equipped with five exhaust fans with a noise rating of 70 A-weighted decibels dBA at 25 feet. A noise rating of 70 dBA is equivalent to common household appliances such as a dishwasher, or a typical conversation at three-foot distance.

The project would be located on a 317-acre site at 9009 Huasna Road, Arroyo Grande, California (APN 085-232-005) in the Huasna-Lopez Sub Planning Area of the South County Planning Area in the Agriculture land use category (Figures 2 and 3). The property is currently used as a cattle ranch. Existing structures include two single-family residences, a barn, and accessory structures. An on-site septic system would be used for the proposed cannabis uses. A new leach field area is proposed east of the proposed greenhouses to support the project, and is included in the total site disturbance of 53,700 square feet. Surrounding land uses consist of agricultural operations to the north, northwest, southwest, and south and rural land use to the northeast, east, and southeast. The applicant also owns the adjacent 480-acre property to the southeast.

Access to the project site would be provided from a paved driveway within an existing easement from Huasna Road. An unpaved spur off the main driveway would be improved with an all-weather surface to provide access to the greenhouses and processing buildings. The improved access road to the cultivation site would also provide a turn-around area for emergency vehicles.

The applicant proposes to install a six-foot high chain link fencing around the perimeter of the greenhouses and processing buildings. The perimeter of the property has existing barbed wire fencing.

No new exterior lighting is proposed, other than that required for building permit compliance. Lighting at door thresholds would be LED, downward directed, and up to 1,650 lumens.

Ordinance Modification: The project request includes a modification from the parking provisions set forth in Section 22.18.050.C.1 of the County Land Use Ordinance (LUO), which describes parking requirements for agricultural uses. The type of commercial agricultural use that best matches the proposed cannabis cultivation is "*Nursery Specialties*." A ratio of one parking space per 500 square feet of floor area is the minimum requirement for nursery specialties. The proposed greenhouses and buildings would total 28,268 square feet, which would require the applicant to provide 57 parking spaces. The project proposes nine parking spaces. The existing parking area adjacent to the barn currently provides six parking spaces, and three new spaces would be provided adjacent to the greenhouses. Of these nine spots, one is proposed to be ADA-compliant. Up to six employees may be on site at various times during the day. Therefore, nine spaces are proposed as sufficient to meet the parking demands of the project.



Figure 1 – Site Plan

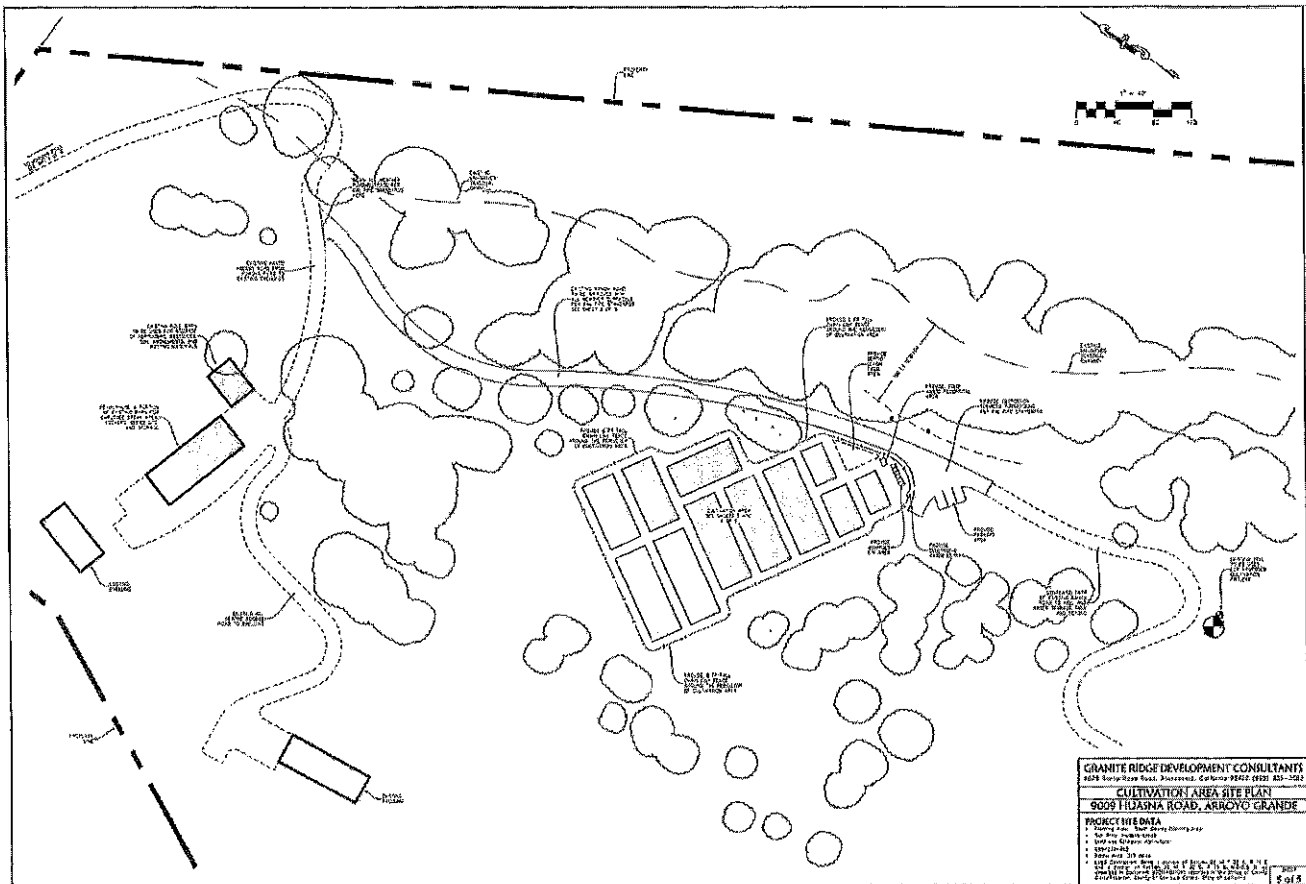
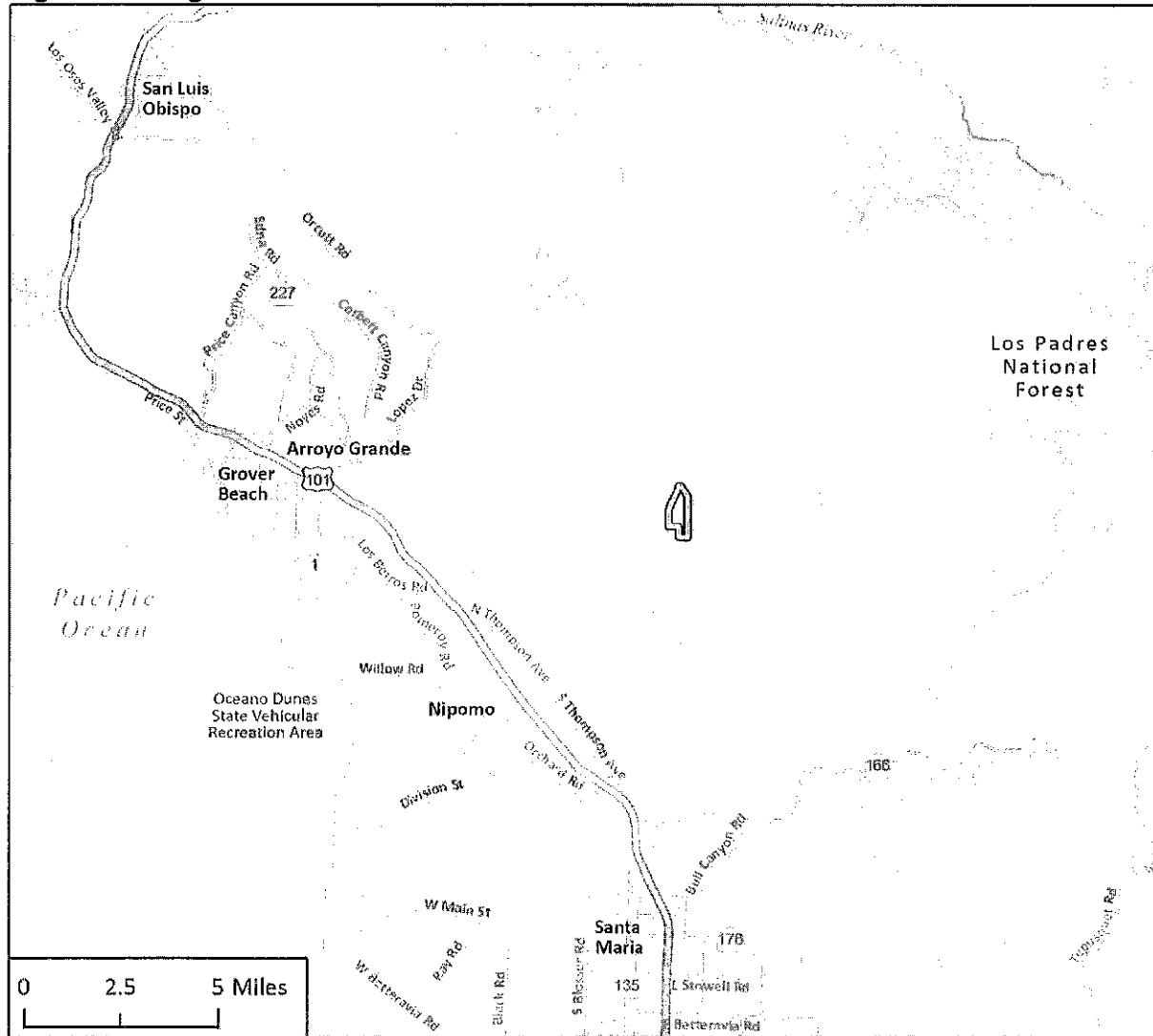


Figure 2 -- Regional Location



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 Project Location

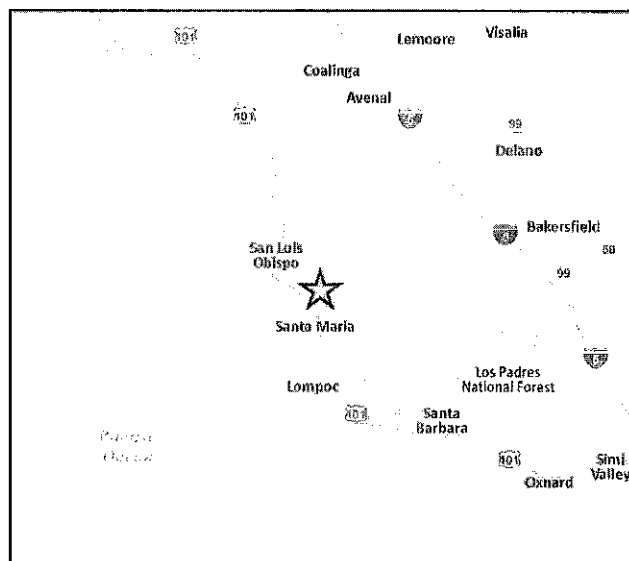
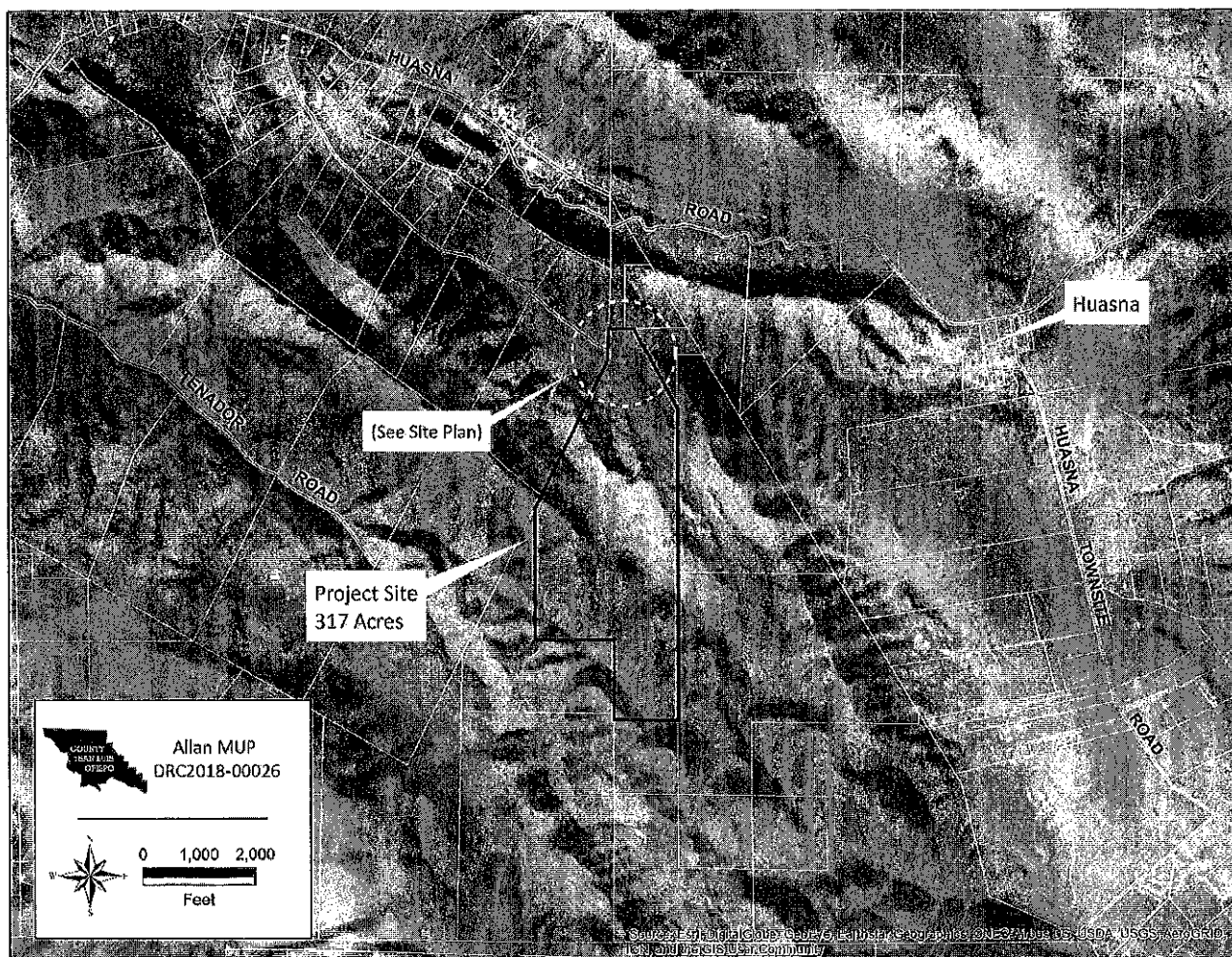


Figure 3 – Project Vicinity



ASSESSOR PARCEL NUMBER(S): 085-232-005

Latitude: 35.12009 N Longitude: 120.41711 W

SUPERVISORIAL DISTRICT # 4

B. EXISTING SETTING

PLAN AREA: South County

SUB: Huasna - Lopez

COMM: NA

LAND USE CATEGORY: Agriculture

COMB. DESIGNATION: None

PARCEL SIZE: 317 acres

TOPOGRAPHY: Moderately sloping

VEGETATION: Agriculture Grasses

EXISTING USES: Single-family residence(s) undeveloped

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Agriculture;	<i>East:</i> Agriculture;
<i>South:</i> Agriculture;	<i>West:</i> Agriculture;

[Click here to enter text.](#)

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, at least one issue was identified as having a potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.



COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1. AESTHETICS

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Aesthetics

Setting. The project site would be set back approximately 0.5 mile from the nearest public road, Huasna Road, and would not be visible from that road due to the distance, moderately-sloping topography and thick tree canopy coverage. Existing exterior lighting includes lighting near the two residences and the barn.

The project site is not visible from any Officially Designated or Eligible State Scenic Highways. The project site is not located in a designated scenic viewing area, and there are no geological or physical features located onsite. Lastly, Table VR-2 of the Conservation and Open Space Element provides a list of Suggested Scenic Corridors; none of the roadways in the vicinity of the project site are listed on Table VR-2. In addition, Section 22.30.310 of the LUO requires greenhouses to be screened at least 50 percent from public roads.

Impact. The proposed project would not be visible from public roads. The project would be compatible with adjacent uses and surrounding visual character (agricultural uses). The site does not include unique geological or physical features. The proposed greenhouses, which would be up to 18 feet in height, would be located on the interior of the site where they would be screened from public view by existing vegetation and moderately-sloping topography.

In compliance with LUO Section 22.30.310, the greenhouses would be more than 50 percent screened



from any public roads by the intervening topography and existing vegetation. No new outdoor lighting is proposed, other than that required for building permit compliance. Lighting at door thresholds would be downward directed and consistent with other lighting in the vicinity of the site and consistent with LUO Section 22.10.060 B through F. As such, impacts from new sources of lighting and glare would be less than significant.

Mitigation/Conclusion. Project design combined with regulatory compliance (LUO Section 22.30.310 and LUO Section 22.10.060 B through F) would ensure that any visual impacts are less than significant. No mitigation measures are necessary.

2. AGRICULTURAL RESOURCES

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land, per NRCS soil classification, to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Conflict with existing zoning for agricultural use, or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Agricultural Resources

Setting. Project Elements. The following area-specific elements relate to the property's importance for agricultural production:

Land Use Category: Agriculture

Historic/Existing Commercial Crops: N/A; Cattle Ranch

State Classification: Grazing Land

In Agricultural Preserve? Yes

Under Williamson Act contract? No

The developed and undeveloped portions of the project site range from gently rolling hills to steep slopes. The majority of the parcel has steep slopes over 30 percent.

Table SL-2 of the Conservation/Open Space Element lists the important agricultural soils of San Luis Obispo County. According to Table SL-2, no important agricultural soils exist on the project site.

Based on the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) and the San Luis Obispo County Important Farmland Map (FMMP 2016), the project site does not include Prime Farmland, Farmland of Statewide Importance, or Unique Farmland.

The soil type(s) and characteristics on the project site include:

Gaviota fine sandy loam (15 to 50 percent slopes)

This shallow, well-drained, moderately steep to steep soil is found on foothills and mountains, and was formed from residual material weathered from sandstone. Surface runoff is typically rapid, and the hazard of water erosion is high.

Impact. The project site is in a predominantly rural and agricultural area with cattle grazing occurring onsite and other agricultural activities occurring in the immediate vicinity. The project is within the Agriculture (AG) land use category and would continue to support agricultural uses. No Prime, Unique, or Farmland Statewide Importance is present on site. While the site is not under Williamson Act Contract, it is within an Agricultural Preserve. The primary objective of the Agricultural Preserve Agreement, dated May 2011, was to prevent further subdivision of the property and to preserve open space. The project does not include a division of land. It would disturb approximately 1.2 acres of the 317-acre property and therefore, would not result in a substantial reduction of open space. Additionally, the proposed greenhouse operations would be comparable to those on other agricultural properties and operations in the area. No significant impacts to agricultural resources are anticipated.

Mitigation/Conclusion. The project's impacts would be less than significant, and no mitigation measures are necessary.

3. AIR QUALITY

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in a cumulatively considerable net increase of any criteria pollutant either considered in non-attainment under applicable state or federal ambient air quality standards that are due to increased energy use or traffic generation, or intensified land use change?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

GREENHOUSE GASES

f) <i>Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Air Quality

Setting. The San Luis Obispo County Air Pollution Control District (APCD) has developed and updated their CEQA Air Quality Handbook (2012) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by SLOAPCD).

Greenhouse Gas (GHG) Emissions are said to result in an increase in the earth's average surface temperature. This is commonly referred to as global warming. The rise in global temperature is associated with long-term changes in precipitation, temperature, wind patterns, and other elements of the earth's climate system. This is also known as climate change. These changes are now thought to be broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels.

In 2006, the State of California passed the Global Warming Solutions Act of 2006, commonly referred to as Assembly Bill (AB) 32, which set the GHG emissions reduction goal for the State into law. The law requires that by 2020, State emissions must be reduced to 1990 levels by reducing GHG emissions from significant sources via regulation, market mechanisms, and other actions. Senate Bill (SB) 32, passed in 2016, set a statewide GHG reduction target of 40 percent below 1990 levels by 2030.

In March 2012, the APCD approved thresholds for GHG emission impacts, and these thresholds have been incorporated in the APCD's CEQA Air Quality Handbook. The Handbook was modified in 2017 to reflect newer emission trends in the County, and set/clarified new mitigation measures and screening thresholds for assessing new development projects with potential to result in significant air quality and greenhouse gas impacts. APCD determined that a tiered process for residential / commercial land use projects was the most appropriate and effective approach for assessing the GHG emission impacts. The tiered approach includes three methods, any of which can be used for any given project:

1. Qualitative GHG Reduction Strategies (e.g. Climate Action Plans): A qualitative threshold that is consistent with AB 32 Scoping Plan measures and goals; or,
2. Bright-Line Threshold: Numerical value to determine the significance of a project's annual GHG emissions; or,
3. Efficiency-Based Threshold: Assesses the GHG impacts of a project on an emissions per capita basis.

For most projects the Bright-Line Threshold of 1,150 metric tons of carbon dioxide equivalent emissions per year (MT CO₂e/year) would be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO₂e/year was adopted for stationary source (industrial) projects.

It should be noted that projects that generate less than the above mentioned thresholds would also participate in emission reductions because air emissions, including GHGs, are under the purview of the California Air Resources Board (or other regulatory agencies) and would be "regulated" either by CARB, the Federal Government, or other entities. For example, new vehicles would be subject to increased fuel economy standards and emission reductions, large and small appliances would be subject to more strict emissions standards, and energy delivered to consumers would increasingly come from renewable sources. Other programs that are intended to reduce the overall GHG emissions include Low Carbon Fuel Standards, Renewable Portfolio standards and the Clean Car standards. As a result, even the emissions that result from projects that produce fewer emissions than the threshold would be subject to emission reductions.

Under CEQA, an individual project's GHG emissions would generally not result in direct significant impacts. This is because the climate change issue is global in nature. However, an individual project

could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation.

Impact. As proposed, the project would result in the disturbance of approximately 53,700 square feet (1.2 acres) for the construction of the new greenhouses and accessory structures, and improvements to the access road. Full buildout of the cultivation area would occur in two phases. Construction activities would temporarily generate dust and short-term vehicle emissions. The project would move less than 1,200 cubic yards/day of material and would disturb less than four acres of area, and as such, would be below the thresholds triggering construction-related mitigation. The project is also not in close proximity to sensitive receptors that might otherwise result in nuisance complaints and the project would incorporate dust and/or emission control measures during construction, in compliance with LUO Section 22.40.050.

Prior to commencement of permitted activities, a spur off the main driveway would be improved with an all-weather surface to provide access to the cannabis cultivation site and processing buildings. The area to be improved is flat and clear of obstruction, thereby requiring a negligible amount of earthwork (approximately 2,263 cubic yards). As such, the road improvement combined with the on-site development would be below the general thresholds triggering construction-related mitigation.

From an operational standpoint, based on Table 1-1 of the CEQA Air Quality Handbook (2012), the project would not exceed operational thresholds triggering mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

No land use for cannabis cultivation/operations exists in the CEQA Air Quality Handbook, so for the purpose of estimating operational GHG emissions, this project is considered an "Industrial Project" (sub-category: General Light Industry). Using the GHG threshold information described in the Setting section, the project is expected to generate less than the Bright-Line Threshold stationary source (industrial) projects of 10,000 metric tons of GHG emissions. Therefore, the project's potential direct and cumulative GHG emissions are found to be less significant and less than a cumulatively considerable contribution to GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provide guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as global climate change, is not 'cumulatively considerable', no mitigation is required. Because this project's emissions fall under the threshold, no mitigation is required.

Cannabis cultivation operations have the potential to produce objectionable odors. Section 22.40.050 of the LUO mandates the following:

All cannabis cultivation shall be sited and/or operated in a manner that prevents cannabis nuisance odors from being detected offsite. All structures utilized for indoor cannabis cultivation shall be equipped and/or maintained with sufficient ventilation controls (e.g. carbon scrubbers) to eliminate nuisance odor emissions from being detected offsite.

To comply with the above ordinance provisions, project design features have been incorporated to reduce impacts associated with nuisance odors. Fixed filters and fogger systems are to be integrated into greenhouse construction. Fixed filters (typically charcoal-based) would be attached to the mechanical ventilation, and perimeter enzymatic "foggers" would be installed near openings to break down any remnant odor molecules. The project would be conditioned to adhere to the aforementioned design features to ensure that nuisance odors are not detected offsite. This would ensure that any impacts related to objectionable odors are insignificant.

Mitigation/Conclusion. Project design combined with regulatory compliance would ensure that any impacts are less than significant. No mitigation measures are necessary.

4. BIOLOGICAL RESOURCES

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a loss of unique or special status species* or their habitats?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Reduce the extent, diversity or quality of native or other important vegetation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Impact wetland or riparian habitat?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere with the movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any regional plans or policies to protect sensitive species, or regulations of the California Department of Fish & Wildlife or U.S. Fish & Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* Species – as defined in Section 15380 of the CEQA Guidelines, which includes all plant and wildlife species that fall under the category of rare, threatened or endangered, as described in this section.

Biological Resources

Setting. The following are existing elements on or near the proposed project relating to potential biological concerns:

On-site Vegetation: Coast live oak, valley oak, and annual grasses. Vegetation associated with the seasonal drainage channel includes Coast live oak, Arroyo willow, and Western sycamore.

Name and distance from blue line creek(s): Tributaries to Huasna Creek are located on site, on the southern portion of the parcel

Habitat(s): Mixed oak woodland, annual grasslands, riparian/seasonal stream, non-native ruderal

Site's tree canopy coverage: Approximately 40%

Ecological Assets Management, LLC. prepared a Biological Report for an approximately 13-acre portion of the 317-acre project site in July 2018. The 13-acre study area encompasses the project footprint, as well as the nearby drainage channel and surrounding mixed oak woodland habitat. Inclusion of the surrounding vicinity of the 1.2-acre project footprint ensures that all potential direct and indirect impacts are accounted for in the analysis. Surveys for biological resources were conducted by Ecological Assets Management, LLC in late April, mid-May, and early June 2018.

Habitat types on site include: 1) Mixed oak woodland, 2) Annual grasslands, 3) Riparian/Seasonal stream, and 4) Ruderal/Developed. A well-defined seasonal drainage channel is located to the east of the dirt road, and joins a smaller channel at the paved driveway. While located on the property, the stream is located approximately 150 feet from the project site. These channels contain sparse to dense riparian vegetation consisting of Coast live oak (*Quercus agrifolia*), Arroyo willow (*Salix lasiolepis*), and Western Sycamore (*Platanus racemosa*), and a variety of common shrubs and forbs.

Based on results from the California Natural Diversity Database (CNDDB) query (July 2018), 17 special-status plant species are known to occur within an approximately five-mile radius of the project site. Of the 17 total species identified by the CNDDB, the following five annual plant species are known to occur

in the annual grassland or oak woodland habitats within the general area of the project:

- Hoover's Bentgrass (*Agrostis hooverii*)
- Panicle tarplant (*Deinandra paniculata*)
- San Luis Obispo County lupine (*Lupinus ludovicianus*)
- Umbrella larkspur (*Lupinus ludovicianus*)
- Robbins' nemacladus (*Nemacladus secundiflorus* var. *robbinsii*)

None of the five species listed were observed onsite during the blooming season field surveys within the 13-acre study area. Based on the focused floristic survey effort, no special status plants are present within or immediately adjacent to the project area.

The CNDDDB search identified one sensitive natural community/plant community within the five-mile review area:

- Coastal and Valley Freshwater Marsh

Coastal and Valley Freshwater Marsh habitat is not present within the project area or in the known seasonal drainages. The larger seasonal drainage has the potential to support wetland plants during winter months. However, it does not qualify as freshwater habitat because it lacks the associated dominant perennial wetland plant cover and hydrology.

Based on results from the CNDDDB search, 21 special status animal species were identified with having potential habitat within the project site. However, no special status wildlife species were detected on the project site during the field surveys. Based on an analysis of known ecological requirements for the 21 special-status wildlife species reported or known from the region, and the habitat conditions observed within the project site, wildlife species have the potential to forage, breed or nest on site, including American badger and nesting migratory birds.

Regulatory Setting: Section 22.58 of the Land Use Ordinance states that removal of Heritage Oaks are prohibited if the trunk size is 46 inches or greater in diameter at breast height (DBH). In addition, to be considered a Heritage Oak, the tree must be at least 500 feet from the defined extent of an "oak woodland", or contiguous canopy.

Impact. Although coast live and valley oaks are not a state or federally listed botanical species, the evaluation of impacts to oak woodlands is required by Senate Bill 1334 and the addition of Section 21083.4 to the California Public Resources Code (PRC). PRC Section 21083.4 requires that California lead agencies certify completion of project environmental review under the California Environmental Quality Act (CEQA). Per Section 21083.4 of the PRC, if the County determines that there may be a significant effect to oak woodlands (e.g., oak trimming or removal), the County must require one of the following four methods of impact mitigation under CEQA: 1) conservation of existing oak woodlands, 2) planting and subsequent success monitoring of an appropriate number of trees, 3) contribution to the Oak Woodlands Conservation Fund, or 4) other measures established by the County. The County requires mitigation for impacts to, or removal of, native oak trees with a diameter at breast height (DBH) of five inches or greater, as measured at a height of four feet six inches above ground. Impacts include any ground disturbance within the critical root zone of one and one-half times the canopy/drip line diameter, trunk damage, or any pruning of branches three inches in diameter or greater. Mitigation ratios to removed and impacted trees are 4:1 and 2:1, respectively.

Table 2 below provides a summary of oak tree impacts by phase, along with their respective DBHs. The project would not impact a tree greater than 46 inches DBH, and would therefore not result in the removal of a Heritage Oak as defined in Section 22.58 of the Land Use Ordinance.

Construction of the project would result in the removal of one Coast live oak (*Quercus agrifolia*) tree and nine (9) valley oak (*Quercus lobata*) trees. It will impact 12 Coast live oak, but no valley oak trees,

through pruning and root zone disturbance. Such activities could also adversely impact sensitive plant or wildlife species that utilize the oak woodland habitat. As such, impacts associated with the removal or disturbance of oak trees are potentially significant and require mitigation.

Table 2 – Summary of Oak Tree Impacts by Phase

Quantity	Trunk Diameter	Disposition
Phase I		
1	12"	Removal
1	20"	
1	22"	
1	24"	
1	9"	Impacted
1	10"	
1	14"	
1	18"	
8	Various	
Phase II		
1	8"	Removal
1	13"	
2	18"	
1	20"	
1	22"	

Although development of the project would not directly impact the riparian/seasonal stream habitat or associated channel on the property, construction activities could indirectly affect nearby riparian habitats through soil compaction, grading, or potential spillage of hazardous materials. In order to minimize potential impacts from construction activities, mitigation is required.

Initial site grubbing, grading, and construction could impact nesting birds if construction occurs during the nesting season (February 1st through August 31st). Potential impacts to nesting birds could occur if tree or ground nesting birds are present within or near construction related activities causing noise generation and ground disturbance. Direct impacts to nesting raptors and other bird species from tree removal are not anticipated to occur since no nests were observed within the project area. However, an active red-tailed hawk nest was observed on site, indicating that the area is suitable habitat for raptor use. Impacts to nesting birds are considered temporary, yet potentially significant. Therefore, mitigation is required.

Special status bat species pallid bat (*Antrozous pallidus*) and Townsend's big-eared bat (*Corynorhinus townsendii*) could potentially roost in the oak trees within the project site. Impacts to roosting bats are considered temporary, yet potentially significant. Therefore, mitigation is required.

American badger was determined to have the potential to occur within the project area, due to the presence of suitable grassland habitat and prey base. Because of limited impact area, the degree of habitat diversity in the region, and the amount of open space immediately surrounding the project site, potential impacts to grassland habitat are anticipated to be temporary and would occur only during initial

construction activities. Mitigation is required to reduce potential impacts to the American badger.

Mitigation/Conclusion. Potential impacts to biological resources are considered less than significant with incorporation of the recommended mitigation measures that require protective and replacement measures for oak trees, as well as pre-construction surveys for migratory and nesting birds, bats, and American badger (Exhibit B).

5. CULTURAL RESOURCES

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb archaeological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historical resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Cause a substantial adverse change to a Tribal Cultural Resource?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Cultural Resources

Setting. The project is located in an area historically occupied by the Obispeno Chumash. No historic structures are present and no paleontological resources are known to exist in the area.

In order to meet AB 52 Cultural Resources requirements, outreach to Native American tribes groups was conducted (Northern Salinan, Xolon Salinan, Yak Tityu Tityu Northern Chumash, and the Northern Chumash Tribal Council) in March 2018. Comments received from the Northern Chumash Tribal Council on March 19, 2018 requested a copy of the records search and the archeological report. The records search was sent on January 14, 2019, and the Northern Chumash Tribal Council had no further comment.

Padre Associates, Inc. (Padre) conducted and prepared a Phase I Archaeological Study for the proposed project site, which included a records and literature search, as well as a field inspection of the site. The literature and records search was conducted in April 2018 at the Central Coast Information Center (CCIC), University of California, Santa Barbara. Padre also consulted the National Register of Historic Places (NRHP) via the National Register Information Service (NRIS), the official online database of the NRHP, the California Inventory of Historic Resources, and the California Historical Landmarks. The aforementioned searches did not reveal any listed environment properties, or archaeological sites within the study area or within a 0.25 mile radius of the project site.

Impact. The records search and field survey did not identify any prehistoric or historic materials located on or near the project site. No tribal cultural resources were identified during AB 52 consultation. Tribal consultation was performed, and no resources were identified. Therefore, significant impacts are not anticipated.

Mitigation/Conclusion. No archaeological monitoring is recommended during grading activities unless previously undiscovered cultural materials are unearthed. Per County LUO Section 22.10.040, if during any future grading and excavation, buried or isolated cultural materials are unearthed, work in the area shall cease until they can be examined by a qualified archaeologist and appropriate recommendations made. No significant impacts to cultural resources are expected to occur, and no additional mitigation measures are necessary.

6. GEOLOGY AND SOILS

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone", or other known fault zones*?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* Per Division of Mines and Geology Special Publication #42

Geology and Soils

Setting. The following relates to the project's geologic aspects or conditions:

Topography: Nearly level

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low

Liquefaction Potential: Low

Nearby potentially active faults?: No Distance? Not Applicable

Area known to contain serpentine or ultramafic rock or soils?: No

Shrink/Swell potential of soil: Low

Other notable geologic features? None

The project is not located within the Geologic Study Area designation or within a high liquefaction area. The Setting in Section 2, Agricultural Resources, describes the soil types and characteristics on the project site. The site's potential for liquefaction hazards are considered low. The project site is not located in an Alquist Priolo Fault Zone and no active fault lines cross the project site (California Department of Conservation 2015). A geotechnical report will be required for the project prior to

issuance of a building permit to evaluate the geological stability of the specific area of work (LUO section 22.14.070 (c)).

The San Luis Obispo County Mineral Designation Maps, show the project site is located outside of any Mining Disclosure Zone, Mineral Resource Area, or Energy/Extractive Area.

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120) to minimize impacts. The plan must be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are also subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the State agency that manages this program.

Impact. At full buildout, the project would result in the disturbance of approximately 53,700 square feet (1.2 acres) for the construction of greenhouses, additional ancillary structures, and improvements to the access road. In addition, the project would result in the movement of approximately 2,263 cubic yards of material, which would be balanced on site. Given the acreage of disturbance (approximately 1.2 acres or 53,700 square feet), the project is subject to the preparation of a SWPPP.

Based on site location and conditions described above, the project is not susceptible to landslides, earthquakes, subsidence, or similar hazards, nor would it result in the preclusion of mineral resource availability. Furthermore, as part of standard Building Permit requirements, the applicant would be required to obtain a geotechnical report assessing current geologic conditions prior to construction. During construction, the applicant will be required to follow recommendations in the geotechnical report to inform the design of building foundations, retaining walls (if any) and road improvements. In addition, the applicant will be required to prepare drainage plans and adhere to the best management practices in the erosion and sedimentation control plans and the SWPPP.

Mitigation/Conclusion. Implementation of erosion and sedimentation control plans and the SWPPP, in addition to compliance with ordinance requirements, will ensure that potential impacts associated with geology and soils are less than significant. There is no evidence that additional measures beyond compliance with code requirements will be needed.

7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) Be located on, or adjacent to, a site which is included on a list of hazardous material/waste sites compiled pursuant to Gov't Code 65962.5 ("Cortese List"), and result in an adverse public health condition?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Impair implementation or physically interfere with an adopted emergency response or evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) If within the Airport Review designation, or near a private airstrip, result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Be within a 'very high' fire hazard severity zone?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Be within an area classified as a 'state responsibility' area as defined by CalFire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Hazards and Hazardous Materials

Setting. To comply with Government Code section 65962.5 (known as the "Cortese List") the following databases/lists were checked in September 2018 for potential hazardous waste or substances occurring at the project site:

- List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database
- List of Leaking Underground Storage Tank Sites by County and Fiscal Year from Water Board GeoTracker database
- List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit
- List of "active" CDO and CAO from Water Board
- List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC

The database review revealed that the project site is not located in an area of known hazardous material contamination.

The project site is located in a State Responsibility Area for fire service, and according to CalFire's San Luis Obispo County Fire Hazard Zones map, the project site is in a 'very high' fire severity risk area. The closest fire station to the project site is San Luis Obispo County Fire Station 20, approximately seven miles to the southwest. According to San Luis Obispo General Plan Safety Element Emergency



Response Map, average emergency response time to the project site is 20+ minutes (San Luis Obispo County 2017).

The project is not within the Airport Review area. There are no landfills within 0.5 mile of the project site.

Impact.

Construction activities: Construction activities may involve the use of oils, fuels, and solvents. In the event of a leak or spill, persons, soil, and vegetation down-slope from the site may be affected. The use, storage, and transport of hazardous materials is regulated by the Department of Toxic Substances Control (DTSC) (22 Cal. Code of Regulations Section 66001, et seq.). The use of hazardous materials on the project site for construction and maintenance is required to be in compliance with local, state, and federal regulations. In addition, compliance with best management practices would also address impacts.

Operational Activities: The project does not propose the routine use of hazardous materials and would not generate hazardous wastes. However, the project includes the use of material storage buildings which would contain pesticides, fertilizer, soil amendments, and potting material. In accordance with LUO Section 22.40.050 D. 3., all applications for cannabis cultivation must include a list of all pesticides, fertilizers and any other hazardous materials expected to be used, along with a storage and hazardous response plan. Pesticides/fertilizers anticipated to be used include: Azasol, Pyganic, ZeroTol, Triology, GC Mite, Double Nickel LC, BotaniGard MAXX, BotaniGard, Ecospreader, Neemix, Evergreen 5.0, Grandevo, and Triact. The use of organically produced compounds are potentially poisonous if not handled correctly during mixing and application. Operations on-site would be conducted in accordance with an employee safety and training handbook which contains measures to be followed to lessen the potential of exposure. These measures include safe storage and disposal, use and knowledge of material data safety sheets and hazardous material identification systems, and use of personal protection equipment which includes but is not limited to respiratory protection.

As discussed in the Setting section above, the project site is not found on the 'Cortese List' (which is a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5).

The project is located in a "very high" fire severity risk area. Standard Fire Code requirements would include maintaining fire extinguishers, alarms, and a fire pump. In order to comply with CalFire Standard 4, Access Roads and Driveways, improvements to the access road as well as construction of a turnaround area are proposed. Impacts related to fire hazards would be less than significant.

The project is not expected to conflict with any regional emergency response or evacuation plan since it is not proposing any barriers to ingress or egress in the area. The project is not located within an Airport Review area. As such, the project would not expose employees to aviation-related hazards, and there would be no impact.

Mitigation/Conclusion. All requirements would be in accordance with County Ordinances and Cal Fire/San Luis Obispo Fire Department Standards. No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE

Will the project:

- a) *Expose people to noise levels that exceed the County Noise Element thresholds?*

Potentially
Significant

☐

Impact can
& will be
mitigated

☐

Insignificant
Impact

☒

Not
Applicable

☐

8. NOISE

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
b) <i>Generate permanent increases in the ambient noise levels in the project vicinity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Cause a temporary or periodic increase in ambient noise in the project vicinity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>If located within the Airport Review designation or adjacent to a private airstrip, expose people residing or working in the project area to severe noise levels?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Noise

Setting. The project is not within close proximity of loud noise sources, as the project site and surrounding area consist of agricultural uses and scattered single family homes on agricultural land. The nearest sensitive receptor to the project site is a single-family residence to the northwest, located approximately 2,500 feet from the project site. Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area. The project is not located within an Airport Review area.

Impact.

Construction Impacts: Construction activities may involve the use of heavy equipment for grading and for the delivery and movement of materials on the project site. The use of construction machinery would also be a source of noise and vibration. Construction-related noise impacts would be temporary, localized, and last only the duration of the construction period. County regulations (County Code Section 22.10.120.A) limit the hours of construction to day time hours between 7:00 AM and 9:00 PM weekdays, and from 8:00 AM to 5:00 PM on weekends. Potential construction-related noise impacts would be less than significant.

Operational Impacts: The existing traffic volume for Huasna Road, west of Huasna Townsite Road, is approximately 595 vehicles per day, and the project would generate approximately 19 daily trips. Following construction, vehicular noise on Huasna Road generated by the project would be comparable to background noise levels generated by surrounding agricultural operations and existing vehicular traffic. The project is not expected to generate loud noises, nor conflict with the surrounding uses.

New mechanical equipment that would generate noise during operation of the greenhouses includes heating and cooling equipment associated with the Heating Ventilation Air Condition (HVAC) system. Commercial HVAC equipment typically has noise shielding cabinets, when placed on the roof or within mechanical equipment rooms and is not usually a substantial source of noise impacts. Typically, the shielding and location of these units reduces noise levels to approximately 60-70 dBA Leq at 15 feet from the source (Illington & Rodkin 2009). Each greenhouse would be equipped with five exhaust fans with a rating of 70 dBA at 25 feet. The nearest sensitive receptor is located well over 1,000 feet from the project site. Due to this, operational noise impacts would be insignificant.

The nearest airport to the project site is the Oceano County Airport, located approximately 11 miles west of the project. Based on the distance from the project site to the Airport, the project would not subject workers to excessive aviation related noise levels, and there would be no impact.

Mitigation/Conclusion. No significant noise impacts are anticipated, and no mitigation measures are necessary.

9. POPULATION/HOUSING

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly (e.g., construct new homes or businesses) or indirectly (e.g., extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Population/Housing

Setting. In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant program, which provides limited financing to projects relating to affordable housing throughout the county. The County's Inclusionary Housing Ordinance requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions. As of 2018, per the Department of Finance's Population and Housing estimates, the County of San Luis Obispo contains approximately 280,101 persons, and approximately 121,661 total housing units (DOF 2018).

Impact. The project site includes two existing single-family residences and an agricultural barn building. The residences would continue to remain in place throughout construction and operation of the project. The proposed project would not result in the removal or construction of any housing. The proposed project is expected to employ up to six persons. This increase in employment would not result in a substantial increase in employment in the County. Therefore, the project would not result in a need for a significant amount of new housing and would not displace existing housing.

Mitigation/Conclusion. Based on the number of employees, the project would not result in the need for a significant amount of new housing; and would not displace existing housing. The project would be conditioned to provide payment of the housing impact fee for commercial projects. No significant population/housing impacts are anticipated, and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES

Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection (e.g., Sheriff, CHP)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Public Services

Setting. The project area is served by the following public services/facilities:

Police: County Sheriff Location: Oceano (Approximately 11 miles to the west)

Fire: Cal Fire (formerly CDF) Hazard Severity: Very High Response Time: More than 20 minutes
Location: Nipomo (Approximately 7 miles to the southwest)

School District: Lucia Mar Unified School District.

Fire Services

The project site is located approximately seven miles from San Luis Obispo County Fire Station 20. According to San Luis Obispo General Plan Safety Element Emergency Response Map, the average emergency response time to the project site is more than 20 minutes (San Luis Obispo County 1999). According to CalFire's San Luis Obispo County Fire Hazard Severity Zone map, the project site is within a "very high" severity risk area for fire.

Standard Fire Code requirements would be required and would include maintaining fire extinguishers, alarms, and a fire pump. A spur off the main driveway would be improved with an all-weather surface to provide access to the cannabis cultivation site and processing buildings. The improved access road to the cultivation site would also provide a turn-around area for emergency vehicles. With implementation of standard Fire Code requirements and road improvement, the project would not cause a need for new or altered fire protection services. The project's incremental impacts to Fire Department services would be insignificant.

Police Services

The project site is in the existing service range for the County Sheriff Department. Construction on-site would not normally require services from the Sheriff's Department, except in cases of trespassing, theft, and/or vandalism. The project would include security features which are detailed in the Operations Plan and must be reviewed by the County Sheriff. These features include security cameras, as well as a locked fence surrounding the greenhouses. Incorporation of security features would serve to reduce the need for police/sheriff enforcement. Since the site is currently in the existing service range, it would not require additional police protection or law enforcement services and would not trigger changes that

would affect police protection services. Therefore, this impact would be insignificant.

Schools, Park, Other Facilities

As discussed in Section 9, *Population/Housing*, the project does not include the construction of any habitable structures and would not increase population. As such, the project would not generate new demand for schooling, park services, or other governmental facilities. Since the project would not generate development or changes in land use intensities that would change or increase existing demand, there would be no impact on schools, parks, or other governmental facilities.

Roads

Access to the project site is provided by a paved driveway within an existing easement from Huasna Road. As discussed in Section 12, *Transportation/Circulation*, the proposed project would generate 19 trips per day, including two trips during the PM peak hour. This small amount of additional traffic would not result in a significant change to existing road service or traffic safety levels.

Solid Waste

The project would generate solid waste, such as pesticide containers, fertilizer containers, packaging materials, and other solid non-toxic refuse waste which would be disposed of in a 50-square foot covered hauling trailer and periodically disposed of by employees at the Cold Canyon Landfill. Recycling produced by the project would be stored in a 96-gallon container. All green waste produced on-site would be composted. The remaining capacity of the Cold Canyon Landfill is 14,500,000 cubic yards (CalRecycle 2018). Since the project is not expected to generate a substantial amount of solid waste, and since there is adequate capacity at the existing landfill, impacts are considered insignificant.

Mitigation/Conclusion. No project-specific impacts to public services were identified. Regarding cumulative effects, public facility (County) and school (State Government Code 65995 et seq.) fee programs have been adopted to address the project's contribution to cumulative impacts and will reduce the cumulative impacts to less than significant levels. No significant public service impacts are anticipated, and no mitigation measures are necessary.

11. RECREATION

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Recreation

Setting. The County's Parks and Recreation Element does not indicate any mapped trails or potential trails through the proposed project, or that the project site contains an existing park or recreational area.

Impact. The project is proposed in a location which would have no impact or effect on any trail, park, recreational resource, coastal access, and/or Natural Area utilized by the public. The proposed project is not a residential project or a large-scale employer and would not result in a significant population

increase. Construction and operation of the proposed project would not have any adverse effects on existing or planned recreational opportunities in the County. The proposed project would not create a significant need for additional park, natural area, and/or recreational resources.

Mitigation/Conclusion. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

12. TRANSPORTATION/CIRCULATION

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Level of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Conflict with an established measure of effectiveness for the performance of the circulation system considering all modes of transportation (e.g. LOS, mass transit, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Conflict with an applicable congestion management program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Transportation

Setting. The project site is located along a private access road, located off Huasna Road. Huasna Road generally runs east/west, approximately 0.5 mile to the north of the project site. The County has established the acceptable Level of Service (LOS) on roads for rural areas as "C" or better. Huasna Road is a County maintained road from the southwesterly end to Lopez Drive (C2023). The project site is not located within a Traffic Impact Fee Area.

Impact.

Trip Generation, Levels of Service, Congestion

A Trip Generation Report, dated July 24, 2018, was prepared by Orosz Engineering Group. Trip generation was developed based on similar land uses and anticipated operational characteristics for



the site. The expected trip generation for the project is summarized in Table 3.

Table 3 Trip Generation Rate Summary

			PM Peak Hour		
	Size	Daily	In	Out	Total
Phase 1 Activity					
Greenhouses	12,600 SF	3	0	0	0
Processing/Curing/Drying	1 Delivery	6	0	1	1
Deliveries	1 Per Day	2	0	0	0
Phase 1 Total		11	0	1	1
Phase 2 Activity					
Greenhouses	13,200 SF	4	0	0	0
Processing/Curing/Drying	960 SF	4	0	1	1
Phase 2 Total		8	0	1	1
Project Total		19	0	2	2

¹ ITE Land Use Code #140, Manufacturing. Average rates used.
Source: ITE Trip Generation Manual, 10th Edition, 2017; CCTC 2018.

As shown above in Table 3, the project is expected to generate 19 daily trips, including two trips during the PM peak hour. Each project phase would be expected to generate one outbound PM peak traffic hour trip. The existing traffic volume for Huasna Road, west of Huasna Townsite Road, is approximately 595 vehicles per day. Based on the minor trip generation, and existing average daily trips on Huasna Road, the project would not noticeably impact traffic operation, would not reduce levels of service on nearby roads, would not conflict with adopted policies, plans and programs on transportation, and would not cause congestion on the local circulatory network. Since the project site will not be open to the general public, would not generate foot or bicycle traffic, or generate public transit demand, and since no public transit facilities, pedestrian or bicycle facilities exist in the area, the project would have no impact on levels of service/conditions for these facilities.

As noted above in the project description and in Section 7, *Hazards and Hazardous Materials*, a fire service hammerhead turn would be constructed, adhering to County of San Luis Obispo/CalFire design specifications, which would ensure that access to the greenhouses is maintained for emergency response vehicles. The project does not propose any features that would delay, disrupt, or result in unsafe conditions.

No congestion management plan is in effect for the project area, and the proposed project would not adversely affect the performance of the region's circulation system or conflict with any policies, plans or programs for alternative transportation.

Mitigation/Conclusion. The project would not reduce the LOS of public roadways or significantly increase vehicle trips to the circulation system. The project will also be required to maintain adequate emergency access. Therefore, the project's transportation impacts would be less than significant with the applied project design features, and no mitigation measures are necessary.

13. WASTEWATER

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Wastewater

Setting. Regulations and guidelines on proper wastewater system design and criteria are found within the County's Plumbing Code (hereafter CPC; see Chapter 7 of the Building and Construction Ordinance [Title 19]), the "Water Quality Control Plan, Central Coast Basin" (Regional Water Quality Control Board [RWQCB] hereafter referred to as the "Basin Plan"), and the California Plumbing Code. These regulations include specific requirements for both on-site and community wastewater systems. These regulations are applied to all new wastewater systems.

For on-site septic systems, there are several key factors to consider for a system to operate successfully, including the following:

- ✓ Sufficient land area (refer to County's Land Use Ordinance or Plumbing Code) – depending on water source, parcel size minimums should range from one acre to 2.5 acres;
- ✓ The soil's ability to percolate or "filter" effluent before reaching groundwater supplies (30 to 120 minutes per inch is ideal);
- ✓ The soil's depth (there needs to be adequate separation from bottom of leach line to bedrock [at least 10 feet] or high groundwater [5 feet to 50 feet depending on percolation rates]);
- ✓ The soil's slope on which the system is placed (surface areas too steep creates potential for daylighting of effluent);
- ✓ Potential for surface flooding (e.g., within 100-year flood hazard area);
- ✓ Distance from existing or proposed wells (between 100 and 250 feet depending on circumstances); and
- ✓ Distance from creeks and water bodies (100-foot minimum).

To assure a successful system can meet existing regulation criteria, proper conditions are critical. Above-ground conditions are typically straight-forward and most easily addressed. Below ground criteria may require additional analysis or engineering when one or more factors exist:

- ✓ the ability of the soil to "filter" effluent is either too fast (percolation rate is faster or less than 30 minutes per inch and has "poor filtering" characteristics) or is too slow (slower or more than 120 minutes per inch);
- ✓ the topography on which a system is placed is steep enough to potentially allow "daylighting" of effluent downslope; or



- ✓ the separation between the bottom of the leach line to bedrock or high groundwater is inadequate.

Based on Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type for the project site is Gaviota fine sandy loam. The main limitations of this soil for wastewater effluent include:

- poor filtering characteristics** due to the very permeable nature of the soil, without special engineering will require larger separations between the leach lines and the groundwater basin to provide adequate filtering of the effluent. In this case, based on general knowledge of the area and size of the proposed parcels, it is expected that there will be adequate separation for filtering of effluent before reaching any groundwater source.
- shallow depth to bedrock**, which is an indication that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, the chances increase for the effluent to infiltrate cracks that could lead directly to groundwater source or surrounding wells without adequate filtering, or allow for daylighting of effluent where bedrock is exposed to the earth's surface. In this case, due to limited availability of information relating to the shallow depth to bedrock characteristic, the following additional information will be needed prior to the issuance of a building permit: soil borings at leach line location(s) showing that there is adequate distance to bedrock. If adequate distance cannot be shown, a county-approved plan for an engineered wastewater system showing how the basin plan criteria can be met will be required.
- steep slopes**, where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent. In this case, the proposed leach lines are located on a gently sloping portion of the subject property that is sufficiently set back from any steep slopes to avoid potential daylighting of effluent. Therefore, no measures are necessary above what is called out for in the CPC/Basin Plan to address potential steep slopes.
- slow percolation**, where fluids will percolate too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be greater than 30 and less than 120 minutes per inch.

Impacts/Mitigation. The project site has an existing septic system for the residential use on site. The applicant is proposing a separate septic system for the proposed restrooms in the converted barn space, as well as a new leach field area east of the greenhouses. Based on the following project conditions or design features, wastewater impacts are considered less than significant:

- ✓ The project has sufficient land area per the County's Land Use Ordinance to support an on-site system;
- ✓ There is adequate soil separation between the bottom of the leach line to bedrock or high groundwater;
- ✓ The soil's slope is less than 20%;
- ✓ The leach lines are outside of the 100-year flood hazard area;
- ✓ There is adequate distance between proposed leach lines and existing or proposed wells;
- ✓ The leach lines are at least 100 feet from creeks and water bodies.

Based on the above information, the site appears capable of accommodating an on-site system that would meet County Plumbing Code/Central Coast Basin Plan requirements. Prior to building permit issuance and/or final inspection of the wastewater system, the applicant will be required to demonstrate compliance with the County Plumbing Code/Central Coast Basin Plan, including any above-discussed information relating to potential constraints. In addition, the County LUO requires that all cannabis projects comply with the requirements of the Central Coast Regional Water Quality Control Board and the Cannabis Cultivation General Order from the State Water Resources Control Board.

Mitigation/Conclusion. Based on compliance with existing regulations and requirements, potential wastewater impacts would be less than significant. No mitigation measures are necessary.

14. WATER & HYDROLOGY

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
QUALITY				
a) Violate any water quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Change rates of soil absorption, or amount or direction of surface runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Involve activities within the 100-year flood zone?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
QUANTITY				
h) Change the quantity or movement of available surface or ground water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Adversely affect community water service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Expose people to a risk of loss, injury or death involving flooding (e.g., dam failure, etc.), or inundation by seiche, tsunami or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Water

Setting.

WATER SUPPLY— The project is not located within an impacted water basin. The project proposes to use on-site wells as its water source.

The topography of the project is gently sloping to steeply sloping. The closest creek (tributary of



Huasna Creek) is located on site. As described in the NRCS Soil Survey, the soil surface is considered to have high erodibility.

Projects involving more than one acre of disturbance are subject to preparing a SWPPP to minimize on-site sedimentation and erosion. When work is done in the rainy season, the County's Land Use Ordinance requires temporary erosion and sedimentation measures to be installed.

DRAINAGE – The following relates to the project's drainage:

Within the 100-year Flood Hazard designation? No

Closest creek? Tributary to Huasna Creek Distance? Approximately 150 feet

Soil drainage characteristics: Well drained

For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.110) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins or installing surface water flow dissipaters. The drainage plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

SEDIMENTATION AND EROSION – Soil type, area of disturbance, and slopes are key aspects to analyzing potential sedimentation and erosion issues. The project's soil types and descriptions are listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the project's soil erodibility is as follows:

Soil erodibility: High

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120, CZLUO Sec. 23.05.036) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a SWPPP, which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

Impact - Water Quality

With regards to project impacts on water quality the following conditions apply:

- ✓ Approximately 53,700 square feet of site disturbance is proposed, including full buildout of the cultivation area and improvements to the access road. The movement of approximately 2,263 cubic yards of material is also proposed;
- ✓ The project would be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- ✓ The project would disturb over one acre (approximately 1.2 acres) and would be required to prepare a SWPPP;
- ✓ The project is not within a 100-year Flood Hazard designation;
- ✓ The project is more than 100 feet from the closest creek or surface water body;
- ✓ All disturbed areas would be permanently stabilized with impermeable surfaces and landscaping;
- ✓ Stockpiles would be properly managed during construction to avoid material loss due to erosion;
- ✓ The project is subject to the County's Plumbing Code (Chapter 7 of the Building and Construction Ordinance [Title 19]), and/or the "Water Quality Control Plan, Central Coast Basin" for its wastewater requirements, where wastewater impacts to the groundwater basin would be less than significant;

- ✓ All hazardous materials and/or wastes would be properly stored on-site, which include secondary containment should spills or leaks occur;

Impact – Water Quantity

Full buildout of the proposed project (both phases) would use approximately 3,645 gallons per day based on the irrigation demand for vegetative, flowering, and propagation plant phases, which is equivalent to approximately 4.1 acre-feet per year.

Water on-site is supplied by two existing on-site wells that have been used for cattle grazing in the past, and have a yield of ten gallons per minute (Farm Supply Company 2014). One of the wells, located on the southeastern portion of the project site, would serve the cannabis cultivation operations. The well pump test and water quality analysis from 2014 conclude that the well produces sufficient water to meet the project's water demand. In addition, the project site is not located over an impacted groundwater basin.

Seiche/Tsunami/Mudflow

The project site is located approximately 12 miles inland from the Pacific Ocean and is not located in the Coastal Zone. Therefore, there is no risk from tsunami. The nearest large body of water with seiche potential is Lopez Lake, however the project site is over 5.5 miles away to the southeast. Since the project site is relatively flat, and is not located adjacent to hillsides, mudflow risks are insignificant.

Mitigation/Conclusion. Adherence to existing regulations and compliance with the SWPPP would adequately address surface water quality impacts during construction and operation of the project. Based on compliance with existing regulations and requirements, potential water and hydrology impacts would be less than significant, and no mitigation measures are necessary.

15. LAND USE

Will the project:

	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [County Land Use Element and Ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Land Use

Setting/Impact. The proposed project is subject to the following Planning Area Standard(s) as found in the County's LUO:

1. LUO Section 22.98 – South County Planning Area



2. LUO Section 22.98.030 – Huasna Lopez Sub-Area

Under the County's Cannabis Activities Ordinance (LUO Section 22.40), Cannabis Cultivation is allowed within the Agricultural land use category. The purpose of the Agricultural land use category is to recognize and retain commercial agriculture as a desirable land use and as a major segment of the county's economic base. The Agriculture land use allows for the production of agricultural related crops, on parcel sizes ranging from 20 to 320 acres. Since the project proposes cultivation and ancillary uses, it is consistent and compatible with the surrounding uses for agriculture and rural residential.

The project is surrounded by agricultural uses. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County LUO, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CAL FIRE for Fire Code, California Fish and Wildlife for the Fish and Game Code, etc.). The project was found to be consistent with the policies and standards of these agencies documents (refer also to Exhibit A on reference documents used).

The project would be required to adhere to all regulations and development standards as listed in the County LUO Chapter 22.40. This includes the receipt of all necessary permits, submittal of plans, adherence to application requirements, and limitations on use and cultivation.

The project is not within or adjacent to a Habitat Conservation Plan area.

Mitigation/Conclusion. No inconsistencies were identified, and therefore no additional measures above what will already be required were determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE

Will the project:

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
-------------------------	--------------------------------	----------------------	----------------

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or pre-history?</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) <i>Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a) The proposed project does not have the potential to substantially degrade the quality of the environment. Compliance with all the mitigation measures identified in Exhibit B will ensure that project implementation will not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. Nor will the project contribute significantly to greenhouse gas emissions or increase energy consumption. Implementation of the project will not eliminate important examples of the major periods of California

history or pre-history. Therefore, the anticipated project-related impacts are less than significant with incorporation of the mitigation measures included in Exhibit B.

b) The potential for adverse cumulative effects were considered in the response to each question in sections 1 through 15 of this form. In addition to project specific impacts, this evaluation considered the project's potential for incremental effects that are cumulatively considerable. Other similar projects in the region include Minor Use Permit (DRC2018-00069) for cannabis cultivation and Minor Use Permit (DRC2018-00135) for cannabis cultivation and a distribution facility. These projects are evaluated similarly, and with incorporation of mitigation, there is no substantial evidence for potential of incremental effects that are cumulatively considerable. As described in Section 4 above, there were determined to be potentially significant effects related to biological resources. However, the mitigation measures included in Exhibit B would reduce the effects to a level below significance. As a result of this evaluation, there is no substantial evidence that, after mitigation, there are cumulative effects associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

c) In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in Sections 1. Aesthetics, 3. Air Quality, 6. Geology & Soils, 7. Hazards & Hazardous Materials, 8. Noise, 9. Population & Housing, 10. Public Services and Utilities, 12. Transportation & Circulation, 13. Wastewater, 14. Water & Hydrology, and 15. Land Use. As a result of this evaluation, there is no substantial evidence that, after mitigation, there are adverse effects to human beings associated with this project. Therefore, the project has been determined not to meet this Mandatory Finding of Significance.

For further information on CEQA or the County's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Information", or the California Environmental Resources Evaluation System at: <http://resources.ca.gov/ceqa/> for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning Department has contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Services	Not Applicable
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	Attached
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	None
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Fish and Wildlife	Attached
<input checked="" type="checkbox"/>	CA Department of Forestry (Cal Fire)	Attached
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Services District	Not Applicable
<input checked="" type="checkbox"/>	Other <u>Northern Chumash Tribal Council</u>	Attached
<input checked="" type="checkbox"/>	Other <u>Building Division</u>	Attached
<input checked="" type="checkbox"/>	Other <u>U.S. Fish and Wildlife</u>	None

**** "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input type="checkbox"/> Design Plan
<u>County documents</u>	<input type="checkbox"/> Specific Plan
<input type="checkbox"/> Coastal Plan Policies	<input type="checkbox"/> Annual Resource Summary Report
<input checked="" type="checkbox"/> Framework for Planning (Coastal/Inland)	<input type="checkbox"/> Circulation Study
<input checked="" type="checkbox"/> General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:	<u>Other documents</u>
<input checked="" type="checkbox"/> Agriculture Element	<input checked="" type="checkbox"/> Clean Air Plan/APCD Handbook
<input checked="" type="checkbox"/> Conservation & Open Space Element	<input type="checkbox"/> Regional Transportation Plan
<input type="checkbox"/> Economic Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Archaeological Resources Map
<input checked="" type="checkbox"/> Parks & Recreation Element/Project List	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> Special Biological Importance Map
<input checked="" type="checkbox"/> Land Use Ordinance (Inland/Coastal)	<input checked="" type="checkbox"/> CA Natural Species Diversity Database
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Public Facilities Fee Ordinance	<input checked="" type="checkbox"/> Flood Hazard Maps
<input type="checkbox"/> Real Property Division Ordinance	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Affordable Housing Fund	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input type="checkbox"/> Airport Land Use Plan	<input type="checkbox"/> Other
<input type="checkbox"/> Energy Wise Plan	
<input type="checkbox"/> South County Area Plan/South County sub area and Update EIR	

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Project-Specific Studies

Ecological Assets Management, LLC, Biological Resources Survey Report, July 23, 2018

Orosz Engineering Group, Inc., 9009 Huasna Road-Cannabis Cultivation Trip Generation Report,
July 24, 2018

Padre Associates, Inc., Phase 1 Archaeological Study, July 2018

Exhibit B - Mitigation Summary Table

Per Public Resources Code Section 21081.6, the following measures also constitute the mitigation monitoring and/or reporting program that would reduce potentially significant impacts to less than significant levels. These measures would become conditions of approval (COAs) should the project be approved. The Lead Agency (County) or other Responsible Agencies, as specified in the following measures, are responsible to verify compliance with these COAs.

Biological Resources

- MM BIO-1: Oak Tree Removal/Replacement.** Prior to issuance of grading and/or construction permits, an "Oak Tree Impact and Replacement Plan" prepared by a qualified professional (e.g., landscape architect, certified arborist, botanist) shall be submitted for County review and approval. The Oak Tree Impact and Replacement Plan shall address the following requirements, which must also be clearly stated on all grading and construction plans:
- Grading and/or construction plans shall clearly delineate all trees within 50 feet of areas where soil disturbance will occur and shall show which trees are to be removed or impacted, and which trees are to remain unharmed.
 - Prior to any grading or grubbing, all trees within 50 feet of construction or grading activities shall be marked for protection and their root zone shall be fenced. The outer edge of the tree root zone to be fenced shall be outside of the canopy $\frac{1}{2}$ again the distance as measured between the tree trunk and outer edge of the canopy (i.e., $1 \frac{1}{2}$ times the distance from the trunk to the drip of the tree), unless otherwise shown on the approved construction plans.
 - Prior to any grading or grubbing, the applicant shall retain a certified arborist to identify limbs at risk and perform all necessary trimming of oak tree limbs that could be damaged by project activities. Pruning shall be conducted as needed along the access road and construction area. All pruning shall be conducted prior to construction equipment passage to minimize the potential for inadvertent damage to oak tree limbs. Removal of larger lower branches shall be minimized to (1) avoid making trees top heavy and more susceptible to "blow-overs," (2) reduce larger limb cuts that take longer to heal and are more susceptible to disease and infestation, (3) retain wildlife habitat values associated with the lower branches, (4) retain shade to keep summer temperatures cooler, and (5) retain the natural shape of the tree. The certified arborist shall document all pruning impacts in a report submitted to the County of San Luis Obispo.
 - A biologist or certified arborist shall be retained by the applicant to monitor all construction activities in areas containing oak trees to minimize disturbance to identified trees and their root zones wherever possible. The monitor will document all construction-related impacts to oak trees in an as-built report submitted to the County of San Luis Obispo.
 - Immediately following submittal of the oak tree impact as-built report to the County, the applicant shall implement mitigation for all identified pruning and construction-related oak impacts per County San Luis Obispo ratios and methods for oak tree mitigation and replacement. County oak tree replacement standards require a project proponent to implement an Oak Tree Impact and Replacement Plan. The Plan must provide for in-kind replacement at a 4:1 ratio, of all oak trees removed as a result of the project (10 oaks identified for in-kind replacement of 40 oaks). The Plan shall include success criteria and adaptive management provisions to ensure that at five years from planting there is no net loss of trees compared to pre-construction conditions and that all

replacement trees are alive and in vigorous healthy condition. In addition, the plan must provide for in-kind planting, at a 2:1 ratio, of all oak trees impacted (12 oaks identified for in-kind replacement of 24 oaks) but not removed. The replacement trees must be monitored by a biologist or certified arborist retained by the applicant for 5 years after planting. The "Oak Tree Impact and Replacement Plan" shall be fully implemented within 1 year of construction permit issuance. This monitoring shall include the submittal for Planning and Building staff review and approval of annual tree replacement program status reports for the five-year duration of the program.

- f. A cost estimate based on a 3% annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the oak tree replacement area for the required monitoring period, and report preparation and staff time to review.

Secured Agreement. Prior to occupancy or final building inspection /establishment of the use, a surety shall be provided and an agreement shall be executed to assure success of the Oak Tree Impact and Replacement Plan. The applicant shall enter into a Secured Agreement with the County of San Luis Obispo as follows:

- a. The security shall consist of a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the implementation of the Oak Tree Replacement Plan and,
- b. Provide a 10 percent cash deposit of the cost of all improvements, but no less than \$3,000 and no more than \$30,000.
- c. The monitoring time and the five-year duration of the Secured Agreement and cash deposit commences when the installation is accepted by a County staff representative. The Secured Agreement and cash deposit shall be released upon completion of the Oak Tree Impact and Replacement Plan implementation and review and approval by Planning and Building staff of the fifth year monitoring report, provided the installed vegetation is in a healthy condition and meets the success criteria.

MM BIO-2 Water Quality and Riparian Habitat

- a. Prior to the start of construction, the project site boundaries, access routes, and staging areas shall be clearly flagged so that contractors are aware of the limits of allowable site access and disturbance. Equipment access shall not occur during wet weather or when access would cause ruts or soil compaction due to saturate soil conditions.
- b. Prior to the start of construction, the applicant shall prepare an Erosion Control Plan. The Plan shall address both temporary and permanent measures to control erosion and reduce sedimentation. Erosion and soil protection shall be provided on all disturbed soil areas prior to the onset of the rainy season (October 15). All project plans shall show that sedimentation and erosion control measures must be installed per the engineer's requirements. The Plan shall include specific best management practices (BMP) to minimize impacts to jurisdictional habitats. Washing of equipment and tools shall not be allowed in any location where polluted water could enter the drainages. BMPs for dust control abatement shall also be included. Native seed mix shall apply on disturbed soil areas.
- c. To avoid disturbance of wet soils, and limit potential for erosion on-site and downstream, grading shall occur outside of the rainy season (October 15 to April 15) if feasible. If grading is proposed during the rainy season, such



activities must be authorized under relevant provisions of the County's Grading Ordinance and must follow approved Erosion and Sedimentation Plans. All project-related spills of hazardous materials shall be cleaned up immediately. Spill prevention and cleanup materials shall be on site at all times during construction. Cleaning and refueling of equipment and vehicles shall occur only within designated staging areas. The staging areas shall conform to standard BMPs applicable to attaining discharge of stormwater runoff. No maintenance, cleaning or fueling of equipment shall occur within 50 feet of the drainages. At a minimum, all equipment and vehicles shall be checked maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills.

MM BIO-3: Avoidance of Nesting Birds. To avoid take of nesting birds, and raptor nests at any time of year (including inactive nests), vegetation disturbance and initial ground disturbance shall occur outside the nesting season, approximately February 1 through September 15. If initial ground disturbance or disturbance of vegetation must begin within the bird breeding season, a nesting bird pre-construction survey shall be conducted by a qualified biologist within the disturbance footprint plus a 250-foot buffer no more than two weeks prior to the start of such activities. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and at least 250 feet for raptor species. Larger buffers may be required, and/or smaller buffers may be established depending upon the species, status of the nest, and construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed, and young have fledged the nest prior to removal of the buffer. If removal of the existing red-tailed hawk nest or the tree in which it is located is proposed, the California Department of Fish and Wildlife (CDFW) shall be consulted prior to removal. Removal of the nest shall not occur without written approval from CDFW.

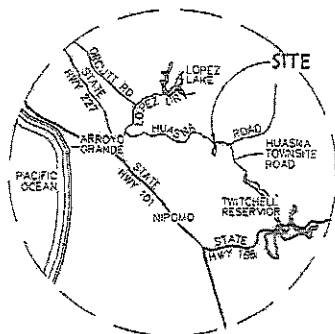
MM BIO-4: Avoidance of American Badger and Habitat. Within 30 days of beginning work on the site (including staging and mobilization), a qualified biologist shall complete a survey for badger dens. The results of the survey shall be sent to the County of San Luis Obispo. In order to avoid the potential direct take of adults and nursing young, no ground disturbance shall occur within 50 feet of an active badger den as determined by a qualified biologist between March 1 and June 30. Construction activities between July 1 and March 1 shall comply with the following measures to avoid direct take of adult and weaned juvenile badgers:

- a. Conduct a biological survey of the anticipated disturbance areas between 2 weeks and 4 weeks prior to construction. The survey should cover the entire area proposed for disturbance. Surveys should focus on both old and new den sites. If dens are too long to see the end, a fiber optic scope (or other method approved by the qualified biologist) can be used to assess the presence of badgers. Alternatively, motion-activated wildlife cameras shall be used to determine occupancy status. If the camera method is used, cameras must be used for four consecutive nights to make a determination on den activity and occupancy status.
- b. Inactive dens shall be excavated by hand with a shovel to prevent badgers from reusing them during construction.
- c. Badgers shall be discouraged from using currently active dens prior to the grading of the site by partially blocking the entrance of the den with sticks, debris

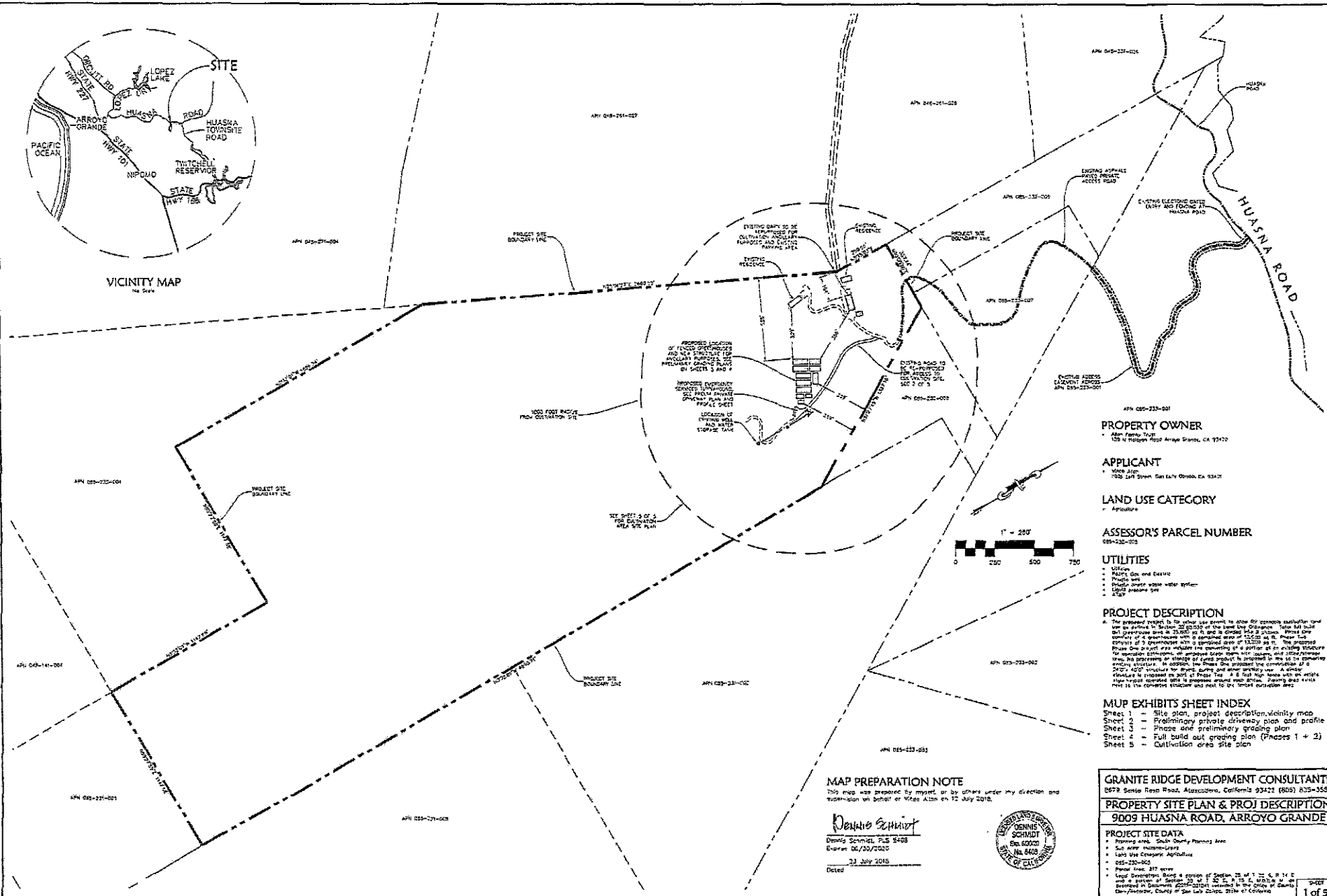
and soil for 3 to 5 days or through use of a 1-way door. After badgers have stopped using active dens within the development area, the dens shall be hand excavated with a shovel to prevent re-use.

MM BIO-5:

Avoidance of Roosting Bats. Prior to removal or trimming of any oak trees or conversion of the existing barn, a preconstruction survey for roosting bats shall be conducted by a qualified biologist to identify if bats are roosting in the project area. If a bat roost is detected, a 50-foot no-disturbance buffer shall be established during project construction activities until a qualified biologist determines the roost is no longer active. If bat roosts are determined to be in continuous use, a request for a reduced buffer or a Bat Eviction Plan may be prepared and submitted to the California Department of Fish and Wildlife (CDFW) for written approval prior to implementation. A request to evict bats from a roost must include details for excluding bats from the roost site and monitoring to ensure that all bats have exited the roost prior to start of project activity within the no-disturbance buffer.



VICINITY MAP
Not Scale



PROPERTY OWNER

Alan Harris
133 N. Highway 101, Arroyo Grande, CA 93421

APPLICANT

Vince Zipp
7030 14th Street, San Luis Obispo, CA 93401

LAND USE CATEGORY

Agriculture

ASSESSOR'S PARCEL NUMBER

089-232-013

UTILITIES

- Water
- Electric
- Gas
- Phone
- Sanitary sewer
- Storm sewer
- Other

PROJECT DESCRIPTION

The proposed project is to develop the site for 60 greenhouses and 1000 sq ft of parking. The site is located on the east side of Highway 101, south of the intersection with Highway 152. The site is currently zoned for agriculture. The proposed project is consistent with the local general plan and the county general plan. The project is also consistent with the state general plan and the state agricultural preservation plan. The project is also consistent with the state agricultural preservation plan and the state agricultural preservation plan.

MUP EXHIBITS SHEET INDEX

- Sheet 1 - Site plan, project description, vicinity map
- Sheet 2 - Preliminary private driveway plan and profile
- Sheet 3 - Phases and preliminary grading plan
- Sheet 4 - Full build out grading plan (Phases 1 + 2)
- Sheet 5 - Cultivation area site plan

MAP PREPARATION NOTE

This map was prepared by myself, or by others under my direction and supervision on behalf of Vince Zipp on 12 July 2018.

Dennis Schmidt
Dennis Schmidt, PLS #408
Survey 06/30/2020

33 July 2018

Dated



GRANITE RIDGE DEVELOPMENT CONSULTANTS

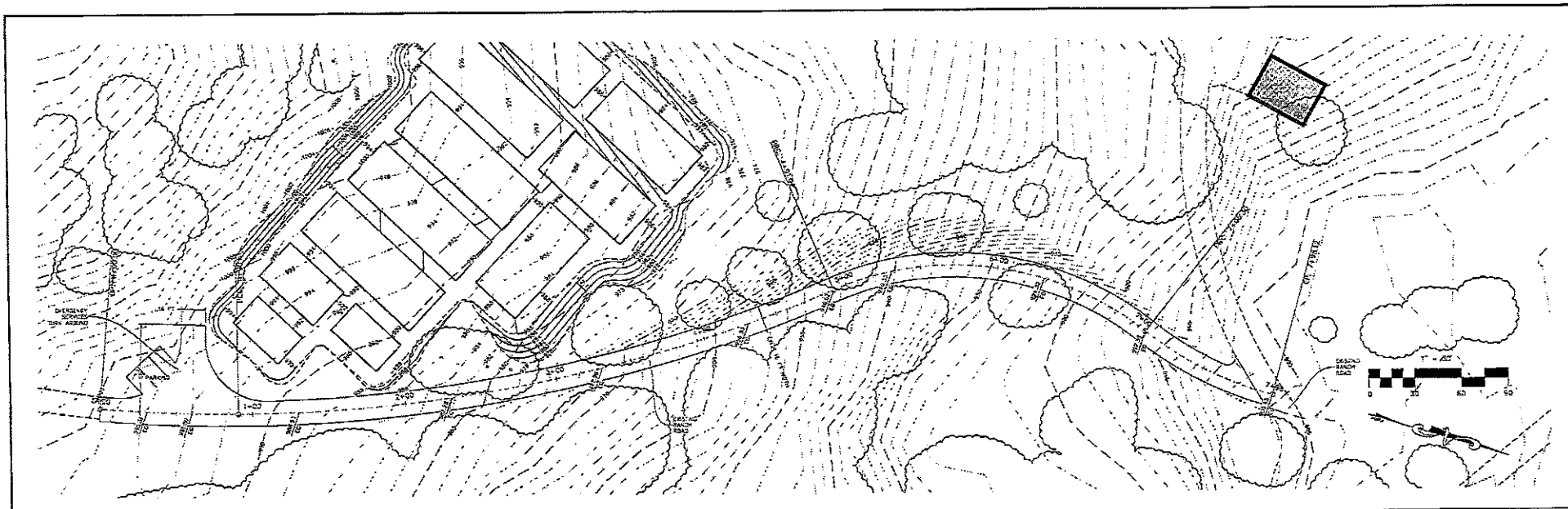
2679 Santa Rosa Road, Atascadero, California 93422 (805) 835-3552

PROPERTY SITE PLAN & PROJ DESCRIPTION

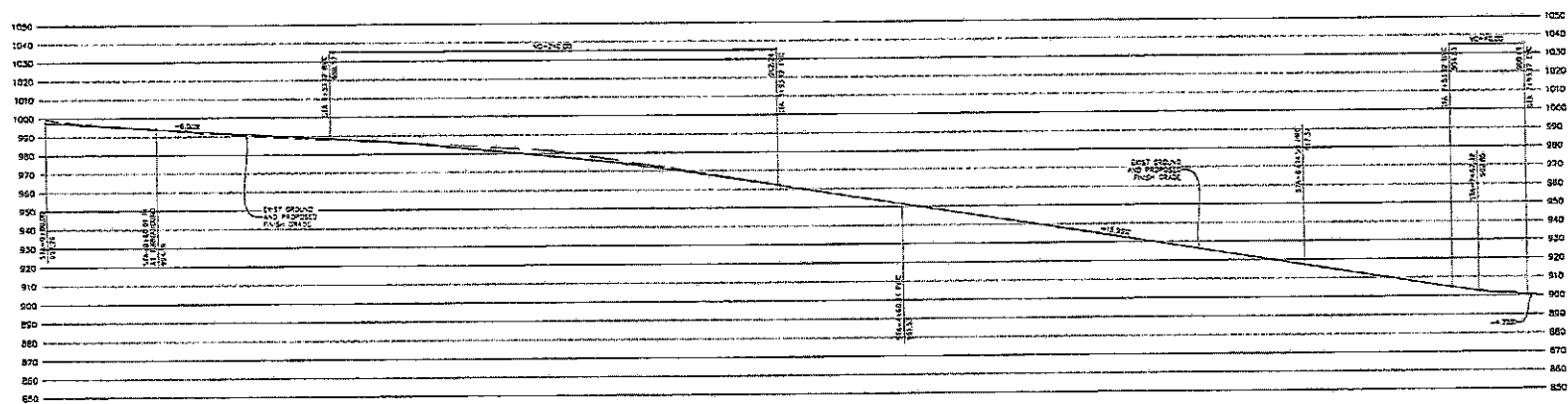
9009 HUASNA ROAD, ARROYO GRANDE

PROJECT SITE DATA

- Trapping area, South County Planning Area
- Sanitary sewer
- Storm sewer
- Water
- Electric
- Gas
- Phone
- Other



PRIVATE DRIVEWAY PLAN VIEW



PHASE ONE GREENHOUSE PAD GRADING ESTIMATES

1. Cut = 452 sq yds, Fill = 331 sq yds
2. Gravel Area = 25,540 sq ft
3. Maximum Depth of Cut = 8.1 ft
4. Maximum Depth of Fill = 2.7 ft
5. Percent Slope of Natural Grade = 5%

PHASE ONE OAK TREES REMOVED OR IMPACTED

1. Trees removed = 0
2. Trees impacted = 0

PHASE TWO GREENHOUSE PAD GRADING ESTIMATES

1. Cut = 481 sq yds, Fill = 347 sq yds
2. Gravel Area = 25,540 sq ft
3. Maximum Depth of Cut = 8.1 ft
4. Maximum Depth of Fill = 2.7 ft
5. Percent Slope of Natural Grade = 5%

PHASE TWO OAK TREES REMOVED OR IMPACTED

1. Trees removed = 8
2. Trees impacted = 8

FULL BUILDOUT GREENHOUSE PAD GRADING ESTIMATES

1. Cut = 1033 sq yds, Fill = 1085 sq yds
2. Gravel Area = 25,540 sq ft
3. Maximum Depth of Cut = 8.1 ft
4. Maximum Depth of Fill = 2.7 ft
5. Percent Slope of Natural Grade = 5%

FULL BUILDOUT OAK TREES REMOVED OR IMPACTED

1. Trees removed = 15
2. Trees impacted = 15

ACCESS ROAD GRADING ESTIMATES

1. Cut = 225 sq yds, Fill = 9 sq yds
2. Gravel Area = 25,540 sq ft
3. Maximum Depth of Cut = 2.2 ft
4. Maximum Depth of Fill = 0.2 ft
5. Percent Slope of Natural Grade = 15.0%

ACCESS ROAD TREES REMOVED OR IMPACTED

1. Trees removed = 0
2. Trees impacted = 7

SCALE: 1" = 30' HORIZ AND VERT

PRIVATE DRIVEWAY PROFILE VIEW

GRANITE RIDGE DEVELOPMENT CONSULTANTS
9678 Santa Rosa Road, Alhambra, California 91802 (626) 835-3582

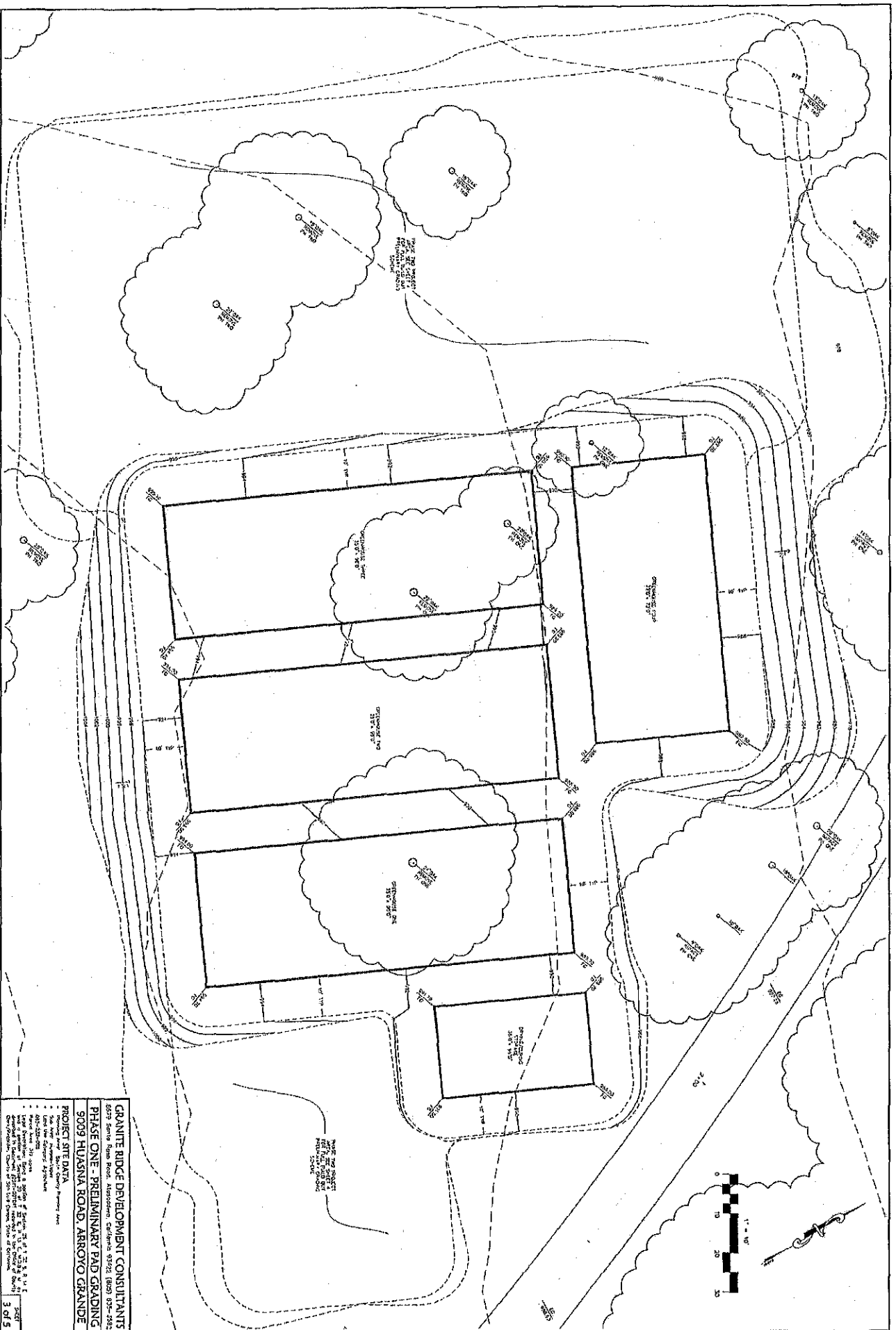
PRIVATE DRIVEWAY PLAN & PROFILE
9009 HUASNA ROAD, ARROYO GRANDE

PROJECT SITE DATA

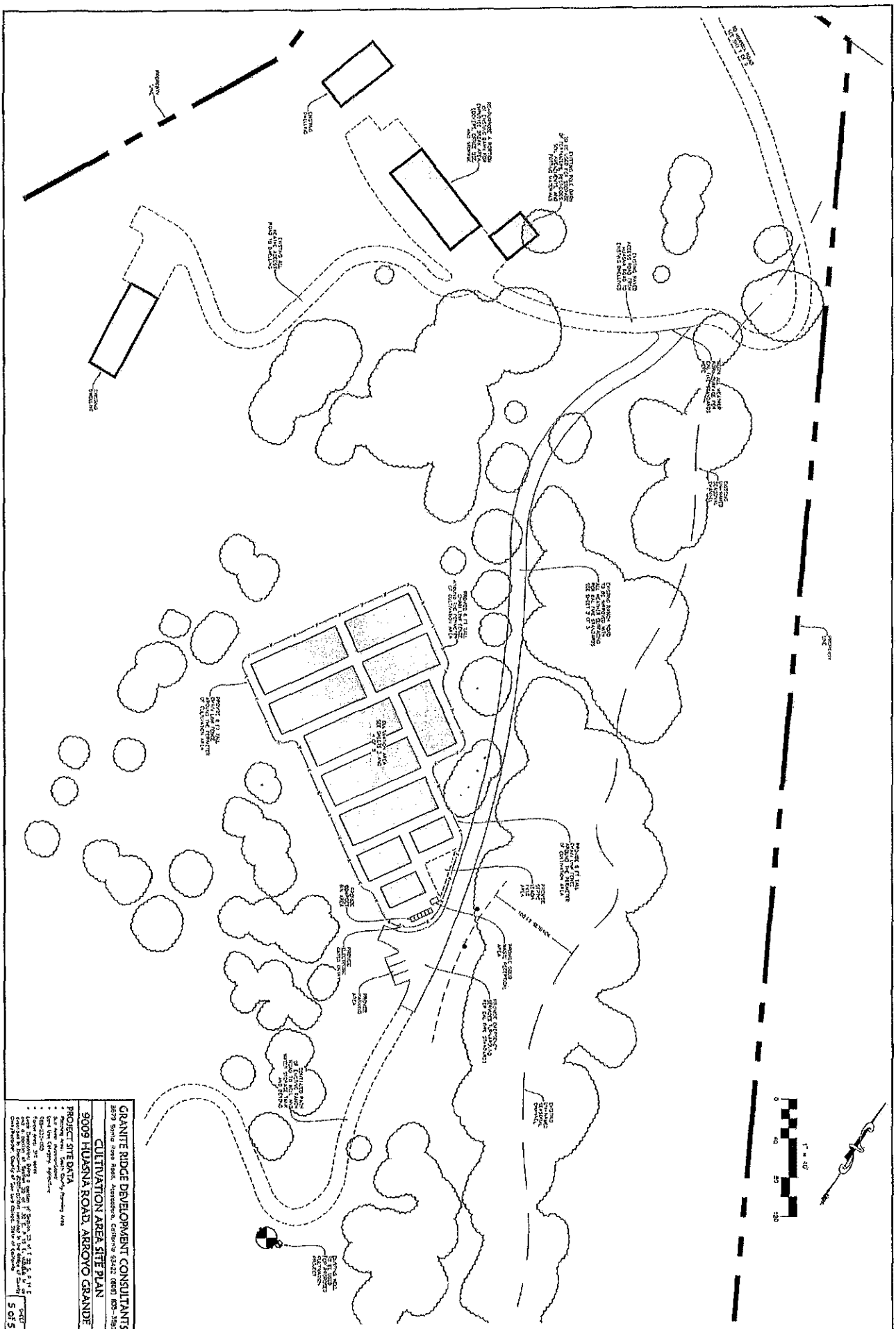
- Planning Area: Santa Clara Planning Area
- Site Area: 10.0000 acres
- Land Use: Commercial
- CDD-031-001
- Parcel Area: 217 acres
- Legal Description: Being a portion of Section 35 of T. 15 S. R. 14 E. P. 10 as shown on Section 35 of T. 15 S. R. 14 E. M.B.R. 4-40 described in Diagram 2007-02-01 recorded in the Office of County Clerk/Recorder, County of San Jose, State of California

5-007

2 of 2



GRANITE RIDGE DEVELOPMENT CONSULTANTS
 6075 Santa Rita Road, Modesto, California 95222 (800) 835-4552
 PHASE ONE - PRELIMINARY PAD GRADING
 9009 HUASNA ROAD, ARROYO GRANDE
 PROJECT SITE DATA
 Surveyed by: [Name]
 Date: [Date]
 Scale: [Scale]
 Contour Interval: [Interval]
 Elevation: [Elevation]
 3 of 5



DATE: 1/22/2019
REVISED:

**DEVELOPER'S STATEMENT & MITIGATION MONITORING/REPORTING PROGRAM
FOR VINCENT ALLAN
ED18-073 (DRC2018-00026)**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Per Public Resources Code Section 21081.6, the following measures also constitute the mitigation monitoring and/or reporting program that would reduce potentially significant impacts to less than significant levels. These measures would become conditions of approval (COAs) should the project be approved. The Lead Agency (County) or other Responsible Agencies, as specified in the following measures, are responsible to verify compliance with these COAs.

Biological Resources

MM BIO-1: Oak Tree Removal/Replacement. Prior to issuance of grading and/or construction permits, an "Oak Tree Impact and Replacement Plan" prepared by a qualified professional (e.g., landscape architect, certified arborist, botanist) shall be submitted for County review and approval. The Oak Tree Impact and Replacement Plan shall address the following requirements, which must also be clearly stated on all grading and construction plans:

- a. Grading and/or construction plans shall clearly delineate all trees within 50 feet of areas where soil disturbance will occur and shall show which trees are to be removed or impacted, and which trees are to remain unharmed.
- b. Prior to any grading or grubbing, all trees within 50 feet of construction or grading activities shall be marked for protection and their root zone shall be fenced. The outer edge of the tree root zone to be fenced shall be outside of the canopy $\frac{1}{2}$ again the distance as measured between the tree trunk and outer edge of the canopy (i.e., $1 \frac{1}{2}$ times the distance from the trunk to the drip of the tree), unless otherwise shown on the approved construction plans.
- c. Prior to any grading or grubbing, the applicant shall retain a certified arborist to identify limbs at risk and perform all necessary trimming of oak tree limbs that could be damaged by project activities. Pruning shall be conducted as needed along the access road and construction area. All pruning shall be conducted prior to construction equipment passage to minimize the potential for inadvertent damage to oak tree limbs. Removal of larger lower branches shall be minimized to (1) avoid making trees top heavy and more susceptible to "blow-overs," (2) reduce larger limb cuts that take longer to heal and are more susceptible to disease and infestation, (3) retain wildlife habitat values associated with the lower branches, (4) retain shade to keep summer temperatures cooler, and (5) retain the natural shape of the tree. The certified arborist shall document all pruning impacts in a report submitted to the County of San Luis Obispo.



- d. A biologist or certified arborist shall be retained by the applicant to monitor all construction activities in areas containing oak trees to minimize disturbance to identified trees and their root zones wherever possible. The monitor will document all construction-related impacts to oak trees in an as-built report submitted to the County of San Luis Obispo.
- e. Immediately following submittal of the oak tree impact as-built report to the County, the applicant shall implement mitigation for all identified pruning and construction-related oak impacts per County San Luis Obispo ratios and methods for oak tree mitigation and replacement. County oak tree replacement standards require a project proponent to implement an Oak Tree Impact and Replacement Plan. The Plan must provide for in-kind replacement at a 4:1 ratio, of all oak trees removed as a result of the project (10 oaks identified for in-kind replacement of 40 oaks). The Plan shall include success criteria and adaptive management provisions to ensure that at five years from planting there is no net loss of trees compared to pre-construction conditions and that all replacement trees are alive and in vigorous healthy condition. In addition, the plan must provide for in-kind planting, at a 2:1 ratio, of all oak trees impacted (12 oaks identified for in-kind replacement of 24 oaks) but not removed. The replacement trees must be monitored by a biologist or certified arborist retained by the applicant for 5 years after planting. The "Oak Tree Impact and Replacement Plan" shall be fully implemented within 1 year of construction permit issuance. This monitoring shall include the submittal for Planning and Building staff review and approval of annual tree replacement program status reports for the five-year duration of the program.
- f. A cost estimate based on a 3% annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the oak tree replacement area for the required monitoring period, and report preparation and staff time to review.

Secured Agreement. Prior to occupancy or final building inspection /establishment of the use, a surety shall be provided and an agreement shall be executed to assure success of the Oak Tree Impact and Replacement Plan. The applicant shall enter into a Secured Agreement with the County of San Luis Obispo as follows:

- a. The security shall consist of a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the implementation of the Oak Tree Replacement Plan and,
- b. Provide a 10 percent cash deposit of the cost of all improvements, but no less than \$3,000 and no more than \$30,000.
- c. The monitoring time and the five-year duration of the Secured Agreement and cash deposit commences when the installation is accepted by a County staff representative. The Secured Agreement and cash deposit shall be released upon completion of the Oak Tree Impact and Replacement Plan implementation and review and approval by Planning and Building staff of the fifth year monitoring report, provided the installed vegetation is in a healthy condition and meets the success criteria.

PSM *NM*

MM BIO-2 Water Quality and Riparian Habitat

- a. Prior to the start of construction, the project site boundaries, access routes, and staging areas shall be clearly flagged so that contractors are aware of the limits of allowable site access and disturbance. Equipment access shall not occur during wet weather or when access would cause ruts or soil compaction due to saturate soil conditions.
- b. Prior to the start of construction, the applicant shall prepare an Erosion Control Plan. The Plan shall address both temporary and permanent measures to control erosion and reduce sedimentation. Erosion and soil protection shall be provided on all disturbed soil areas prior to the onset of the rainy season (October 15). All project plans shall show that sedimentation and erosion control measures must be installed per the engineer's requirements. The Plan shall include specific best management practices (BMP) to minimize impacts to jurisdictional habitats. Washing of equipment and tools shall not be allowed in any location where polluted water could enter the drainages. BMPs for dust control abatement shall also be included. Native seed mix shall apply on disturbed soil areas.
- c. To avoid disturbance of wet soils, and limit potential for erosion on-site and downstream, grading shall occur outside of the rainy season (October 15 to April 15) if feasible. If grading is proposed during the rainy season, such activities must be authorized under relevant provisions of the County's Grading Ordinance and must follow approved Erosion and Sedimentation Plans. All project-related spills of hazardous materials shall be cleaned up immediately. Spill prevention and cleanup materials shall be on site at all times during construction. Cleaning and refueling of equipment and vehicles shall occur only within designated staging areas. The staging areas shall conform to standard BMPs applicable to attaining discharge of stormwater runoff. No maintenance, cleaning or fueling of equipment shall occur within 50 feet of the drainages. At a minimum, all equipment and vehicles shall be checked maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills.


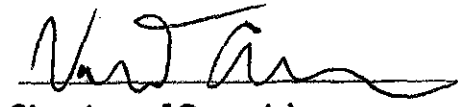
MM BIO-3: Avoidance of Nesting Birds. To avoid take of nesting birds, and raptor nests at any time of year (including inactive nests), vegetation disturbance and initial ground disturbance shall occur outside the nesting season, approximately February 1 through September 15. If initial ground disturbance or disturbance of vegetation must begin within the bird breeding season, a nesting bird pre-construction survey shall be conducted by a qualified biologist within the disturbance footprint plus a 250-foot buffer no more than two weeks prior to the start of such activities. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and at least 250 feet for raptor species. Larger buffers may be required, and/or smaller buffers may be established depending upon the species, status of the nest, and construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed, and young have fledged the nest prior to removal of the buffer. If removal of the existing red-tailed hawk nest or the tree in which it is located is proposed, the California Department of Fish and Wildlife (CDFW) shall be consulted prior to removal. Removal of the nest shall not occur without written approval from CDFW.

DM *NH*

MM BIO-4: Avoidance of American Badger and Habitat. Within 30 days of beginning work on the site (including staging and mobilization), a qualified biologist shall complete a survey for badger dens. The results of the survey shall be sent to the County of San Luis Obispo. In order to avoid the potential direct take of adults and nursing young, no ground disturbance shall occur within 50 feet of an active badger den as determined by a qualified biologist between March 1 and June 30. Construction activities between July 1 and March 1 shall comply with the following measures to avoid direct take of adult and weaned juvenile badgers:

- a. Conduct a biological survey of the anticipated disturbance areas between 2 weeks and 4 weeks prior to construction. The survey should cover the entire area proposed for disturbance. Surveys should focus on both old and new den sites. If dens are too long to see the end, a fiber optic scope (or other method approved by the qualified biologist) can be used to assess the presence of badgers. Alternatively, motion-activated wildlife cameras shall be used to determine occupancy status. If the camera method is used, cameras must be used for four consecutive nights to make a determination on den activity and occupancy status.
- b. Inactive dens shall be excavated by hand with a shovel to prevent badgers from reusing them during construction.
- c. Badgers shall be discouraged from using currently active dens prior to the grading of the site by partially blocking the entrance of the den with sticks, debris and soil for 3 to 5 days or through use of a 1-way door. After badgers have stopped using active dens within the development area, the dens shall be hand excavated with a shovel to prevent re-use.

MM BIO-5: Avoidance of Roosting Bats. Prior to removal or trimming of any oak trees or conversion of the existing barn, a preconstruction survey for roosting bats shall be conducted by a qualified biologist to identify if bats are roosting in the project area. If a bat roost is detected, a 50-foot no-disturbance buffer shall be established during project construction activities until a qualified biologist determines the roost is no longer active. If bat roosts are determined to be in continuous use, a request for a reduced buffer or a Bat Eviction Plan may be prepared and submitted to the California Department of Fish and Wildlife (CDFW) for written approval prior to implementation. A request to evict bats from a roost must include details for excluding bats from the roost site and monitoring to ensure that all bats have exited the roost prior to start of project activity within the no-disturbance buffer.

	<u>DENNIS ALLAN, TRUSTEE</u>	<u>1/24/19</u>
Signature of Owner(s)	Name (Print)	Date
	<u>Vincent Allan</u>	<u>1/24/19</u>
Signature of Owner(s)	Name (Print)	Date