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 19-058 **DATE:** 3/7/2019

PROJECT/ENTITLEMENT: Burgett Conditional Use Permit DRC2018-00020

APPLICANT NAME: Pamela Burgett **Email:** richieburger@gmail.com
ADDRESS: 8155 Carrisa Highway 58, Santa Margarita, CA 93453
CONTACT PERSON: Pamela Burgett **Telephone:** (805) 550-1486

PROPOSED USES/INTENT: A request by Pamela Burgett for a Conditional Use Permit to establish 2,375 square feet of indoor commercial cannabis cultivation and ancillary operations to include processing activities such as drying and trimming and maintaining a supportive nursery. The project will make use of two existing greenhouses totaling 1,249 square feet and an existing 1,267-square-foot grow house. Three 320-square foot storage containers currently exist on the property and would be used for equipment storage and drying. Two new 320-square-foot storage containers are proposed adjacent to the existing greenhouses. An additional one-story 2,500-square-foot building would be constructed for the indoor cultivation as well as the supportive nursery.

LOCATION: The project site is located at 8155 Carissa Highway, approximately 38 miles east of the community of Santa Margarita in the Carrizo Planning Area.

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

2019039057

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 AT ..... 4:30 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.

Signature	Project Manager Name	Date	Public Agency
	Megan Martin (mamartin@co.slo.ca.us or 805-781-4163)		County of San Luis Obispo

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)Using Form

Project Title & No. 8155 Carissa Highway - Conditional Use Permit ED19-058 (DRC2018-00020)

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.

☐ Aesthetics	☐ Geology and Soils	☐ Recreation
☐ Agricultural Resources	☐ Hazards/Hazardous Materials	☐ Transportation/Circulation
☐ Air Quality	☐ Noise	☐ Wastewater
☒ Biological Resources	☐ Population/Housing	☐ Water /Hydrology
☐ Cultural Resources	☐ Public Services/Utilities	☐ 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.

Rob Mullane, AICP — Prepared by (Print) — Signature — 3/6/19 — Date

Megan Martin — Reviewed by (Print) — Megan Martin — Signature — (for) — 3/8/19 — Date

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 Pamela Burgett for a Conditional Use Permit (DRC2018-00020) to establish 2,375 square feet of indoor cannabis cultivation. Ancillary uses proposed under this CUP include maintaining a supportive nursery and processing activities such as drying, curing and trimming. The project would make use of two existing greenhouses totaling 1,249 square feet and an existing 1,267-square-foot grow house. Three existing 320-square foot storage containers (seatrains) would also continue to be used for equipment storage and drying. Proposed development would include two new 320-square-foot seatrains and an additional one-story 2,500-square-foot cultivation building. The project would employ up to one seasonal employee for several weeks, three times per year for trimming of cannabis plants.

The project would be located in the Agriculture land use category on a 40.4-acre property at 8155 Carissa Highway (Assessor Parcel Number 072-311-015), approximately 38 miles east of the community of Santa Margarita in the Carrizo Planning Area. The project site's regional location is shown in Figure 1, and an aerial of the site is shown in Figure 2., below.

An existing cannabis cultivation operation has been established on site and is registered as Cooperative/Collective registration CCM2016-00237 under Urgency Ordinance 3334. In addition to the existing operation, a single-family residence is located on the property and would remain.

As shown in Figure 3, and summarized in Table 1, the project would include the two existing greenhouses for a total of 1,249 square feet. Greenhouse 1 is a 478-square-foot structure and would contain approximately 466 square feet of cannabis canopy. The east and west walls are currently equipped with Bayliss Autovents to manage nuisance odors. The north side of Greenhouse 1 is attached to an adjacent 320-square foot insulated seatrain. The seatrain container is divided into two rooms: the back is utilized for drying and the front is used to store supplemental cleaning supplies.

Greenhouse 2 is a 771-square foot structure that would contain up to 771 square feet of cannabis canopy. The greenhouse is currently equipped with Liberty Solar Louver Autovents on the east and west side, which are designed to help address nuisance odors. The north side of Greenhouse 2 is attached to a 320-square foot insulated seatrain container that would be used for drying and supplemental storage.

The 1,267-square foot grow house is an arch-style metal building used for agriculture. It contains 138 square feet of mature cannabis canopy and 194 square feet of vegetative canopy/supportive nursery. The structure is also used for ancillary operations, including drying, curing and trimming. In addition, the

grow house contains a secure product storage area and an ADA-compliant bathroom. A new septic system would be installed to collect wastewater associated with the bathroom and the sink in the trimming area.

An additional one-story 2,500-square-foot building is proposed to house up to 1,000 square feet of canopy (some of the canopy may be used for supportive nursery). Cultivation of mature cannabis would not exceed 2,375 square feet. The project would result in a total disturbance of 9,317 square feet for the installation of the new septic system and construction of the new 2,500-square foot building. As the site has been previously disturbed, minimal earthwork would be required. The total project area would be approximately 2.2 acres.

Table 1 – Project Components

Project Component	Mature Canopy Area (SF)	Building Area (SF)
(E) Greenhouse 1	466	478
(E) Greenhouse 2	771	771
(E) Seatrain 1	n/a	320
(E) Seatrain 2	n/a	320
(E) Seatrain 3	n/a	320
(E) Grow House		1,267
Mature/Flowering	138	
Vegetative (194 sq ft)	n/a	
Subtotal for Existing Structures	***1,375***	***3,476***
(N) Drying Room (Seatrain)	N/A	320
(N) Supply Room (Seatrain)	N/A	320
(N) Proposed Building	1,000	2,500
Subtotal for New Development	***1,000***	***3,140***
Total:	**2,375**	**6,616**

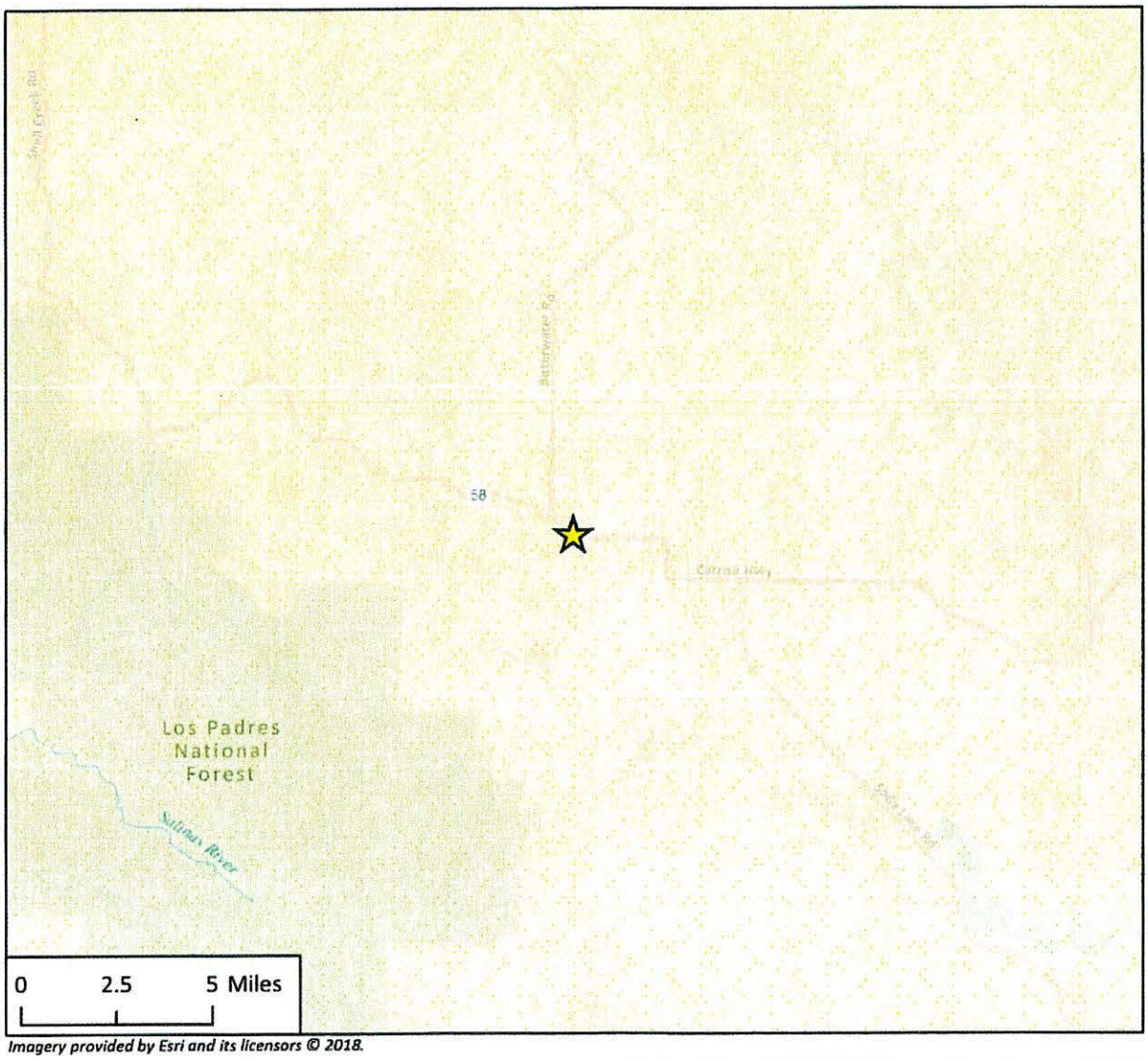
E= Existing
N = New/Proposed

Access to the site is provided via Carissa Highway/Hwy 58 through a secured 7-foot wooden gate with padlock. The property is enclosed in five strands of barbed wire on 5-foot T-posts around the perimeter. Electric fencing borders the eastern property line and encloses the grow house. Exterior lighting is located throughout the property as discussed in more detail below, and this lighting is used for security purposes. An LED light is situated on the east and west sides of the existing residence, while motion-activated LED lights are mounted on the small shed to the east of the residence, Greenhouse 1, and the grow house. In addition, solar lights exist at the secure entrance to the grow house.

On-site parking would be provided adjacent to the existing residence and would accommodate 15 spaces, which is more than the number of parking spaces required by the County's Land Use Ordinance (LUO). Water would be provided via an on-site well. Solid waste would be stored in a lockable trailer, located north of the greenhouses. Trash would be self-hauled and taken to the landfill, typically every two to three weeks.

Due to a previous code violation related to CCM2016-00237 the project was elevated from a Minor Use Permit to a Conditional Use Permit as required by County LUO Section 22.40.040. The property owner has applied for and is processing all the necessary building permits that would resolve the violation.

Figure 1 – Regional Location



Imagery provided by Esri and its licensors © 2018.

Project Location

N

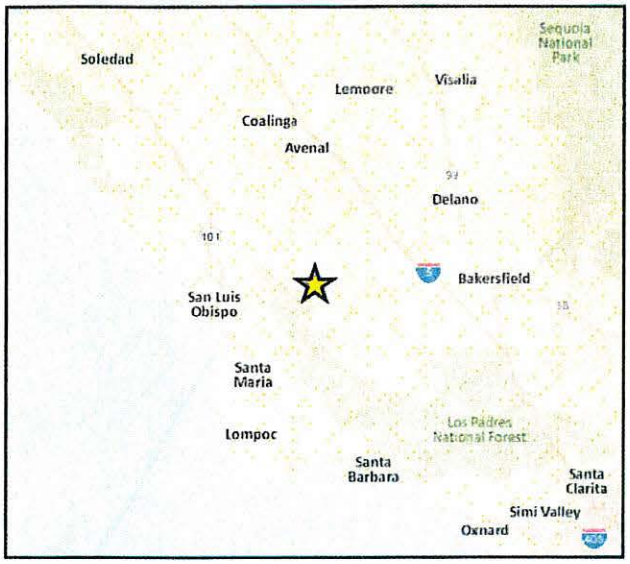
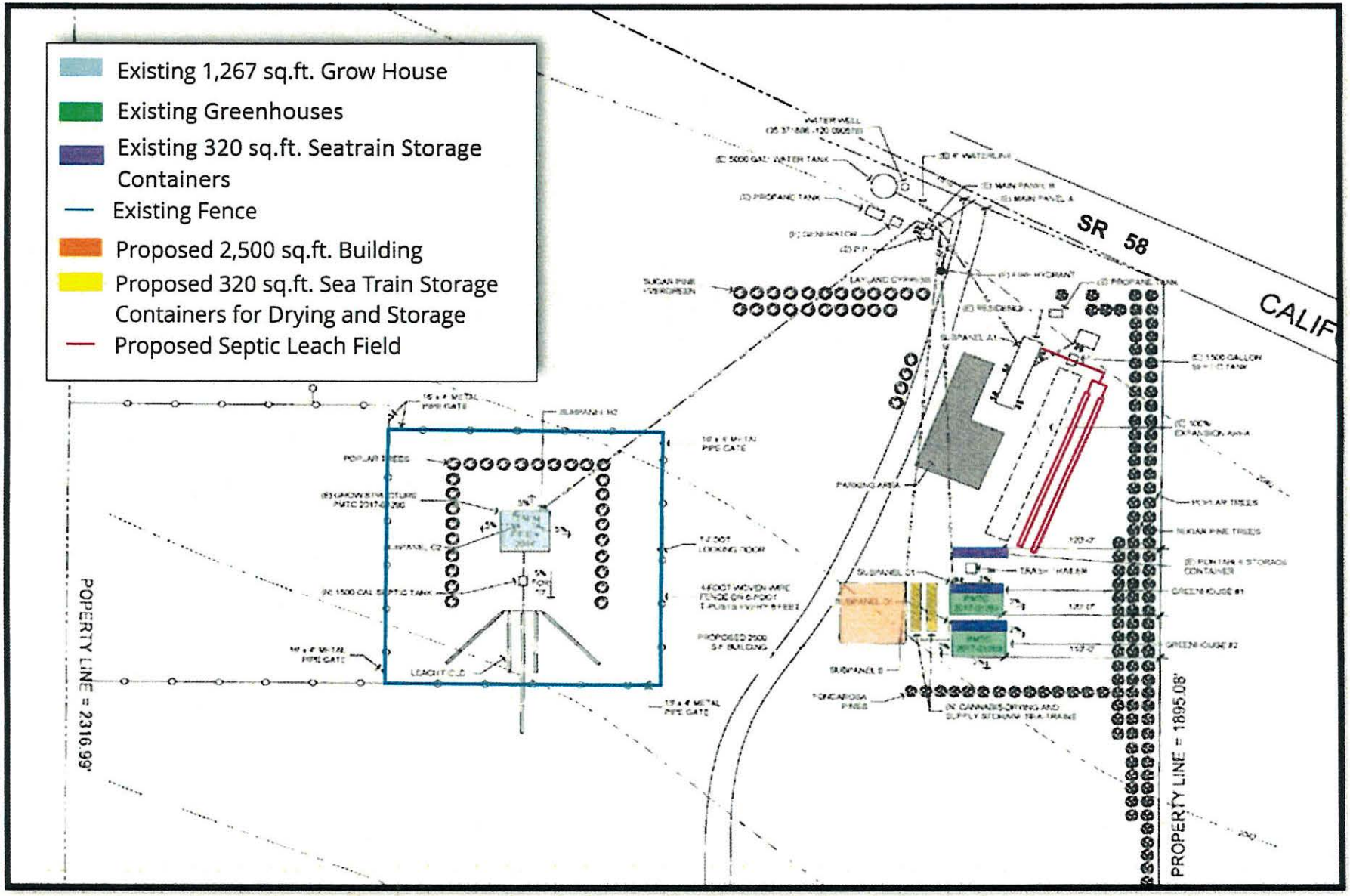


Figure 2 – Aerial

Imagery provided by Microsoft Bing and its licensors © 2018.

Figure 3 – Site Plan



ASSESSOR PARCEL NUMBER(S): 072-311-015

Latitude: 35.36913 N Longitude: 120.09100 W **SUPERVISORIAL DISTRICT # 5**

B. EXISTING SETTING

PLAN AREA: Carrizo **SUB:** Pick sub **COMM:** NA

LAND USE CATEGORY: Agriculture

COMB. DESIGNATION: None

PARCEL SIZE: 40.45 acres

TOPOGRAPHY: Nearly level

VEGETATION: Agriculture Grasses

EXISTING USES: Agricultural uses undeveloped

SURROUNDING LAND USE CATEGORIES AND USES:

North: Agriculture;	*East:* Agriculture;
South: Agriculture;	*West:* 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) Create an aesthetically incompatible site open to public view?	☐	☐	☒	☐
b) Introduce a use within a scenic view open to public view?	☐	☐	☒	☐
c) Change the visual character of an area?	☐	☐	☒	☐
d) Create glare or night lighting, which may affect surrounding areas?	☐	☐	☒	☐
e) Impact unique geological or physical features?	☐	☐	☐	☒
f) Other: _____	☐	☐	☐	☒

Aesthetics

Setting. The project site is located along Highway 58 and is accessed by an existing driveway. Trees line the northern and eastern property boundaries of the project site, blocking views of structures from Highway 58. Barbed-wire fencing surrounds the entirety of the property, with an electrical fence bordering the eastern boundary.

Regulatory Setting: A significant impact could occur if the proposed project were to be visible from a scenic highway or other public vantage. The only Officially Designated State Scenic Highway in San Luis Obispo County is Highway 1. In addition, LUO Section 22.40.050 D. 6, states that cannabis plants associated with cultivation shall not be easily visible from offsite. Lastly, Table VR-2 of the Conservation and Open Space Element provides a list of Suggested Scenic Corridors. Highway 58, which borders the southern boundary of the project site, is listed on Table VR-2.

Impact. The project site is not visible from a Designated State Scenic Highway. The proposed project would be not be visible from public roads due to trees lining the property boundaries. The project would be compatible with adjacent uses and surrounding visual character (agricultural uses). The site does not include unique geological or physical features.

In compliance with LUO Section 22.40.050.D.6, cannabis plants associated with cultivation shall not be easily visible from offsite. In this case, all cannabis related activities would occur within secure buildings where the plants would not be visible. The project will be conditioned such that no indoor/greenhouse lighting shall be visible from off site. No new outdoor lighting is proposed as part of the project. Existing

exterior lighting is located on the existing residence, as well as on the existing greenhouses, grow house, and shed.

Mitigation/Conclusion. Project design combined with regulatory compliance 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) Convert prime agricultural land, per NRCS soil classification, to non-agricultural use?	☐	☐	☒	☐
b) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?	☐	☐	☒	☐
c) Impair agricultural use of other property or result in conversion to other uses?	☐	☐	☒	☐
d) Conflict with existing zoning for agricultural use, or Williamson Act program?	☐	☐	☒	☐
e) Other: _____	☐	☐	☐	☒

Agricultural Resources

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

Land Use Category: [Agriculture]

State Classification: Prime Farmland if Irrigated

Historic/Existing Commercial Crops: N/A

In Agricultural Preserve? No

Under Williamson Act contract? No

The project site is level to gently sloping, with an average slope of two 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, Yeguas-Pinspring Complex soils are considered Prime Farmland and Highly Productive Rangeland Soils.

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 includes Farmland of Local Potential.

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

Yeguas-Pinspring Complex *(2-5 % slope)*

> The parent material of this soil type is alluvium derived from sandstone, shale, and basalt. The drainage class of this unit is well drained, and it is composed mostly of loam, clay, and clay loam. This soil type tends to occur on alluvial fans, alluvial flats, and toeslopes, at elevations between 2,000 and 2,300 feet or 609 to 701 meters. This soil type is considered prime farmland if irrigated.

Bellysping-Panoza Complex (9-15 % slope)

The parent material of this soil type is residuum derived from sandstone, shale, or conglomerate. The drainage class of this unit is well-drained, and is comprised mostly of loam, sandy loam, and sandy clay loam. This soil type tends to occur on hills and mountains, at elevations between 2,200 and 3,300 feet or 671 to 1,006 meters.

Impact. The project is located in a predominantly rural and agricultural area with agricultural activities occurring on the property and immediate vicinity. The project site supports Prime Soils if irrigated, and is designated as Farmland of Local Potential by the FMMP. The property is not under a Williamson Act Contract or in an Agricultural Preserve.

The project site is located within the Agriculture (AG) land use category and would continue to support agricultural uses; however, Prime Farmland would be affected to accommodate the construction of a new 2,500 square foot building and the placement of two new Sea Train storage containers for drying and storage. The new permanent and semi-permanent structures would impact approximately 0.07 acre, or less than one percent of the property. Due to the small amount of Prime Farmland affected, potential impacts would be less than significant.

Per the memo from Lynda Auchinachie dated March 21, 2018, the Agriculture Department has reviewed the project for ordinance and policy consistency as well as potential impacts to on and off-site agricultural resources and operations. The Department recommends the following standard condition of approval:

- Prior to commencing permitted cultivation activities, the applicant shall consult with the Department of Agriculture regarding potential licensing and/or permitting requirements and to determine if an Operator Identification Number (OIN) is needed. An OIN must be obtained prior to any pesticides being used in conjunction with the commercial cultivation of cannabis; "pesticide" is a broad term, which includes insecticides, herbicides, fungicides, rodenticides, etc., as well as organically approved pesticides.

This condition will be included in the Conditional Use Permit approval.

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

3. AIR QUALITY *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	☐	☐	☒	☐
b) Expose any sensitive receptor to substantial air pollutant concentrations?	☐	☐	☒	☐
c) Create or subject individuals to objectionable odors?	☐	☐	☒	☐
d) Be inconsistent with the District's Clean Air Plan?	☐	☐	☒	☐

3. AIR QUALITY *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) 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?	☐	☐	☒	☐
GREENHOUSE GASES				
f) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*	☐	☐	☒	☐
g) *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*	☐	☐	☒	☐
h) *Other:* _____	☐	☐	☐	☒

Air Quality

Setting. The 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 APCD).

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.

The passage of AB32, the California Global Warming Solutions Act (2006), recognized the need to reduce GHG emissions and set the greenhouse gas emissions reduction goal for the State of California into law. The law required that by 2020, State emissions must be reduced to 1990 levels. This is to be accomplished by reducing greenhouse gas emissions from significant sources via regulation, market mechanisms, and other actions. Subsequent legislation (e.g., SB97-Greenhouse Gas Emissions bill) directed the California Air Resources Board (CARB) to develop statewide thresholds.

In March 2012, the San Luis Obispo County Air Pollution Control District (APCD) approved thresholds for GHG emission impacts, and these thresholds have been incorporated 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 CO2/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 9,317 square feet for the installation of the new septic system and construction of the additional 2,500-square foot building. This would result in the creation of construction dust, as well as short-term and long-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 therefore would be below the general thresholds triggering construction-related mitigation. The project is also not in close proximity to sensitive receptors that might otherwise result in nuisance complaints; the project will incorporate dust and/or emission control measures during construction.

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.

All proposed cannabis operations would occur indoors where environmental controls and odor management systems would be in effect. The grow house includes an existing power attic vent, while the greenhouses are equipped with existing autovents and temperature-activated openers, both of which open without the use of electricity. The project would be conditioned 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?	☐	☐	☒	☐
b) Reduce the extent, diversity or quality of native or other important vegetation?	☐	☒	☐	☐
c) Impact wetland or riparian habitat?	☐	☐	☒	☐
d) Interfere with the movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?	☐	☒	☐	☐
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?	☐	☒	☐	☐
f) Other: _____	☐	☐	☐	☒

*** Species – as defined in Section15380 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: Annual grasses, forbs, pine trees, Fremont's cottonwoods (*Populus fremontii*)

Name and distance from blue line creek(s): Unnamed creek located approximately 0.7 miles northeast of project site

Habitat(s): Disturbed, annual grasslands, fallow cropland, planted trees

Site's tree canopy coverage: Approximately 5%

A Biological Resources Assessment (BRA) dated July 23, 2018, was prepared by Althouse and Meade, Inc. for the proposed project. The study included a reconnaissance level survey, conducted on June 8, 2018, of the 40.4-acre property. The study area includes the entirety of the parcel, with emphasis placed on the project footprint and surrounding areas, as depicted in Figure 4 below.

Habitat types on site include: 1) Fallow cropland 2) Disturbed, 3) Planted Trees, and 4) Developed. These are depicted in Figure 5 below. No natural drainage features exist in the study area.

No special-status plant or wildlife species were identified on the project site as part of the assessment. The project site, as a previously disturbed subset of the property, is not expected to support special-status plant species. Special-status wildlife species are also not expected on the project site. However, transient wildlife species are known to occur in the vicinity and could pass through the site on occasion. The CNDDB search identified 16 special-status wildlife species that have a potential to occur in the study area based on preferred habitat types. These include San Joaquin Kit Fox (*Vulpes macrotis mutica*), American badger (*Taxidea taxus*), burrowing owl (*Athene cunicularia*), small mammal species, reptile and amphibian species, and other nesting birds protected under the Migratory Bird Treaty Act.

The County has established procedures for the mitigation of potential impacts to San Joaquin kit fox (*Vulpes macrotis)*. If the project occurs on a site of 40 acres or more, a habitat evaluation must be prepared by a qualified biologist. The habitat evaluation is submitted to the County who reviews the application for completeness and conducts a site visit. The required mitigation ratio is determined in consultation with the California Department of Fish and Wildlife (CDFW). Mitigation for the loss of kit fox habitat may be provided by one of the following:

1. Establishing a conservation easement on-site or off-site in a suitable San Luis Obispo County location and provide a non-wasting endowment for management and monitoring of the property in perpetuity;
2. Depositing funds into an approved in-lieu fee program; Or,
3. Purchasing credits in an approved conservation bank in San Luis Obispo County.

Impact. New construction for the proposed 2,500-square foot building would occur in an area that has already been disturbed due to previous grading activities. As such, the project would not directly impact special-status species. However, the project site does support foraging and nesting habitat for several special-status wildlife species that may occur on the site throughout the year. These include: American badger, special-status small mammals, reptiles, and amphibians, and sensitive bird species such as the burrowing owl and tricolored blackbird. In order to minimize indirect impacts to the habitats associated with these species, mitigation would be required.

The project is located within the designated habitat area for San Joaquin kit fox. The County Standard Mitigation Ratio Map (Figure 6) was referenced to identify San Joaquin kit fox habitat areas, documented sightings, and County-assigned mitigation ratios as it relates to the project area. County staff and consultants also met with CDFW staff on October 4, 2018 to confirm the appropriate project design and mitigation measures. The project is located within the 4:1 standard mitigation ratio area.

A Kit Fox Habitat Evaluation form was prepared for the project on July 20, 2018 by Daniel Meade. The evaluation resulted in a score of 81 out of 100. Therefore, impacts should be mitigated at a ratio of four acres conserved for each acre impacted (4:1), consistent with the Mitigation Ratio Map. The project would result in 2.2 acres of site disturbance. Therefore, the standard mitigation requirement for the project is: 2.2 acres X [4:1] = 8.8 acres. Mitigation measures are recommended to ensure compliance with the County's Kit Fox mitigation requirements.

There are no habitat conservation plans that apply to the project site. No trees would be removed, trimmed, or relocated. Therefore, the project would not conflict with any applicable tree preservation policies, nor with any applicable habitat or natural community conservation plans.

Figure 4 – Survey Study Area

Legend

Property Boundary (40.4 acres) Work Area (2.2 acres)

N

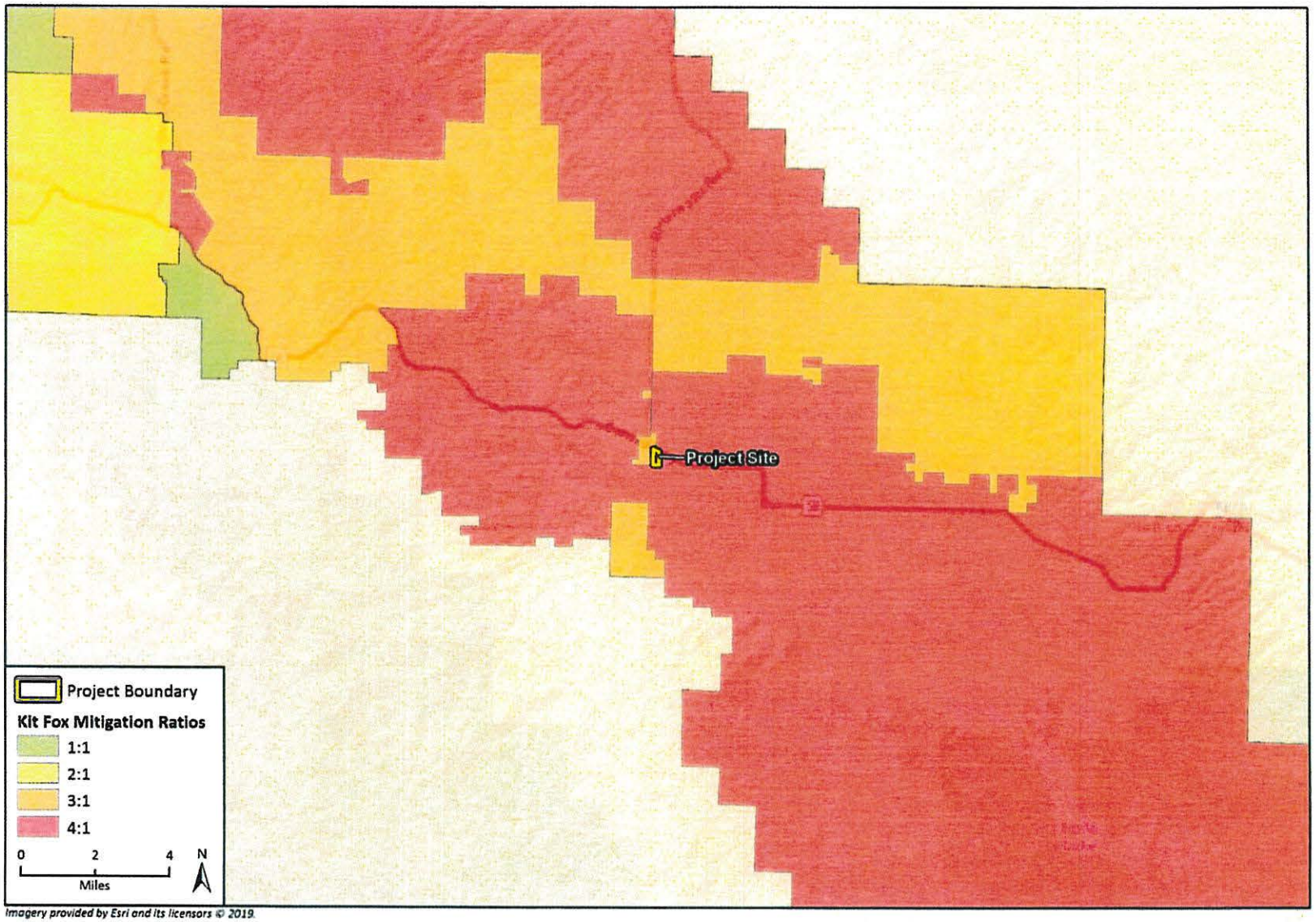
0 200 400 600 Feet

Burgett, 8155 Cariuso Highway;
Map Center: 120.09133°W 35.36967°N
Santa Margarita, San Luis Obispo County

Imagery Date: 09/28/2016

Figure 5 – Habitat Types

Figure 6 – SJKF Mitigation Ratios



Imagery provided by Esri and its licensors © 2019.
Additional data provided by County of San Luis Obispo, 2018.

Mitigation/Conclusion. Impacts to biological resources would be reduced to less than significant levels with the implementation of mitigation measures outlined in Exhibit B, Mitigation Summary Table. Mitigation measures include pre-work training, best management practices for project construction activities, preconstruction surveys for American badger, small mammals, and sensitive and nesting birds, focused preconstruction surveys for burrowing owl and tricolored blackbird, surveys for San Joaquin coachwhip, avoidance and minimization measures for noxious weeds, and mitigation measures for San Joaquin kit fox.

5. CULTURAL RESOURCES *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Disturb archaeological resources?	☐	☐	☒	☐
b) Disturb historical resources?	☐	☐	☒	☐
c) Disturb paleontological resources?	☐	☐	☒	☐
d) Cause a substantial adverse change to a Tribal Cultural Resource?	☐	☐	☒	☐
e) Other: _____	☐	☐	☐	☒

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.

Per US Geographical Survey maps, the project site is not within 300 feet of a National Hydrography Dataset (NHD) stream or other features which would be indicative of prehistoric human occupation.

In compliance with AB52 Cultural Resources requirements, outreach to four Native American tribes groups was conducted (Northern Salinan, Xolon Salinan, Yak Tityu Tityu Northern Chumash, and the Northern Chumash Tribal Council). An email was received from the Northern Chumash Tribal Council on December 5, 2018 indicating that the Council has no comments on this project.

Impact. The project is not located in an area that would be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation. Impacts to archaeological, historical or paleontological resources are not expected.

Mitigation/Conclusion. 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 halt until they can be examined by a qualified archaeologist and appropriate recommendations made. No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary.

6. GEOLOGY AND SOILS *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?	☐	☐	☒	☐
b) Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone", or other known fault zones?*	☐	☐	☒	☐
c) 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?	☐	☐	☒	☐
d) Include structures located on expansive soils?	☐	☐	☒	☐
e) Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?	☐	☐	☒	☐
f) Preclude the future extraction of valuable mineral resources?	☐	☐	☒	☐
g) Other: _____	☐	☐	☐	☒

* Per Division of Mines and Geology Special Publication #42

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

Topography: Nearly level to steeply sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low

Liquefaction Potential: Moderate

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

Geology and Soils

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

Yeguas-Pinspring Complex *(2-5 % slope)*

The parent material of this soil type is alluvium derived from sandstone, shale, and basalt. The drainage class of this unit is well drained, and it is composed mostly of loam, clay, and clay loam.

This soil type tends to occur on alluvial fans, alluvial flats, and toeslopes, at elevations between 2,000 and 2,300 feet or 609 to 701 meters. This soil type is considered prime farmland if irrigated.

Bellysping-Panoza Complex (9-15 % slope)

The parent material of this soil type is residuum derived from sandstone, shale, or conglomerate. The drainage class of this unit is well-drained, and is comprised mostly of loam, sandy loam, and sandy clay loam. This soil type tends to occur on hills and mountains, at elevations between 2,200 and 3,300 feet or 671 to 1,006 meters.

The project is not located within the Geologic Study area designation or within a high liquefaction area. A geotechnical report will be required prior to issuance of a building permit to evaluate the area's geological stability. The San Luis Obispo County Mineral Designation Maps, show the project site located outside of any Mining Disclosure Zone, Mineral Resource Area, or Energy/Extractive Area.

Fault Zones

There are three active faults in San Luis Obispo County zoned under the State of California Alquist-Priolo Hazards map: San Andreas, Hosgri-San Simeon, and the Los Osos. None of these faults are present on the project site. The project site has a low potential for landslide hazards and a low to moderate potential for liquefaction hazards (San Luis Obispo County 1999). The project site is not located in a designated earthquake fault zone (CDOC 2015).

Drainage

When a project has the potential to generate runoff that may adversely impact offsite receiving areas, the County LUO (Sec. 22.52.080) requires the preparation of a drainage plan to minimize potential drainage impacts. When required, this plan would recommend measures to address drainage and erosion such as the construction of on-site retention or detention basins and the installation of surface water flow dissipaters. Such a plan would also need to demonstrate that the increased surface runoff would have no more impacts to offsite receiving areas than that caused by historic flows. The Department of Public Works has reviewed the project and concluded that a drainage plan prepared by a licensed engineer will be required and would be reviewed at the time of building permit submittal (Marshall 2018).

Sedimentation and Erosion

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 local agency who monitors this program.

Impact. The project would result in the disturbance of approximately 9,317 square feet for the construction of the proposed building and installation of the new septic system. Given the amount of proposed disturbance the project is not subject to the preparation of a SWPPP.

Based on site location and conditions described above, the project is not expected to be particularly susceptible to landslides, earthquakes, subsidence, or similar hazards.

Mitigation/Conclusion. Prior to issuance of building permits, the applicant would be required to submit a geotechnical report. During construction, the applicant would be required to follow recommendations in the geotechnical report to avoid adverse impacts and ensure workers are not exposed to geologic hazards. In addition, the applicant would be required to prepare drainage plans and adhere to the best management practices in the erosion and sedimentation control plans. Implementation of plan and ordinance requirements would mitigate potential impacts associated with geology and soils to a less than significant level. Additional measures beyond compliance with code requirements are not needed.

7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) 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?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?	☐	☐	☒	☐
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?	☐	☐	☒	☐
e) Impair implementation or physically interfere with an adopted emergency response or evacuation plan?	☐	☐	☒	☐
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?	☐	☐	☐	☒
g) Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?	☐	☐	☒	☐
h) Be within a 'very high' fire hazard severity zone?	☐	☐	☒	☐
i) Be within an area classified as a 'state responsibility' area as defined by CalFire?	☐	☐	☒	☐
j) Other: _____	☐	☐	☐	☒

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.

According to CALFire's San Luis Obispo County Fire Hazard Severity Zone map, the project site is within a "high" severity risk area for fire. The closest fire station to the project site is CalFire Station 41, which is approximately six miles west from the site. According to San Luis Obispo General Plan Safety Element Emergency Response Map, average emergency response time to the project site is between 5 and 15 minutes (San Luis Obispo County 1999).

The project is not within the Airport Review area. No landfills exist within ½ miles of the project site.

Impact.
Construction activities: Construction of the proposed 2,500-square foot building 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 practice would also address impacts.

Operational Activities: The project does not propose the routine use of hazardous materials, or the generation of hazardous wastes. Project operations would involve the intermittent use of small amounts of hazardous materials such as fertilizer and pesticides that are not expected to be acutely hazardous. The project will be conditioned to conduct all cannabis activities in compliance with the approved Operations Plan, as well as all required County permits, State licenses, County ordinance, and State law and regulation. 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. The proposed project is not 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 "high" severity risk area which could present a significant fire safety risk. Per the attached referral response from CALFire, there are no significant fire safety concerns associated with the project (Bullard 2018).

The project is not expected to conflict with any regional emergency response or evacuation plan. Operational impacts would be less than significant.

Mitigation/Conclusion. All requirements would be in accordance with County Ordinances and CALFire/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:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels that exceed the County Noise Element thresholds?	☐	☐	☒	☐
b) Generate permanent increases in the ambient noise levels in the project vicinity?	☐	☐	☒	☐
c) Cause a temporary or periodic increase in ambient noise in the project vicinity?	☐	☐	☒	☐
d) Expose people to severe noise or vibration?	☐	☐	☒	☐
e) 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?	☐	☐	☐	☒
f) Other: _____	☐	☐	☐	☒

Noise

Setting. The project is not within close proximity to loud noise sources other than traffic noise associated with Highway 58, 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 includes a single family residence to the west, located approximately 960 feet away from the project site. The Noise Element of the County's General Plan includes projections for future noise levels from known stationary and vehicle-generated noise sources. According to the Noise Element, the project lies within an area where future noise levels are expected to remain within an acceptable threshold.

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. 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 project is not expected to generate loud noises or conflict with the surrounding uses. Noise resulting from use of wall- or roof-mounted HVAC and odor mitigation equipment was conservatively estimated to generate noise levels of approximately 84 dBA at 25 feet from the source. With attenuation of noise levels with distance, equipment-related noise levels at the property line would be well below 60 dBA. Following construction, noise generated by vehicular traffic on Highway 58 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.

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) Induce substantial growth in an area either directly (e.g., construct new homes or businesses) or indirectly (e.g., extension of major infrastructure)?	☐	☐	☒	☐
b) Displace existing housing or people, requiring construction of replacement housing elsewhere?	☐	☐	☒	☐
c) Create the need for substantial new housing in the area?	☐	☐	☒	☐
d) Other: _____	☐	☐	☐	☒

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 (CDBG) program, which provide 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.

Impact. The project site includes one single-family residence and a mobile home. The single-family home and mobile home would continue to be used as residential uses. The proposed project would not result in the removal or construction of any housing.

Mitigation/Conclusion. 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?	☐	☐	☒	☐
b) Police protection (e.g., Sheriff, CHP)?	☐	☐	☒	☐
c) Schools?	☐	☐	☒	☐
d) Roads?	☐	☐	☒	☐
e) Solid Wastes?	☐	☐	☒	☐
f) Other public facilities?	☐	☐	☒	☐
g) Other: _____	☐	☐	☐	☒

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

Police: County Sheriff	Location: Templeton (Approximately 45 miles to the northwest)	
Fire: Cal Fire (formerly CDF)	Hazard Severity: High	Response Time: 10-15 minutes
Location: Santa Margarita (Approximately 6 miles to the west)		
School District: Atascadero Unified School District.		

Public Services

Fire Services

The project site is located approximately six miles from San Luis Obispo County Fire Station 41. According to San Luis Obispo General Plan Safety Element Emergency Response Map, average emergency response time to the project site is 10 to 15 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 "high" severity risk area for fire.

Standard Fire Code requirements would be required and would include maintaining fire extinguishers, alarms, and a fire pump. Per CalFire referral response (Bullard 2018), no additional fire prevention measures would be required. With implementation of these standard requirements, the project would not cause a need for new or altered fire protection services.

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 includes security details in the Operations Plan, that must be reviewed by the County Sheriff. Incorporation of security techniques 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 along an existing driveway from Highway 58. As discussed in Section 12, *Transportation/Circulation*, the proposed project would generate a maximum of one trip per day, seasonally. This small amount of additional traffic would not result in a significant change to existing road service or traffic safety levels.

Solid Waste

Solid waste from the cannabis operations is composed of dead leaves that are pulled from plants regularly, and plant stalks, leaves, and trellising at harvest time. Waste associated with cannabis operations is anticipated to be negligible. Of that which may occur, is planned to be disposed within existing receptacles. All waste associated with the project site, including household waste, is taken to the Chicago Grade landfill every two to three weeks by the applicant. Since the project is not expected to generate a substantial amount of solid waste, impacts are considered insignificant.

Impact. This project, along with others in the area, would have a cumulative effect on police/sheriff and fire protection, and schools. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. No project-specific impacts to public services were identified. This project, as well as others in the area, could have a cumulative effect on police and fire protection. Regarding cumulative effects, public facility (County) and school (State Government Code 65995 et seq.) fee programs have been adopted to address this impact, and would reduce the cumulative impacts to less than significant levels.

11. RECREATION *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase the use or demand for parks or other recreation opportunities?	☐	☐	☒	☐
b) Affect the access to trails, parks or other recreation opportunities?	☐	☐	☒	☐
c) Other _____	☐	☐	☐	☒

Recreation

Setting. The site currently contains one single-family residences and a mobile home. The County's Parks and Recreation Element does not show that a potential trail goes 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 and would not result in a significant population increase, thereby increasing demand on existing recreational areas or reducing service ratios. Construction and operation of the proposed project would not have any adverse effects on existing or planned recreational opportunities in the County.

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

12. TRANSPORTATION/CIRCULATION *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase vehicle trips to local or areawide circulation system?	☐	☐	☒	☐
b) Reduce existing "Level of Service" on public roadway(s)?	☐	☐	☒	☐
c) Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?	☐	☐	☒	☐
d) Provide for adequate emergency access?	☐	☐	☒	☐

12. TRANSPORTATION/CIRCULATION *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) 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.)?	☐	☐	☒	☐
f) Conflict with an applicable congestion management program?	☐	☐	☐	☒
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐
h) Result in a change in air traffic patterns that may result in substantial safety risks?	☐	☐	☒	☐
i) Other: _____	☐	☐	☐	☐

Transportation

Setting. The project site is located along Highway 58. Highway 58 generally runs east/west, from Santa Margarita to Bakersfield. Data for Highway 58, obtained from Caltrans' *2016 Traffic Volumes on California State Highways,* shows an Annual Average Daily Traffic (AADT) below 1,000 vehicles, both east and west of the project site. The project site is not located within the County's road improvement fee area.

Impact.

Trip Generation, Levels of Service, Congestion

Due to the small scale of the proposed project, minimal traffic generation is anticipated. The project would not employ full-time employees and would have a maximum of one seasonal employee for trimming, up to three times per year. In addition, the project would generate a maximum of 500 pounds of finished product per calendar year, thereby requiring a minimal number of vehicle trips. Based on the minor trip generation, and existing average daily trips on Highway 58, the project would not noticeably impact traffic operation, would not reduce levels of service on nearby roads, conflict with adopted policies, plans and programs on transportation, and would not cause congestion on the local circulatory network. Since the project 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.

Access and Hazards

The project would provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with CALFire standards and specifications back to the nearest public maintained roadway. The project does not propose any features that would delay, disrupt, or result in unsafe conditions.

Airport Traffic

The nearest airport to the project site is the Camatta Ranch Airstrip, located approximately fifteen (15) miles to the northwest. The project site is not located in any runway protection/safety or object free zones. There would be no impact regarding aviation related hazards/patterns.

Mitigation/Conclusion. No significant traffic impacts were identified, and no mitigation measures above what are already required by ordinance are necessary.

13. WASTEWATER *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?	☐	☐	☒	☐
b) Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?	☐	☐	☒	☐
c) Adversely affect community wastewater service provider?	☐	☐	☐	☒
d) Other: _____	☐	☐	☐	☒

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 would 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(s) for the project are Yuegas-Pinspring Complex and Bellyspring-Panoza Complex soils. Ideal soil percolation rates are between 30 and 120 minutes per inch. Based on the percolation testing conducted by Hallin Geotechnical, LLC. On December 19, 2017, the average percolation rate for the project site is 47.5 minutes per inch. This is within the preferred percolation rate for wastewater disposal. No additional measures beyond what is already required for a standard septic system are required.

Impacts/Mitigation. Based on the following project conditions or design features, wastewater impacts are less than significant:

- ✓ The project has sufficient land area per the County's Land Use Ordinance to support an on-site system;
- ✓ The soil's percolation rate is between 30 to 120 minutes per inch;
- ✓ 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 to be able to accommodate an on-site system that would meet CPC/Basin Plan requirements. Prior to building permit issuance and/or final inspection of the wastewater system, the applicant would need to demonstrate to the county 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

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
Will the project:				
QUALITY				
a) Violate any water quality standards?	☐	☐	☒	☐

14. WATER & HYDROLOGY *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)?	☐	☐	☒	☐
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	☐	☐	☒	☐
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?	☐	☐	☒	☐
e) Change rates of soil absorption, or amount or direction of surface runoff?	☐	☐	☒	☐
f) Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?	☐	☐	☒	☐
g) Involve activities within the 100-year flood zone?	☐	☐	☐	☒
QUANTITY				
h) Change the quantity or movement of available surface or ground water?	☐	☐	☒	☐
i) Adversely affect community water service provider?	☐	☐	☒	☐
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?	☐	☐	☒	☐
k) Other: _____	☐	☐	☐	☒

Water

Setting.

WATER SUPPLY—The project proposes to use on site wells as its water source.

The topography of the project is nearly level.The closest creek (tributary of San Juan Creek) is located approximately one mile west of the site. As described in the NRCS Soil Survey, the soil surface is considered to have moderately low erodibility.

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

Within the 100-year Flood Hazard designation? No

Closest creek? Tributary to San Juan Creek Distance? Approximately one mile west of the project site

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: Low

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 Storm Water Pollution Prevention Plan (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 regard to project impacts on water quality the following conditions apply:

- ✓ Approximately 9,317 square feet of site disturbance is proposed for the construction of the additional building and septic leach field.
- ✓ The project would be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- ✓ 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

On the project site, an existing well has served the property for past residential uses. The application included a well pump test and water quality analysis from 2018, both of which concluded that the well was adequate for the proposed uses.

The proposed cannabis cultivation would use approximately 247 gallons per day, which is equivalent to 0.28 acre-feet per year. Based on available water information, there are no known constraints to prevent the project from obtaining its water demands.

Mitigation/Conclusion. As specified above for water quality, existing regulations and compliance with plan requirements would adequately address surface water quality impacts during construction and

permanent use of the project. No additional measures above what are required are needed to protect water quality. Based on the proposed amount of water to be used and the water source, no significant impacts from water use are anticipated. As such, 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) 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?	☐	☐	☒	☐
b) Be potentially inconsistent with any habitat or community conservation plan?	☐	☐	☒	☐
c) Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?	☐	☐	☒	☐
d) Be potentially incompatible with surrounding land uses?	☐	☐	☒	☐
e) Other: _____	☐	☐	☐	☒

Land Use

Setting. Under the County's Cannabis Activities Ordinance (Ordinance 3358), 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.

Impact. 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 these 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. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

Mitigation/Conclusion. No inconsistencies were identified and no additional measures above what is already required were determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) 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?	☐	☐	☒	☐
b) 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)	☐	☐	☒	☐
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

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 would ensure that project implementation would 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 would the project contribute significantly to greenhouse gas emissions or increase energy consumption. Implementation of the project would 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 document. In addition to project specific impacts, this evaluation considered the project's potential for 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:

Contacted	Agency	Response
☒	County Public Works Department	**In File**
☐	County Environmental Health Services	**Not Applicable**
☒	County Agricultural Commissioner's Office	**In File**
☐	County Airport Manager	**Not Applicable**
☐	Airport Land Use Commission	**Not Applicable**
☐	Air Pollution Control District	**Not Applicable**
☐	County Sheriff's Department	**Not Applicable**
☒	Regional Water Quality Control Board	**In File**
☐	CA Coastal Commission	**Not Applicable**
☐	CA Department of Fish and Wildlife	**Not Applicable**
☒	CA Department of Forestry (Cal Fire)	**In File**
☒	CA Department of Transportation	**In File**
☐	Community Services District	**Not Applicable**
☐	Other _____	**Not Applicable**
☐	Other _____	**Not Applicable**

*** "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.

☒ Project File for the Subject Application

County documents

☐ Coastal Plan Policies
☒ Framework for Planning (Coastal/Inland)
☒ General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:
  ☒ Agriculture Element
  ☒ Conservation & Open Space Element
  ☐ Economic Element
  ☒ Housing Element
  ☒ Noise Element
  ☐ Parks & Recreation Element/Project List
  ☒ Safety Element
☒ Land Use Ordinance (Inland/Coastal)
☐ Building and Construction Ordinance
☒ Public Facilities Fee Ordinance
☐ Real Property Division Ordinance
☒ Affordable Housing Fund
☐ Airport Land Use Plan
☐ Energy Wise Plan
☒ Carrizo Area Plan/Shandon-Carrizo sub area and Update EIR
☐ Design Plan
☐ Specific Plan
☒ Annual Resource Summary Report
☐ Circulation Study

Other documents

☒ Clean Air Plan/APCD Handbook
☐ Regional Transportation Plan
☒ Uniform Fire Code
☒ Water Quality Control Plan (Central Coast Basin – Region 3)
☒ Archaeological Resources Map
☒ Area of Critical Concerns Map
☒ Special Biological Importance Map
☒ CA Natural Species Diversity Database
☒ Fire Hazard Severity Map
☒ Flood Hazard Maps
☒ Natural Resources Conservation Service Soil Survey for SLO County
☒ GIS mapping layers (e.g., habitat, streams, contours, etc.)
☐ Other

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

Project-Specific Studies

- Althouse and Meade, Inc., Biological Assessment for 8155 Carrizo Highway (Hwy 58), APN 072-311-015, July 23, 2018
- BSK Associates Laboratory, Water Analysis, February 4, 2018
- Filliponi & Thompson Drilling, Inc., Well Test Report, April 11, 2018

Other County References

- California Department of Conservation (CDOC). 2015.CGS Information Warehouse: Regulatory Maps http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps accessed November 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: **Environmental Awareness Training.** An environmental awareness training shall be presented to all construction personnel by a qualified biologist prior to the start of project activities. The training shall include color photographs and a description of the ecology of all special-status species known or determined to have potential to occur (e.g., San Joaquin kit fox), as well as other sensitive resources requiring avoidance near project impact areas. The training shall also include a description of protection measures required by any discretionary permits, an overview of the Endangered Species Act, implications of noncompliance with the Endangered species Act, and required avoidance and minimization measures.

MM BIO-2: **Site Maintenance and General Operations.** The following measures are required to minimize impacts during active construction:

- The use of heavy equipment and vehicles shall be limited to the proposed project limits and defined staging areas/access points. The boundaries of each work area shall be clearly defined and marked with high visibility fencing. No work shall occur outside these limits.
- Project plans, drawings, and specifications shall show the boundaries of all work areas on site and the location of erosion and sediment controls, limit delineation, and other pertinent measures to ensure the protection of sensitive habitat areas and associated resources.
- Staging of equipment and materials shall occur in designated areas at least 100 feet from the swales and man-made pond feature.
- Secondary containment such as drip pans shall be used to prevent leaks and spills of potential contaminants.
- Washing of concrete, paint, or equipment, and refueling and maintenance of equipment shall occur only in designated areas. Sandbags and/or absorbent pads shall be available to prevent water and/or spilled fuel from leaving the site.
- Construction equipment shall be inspected by the operator daily to ensure that equipment is in good working order and no fuel or lubricant leaks are present.

MM BIO-3: **Lighting.** Any temporary construction lighting or permanent lighting introduced for new developments shall avoid night time illumination of suitable habitat features for special-status species (e.g., off-site adjacent grasslands). Temporary construction lighting will be kept to the minimum amount necessary and shall be directed toward active work areas and away from open spaces and/or drainages. To minimize the effects of future exterior lighting on special-status wildlife species, all outdoor lighting fixtures shall be positioned and/or shielded to avoid direct lighting of off-site natural habitat areas.

MM BIO-4: **Noxious Weed Species.** To prevent the potential spread of invasive botanical species identified within the project site, all vehicles and equipment used at the site shall be cleaned of all dirt, mud, and plant debris prior to existing the site (e.g., driven over rumble strips). This will prevent tracking of potential seed stock off the property.

MM BIO-5: **Preconstruction Survey for American Badger and San Joaquin kit fox.** A qualified biologist shall complete a preconstruction survey for these species no less than 14 days and no more than 30 days prior to the start of initial project activities to ensure these special-status wildlife species are not present within proposed works areas. If dens are discovered, they shall be inspected to determine if they are currently occupied. If the qualified biologist determines that potential San Joaquin kit fox dens may be present, an exclusion buffer shall be established in accordance with the distances recommended in the USFWS' 2011 recommendations. The USFWS shall be contacted for further guidance regarding any natal San Joaquin kit fox dens encountered. If active badger dens are found, a minimum of a 50-foot, no activity buffer shall be implemented in the den vicinity. If avoidance is not possible during construction or continued operation, the appropriate resource agency shall be contacted for further guidance.

MM BIO-6: **Preconstruction Survey for Special-status Small Mammals and Burrow Mapping.** A qualified biologist shall complete a preconstruction survey for special-status small mammal species (e.g. giant kangaroo rat and San Joaquin antelope squirrel) no more than two weeks prior to the start of initial project activities to ensure special-status small mammal species are not present within proposed works areas. The survey will include mapping of all potentially active special-status mammal burrows within the proposed work areas, access routes, and staging areas plus a 50 foot buffer. All potentially active burrows will be mapped and flagged. If avoidance of the burrows is not feasible, the appropriate resource agency shall be contacted for further guidance.

MM BIO-7: **Surveys for San Joaquin Coachwhip.** A qualified biologist shall conduct a preconstruction survey immediately prior to the start of work within 50 feet of suitable habitat for San Joaquin Coachwhip. Construction monitoring shall also be conducted by a qualified biologist during all initial ground disturbing and vegetation removal activities (e.g., grading, grubbing, vegetation trimming, vegetation removal including tree removal, etc.) within suitable habitat. If this species is discovered during surveys and monitoring, the species will be hand captured and relocated to suitable habitat outside the area of impact.

MM BIO-8: **Preconstruction Survey for Sensitive and Nesting Birds.** If work is planned to occur between February 1 and September 15, a qualified biologist shall survey the area for nesting birds within one week prior to activity beginning on site. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged or the nest is no longer deemed active. A non-disturbance buffer of 50 feet will be placed around non-listed, passerine species, and a 250-foot buffer will be implemented for raptor species. All activity will remain outside of that buffer until a qualified biologist has determined that the young have fledged or that proposed construction activities would not cause adverse impacts to the nest, adults, eggs, or young.

If other special-status avian species (aside from the Burrowing Owl or Tricolored Blackbird) are identified and nesting within the work area, no work will begin until

an appropriate buffer is determined in consultation with the local CDFW biologist, and/or the USFWS.

MM BIO-8a: **Focused Preconstruction Survey for Burrowing Owl.** If work is planned to occur within 150 meters (approximately 492 feet) of burrowing owl habitat, within the breeding or no-breeding seasons, a qualified biologist shall conduct a preconstruction survey for the species within 14 days of the onset of construction. A second survey shall be completed immediately prior to construction (e.g., within the preceding 24 hours). The surveys shall be consistent with the methods outlined in Appendix D of the CDFW 2012 Staff Report on Burrowing Owl Mitigation (Staff Report), walking 7 to 20 meter transects through the survey area and scanning the entire visible project area for sign and individuals. These surveys may be completed concurrently with any necessary San Joaquin kit fox, American badger, or other special-status species surveys. If occupied burrowing owl burrows are identified the following buffer distances shall be observed by construction, unless otherwise authorized by CDFW:

Location	Time of Year	Level of Disturbance		
		Low	Medium	High
Nesting Sites	April 1 – Aug 15	656 feet	1,640 feet	1,640 feet
Nesting Sites	Aug 16 – Oct 15	656 feet	656 feet	1,640 feet
Any Occupied Burrow	Oct 16 – Mar 31	164 feet	328 feet	1,640 feet

If avoidance of active burrows is infeasible, the owls can be passively displaced from their burrows according to recommendations made in the Staff Report, and in coordination with CDFW.

MM BIO-8b: **Focused Preconstruction Survey for Tricolored Blackbird.** If work is planned to occur during the typical nesting bird season (e.g., February 15 through September 15), a qualified wildlife biologist shall conduct preconstruction surveys for nesting tricolored blackbird within 10 days prior to the start of implementation to evaluate presence/absence of tricolored blackbird nesting colonies in proximity to project activities. If an active tricolored blackbird nesting colony is found during preconstruction surveys, a minimum 300-foot non-disturbance buffer in accordance with "Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015" (CDFW, 2015). This buffer shall remain in place for the duration of the breeding season or until a qualified biologist has determined that nesting has ceased, the birds have fledged, and are no longer reliant upon the colony or parental care for survival.

MM BIO-9: **County Standard Mitigation of Impacts to San Joaquin kit fox Habitat.** In accordance with the County Guide to San Joaquin kit fox Mitigation Procedures under CEQA, the applicant shall adopt the Standard Kit Fox CEQA Mitigation Measures and shall include these measures on development plans. The following summarizes those that are applicable to this project:

1. Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County of San Luis Obispo and CDFW that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 8.8 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Wildlife (Department) and the County.

   This mitigation alternative (a.) requires that all aspects if this program must be in place before County permit issuance or initiation of any ground disturbing activities.

b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

   Mitigation alternative (b) can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the CEQA. This fee is calculated based on the current cost-per-unit of $2,500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; the actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

c. Purchase credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

   Mitigation alternative (c) can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the CEQA. This fee is calculated based on the current cost-per-credit of $2,500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. The actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

2. A maximum of 25 mph speed limit shall be required at the project site during construction activities.
3. All construction activities shall cease at dusk and not start before dawn.
4. A qualified biologist shall be on-site immediately prior to initiation of project activities to inspect for any large burrows (e.g., known and potential dens) and to ensure no wildlife are injured during project activities. If dens are encountered, they should be avoided as discussed below.
5. Exclusion zone boundaries shall be established around all known and potential San Joaquin kit fox dens.

6. All excavations deeper than two feet shall be completely covered at the end of each working day.
7. All pipes, culverts, or similar structures shall be inspected for San Joaquin kit fox and other wildlife before burying, capping, or moving.
8. All exposed openings of pipes, culverts, or similar structures shall be capped or temporarily sealed prior to the end of each working day.
9. All food-related trash shall be removed from the site at the end of each work day.
10. Project-related equipment shall be prohibited outside of designated work areas and access routes.
11. No firearms shall be allowed in the project area.
12. Disturbance to burrows shall be avoided to the greatest extent feasible.
13. The use of pesticides or herbicides shall be in compliance with all local, state, and federal regulations so as to avoid primary or secondary poisoning of endangered species utilizing adjacent habitats and the depletion of prey upon which San Joaquin kit fox depend.
14. Permanent fences shall allow for San Joaquin kit fox passage through or underneath (e.g., an approximate 4-inch passage gap shall remain at ground level.

MM BIO-10: **Annual pre-activity Survey for Special-status Small Mammals and Burrow Mapping.** Applicant or project proponent must hire a qualified biologist to complete an annual pre-activity survey for special-status small mammal species (e.g. giant kangaroo rat and San Joaquin antelope squirrel) no more than two weeks prior to the start of initial ground disturbance associated with the proposed building and leach field, to ensure special-status small mammal species have not colonized the area and are not present within the grow site areas. The survey will include mapping of all potentially active special-status mammal burrows within the grow site areas plus a 50 foot buffer. All potentially active burrows will be mapped and flagged. If avoidance of the burrows is not feasible, the appropriate resource agency shall be contacted for further guidance. In lieu of this annual survey, the applicant may obtain an Incidental Take Permit from the appropriate resource agency.

DATE: 3/5/2019
REVISED:

DEVELOPER'S STATEMENT & MITIGATION MONITORING/REPORTING PROGRAM FOR BURGETT/PRIMITIVE FARMS ED19-058 (DRC2018-00020)

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: **Environmental Awareness Training.** An environmental awareness training shall be presented to all construction personnel by a qualified biologist prior to the start of project activities. The training shall include color photographs and a description of the ecology of all special-status species known or determined to have potential to occur (e.g., San Joaquin kit fox), as well as other sensitive resources requiring avoidance near project impact areas. The training shall also include a description of protection measures required by any discretionary permits, an overview of the Endangered Species Act, implications of noncompliance with the Endangered species Act, and required avoidance and minimization measures.

MM BIO-2: **Site Maintenance and General Operations.** The following measures are required to minimize impacts during active construction:

- The use of heavy equipment and vehicles shall be limited to the proposed project limits and defined staging areas/access points. The boundaries of each work area shall be clearly defined and marked with high visibility fencing. No work shall occur outside these limits.
- Project plans, drawings, and specifications shall show the boundaries of all work areas on site and the location of erosion and sediment controls, limit delineation, and other pertinent measures to ensure the protection of sensitive habitat areas and associated resources.
- Staging of equipment and materials shall occur in designated areas at least 100 feet from the swales and man-made pond feature.
- Secondary containment such as drip pans shall be used to prevent leaks and spills of potential contaminants.
- Washing of concrete, paint, or equipment, and refueling and maintenance of equipment shall occur only in designated areas. Sandbags and/or absorbent pads shall be available to prevent water and/or spilled fuel from leaving the site.

- Construction equipment shall be inspected by the operator daily to ensure that equipment is in good working order and no fuel or lubricant leaks are present.

MM BIO-3: **Lighting.** Any temporary construction lighting or permanent lighting introduced for new developments shall avoid night time illumination of suitable habitat features for special-status species (e.g., off-site adjacent grasslands). Temporary construction lighting will be kept to the minimum amount necessary and shall be directed toward active work areas and away from open spaces and/or drainages. To minimize the effects of future exterior lighting on special-status wildlife species, all outdoor lighting fixtures shall be positioned and/or shielded to avoid direct lighting of off-site natural habitat areas.

MM BIO-4: **Noxious Weed Species.** To prevent the potential spread of invasive botanical species identified within the project site, all vehicles and equipment used at the site shall be cleaned of all dirt, mud, and plant debris prior to existing the site (e.g., driven over rumble strips). This will prevent tracking of potential seed stock off the property.

MM BIO-5: **Preconstruction Survey for American Badger and San Joaquin kit fox.** A qualified biologist shall complete a preconstruction survey for these species no less than 14 days and no more than 30 days prior to the start of initial project activities to ensure these special-status wildlife species are not present within proposed works areas. If dens are discovered, they shall be inspected to determine if they are currently occupied. If the qualified biologist determines that potential San Joaquin kit fox dens may be present, an exclusion buffer shall be established in accordance with the distances recommended in the USFWS' 2011 recommendations. The USFWS shall be contacted for further guidance regarding any natal San Joaquin kit fox dens encountered. If active badger dens are found, a minimum of a 50-foot, no activity buffer shall be implemented in the den vicinity. If avoidance is not possible during construction or continued operation, the appropriate resource agency shall be contacted for further guidance.

MM BIO-6: **Preconstruction Survey for Special-status Small Mammals and Burrow Mapping.** A qualified biologist shall complete a preconstruction survey for special-status small mammal species (e.g. giant kangaroo rat and San Joaquin antelope squirrel) no more than two weeks prior to the start of initial project activities to ensure special-status small mammal species are not present within proposed works areas. The survey will include mapping of all potentially active special-status mammal burrows within the proposed work areas, access routes, and staging areas plus a 50 foot buffer. All potentially active burrows will be mapped and flagged. If avoidance of the burrows is not feasible, the appropriate resource agency shall be contacted for further guidance.

MM BIO-7: **Surveys for San Joaquin Coachwhip.** A qualified biologist shall conduct a preconstruction survey immediately prior to the start of work within 50 feet of suitable habitat for San Joaquin Coachwhip. Construction monitoring shall also be conducted by a qualified biologist during all initial ground disturbing and vegetation removal activities (e.g., grading, grubbing, vegetation trimming, vegetation removal including tree removal, etc.) within suitable habitat. If this species is discovered during surveys and monitoring, the species will be hand captured and relocated to suitable habitat outside the area of impact.

MM BIO-8: **Preconstruction Survey for Sensitive and Nesting Birds.** If work is planned to occur between February 1 and September 15, a qualified biologist shall survey the area for nesting birds within one week prior to activity beginning on site. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged or the nest is no longer deemed active. A non-disturbance buffer of 50 feet will be placed around non-listed, passerine species, and a 250-foot buffer will be implemented for raptor species. All activity will remain outside of that buffer until a qualified biologist has determined that the young have fledged or that proposed construction activities would not cause adverse impacts to the nest, adults, eggs, or young.

If other special-status avian species (aside from the Burrowing Owl or Tricolored Blackbird) are identified and nesting within the work area, no work will begin until an appropriate buffer is determined in consultation with the local CDFW biologist, and/or the USFWS.

MM BIO-8a: **Focused Preconstruction Survey for Burrowing Owl.** If work is planned to occur within 150 meters (approximately 492 feet) of burrowing owl habitat, within the breeding or no-breeding seasons, a qualified biologist shall conduct a preconstruction survey for the species within 14 days of the onset of construction. A second survey shall be completed immediately prior to construction (e.g., within the preceding 24 hours). The surveys shall be consistent with the methods outlined in Appendix D of the CDFW 2012 Staff Report on Burrowing Owl Mitigation (Staff Report), walking 7 to 20 meter transects through the survey area and scanning the entire visible project area for sign and individuals. These surveys may be completed concurrently with any necessary San Joaquin kit fox, American badger, or other special-status species surveys. If occupied burrowing owl burrows are identified the following buffer distances shall be observed by construction, unless otherwise authorized by CDFW:

Location	Time of Year	Level of Disturbance		
		Low	Medium	High
Nesting Sites	April 1 – Aug 15	656 feet	1,640 feet	1,640 feet
Nesting Sites	Aug 16 – Oct 15	656 feet	656 feet	1,640 feet
Any Occupied Burrow	Oct 16 – Mar 31	164 feet	328 feet	1,640 feet

If avoidance of active burrows is infeasible, the owls can be passively displaced from their burrows according to recommendations made in the Staff Report, and in coordination with CDFW.

MM BIO-8b: **Focused Preconstruction Survey for Tricolored Blackbird.** If work is planned to occur during the typical nesting bird season (e.g., February 15 through September 15), a qualified wildlife biologist shall conduct preconstruction surveys for nesting tricolored blackbird within 10 days prior to the start of implementation to evaluate presence/absence of tricolored blackbird nesting colonies in proximity to project activities. If an active tricolored blackbird nesting colony is found during preconstruction surveys, a minimum 300-foot non-disturbance buffer in accordance with "Staff Guidance

Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015" (CDFW, 2015). This buffer shall remain in place for the duration of the breeding season or until a qualified biologist has determined that nesting has ceased, the birds have fledged, and are no longer reliant upon the colony or parental care for survival.

MM BIO-9: **County Standard Mitigation of Impacts to San Joaquin kit fox Habitat.** In accordance with the County Guide to San Joaquin kit fox Mitigation Procedures under CEQA, the applicant shall adopt the Standard Kit Fox CEQA Mitigation Measures and shall include these measures on development plans. The following summarizes those that are applicable to this project:

1. Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County of San Luis Obispo and CDFW that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:
   a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 8.8 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Wildlife (Department) and the County.

   This mitigation alternative (a.) requires that all aspects if this program must be in place before County permit issuance or initiation of any ground disturbing activities.

   b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

   Mitigation alternative (b) can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the CEQA. This fee is calculated based on the current cost-per-unit of $2,500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; the actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

   c. Purchase credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

   Mitigation alternative (c) can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo

Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the CEQA. This fee is calculated based on the current cost-per-credit of $2,500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. The actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

2. A maximum of 25 mph speed limit shall be required at the project site during construction activities.
3. All construction activities shall cease at dusk and not start before dawn.
4. A qualified biologist shall be on-site immediately prior to initiation of project activities to inspect for any large burrows (e.g., known and potential dens) and to ensure no wildlife are injured during project activities. If dens are encountered, they should be avoided as discussed below.
5. Exclusion zone boundaries shall be established around all known and potential San Joaquin kit fox dens.
6. All excavations deeper than two feet shall be completely covered at the end of each working day.
7. All pipes, culverts, or similar structures shall be inspected for San Joaquin kit fox and other wildlife before burying, capping, or moving.
8. All exposed openings of pipes, culverts, or similar structures shall be capped or temporarily sealed prior to the end of each working day.
9. All food-related trash shall be removed from the site at the end of each work day.
10. Project-related equipment shall be prohibited outside of designated work areas and access routes.
11. No firearms shall be allowed in the project area.
12. Disturbance to burrows shall be avoided to the greatest extent feasible.
13. The use of pesticides or herbicides shall be in compliance with all local, state, and federal regulations so as to avoid primary or secondary poisoning of endangered species utilizing adjacent habitats and the depletion of prey upon which San Joaquin kit fox depend.
14. Permanent fences shall allow for San Joaquin kit fox passage through or underneath (e.g., an approximate 4-inch passage gap shall remain at ground level.

MM BIO-10: **Annual pre-activity Survey for Special-status Small Mammals and Burrow Mapping.** Applicant or project proponent must hire a qualified biologist to complete an annual pre-activity survey for special-status small mammal species (e.g. giant kangaroo rat and San Joaquin antelope squirrel) no more than two weeks prior to the start of initial ground disturbance associated with the proposed building and leach field, to ensure special-status small mammal species have not colonized the area and are not present within the grow site areas. The survey will include mapping of all potentially active special-status mammal burrows within the grow site areas plus a 50 foot buffer. All potentially active burrows will be mapped and flagged. If avoidance of the burrows is not feasible, the appropriate resource agency shall be contacted for

further guidance. In lieu of this annual survey, the applicant may obtain an Incidental Take Permit from the appropriate resource agency.

Signature of Owner(s)	Name (Print)	Date

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DATE: 3/5/2019
REVISED:

DEVELOPER'S STATEMENT & MITIGATION MONITORING/REPORTING PROGRAM FOR BURGETT/PRIMITIVE FARMS ED19-058 (DRC2018-00020)

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: **Environmental Awareness Training.** An environmental awareness training shall be presented to all construction personnel by a qualified biologist prior to the start of project activities. The training shall include color photographs and a description of the ecology of all special-status species known or determined to have potential to occur (e.g., San Joaquin kit fox), as well as other sensitive resources requiring avoidance near project impact areas. The training shall also include a description of protection measures required by any discretionary permits, an overview of the Endangered Species Act, implications of noncompliance with the Endangered species Act, and required avoidance and minimization measures.

MM BIO-2: **Site Maintenance and General Operations.** The following measures are required to minimize impacts during active construction:

- The use of heavy equipment and vehicles shall be limited to the proposed project limits and defined staging areas/access points. The boundaries of each work area shall be clearly defined and marked with high visibility fencing. No work shall occur outside these limits.
- Project plans, drawings, and specifications shall show the boundaries of all work areas on site and the location of erosion and sediment controls, limit delineation, and other pertinent measures to ensure the protection of sensitive habitat areas and associated resources.
- Staging of equipment and materials shall occur in designated areas at least 100 feet from the swales and man-made pond feature.
- Secondary containment such as drip pans shall be used to prevent leaks and spills of potential contaminants.
- Washing of concrete, paint, or equipment, and refueling and maintenance of equipment shall occur only in designated areas. Sandbags and/or absorbent pads shall be available to prevent water and/or spilled fuel from leaving the site.

- Construction equipment shall be inspected by the operator daily to ensure that equipment is in good working order and no fuel or lubricant leaks are present.

MM BIO-3: **Lighting.** Any temporary construction lighting or permanent lighting introduced for new developments shall avoid night time illumination of suitable habitat features for special-status species (e.g., off-site adjacent grasslands). Temporary construction lighting will be kept to the minimum amount necessary and shall be directed toward active work areas and away from open spaces and/or drainages. To minimize the effects of future exterior lighting on special-status wildlife species, all outdoor lighting fixtures shall be positioned and/or shielded to avoid direct lighting of off-site natural habitat areas.

MM BIO-4: **Noxious Weed Species.** To prevent the potential spread of invasive botanical species identified within the project site, all vehicles and equipment used at the site shall be cleaned of all dirt, mud, and plant debris prior to existing the site (e.g., driven over rumble strips). This will prevent tracking of potential seed stock off the property.

MM BIO-5: **Preconstruction Survey for American Badger and San Joaquin kit fox.** A qualified biologist shall complete a preconstruction survey for these species no less than 14 days and no more than 30 days prior to the start of initial project activities to ensure these special-status wildlife species are not present within proposed works areas. If dens are discovered, they shall be inspected to determine if they are currently occupied. If the qualified biologist determines that potential San Joaquin kit fox dens may be present, an exclusion buffer shall be established in accordance with the distances recommended in the USFWS' 2011 recommendations. The USFWS shall be contacted for further guidance regarding any natal San Joaquin kit fox dens encountered. If active badger dens are found, a minimum of a 50-foot, no activity buffer shall be implemented in the den vicinity. If avoidance is not possible during construction or continued operation, the appropriate resource agency shall be contacted for further guidance.

MM BIO-6: **Preconstruction Survey for Special-status Small Mammals and Burrow Mapping.** A qualified biologist shall complete a preconstruction survey for special-status small mammal species (e.g. giant kangaroo rat and San Joaquin antelope squirrel) no more than two weeks prior to the start of initial project activities to ensure special-status small mammal species are not present within proposed works areas. The survey will include mapping of all potentially active special-status mammal burrows within the proposed work areas, access routes, and staging areas plus a 50 foot buffer. All potentially active burrows will be mapped and flagged. If avoidance of the burrows is not feasible, the appropriate resource agency shall be contacted for further guidance.

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Richard W. Burgett | Richard W Burgett | 3-6-19

Signature of Owner(s) | **Name (Print)** | **Date**

Pamela S Burgett | Pamela S Burgett | 3-6-19

Signature of Owner(s) | **Name (Print)** | **Date**