4.15 Agricultural Resources

This section summarizes existing agricultural conditions on the Project Site and adjacent properties. Applicable state, regional, and local policies regarding agricultural resources and their potential conversion to nonagricultural uses are also identified. Additionally, this section examines potential impacts the Project could have on agricultural resources, and identifies mitigation measures that would serve to minimize these impacts.

4.15.1 Environmental Setting

4.15.1.1 Agricultural Lands

The California Department of Conservation administers the Farmland Mapping and Monitoring Program (FMMP), which produces maps and statistical data used for analyzing impacts on California's agricultural resources. Current land use information and soils survey data provided by the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) contribute to this program's database. These maps are updated every two years with the use of a computer mapping system, aerial imagery, public review, and field reconnaissance. This program designates land use into one of the following mapping categories (CDC 2004):

Farmland Mapping and Monitoring

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

Farmland of Statewide Importance – Land similar to Prime Farmland that has a good combination of physical and chemical characteristics for the production of agricultural crops. This land has minor shortcomings, such as greater slopes or less ability to store soil moisture than Prime Farmland.

Unique Farmland – Lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California.

Farmland of Local Importance – Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee. San Luis Obispo County (County) considers dairies, dry land farming, aquaculture, and uncultivated areas with soils as qualifying for Prime Farmland and Farmland of Statewide Importance.

Local Potential – These are areas with soils that qualify for Prime or Statewide Importance designations, but which are not cultivated or irrigated. Only certain counties, such as the County, have chosen to use the Local Potential designation.

Grazing Land – Land on which the existing vegetation is suited to the grazing of livestock. This category is used only in California and was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing.

Urban and Built-Up Land – Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately six structures to a 10-acre parcel.

Other Land – Land that does not meet the criteria of any other category.

Water – Water areas with an extent of at least 40 acres.

County of San Luis Obispo General Plan – Agricultural Element

The San Luis Obispo County General Plan Agriculture Element contains a general description of the main types and uses of agricultural land within the County. These include the general headings of irrigated lands, dry farm lands, and rangelands for grazing. Irrigated lands include row crops terrain and soils, as well as specialty crops/forage lands. Dry farm lands consist of mixed croplands and dry croplands. Rangelands for grazing mainly consist of cattle ranching. The definitions of these types of farmland follow:

Row Crops Terrain and Soils – Various types of vegetables, seed crops, orchards, and other irrigated specialty crops characterize these lands. Property sizes generally range from 10 acres to hundreds of acres with soils mainly in land capability Classes I and II.

Specialty Crops and Forage Lands – These areas are characterized by irrigated orchards and vineyards such as wine grapes, avocados, citrus, and apples. Irrigated uses such as alfalfa and pasture may be found in these areas. Property sizes generally range from 20 acres to a few hundred acres with soils mainly in land capability Classes III and IV.

Mixed Croplands – Dry farm orchards and vineyards and specialty or high value field crops characterize mixed croplands. Property sizes generally range from 40 acres to several hundred acres with soils consisting mainly of land capacity Classes III and IV.

Dry Croplands – These areas are characterized by grain and hay production. Barley, wheat, and oat hay are the principal crops. Other crops include dry beans and safflower. Dry croplands may also include grain stubble fields and intervening non-cultivated areas that provide seasonal forage for livestock. Property sizes generally range from 80 to several thousand acres with soils consisting mainly of land capacity Classes III and IV. Class VI land has also been commonly used for grain production.

Rangelands for Grazing – Grazing land accounts for a large percentage of the privately owned land in the County with cattle ranching being the predominant use on these lands. The topography is mainly rolling and on steep slopes between 30 and 75 percent. Rangelands may also include small intervening valleys and ridge tops that have limited use or potential as farmland. The soils consist mainly of land capacity Classes IV, VI, and VII. Property sizes generally range from 100 acres to thousands of acres, depending on the carrying capacity of the rangelands.

4.15.1.2 Agricultural Production

The County continually ranks in the top 20 of California counties for agricultural production. In 2011, County agricultural production totaled $736.2 million. The valuation of County agricultural production increased approximately 3 percent from 2010 to 2011 (from $712.8 million to $736.2 million). In 2011, the top five crops by value in San Luis Obispo County were: strawberries ($179 million), wine grapes ($129.7 million), cattle and calves ($66.8 million), broccoli ($46.2 million), and vegetable transplants ($34.8 million) (SLOCDOA 2011).

4.15.1.3 Agricultural Preserves

The County's agricultural preserve program was created to implement the California Land Conservation Act of 1965. It identifies areas where the County is willing to enter into a Land Conservation Act (Williamson Act) contract with property owners based on an approved set of criteria (SLOCDOA 2006). Lands that enter into the County's agricultural preserve program are subject to zoning restrictions including parcel size restrictions ranging from 40 acres for prime land and 100 acres for nonprime land. A Land Conservation Act contract is a legal contract between a landowner and a land-regulating agency under the Land Conservation Act (i.e., the County). Under a Land Conservation Act contract, the property owner agrees not to develop the property for a period of 10 to 20 years in exchange for property tax reductions based on the property's value as open space or agricultural, rather than developable land. The contract automatically renews each year for a new 10-year period unless the owner files a Notice of Non-renewal to indicate his or her intention to terminate the contract at the end of the current 10-year period. Land Conservation Act contracts may also be terminated by a public agency if the property under contract is being acquired for another purpose in the public's interest under eminent domain or other public acquisition procedures.

The Project Site does not fall within a Williamson Act contract, nor do any of the adjacent properties.

4.15.1.4 Agricultural Soils

The USDA NRCS assesses the agricultural capacity of soils through its Land Capability Classification system, which groups soils primarily on the basis of their capability to produce common cultivated crops and pasture plants without deteriorating over a long period of time. This classification system is subdivided into eight capability classes. Class I soils have slight limitations that restrict their use, while Class II soils have moderate limitations that reduce the choice of plants or require moderate conservation practices. Soils with a capability Class I and Class II are generally considered to be "Prime" soils. Prime soils indicate the presence of Prime Farmland. According to the USDA, Prime Farmland is land best suited for producing food, feed, forage, fiber and oilseed crops and has the combination of soil properties, growing season, and moisture supply needed to produce sustained high yields of crops (USDA 2010a).

California Government Code, Section 51201(c), identifies "Prime agricultural land" as:

i) All land that qualifies for rating as class I or class II in the Natural Resource Conservation Service land use capability classifications;

ii) Land which qualifies for rating 80 through 100 in the Storie Index Rating;

iii) Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture;

iv) Land planted with fruit- or nut-bearing trees, vines, bushes, or crops which have a nonbearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than two hundred dollars ($200) per acre; and

v) Land which has returned from the production of unprocessed agricultural plant products an annual gross value of not less than two hundred dollars ($200) per acre for three of the previous five years (Williamson Act 2010).

As indicated above, an additional method of rating soils is known as the Storie Index, which is based on soil characteristics that govern the land's potential utilization and productive capacity. Soils are assigned a value between zero and 100 depending on the following factors:

i) Characteristics of the soil profile;

ii) Texture of the surface soil;

iii) Slope of the soil body; and

iv) Conditions of the soil, such as drainage, alkali content, nutrient level, erosion, and microrelief.

The values of the four factors are multiplied to produce the Storie Index rating of the soil. For simplification, soils are placed into one of six soil grades depending on their suitability for agricultural cultivation. Grade 1 (excellent) is for soils with a value between 80 and 100. Grades 2 through 5 (good to very poor) are for soils with a value between 79 and 10. Grade 6 (nonagriculture) is for soils with a value below 10 and are not suitable for agriculture (UC 1978).

4.15.1.5 Noxious Weed Species

The Project Site contains several invasive and noxious weeds, as identified in Section 4.2, Biological Resources. These weeds include, but are not limited to, curly dock (*Rumex crispus*), poison hemlock (*Conium maculatum*), yellow nutsedge (*Cyperus esculentus*), and yellow starthistle (*Centaurea solstitialis*) (USDA 2010c).

Curly dock is a perennial herb usually found in wetlands that spreads easily and, once established, takes over habitat by pushing out native species (CIPC 2010).

Poison hemlock is a perennial herb that was introduced to the United States in the 1800s. It suppresses light and can crowd out other vegetation. Additionally, it is toxic to all organisms, including humans, livestock, and wildlife. Populations of this plant appear to be stable statewide, however, poison hemlock can be moved by farm machinery, vehicles, and clothing (CIPC 2010).

Yellow nutsedge is a perennial herb that is not native to California and has a rapid vegetative spread rate (USDA 2010c).

Yellow starthistle is an annual plant that has become one of the most prominent noxious weeds in California, infesting more than 12 million acres throughout the state. This native of Eurasia is extremely competitive, invading cropland, pastures, and rangeland, increasing farming costs and reducing productivity. In addition, yellow starthistle is toxic to horses. Yellow starthistle is common throughout most of the County.

The spread of noxious weeds has the potential to occur during the construction phase of the Project as equipment is transferred from one area of the Project Site to another. As part of the final restoration plan, which requires weed management methods during construction, monitoring, maintenance, and adaptive management activities, particular species of non-native noxious weedy plant species would be targeted for immediate removal if or when they are documented on the Project Site. See Section 2.4.4 in the Project Description and Section 4.2.4 in Biological Resources.

4.15.1.6 Land Use

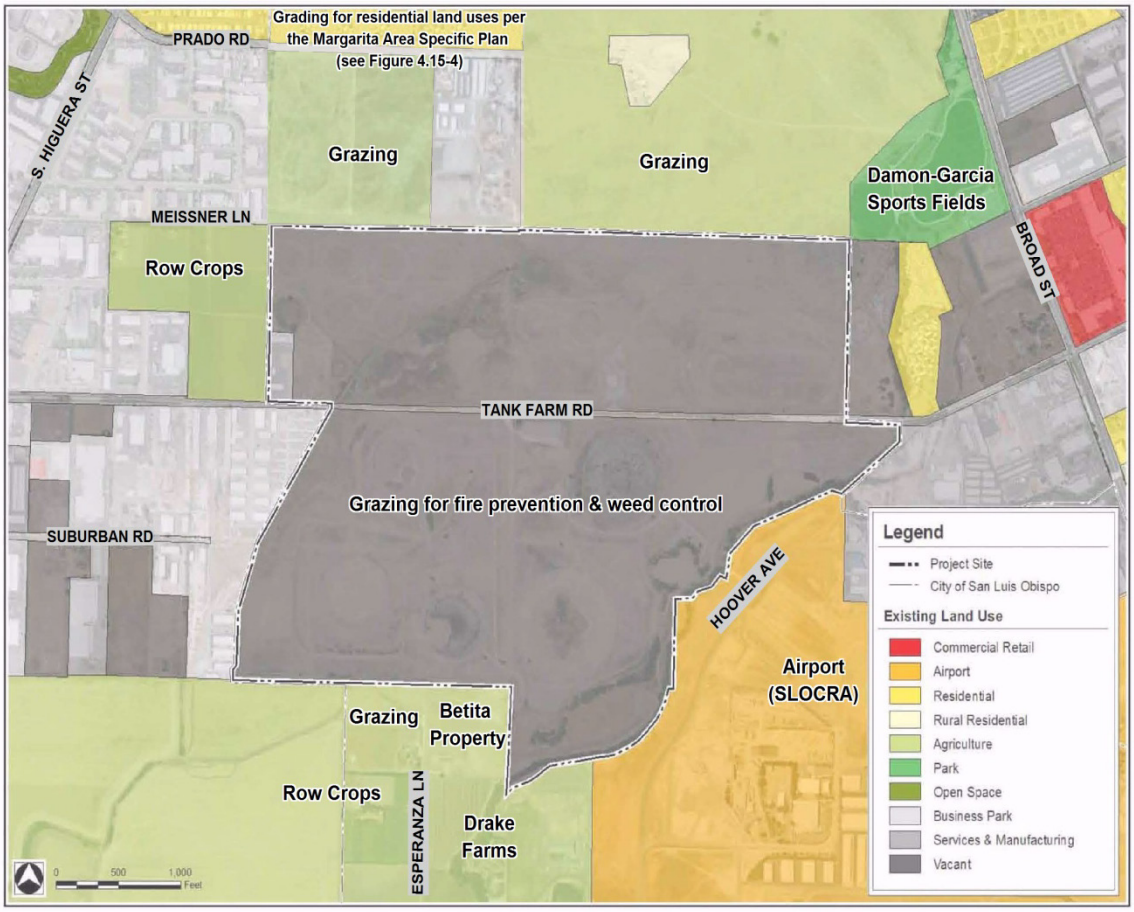
The Project Site, consisting of approximately 332 acres of land, as shown in Figure 4.15-1, is a predominantly vacant site, with remnants of its previous use as a petroleum storage and distribution facility. In the northwestern portion of the site, referred to as the Northwest Operations Area, three buildings, utility lines, a paved parking lot, fencing, and other ancillary facilities remain. The southern and northeastern portions of the site are essentially vacant; however, some remnants of former reservoirs are still present in differing conditions. At present, the site is mostly unused, except for the existing buildings in the northwestern portion of the Project Site that are currently used as Chevron offices. In addition, cattle graze on-site for fire prevention and weed control.

Soils

The distribution and characteristics of soils within the Project Site are detailed in Table 4.15-1. Figure 4.15-2 shows the NRCS Farmland Classifications and Figure 4.15-3 shows the California Revised Storie Index.

As identified in Table 4.15.-1, the predominant (92.4 percent) on-site soil is Xererts-Xerolls-Urban land complex, 0 to 15 percent slopes, which is classified with a Storie Index Rating of zero (Not Rated) and designated as Not Prime Farmland. This soil dominates the majority of the Project Site at approximately 307 acres (USDA 2010b).

Figure 4.15-1 Existing Uses of Land



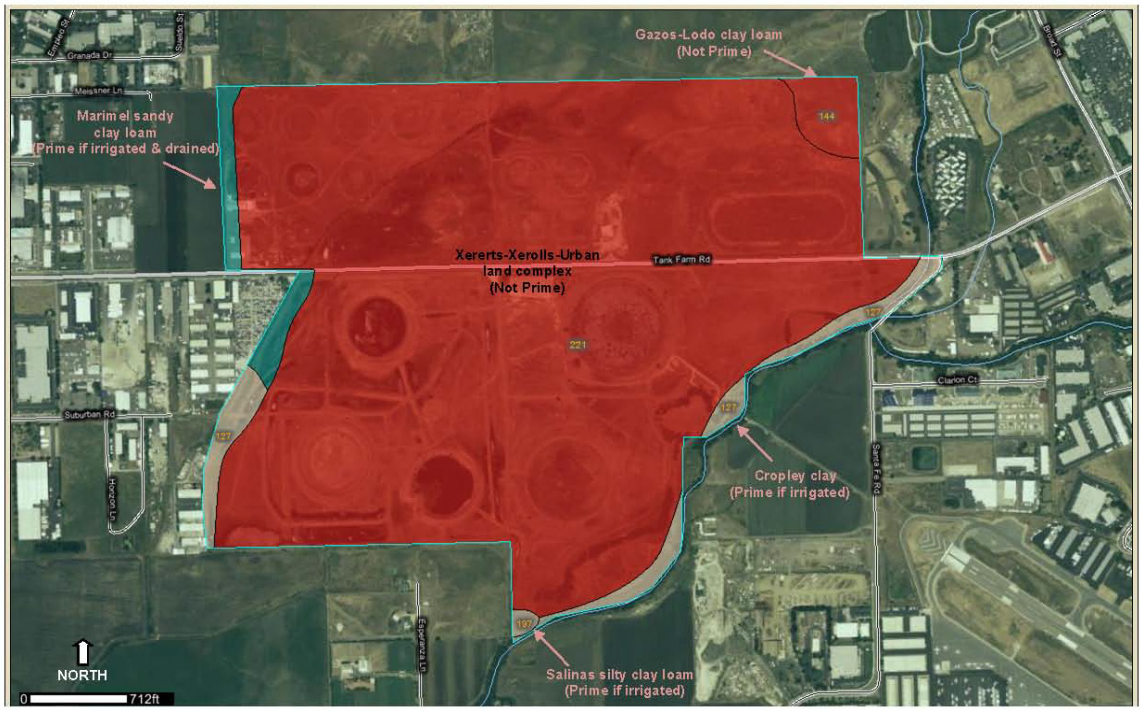
Note: The figure shows existing uses of land, not land use designations per the City and County General Plans.
Source: Envicom Corporation, August 2009; MRS 2012

Table 4.15-1 Soil Characteristics and Farmland Classifications

Soil Type	Acreage (approx.)	Storie Rating	Storie Grade	NRCS Rating	Farmland Classification
Cropley clay, 0-2% slopes	12	44	Grade 3 Fair	Prime Farmland If Irrigated	Prime
Gazos-Lodo clay loams, 30-50% slopes	6	31	Grade 4 Poor	Not Prime Farmland	Other
Marimel sandy clay loam, occasionally flooded	7	65	Grade 2 Good	Prime Farmland If Irrigated and Drained	Prime
Salinas silty clay loam, 0-2% slopes	1	88	Grade 1 Excellent	Prime Farmland If Irrigated	Prime
Xerertes-Xerolls-Urban land complex, 0-15% slopes	307	Not Rated	Not Rated	Not Prime Farmland	Other

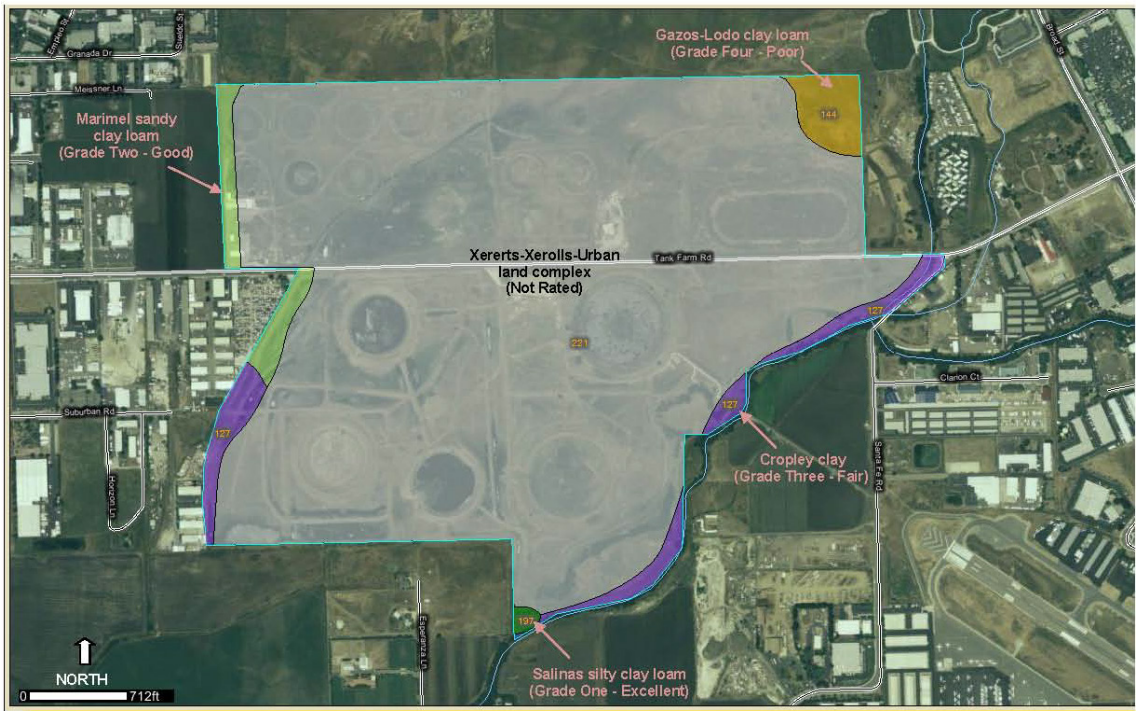
Notes: Figure 2-6 identifies affected soil areas resulting from petroleum releases over the years, including the 1926 fire, which contribute to the Not Prime Farmland designation and preclude agricultural uses other than grazing.
Source: USDA 2010b

Figure 4.15-2 Farmland Classification



Source: USDA 2010b

Figure 4.15-3 California Revised Storie Index



Source: USDA 2010b

Soils of the Cropley clay complex, encompassing approximately 12 acres (3.6 percent) of the Project Site, are classified as Prime Farmland If Irrigated by the NRCS and have a Storie Index Rating of 44 or Grade 3 – Fair suitability for intensive agriculture (USDA 2010b).

Soils of the Gazos-Lodo clay loams complex, encompassing approximately six acres (1.7 percent) of the Project Site, are classified as Not Prime Farmland by the NRCS and have a Storie Index Rating of 31 or Grade 4 – Poor suitability for intensive agriculture (USDA 2010b).

Soils of the Marimel sandy clay loam complex, encompassing approximately seven acres (2 percent) of the Project Site, are classified as Prime Farmland If Irrigated and Drained by the NRCS and have a Storie Index Rating of 65 or Grade 2 – Good suitability for intensive agriculture (USDA 2010b).

Soils of the Salinas silty clay loam complex, encompassing less than one acre (0.2 percent) of the Project Site, are classified as Prime Farmland If Irrigated by the NRCS and have a Storie Index Rating of 88 or Grade 1 – Excellent suitability for intensive agriculture (USDA 2010b).

4.15.1.7 Surrounding Land Use

As shown in Figure 4.15-1 a variety of land uses surround the Project Site. Agricultural uses abut all, or portions of, each of the site's sides. The northern side of the Project Site is bound by undeveloped land used for grazing. The northwestern side of the site abuts 32 acres of level, row crop terrain (north of Tank Farm Road). Active row crop terrain and hay-cropped land abuts the southern side of the site (near Esperanza Lane) and land used for livestock grazing also abuts the southern side of the site. The San Luis Obispo County Regional Airport (SLOCRA) is southeast of the site, with runways oriented northwest to southeast. Areas containing developed industrial and business parks with light manufacturing, commercial offices, and service uses lie to the northwest of the site (south of Meissner Lane), to the west of the site along Suburban Road (and south of Tank Farm Road), and to the southeast of the site. Recently developed parkland is northeast of the site and a mobile home park is east of the site (north of Tank Farm Road). The closest residential uses are the mobile home park and scattered residences within agricultural lands.

The Project Site is within a swath of land within the upper reaches of the Los Osos Valley that remains either open space or in agricultural use. This area is flanked to the west, east, and northeast by urban and suburban land uses within the City of San Luis Obispo (City), including the areas along the highway and local road approaches from the southwest (U.S. Highway 101 and South Higuera Street) and the southeast (along Broad Street). Areas immediately abutting the site still exhibit a semi-rural character, especially the lands north and south of the site.

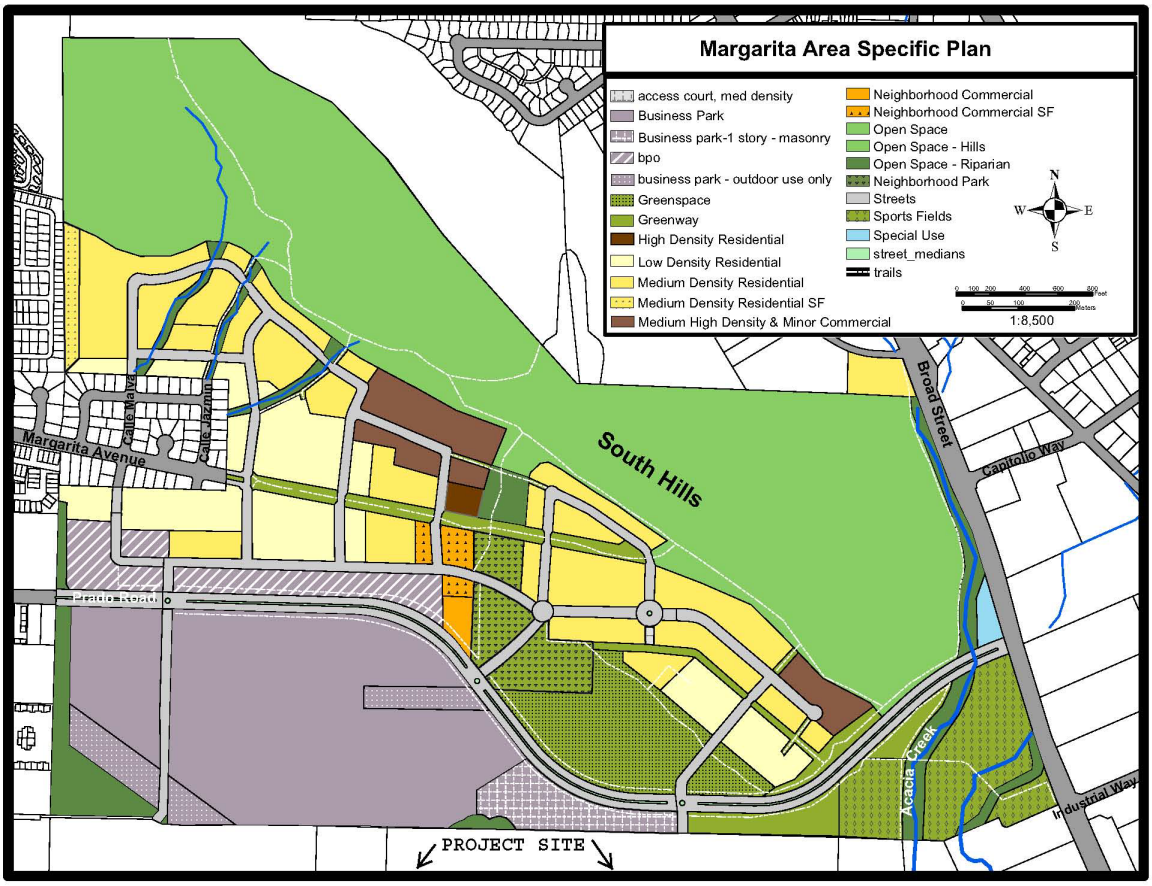
Much of the area is currently developed as semi-rural areas with a mix of agricultural and grazing land. This open agricultural land comprises most of the Project Site and its vicinity and is within the Urban Reserve Line of the City. Although past development and current use have resulted in relatively low acreage of farmland classifications under the California Department of Conservation categories, the underlying soil types in many areas of the City's Airport Area Specific Plan (AASP) and surrounding areas have the characteristics of prime agricultural soil, according to the U.S. Natural Resources Conservation Service. However, this excludes the

Project Site property affected by the 1926 fire and the consequently contaminated areas (FEIR 2003).

Within the City's AASP planning area, the California Department of Conservation Important Farmlands Map shows that the majority of this area (858 acres, or 61 percent) is comprised of lands with little or no agricultural value (i.e., designated by the state for Urban/Built-up or Other). This area has relatively limited amounts of Prime Farmland (65 acres, or five percent) and Farmland of Local Importance (40 acres, or three percent), and no lands designated for Farmlands of Statewide Importance or Unique Farmland. Approximately eight percent of the area is Farmland of Local Potential, a category with lower agricultural value (FEIR 2003).

The City's Margarita Area Specific Plan was adopted in 2004 and provides a comprehensive land use program for the area bounded by South Higuera Street, Broad Street, Tank Farm Road, and the ridge of the South Street Hills. This area is adjacent to the northern boundary of the Project Site. As shown in Figure 4.15-4, the Margarita Area Specific Plan identifies the properties immediately adjacent to the northern boundary of the Project Site with the following land uses: Open Space, Business Park, Greenway, and Sports Fields (City 2010a).

Figure 4.15-4 City's Margarita Area Specific Plan



Source: City 2010a

4.15.2 Regulatory Setting

The Project Site is currently within an unincorporated area of the County and, as such, is currently subject to applicable County planning documents, including the County General Plan and the County Airport Land Use Plan. If the Project Site were annexed into the City, the City's General Plan and AASP would be the applicable plans. Therefore, each of these plans is discussed.

4.15.2.1 State Policies and Regulations

California Land Conservation Act of 1965

The California Land Conservation Act of 1965, also known as the Williamson Act, encourages and enables local governments to enter into contracts with private landowners to restrict specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments that are much lower than normal because they are based on farming uses rather than full market value. Local governments receive a subsidy for forgone property tax revenues from the state via the Open Space Subvention Act of 1971.

4.15.2.2 Local Policies and Regulations

County General Plan Agriculture Element

While cattle grazing occurs on portions of the larger Project Site, the General Plan identifies the southerly tip of the Project Site (14 acres) with an Agriculture land use designation. The Agriculture Element establishes goals aimed at supporting, conserving and protecting agricultural production and resources. Appendix E, Policy Consistency Analysis, discusses the Project's consistency with the applicable goals and policies of the Agriculture Element. The following Agriculture Element policies may apply to the Project Site (SLOC 2010e):

AGP3: Right-to-Farm Ordinance

a. Re-affirm the County's Right-to-Farm Ordinance, Title 5 of the County Code, as an effective means to let the public know that the use of real property for agricultural operations is a high priority and favored use. The Right-to-Farm Ordinance requires disclosure statements between sellers and buyers of properties at the time of property transfer and through inclusion of disclosure statements on all discretionary land use permit applications administered by the County Department of Planning and Building.

b. Encourage the County Agriculture Department to: (1) maintain an outreach information program to make the local real estate industry and the public aware of the Right-to-Farm Ordinance and the disclosure provisions on property transactions, and (2) continue mediating issues relating to the Right-to-Farm Ordinance.

AGP9: Soil Conservation

a. Encourage landowners to participate in programs that reduce soil erosion and increase soil productivity. Promote coordination between the Natural Resources Conservation Service, Resource Conservation Districts, Consolidated Farm Services Agency, Morro Bay State and National Estuary, and other agencies and organizations.

b. Emphasize the long-range benefits of proper drainage control and tillage, cropping, soil amendment, and grazing techniques to minimize soil erosion.

c. Assure that roads and drainage systems on County-controlled properties and facilities do not negatively impact agricultural lands and that the roads and systems are properly maintained.

AGP10: Water Conservation

a. Encourage water conservation through feasible and appropriate "best management practices." Emphasize efficient water application techniques; the use of properly designed irrigation systems; and the control of runoff from croplands, rangelands, and agricultural roads.

b. Encourage the U.C. Cooperative Extension to continue its public information and research program describing water conservation techniques that may be appropriate for agricultural practices in this County. Encourage landowners to participate in programs that conserve water.

AGP11: Agricultural Water Supplies

a. Maintain water resources for production agriculture, both in quality and quantity, so as to prevent the loss of agriculture due to competition for water with urban and suburban development.

b. Do not approve proposed general plan amendments or rezonings that result in increased residential density or urban expansion if the subsequent development would adversely affect: (1) water supplies and quality, or (2) groundwater recharge capability needed for agricultural use.

c. Do not approve facilities to move groundwater from areas of overdraft to any other area, as determined by the Resource Management System in the Land Use Element.

AGP12: Pest, Vertebrate, and Weed Management

a. Assure that pests, such as squirrels and noxious weeds, are managed on County owned properties so as to avoid impacts on agriculture.

b. Encourage the use of integrated pest management techniques to manage pests, vertebrates, and weeds on both public and private lands.

c. Support and promote programs that help landowners learn pest control methods, utilizing the expertise of the U.C. Cooperative Extension and the County Agriculture Department.

AGP13: Agricultural Material Composting

a. Encourage the composting and re-use of agricultural commodities and materials.

b. The County should carefully evaluate and work cooperatively with appropriate state and federal agencies, local organizations and land owners to determine whether and under what circumstances bio-solids are appropriate for land disposal.

AGP14: Agricultural Preserve Program

a. Encourage eligible property owners to participate in the County's agricultural preserve program.

AGP17: Agricultural Buffers

a. Protect land designated Agriculture and other lands in production agriculture by using natural or man-made buffers where adjacent to non-agricultural land uses in accordance with the agricultural buffer policies adopted by the Board of Supervisor.

AGP18: Location of Improvements

a. Locate new buildings, access roads, and structures so as to protect agricultural land.

AGP20: Agricultural Land Divisions

a. Where a division of agricultural lands is proposed, a contiguous cluster division consistent with AGP 22 or 23 is an alternative to a conventional "lot split" land division.

b. Where a land division is proposed, the proposed parcels should be designed to ensure the long term protection of agricultural resources.

AGP24: Conversion of Agricultural Land

a. Discourage the conversion of agricultural lands to non-agricultural uses through the following actions:

    1. Work in cooperation with the incorporated cities, service districts, school districts, the County Department of Agriculture, the Agricultural Liaison Advisory Board, Farm Bureau, and affected community advisory groups to establish urban service and urban reserve lines and village reserve lines that will protect agricultural land and will stabilize agriculture at the urban fringe.

    2. Establish clear criteria in this plan and the Land Use Element for changing the designation of land from Agriculture to non-agricultural designations.

    3. Avoid land redesignation (rezoning) that would create new rural residential development outside the urban and village reserve lines.

    4. Avoid locating new public facilities outside urban and village reserve lines unless they serve a rural function or there is no feasible alternative location within the urban and village reserve lines.

AGP25: Unique or Sensitive Habitat

a. Encourage private landowners to protect and preserve unique or sensitive habitat.

b. For new development requiring a discretionary permit and for proposed land divisions, protect unique or sensitive habitat affected by the proposal through the following measures:

    1. Site the proposed development so as to avoid significant impacts on the habitat or significant impacts on the agricultural operations. Provide for adjustments in Project design where alternatives are infeasible, more environmentally damaging, or have a significant negative impact on agriculture.

    2. When significant impacts are identified, the landowner shall implement county-approved mitigation measures consistent with the existing requirements of the California Environmental Quality Act (CEQA).

AGP31: Recreational Use of Agricultural Lands

a. Encourage recreational uses on privately-owned lands on a case-by-case basis where such uses are compatible with on- and off-site agriculture and with scenic and environmentally sensitive resources.

County General Plan Land Use Element

The Inland Framework for Planning section of the Land Use Element provides the goals, principles and policies identified below that are related to agriculture (SLOC 2010f). Appendix

E, Policy Consistency Analysis, discusses the Project's consistency with the applicable goals, principles and policies of the Land Use Element related to agriculture.

Goal 3: To support preservation of the County's agricultural industry and the soils essential to agriculture.

Goal 5: To provide areas where agricultural, residential, commercial, and industrial uses may be developed in harmonious patters and with all the necessities for satisfactory living and working environments.

Principle 1: Preserve open space, scenic natural beauty and natural resources. Conserve energy resources. Protect agricultural land and resources.

> **Policy 6:** Encourage the protection and use of agricultural land for the production of food, fiber and other agricultural commodities, and support the rural economy and locally-based commercial agriculture.

Principle 2: Strengthen and direct development toward existing and strategically planned communities.

> **Policy 1:** Maintain rural areas in agriculture, low-intensity recreation, very low-density residential uses, and open space uses that preserve and enhance a well-defined rural character.

County General Plan Conservation and Open Space Element

The Soil Resources chapter of the Conservation and Open Space Element (COSE) provides the goals and policies identified below that are related to agriculture (SLOC 2010g). Appendix E, Policy Consistency Analysis, discusses the Project's consistency with the applicable goals and policies of the COSE related to agriculture.

Goal SL1: Soils will be protected from wind and water erosion, particularly that caused by poor soil management practices.

> **Policy SL 1.1:** Prevent loss of topsoil in all land uses.
>
> **Policy SL 1.2:** Promote soil conservation practices in all land uses.
>
> **Policy SL 1.3:** Minimize erosion associated with new development.

Goal SL3: Important Agricultural Soils will be conserved.

> **Policy SL 3.1:** Conserve important agricultural soils.

County of San Luis Obispo Area Plan

The Project Site falls within the San Luis Obispo Area Plan, which is a component of the Land Use Element. A small southern portion of the Project Site lies outside the Urban Reserve Line and has an Agriculture land use classification. This same portion of land lies within the Greenbelt Area as identified in the San Luis Obispo Area Plan and is considered a rural land use area. The Greenbelt Area is a voluntary and innovative method designed to preserve agricultural and open space uses (SLOC 2010c).

San Luis Obispo County "Right-to-Farm" Ordinance

The San Luis Obispo County "Right-to-Farm" Ordinance states that the use of real property for agricultural operations is a high priority and favored use. Ordinance No. 2561 (August, 1992), added Chapter 5.16 to Title 5 of the San Luis Obispo County Code relating to Agricultural Lands, Operations, and The Right To Farm.

Paragraph "b" of Section 5.16.020 (Findings and Policy) states:

> *"Where non-agricultural land uses occur near agricultural areas, agricultural operations frequently become the subjects of nuisance complaints due to lack of information about such operations. As a result, agricultural operators may be forced to cease or curtail their operations. Such actions discourage investments in farm improvements to the detriment of agricultural uses and the viability of the County's agricultural industry as a whole. It is the purpose and intent of this ordinance to reduce the loss to the County of its agricultural resources by clarifying the circumstances under which agricultural operations may be considered a nuisance."*

An additional purpose of this ordinance (Paragraph "c") is to promote a good neighbor policy by advising purchasers of residential property, and owners of other property in the County, of the inherent potential problems associated with the purchase of such property. Such concerns may include, but are not limited to, the noises, odors, dust, chemicals, smoke, and hours of operation that may accompany agricultural operations. It is intended that, through mandatory disclosures, purchasers and users will better understand the impact of living near agricultural operations and be prepared to accept attendant conditions as the natural result of living in or near rural areas.

Pre-existing agricultural uses are not a nuisance (Section 5.16.030). California Civil Code Section 3479 defines a "nuisance" as anything which is injurious to health, is indecent or offensive to the senses, or is an obstruction to the use of property, so as to interfere with the comfortable enjoyment of life or property. The County has determined that the use of real property for agricultural operations is a high priority and favored use to the County, and those inconveniences or discomforts arising from legally established agricultural activities or operations, as defined in the San Luis Obispo County Code, or state law, shall not be or become a nuisance. Therefore, the Project is, and will continue to be, subject to those inconveniences or discomforts arising from adjacent and surrounding agricultural operations, which, if conducted in a manner consistent with state law and County code, shall not be or become a nuisance.

County Title 22, Land Use Ordinance

The County's Land Use Ordinance is its zoning ordinance. It implements the policies of the General Plan, identifying allowable uses within each land use category and site planning, project design standards, and review procedures. Applicable agricultural regulations in the Land Use Ordinance are identified in Section 22.06.030 Allowable Land Uses and Permit Requirements, Section 22.30.070 Agricultural Processing Uses, and Section 22.108.040 Rural Area Standards (2010b).

County Regional Airport Land Use Plan

The County Regional Airport Land Use Plan (ALUP) identifies areas of significant aviation hazard by delineating certain safety areas. Safety Area S-1 constitutes the area within the vicinity

which aircraft operate frequently or operate in conditions of reduced visibility at altitudes less than or equal to 500 feet above ground level. The Project Site lies within the Safety Area S-1. The portion of the Project Site with a County agriculture land use designation falls within Safety Area S-1b and Safety Area S-1c, both of which are sub-areas of Safety Area S-1. Further, this portion of County agriculture-designated land may meet the definition of Reserve Space, which includes size, distribution, topography, obstruction, and agricultural criteria, such as allowing the grazing of cattle, sheep and goats, and ensuring the area is substantially free of structures (SLOC 2010d).

The County Regional ALUP identifies land use policies intended to ensure consistency with local actions, such as development proposals, building regulation modifications, and adoption or amendments to zoning ordinances, general plans and specific plans. Appendix E, Policy Consistency Analysis, discusses the Project's consistency with the applicable policies of the ALUP related to agriculture. The above projects and actions would be considered inconsistent with the County Regional ALUP if the following policies related to agriculture were not adhered to:

Policy G-3: Except as provided in Policy G-4, a proposed project or local action will be determined to be inconsistent with the Airport Land Use Plan if the proposal is not in conformance with all applicable Specific Land Use Policies. In the event that the site affected by a proposed project or local action is located in more than one noise exposure area or aviation safety area, the standards for each such area will be applied separately to the land area lying within each noise or safety zone.

Policy G-4: When the site affected by a proposed project or local action is located in more than one noise exposure area or aviation safety area, the Airport Land Use Commission may, at its sole discretion, elect not to apply the requirements of Policy G-3 if:

i. the total gross area(s) within the more restrictive area(s) is 2 acres or less; and
ii. the land area(s) within the more restrictive area(s) is less than 50 percent of the total gross land area affected by the referred project or local action

In such instance, the Airport Land Use Commission may elect to apply the policies applicable to the least restrictive noise and/or safety zone to the entire site affected by the project or local action. The Airport Land Use Commission must adopt specific findings that the proposed project or local action, so considered, would not result in the potential development of land uses incompatible with current or future airport operations.

Policy S-2: The proposed project or local action would permit or fail to adequately prohibit any future residential or nonresidential development or redevelopment which would create, within the site to be developed or redeveloped, a density greater than specified in Table 7 or any mixed-use development or redevelopment which would create, within the site to be developed or redeveloped, densities greater than illustrated in Figures 5 through 8.

Policy S-3: The proposed project or local action would permit or fail to adequately prohibit any future development project which specifies, entails, or would result in a greater building coverage than permitted by Table 7.

Policy O-1: Notwithstanding any other provision of this Airport Land Use Plan, any proposed general plan, general plan amendment, specific plan, specific plan amendment, zoning ordinance, zoning ordinance amendment, building regulation modification, or individual development proposal will be determined to be inconsistent with the Airport Land Use Plan if the proposed local action lacks sufficient provisions to ensure that both of the following provisions will be carried out:

iii. aviation easements will be recorded for each property developed within the area included in the proposed local action prior to the issuance of any building permit or conditional use permit; and

iv. all owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) will receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the airport area.

City General Plan Conservation and Open Space Element

The overarching goal of the Conservation and Open Space Element (COSE) is to protect resources, including agricultural lands, and accommodate passive recreation without interfering with agricultural operations. This element uses the term 'open space' broadly to include ranges, farmland and lands having prime agricultural soils. As shown in the General Plan Land Use Element map, the majority of the Project Site has an Open Space land use designation (City 2010b). Appendix E, Policy Consistency Analysis, discusses the Project's consistency with the applicable policies and programs of the COSE related to agriculture. The following COSE policies and programs may apply to the Project Site:

Policy 6.3.1, Old Mineral-Extraction Sites: The City will implement the following policies and will encourage other agencies with jurisdiction to do so:

a. Land use designations for old mineral-extraction sites shall reflect risks associated with them, and should generally be limited to "Open Space", "Agriculture", or "Park" designations on the Land Use Element map.

b. Previously active mineral-extraction sites should be secured and reclaimed in conjunction with any development approvals for the land on which they are located. Securing them means preventing access that entails unacceptable risk. Reclamation means re-establishing ground contours and vegetation to the extent feasible, use of erosion control measures to enhance and protect soil stability, water and air quality, wildlife habitat values and views.

Policy 6.5.1, Potential Mineral-Extraction Sites: On-site with mineral-extraction potential, the City will:

a. Prohibit mineral extraction within the City limits.

b. Prohibit mineral extraction and surface entry for extraction of oil or gas within open space owned by the City in fee or as an easement.

c. Encourage other agencies with jurisdiction to permit mineral extraction only if significant impacts to human health and the environment will be avoided and site restoration will be

assured. Impacts to be addressed include air and water quality, noise, habitat disruption, aesthetics, and geologic stability. All phases of the activity, including site access, must be addressed.

Policy 7.5.5, Soil Conservation and Landform Modification: Public and private development projects shall be designed to prevent soil erosion, minimize landform modifications to avoid habitat disturbance and conserve and reuse on-site soils.

Policy 7.6.1, Environmental Toxins: The City will avoid the use of synthetic organic chemicals unless there is no practical alternative, and support the use of integrated pest management techniques. When the use of a synthetic organic chemical cannot be avoided, the material shall be selective (its effect limited to the target species so far as possible), and it shall be applied selectively.

Program 7.7.6, Replace Invasive, Non-native Vegetation with Native Vegetation: The City and private development will protect and enhance habitat by removing invasive, non-native vegetation that detracts from habitat values and by replanting it with native California plant species. The Natural Resources Manager will prioritize projects and enlist the help of properly trained volunteers to assist in non-native vegetation removal and replanting when appropriate.

Policy 8.2.1, Open Space Preserved: The City will preserve as open space or agriculture the undeveloped and agricultural land outside the urban reserve line, including the designated Greenbelt as shown in Figure 5, and will encourage individuals, organizations, and other agencies to do likewise.

Policy 8.3.1, Open Space within the Urban Area: The City will preserve the areas listed in Goal 8.22, and will encourage individuals, organizations, and other agencies to do likewise. The City will designate these areas as Open Space or Agriculture in the General Plan.

Policy 8.3.2, Open Space Buffers: When activities close to open space resources within or outside the urban area could harm them, the City will require buffers between the activities and the resources. The City will actively encourage individuals, organizations, and other agencies to follow this policy. Buffers associated with new development shall be on the site of the development, rather than on neighboring land containing the open space resource. Buffers provide distance in the form of setbacks, within which certain features or activities are not allowed or conditionally allowed. Buffers shall also use techniques such as planting and wildlife-compatible fencing. Buffers shall be adequate for the most sensitive species in the protected area, as determined by a qualified professional and shall complement the protected area's habitat values. Buffers shall be required in the following situations:

a. Between urban development—including parks and public facilities—and natural habitats such as creeks, wetlands, hillsides and ridgelines, Morros, scenic rock outcrops and other significant geological features, and grassland communities, to address noise, lighting, storm runoff, spread of invasive, nonnative species, and access by people and pets (see also the Safety Element for "defensible space" next to wildland fire areas).

b. Between urban development and agricultural operations, to address dust, noise, odors, chemical use, and access by people and pets.

c. Between agricultural operations and natural habitat, to address noise, chemical use, sediment transport, and livestock access.

d. Between new development and cultural resources, to address visual compatibility and access by people.

e. Between new development and scenic resources or the greenbelt, to address view blockage, lighting and noise, and visual transition from urban character to rural character.

f. Urban development or uses located adjacent to the Urban Reserve Line (URL) to provide a transition to open space or greenbelt areas. Transition areas should add to the preservation of open space lands or resources. At a minimum, a 50 foot transition area (preserved in essentially a natural state) shall be provided within the Project along the Project boundary with the URL, unless the transition area is defined elsewhere in this Element.

Policy 8.4.1, Open Space for Safety: The City will preserve as Open Space, or as Agriculture, the areas listed in Goal 8.23 and will encourage individuals, organizations, and other agencies to do likewise (See also the Safety Element).

Policy 8.5.1, Public Access: Public access to open space resources, with interpretive information, should be provided when doing so is consistent with protection of the resources, and with the security and privacy of affected landowners and occupants. Access will generally be limited to non-vehicular movement, and may be visually or physically restricted in sensitive areas. Public access to or through production agricultural land, or through developed residential lots, will be considered only if the owner agrees (Land for active recreation is typically designated "Park" in the General Plan Land Use Map). The City shall also designate open space areas that are not intended for human presence or activity.

Policy 8.5.3, Open Space Enhancement and Restoration: The City will enhance and restore open space resources identified in Goals 8.21, 8.22, and 8.23, and will encourage individuals, organizations, and other agencies to do likewise.

Policy 8.6.1, Loss of Open Space: The City may permit loss of an open space resource, as described in Goals 8.21 and 8.22, only when:

a. Preserving the resource would permanently deprive the landowner of all reasonable use, and acquisition by the City or a conservation organization is not feasible, or

b. There is a demonstrated need, based on public health, safety, or welfare, and there is no practical alternative to loss of the resource, or

c. The resource is on a small parcel essentially surrounded by urban development, and the development contributes to the protection of agricultural land in the urban reserve or greenbelt through transfer of development credit, dedication of open space easements or fee ownership, direct funding for open space acquisition or another equally effective method, as further described in the Land Use Element.

Policy 8.6.2, Extent of Open Space Loss: The extent of loss or degree of harm to the resource shall be minimized, consistent with the justifications for any loss provided above. Where creeks

must be modified for flood protection or bank stability, the modification shall be patterned after natural conditions to the maximum extent feasible.

Policy 8.6.3, Required Mitigation: Loss or harm shall be mitigated to the maximum extent feasible. Mitigation must at least comply with federal and state requirements. Mitigation shall be implemented and monitored in compliance with state and federal requirements, by qualified professionals, and shall be funded by the Project Applicant.

a. For a widespread habitat type or for farmland, mitigation shall consist of permanently protecting an equal area of equal quality, which does not already have permanent protection, within the San Luis Obispo Planning Area.

b. Any development that is allowed on a site designated as Open Space or Agriculture, or containing open-space resources, shall be designed to minimize its impacts on open space values on the site and on neighboring land.

    1. Hillside development shall comply with the standards of the Land Use Element, including minimization of grading for structures and access, and use of building forms, colors, and landscaping that are not visually intrusive. (See also Chapter 9.21.1)

    2. Creek corridors, wetlands, grassland communities, other valuable habitat areas, archaeological resources, agricultural land, and necessary buffers should be within their own parcel, rather than divided among newly created parcels (Figure 8). Where creation of a separate parcel is not practical, the resources shall be within an easement. The easement must clearly establish allowed uses and maintenance responsibilities in furtherance of resource protection.

    3. The City will encourage the County not to create new parcels within the greenbelt, with the exception of those permitted under the County's agriculture cluster incentive. Outside of cluster districts, allowed parcel sizes within the greenbelt should be no smaller, and the number of dwellings allowed on a parcel should be no greater than as designated in the September 2002 San Luis Obispo Area Plan and related County codes.

Program 8.7.1, Protect Open Space Resources: The City will take the following actions to protect open space, and will encourage individuals, organizations, and other agencies to take the same actions within their areas of responsibility and jurisdiction:

a. Maintain the urban reserve line location, except where a relatively small enlargement of the urban area is tied to permanent protection of substantial open land that did not previously have assured protection.

b. Promote open space protection by annexing and applying Conservation and Open Space (C/OS) and Agriculture zoning to private property where appropriate and consistent with General Plan goals and policies.

c. Set conditions of subdivision and development approvals consistent with General Plan goals and policies.

d. Acquire land or interests in land for open space, pursuant to City Open Space Guidelines and acquisition priorities. (See also Appendix B, "Acquisition of Open Space.")

1. Obtain dedications of fee ownership or easements as gifts or in exchange for development approvals.
2. Seek and use grants, donations, other revenue sources, and long-term financing mechanisms to purchase fee ownership or easements. The City will maintain annual funding for open space acquisition and protection, and will explore all potential funding sources and other creative incentive programs, including general obligation bonds, sales tax increase, property transfer tax, assessment districts, tax incentives, and state and federal loans and grants.
3. Advocate Countywide planning and funding for open space protection.

e. Manage its open space holdings and enforce its open space easements, consistent with General Plan goals and policies and the Open Space Ordinance. (See also Appendix C, "Management of Open Space")

f. Encourage transfer of development credit from open lands to lands designated for development, or retirement of development credit.

g. Locate, design and operate facilities consistent with General Plan goals and policies.

h. Encourage sustainable agricultural practices to protect the health of human and natural communities, and to minimize conflicts between agriculture and urban neighbors, avoid grading adjacent to or within creeks and wetlands and limit livestock access within creeks and wetlands.

i. Provide information for citizens and in particular, landowners, on the values and techniques for resource protection and land conservation.

j. Improve interagency cooperation for open space acquisition, greenbelt, creeks, wetlands, and wildlife habitat protection in open space areas by coordinating with other government agencies and organizations having interest or expertise in resource protection.

k. Avoid imposing taxes or fees that discourage retention of open space or agricultural uses.

l. Establish mutually respectful, long-term relationships with landowners, and conservation organizations such as land trusts, and local environmental organizations.

m. Maintain the position of Natural Resources Manager so that open space functions are consolidated in one existing City department under one person.

n. The Natural Resource Manager will establish and periodically review performance standards and dimensions for buffers between open space or agricultural resources and urban uses.

Program 8.7.2, Enhance and Restore Open Space: The City will do the following in support of open space enhancement and restoration, in coordination with other agencies and organizations, and will encourage individuals, organizations, and other agencies to take the same actions within their areas of responsibility:

a. Inventory natural areas that have been degraded, beginning with City-owned property, and prepare a list of sites and activities, in priority order, for restoration efforts.

b. Establish self-sustaining populations of native species that were historically found in natural habitat areas.

1. Revegetate disturbed and over-grazed upland areas, including grassland communities, using site-specific or region-specific plants so far as practical.
2. To reverse historical trends of creek channelization and modification, re-establish native riparian vegetation.
3. Eliminate sources of water pollutants and improper water diversions.

c. Remove invasive, non-native species in natural habitat areas, and prevent the introduction or spread of invasive, non-native species and pathogens.

d. Where allowed by City ownership, easements, or other agreements, remove man-made elements such as buildings, paving, concrete lining of waterways, signs, and utilities, when they are contrary to the purpose for the open space and they are not needed for public health or safety, or for implementation of City plans.

e. Provide and maintain suitably-sized access corridors through or under new and previously established, man-made obstacles to wildlife movement (such as appropriately sized culverts under arterial streets, highways and other major roads).

f. Remove trash, debris, and contaminants, using methods that minimally disrupt the open-space resources.

g. Provide continuing community education and outreach for all citizens, youth and youth groups, and property owners on open space and natural resource values, programs and responsibilities.

h. Enlist the help of volunteers and academic programs in restoring and monitoring habitat health.

i. Set conditions of subdivision and development approvals consistent with General Plan goals and policies. (See also Chapter 8.25.1)

j. Following adequate public review, adopt conservation plans for open space areas under City easement or fee ownership. The plans shall include a resource inventory, needs analysis, acceptable levels of change, grazing, monitoring, wildlife (including listed species, sensitive species, and species of local concern, management and implementation strategies, including wildfire preparedness plans.

k. Identify and secure alternative funding mechanisms for re-planting degraded creek corridor sections with native California vegetation.

Policy 9.1.1, Preserve Natural and Agricultural Landscapes: The City will implement the following policies and will encourage other agencies with jurisdiction to do likewise:

a. Natural and agricultural landscapes that the City has not designated for urban use shall be maintained in their current patterns of use.

b. Any development that is permitted in natural or agricultural landscapes shall be visually subordinate to and compatible with the landscape features. Development includes, but is not limited to buildings, signs (including billboard signs), roads, utility and telecommunication lines and structures. Such development shall:

1. Avoid visually prominent locations such as ridgelines, and slopes exceeding 20 percent.

2. Avoid unnecessary grading, vegetation removal, and site lighting.
3. Incorporate building forms, architectural materials, and landscaping, that respect the setting, including the historical pattern of development in similar settings, and avoid stark contrasts with its setting.
4. Preserve scenic or unique landforms, significant trees in terms of size, age, species or rarity, and rock outcroppings.

Policy 10.1.2, Competition for Supplies: The City will consider the effects of water supply projects on agriculture, wildlife habitat and stream flows, and should ensure continued water availability for these uses in planning for long-term water supplies. The City will encourage individuals, organizations, and other agencies to follow this policy.

City Title 17, Zoning Ordinance

The City's Zoning Ordinance implements the zoning and land use policies of the General Plan, identifying allowable uses within each land use category and site planning, project design standards and review procedures. Applicable agricultural regulations in the Zoning Ordinance are identified in Section 17.33 Agriculture (AG) Zone. This section states the purpose of the AG zone is intended to encourage conservation of agricultural lands and continuation of agricultural uses and keeping of livestock where compatible with urban development. It also states that the AG zone will be applied to areas designated on the general plan map as "conservation open space" and "interim open space" where there has been a history of agricultural cultivation and keeping of livestock (City 2010c).

City Airport Area Specific Plan

The City's Airport Area Specific Plan (AASP) provides a comprehensive land use program intended to guide future growth and development of the planning area, which is approximately 1,500 acres of unincorporated land along the City's southern boundary. The Project Site rests at the heart of the planning area (City 2010d). The following AASP policies and programs may apply to the Project Site:

Policy 3.2.4, Wetlands and Buffer Areas: Designate for open space use wetlands and their associated buffer areas.

Policy 3.2.5, Restoring Marginal or Degraded Wetlands: When reviewing plans to restore marginal or degraded wetlands, require: (1) techniques for isolation, stabilizing, or removing petroleum contamination of soil and groundwater that minimize disturbance of existing wetland and other surface resource values; (2) configuration of the ground surface to retain wetland characteristics; (3) removal of invasive, non-native plants; (4) introduction of native plants; (5) methods approved by the Regional Water Quality Control Board, and the City Fire Department; and (6) will not create a significant attraction for large birds in consideration of airport safety.

Policy 3.2.6, Expansion of Wetlands: Where suitable buffers can be provided, expand wetlands into areas within the wetlands complex that are conducive to wetlands, but that do not initially meet the definition of wetlands.

Policy 3.2.7, Mitigation of Wetland Losses: Utilize suitable portions of the Unocal property for on-site mitigation of wetland losses on the Unocal property and, if agreed to by the property

owner, off-site mitigation of wetland losses associated with development elsewhere in the Airport Area and Margarita Area.

Policy 3.2.8, Professional Direction of Wetland Work: Assure that all wetlands restoration, enhancement, and creation will be under the direction of qualified professionals. Seek the cooperation of trustee agencies, such as the California Department of Fish and Game, and obtain any necessary approvals from these agencies.

Policy 3.2.9, Design of Detention Areas: Design on-site drainage detention areas within the Airport Area to support wetlands characteristics, so they will be visually attractive elements of the landscape and components in a system of wildlife habitat, in addition to flood control facilities.

Policy 3.2.10, Recreational Use of Wetlands Complex: Recreational use of the wetlands complex and buffer areas should be limited to non-intrusive observation and study. The type and extent of public access should be restricted in order to maintain high-quality wildlife habitat.

Policy 3.2.13, Native Bunchgrass: Preserve the native bunchgrass area on the northeast corner of the Unocal property, with an appropriate open space buffer.

Policy 3.2.14, Unocal Property Open Space Lands: Designate open space lands on the Unocal property as a permanent ecological preserve dedicated to the preservation and enhancement of the area's natural resources, and public environmental education.

Policy 3.2.15, Continuous Open Space Corridors: Provide continuous open space corridors linking open space resources within the Airport Area to resources outside the Airport Area.

Policy 3.2.16, Continuous Wetlands: Development in the Airport Area should not isolate or further fragment wetlands, uplands or their associated habitat areas.

Policy 3.2.17, Interrupt Flow of Contaminants: At every opportunity, interrupt the pathways that allow petroleum contamination to enter the biological food chain. Techniques used to interrupt the flow of contaminants should be those that are least disruptive to habitat at the ground and water surface.

Policy 3.2.18, Mitigate Loss of Ag and Open Space Land: To mitigate the loss of agricultural and open land in the Airport Area, development shall help protect agricultural and open space lands to the south and east by securing protected areas at least equal to the area of new development, where on-site protection is not available.

Policy 3.2.19, Protection for On-Site Resources: Airport Area properties shall secure protection for any on-site resources identified in the General Plan. These properties, to help maintain the greenbelt, shall also secure open space protection for any contiguous, commonly owned land outside the urban reserve. If it is not feasible to directly obtain protection for such land, fees in lieu of dedication shall be paid when the property is developed, to help secure the greenbelt in the area south of the City's southerly urban reserve line. In lieu of off-site open space protection, the Unocal Tank Farm Site shall preserve the open space resources that occupy the majority of the site and provide long-term maintenance and enhancement of these resources.

Policy 3.2.23, Designation of Contaminated Land: Designate as open space undeveloped, contaminated land that has significant open space values.

Policy 3.2.24, City Consideration of "Changed Conditions" on the Unocal Property: It is acknowledged that Unocal is preparing, or will be preparing, a remediation plan for the Unocal property addressing the contaminated areas on the site. If, in the course of the review and approval process for such remediation, it is determined by the regulating agencies (Corps of Engineers, California Department of Fish and Game, Regional Water Quality Control Board) that:

1. Physical remediation that will destroy the site as a wetland is necessary; and

2. Mitigation for such destruction is permitted to be mitigated off-site, or in another location on the Unocal property,

Such that the wetland and associated upland buffer values no longer exist, then the City may consider proposals for changes to the Specific Plan allowing uses of the remediated site which are other than open space. Changes proposed to the Specific Plan shall be referred to the Airport Land Use Commission and shall be consistent with the Cluster Development Zone requirements of the Airport Land Use Plan (See Airport Area Specific Plan Policy 4.5.1).

Program 3.3.5, Establish Mitigation Bank: The City will work with the California Department of Fish and Game, responsible federal officials, and administration of the County Airport, to establish a "mitigation bank" within the Unocal property to serve the mitigation needs of the Airport and Margarita Areas, consistent with the operating needs of the County Airport.

Program 3.3.6, Public Access (Unocal Property): The City will work with the property owner and local conservation organizations to ensure that public access to the Unocal property is limited to levels compatible with maintaining habitat values in the area.

Program 3.3.8, Open Space Connections: The City will ensure that development north and east of the Unocal property remains an open space corridor connection to the Margarita Area's athletic fields and Acacia Creek, and on to the South Street Hills. This corridor may include recreational facilities but will be designed to allow movement of wildlife through it.

Program 3.3.15, Urban Reserve Expansion: Any projects involving minor expansions of the urban reserve shall secure open space or agricultural land adjoining but outside the new urban reserve line location. The open space or agricultural land secured shall be large enough to effectively discourage additional urban development beyond the urban reserve line. It shall be secured by easement or fee ownership by the City or a qualified land conservation organization.

Program 3.3.18, Expanding Wetlands: Expand the existing major wetland north to Tank Farm Road to the northwest and provide a suitable upland edge, in conjunction with redevelopment of the part of the Unocal property that contained company offices.

4.15.3 Significance Criteria

According to Appendix G of the CEQA guidelines, a project would have a significant adverse environmental impact on agricultural resources if it would:

i. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to nonagricultural use, as shown on the maps prepared under the Farmland Mapping and Monitoring Program of the California Resources Agency;

ii. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract;

iii. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use;

iv. Be potentially inconsistent with County and City agricultural policies.

4.15.4 Impact Methodology

The methodologies for analyzing the Project's potential impacts to agriculture are based on the guidelines, policies, and procedures identified in the City and County General Plans, the County Regional Airport Land Use Plan, the City AASP, the Guide to Farmland Mapping and Monitoring Program (FMMP), and the California Land Evaluation and Site Assessment Model (LESA), and consultation with the County Department of Agriculture. The California Department of Conservation and the County Department of Planning and Building's websites were accessed to obtain GIS mapping and metadata information related to the Project.

The following methods may determine the extent and/or significance of the Project's impact on agricultural resources:

- Identify on-site soils that would be impacted based on their NRCS designation of Prime Farmland. The NRCS defines Prime Farmland soils as land with the best combination of physical and chemical features able to sustain long-term production of agricultural crops. Using this method, approximately 20 acres of the Project Site would be impacted (see Table 4.15-1 and Figure 4.15-2).

- Identify on-site soils that would be impacted based on their Storie Rating. Storie Ratings of one, two, and three represent soils with excellent, good, and fair qualities for agricultural production. Using this method, approximately 20 acres of the Project Site would be impacted (see Table 4.15-1 and Figure 4.15-3).

- Identify any on-site land classified by the Farmland Mapping and Monitoring Program with an agricultural designation that would be directly converted as a result of the proposed development and/or use. Using this method, approximately 20 acres of the Project Site would be impacted (see Table 4.15-1.

- Identify on-site and off-site areas with a County agriculture land use designation that would be directly converted or would indirectly contribute to the conversion of land as a result of the proposed development and/or uses. Using this method, approximately 14 acres of

agricultural land would be impacted. This potentially impacted land is located at the southerly tip of the Project Site (see Figure 2-21).

The California Agriculture LESA Model developed by the Department of Conservation provides a method for quantifying potential impacts on agricultural resources by allowing the relative quality of land resources to be rated based on specific measurable features. The LESA Model is composed of six different factors that are separately weighted relative to one another and then combined resulting in a single numeric score that becomes the basis for determining a project's potential impact significance. Two of the factors are based on soil resource quality and four factors are based on a project's size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands (CDC 1997).

The following section discusses the impacts of the Project on agricultural resources. Impact discussions are provided for remediation/restoration, the City Development Plan, and the County Development Plan. Discussion of potential inconsistencies with applicable County and City agricultural policies are provided in Appendix E – Preliminary Policy Consistency Analysis.

4.15.5 Remediation Project Impacts and Mitigation Measures

Impact #	Impact Description	Phase	Residual Impact
AR.1	The remediation and restoration activities would result in the conversion of farmland or grazing land to non-agricultural uses.	Remediation	Class III

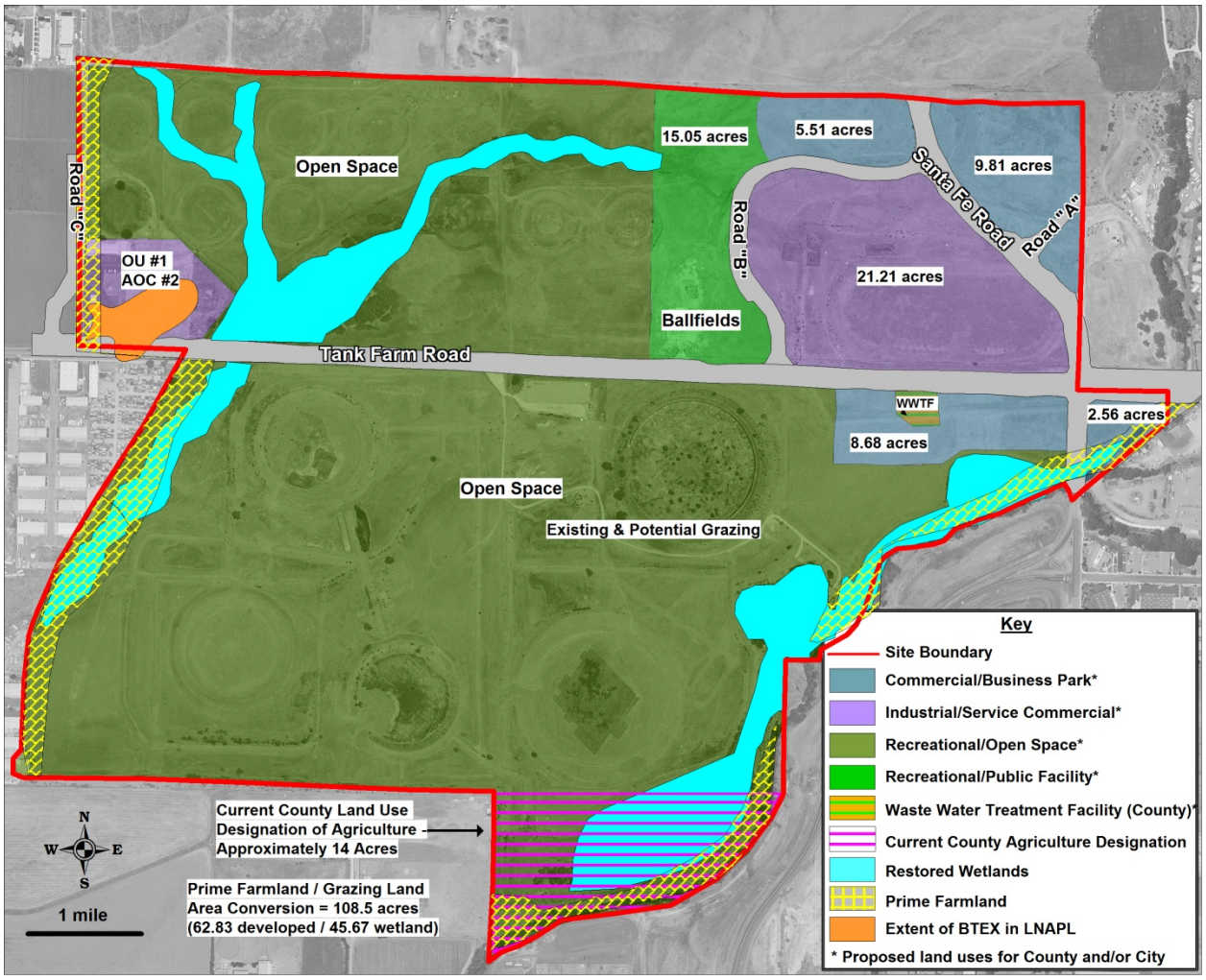
Historically, the Project Site has not been used for agricultural purposes, but rather has been used primarily as an oil storage terminal to serve as the accumulation point for the petroleum pipeline from the San Joaquin Valley. The terminal was built in 1910 and continued to operate at various levels until the late 1990s when it was formally decommissioned. After the decommissioning, the site has been used for cattle grazing as a method for weed control. This has been the only form of agricultural use at the site for the past 100 years.

As previously stated, the FMMP designates farmland by soil type and existing land use. As detailed in Table 4.15-1 and Figure 4.15-2, the majority of land within the Project Site (approximately 307 acres or 94 percent) is designated by the FMMP as Other Land or Not Prime Farmland by the NRCS. Approximately 20 acres (6 percent) is designated as Prime Farmland by the FMMP and is broken down further by NRCS classifications as follows: 13 acres (4 percent) is designated Prime Farmland If Irrigated and approximately 7 acres (2 percent) is designated Prime Farmland If Irrigated and Drained. However, the portion of the Prime Farmland If Irrigated and Drained that lies within the Northwest Operation Area is not feasible or conducive to commercial agricultural production as this area is currently developed with buildings, utilities, and pavement.

Figure 4.15-5 shows the Prime Farmland areas and proposed restored wetlands on the Project Site. As previously stated, the FMMP designates farmland by soil type and existing land use. As detailed in Table 4.15-1 and Figure 4.15-2, the majority of land within the Project Site (approximately 307 acres or 94 percent) is designated by the FMMP as Other Land or Not Prime

Farmland by the NRCS. Approximately 20 acres (6 percent) is designated as Prime Farmland by the FMMP and is broken down further by NRCS classifications as follows: 13 acres (4 percent) is designated Prime Farmland If Irrigated and approximately 7 acres (2 percent) is designated Prime Farmland If Irrigated and Drained.

Figure 4.15-5 Project Development on Prime Farmland



Source: RAP, AVOCET 2007; MRS

The areas of Prime Farmland are located on the western and southerly edges of the Project Site. However, this Farmland is poorly configured for agricultural production. It consists of narrow strips of land that have a maximum width of approximately 200 feet. Approximately 55 percent of the Farmland is less than 100 feet wide. In addition, much of this land is encumbered by existing wetlands (as shown in Figure 4.2-3). Additionally, the portion of the Prime Farmland If Irrigated and Drained that lies within the Northwest Operation Area is not feasible or conducive to commercial agricultural production as this area is currently developed with buildings, utilities, and pavement.

The remediation activities would only affect the Prime Farmland that is located along the western border of the Northwest Operations Area. The Applicant is proposing to construct a remedial soil cap, a minimum of 4 feet in thickness in this area. The cap would provide a barrier between the affected soil and potential receptors. None of the other Prime Farmland on the Project Site would be directly impacted by the remediation activities. A portion of the remedial soil cap would extend off-site on to the adjacent agricultural parcel located just to the west of the Northwest Operations Area. The off-site area that would be capped is approximately 20 feet wide, and approximately 500 feet long running north to south. This adjacent parcel has historically been used for row crops as shown in Figure 4.15-1. Installation of the remedial cap could limit the use of this area for row crops. However, the area is about 0.2 acres and the entire parcel is about 32 acres. This small reduction in available acreage would not affect the viability of this parcel to continue row crop production.

As part of the remediation process, restoration activities would occur at various areas around the Project Site. Figure 2-15 shows the conceptual restoration plan for the site and the area where wetland, Vernal Pool Fairy Shrimp (VPFS) habitat and terrestrial habitat would be restored. About 10 acres of Prime Farmland would be converted to wetlands as part of the restoration process. However, as discussed above, these areas are small narrow strips that are not suitable for sustained agriculture. Therefore, the impacts of the remediation and remediation/restoration project on the conversion of Prime Farmland would be less than significant.

During the three years of remediation there would be no cattle grazing at the Project Site due to potential conflicts associated with the cattle and the construction equipment and activities that would be occurring on-site. Once the remediation and restoration project is complete, cattle grazing could return to the site, but would have to be limited to areas outside of the restored wetland, VPFS habitat, and terrestrial areas. Given the biological sensitivity of these areas, it is likely that the Applicant would have to coordinate with the USFWS and CDFW to determine how to manage cattle at the site so they do not impact any of the biologically sensitive restoration areas.

With the multitude of site constraints, the historical use of the Project Site, and the limited grassland that is accessible for grazing, the Project Site has only has limited and intermittent grazing for the purpose of fire prevention and weed control since the 1990s. Historically, the Project Site has not been used for continuous cattle grazing for the purpose of raising animals.

Given that the Project Site is only used for limited cattle grazing to control weeds, the multitude of site constraints, the historical use of the site, and the limited grassland that is accessible for grazing, the impacts of the remediation and restoration activities on the conversion of grazing land would be less than significant.

Mitigation Measures

No mitigation measures are required since the impact is less than significant.

Residual Impacts

The residual impact would be *less than significant (Class III)*.

Impact #	Impact Description	Phase	Residual Impact
AR.2	The remediation and restoration activities would potentially conflict with existing zoning for agricultural use or with a Williamson Act contract.	Remediation	Class III

As previously stated, the County's agricultural preserve program identifies areas where the County is willing to enter into a Land Conservation Act (Williamson Act) contract with property owners based on an approved set of criteria. Lands that enter into the County's agricultural preserve program are subject to zoning restrictions including parcel size restrictions ranging from 40 acres for prime land and 100 acres for nonprime land. Under a Land Conservation Act contract, the property owner agrees not to develop the property for a period of 10 to 20 years in exchange for property tax reductions based on the property's value as open space or agricultural, rather than developable, land.

The Project Site does not fall within a Williamson Act contract, nor do any of the adjacent properties. Therefore, the remediation component of the Project would not conflict with a Williamson Act Contract.

The Project Site is not currently zoned agricultural by the City under its AASP; however, the County General Plan identifies the southerly tip of the Project Site (14 acres) with an Agriculture land use designation (see Figure 4.15-5). Although this land has an Agriculture designation, only four acres (approximately) are designated as Prime Farmland with the remainder being Not Prime Farmland, with a portion of the area being wetlands.

None of the remediation activities would occur on the area that is currently zoned for agriculture. As shown in Figure 2-15 some of the proposed restoration activities would occur within the area zoned for agriculture. Portions of this area would be converted to wetlands. As discussed above for Impact AG.1, given the multitude of site constraints, the historical use of the Project Site, and the limited grassland that is accessible for grazing, the Project Site has only had limited and intermittent grazing for the purpose of weed control since the 1990s. Historically, the Project Site has not been used for continuous cattle grazing for the purpose of raising animals.

Given that the Project Site is only used for limited cattle grazing to control weeds, the multitude of site constraints, the historical use of the site, and the limited grassland that is accessible for grazing, the impacts of the remediation and restoration activities on the agriculturally zoned lands would be less than significant.

Mitigation Measures

No mitigation measures are required since the impact is less than significant.

Residual Impacts

The residual impact would be *less than significant (Class III)*.

Impact #	Impact Description	Phase	Residual Impact
AR.3	The remediation component of the Project would involve other changes in the existing environment, such as deed restrictions and a land use covenant on an adjacent property, which, due to their location or nature, could result in the conversion of farmland to non-agricultural use.	Remediation	Class II

As shown in Figure 4.15-1 a variety of land uses surround the Project Site. Agricultural uses abut all, or portions of, each of the Project Site's sides. Much of the area is currently developed as semi-rural areas with a mix of agricultural and grazing land. This open agricultural land is within the Urban Reserve Line of the City. Although past development and current use have resulted in relatively low acreage of farmland classifications under the California Department of Conservation categories, the underlying soil types in many areas of the City's AASP and surrounding areas have the characteristics of prime agricultural soil, according to the U.S. Natural Resources Conservation Service. However, this excludes the Project Site which was affected by the 1926 fire and the consequently contaminated areas (FEIR 2003).

Northern Properties

Properties abutting the northern side of the Project Site comprise of undeveloped land used for grazing. These properties are within the City limits and have either an Open Space or Business Park land use designation. These properties also fall within the City's Margarita Area Specific Plan, which designates them as Open Space, Business Park, Greenway, or Sports Field land use categories (see Figure 4.15-4). The Project would not preclude the continuation of current grazing activities permitted under the Open Space or Business Park classification. Therefore, the remediation project would not result in the conversion of this adjacent farmland to non-agricultural use.

None of the remediation activities would occur in close proximity to this adjacent parcel so dust generation would not be expected to affect the cattle grazing operations.

Northwestern Properties

The northwestern side of the site abuts 32 acres of level, row crop terrain (north of Tank Farm Road and west of the Project Site) that typically grows bell peppers or tomatoes. Areas containing developed industrial and business parks with light manufacturing, commercial offices, and service uses, abut these 32 acres on three sides. These properties are within the City limits and have a Services & Manufacturing land use designation. The northwestern portion of the Project Site, the Northwest Operations Area, has three buildings, utility lines, a paved parking lot, fencing, and other ancillary facilities, which would not preclude the continuation of current agricultural activities on the adjacent 32 acres, nor would the surrounding land use activities since they already co-exist. However, remediation activities on the Project Site could potentially impact the adjacent 32-acre property and the current farm operations. Dust generated by the demolition of the existing buildings and structures in the Northwest Operations Area, pipeline decommissioning activities, and remediation activities could produce a significant short-term impact and temporarily affect the productivity of row crops.

The Applicant is proposing to construct a remedial soil cap, a minimum of 4 feet in thickness at the Northwest Operations Area. The cap would provide a barrier between the affected soil and

potential receptors. A portion of the remedial soil cap would extend off-site on to the adjacent agricultural parcel located just to the west of the Northwest Operations Area. The off-site area that would be capped is approximately 20 feet wide, and approximately 500 feet long running north to south. This adjacent parcel has historically been used for row crops as shown in Figure 4.15-1. Installation of the remedial cap could limit the use of this area for row crops. However, the area is about 0.2 acres and the entire parcel is about 32 acres. The Applicant has proposed as part of their project to have a land use convent for this adjacent property that would limit the land uses for the portions of the property that have been affected by petroleum contamination from the Project Site. The Applicant has proposed that the covenants related to land use would be reviewed and agreed upon by the lead municipality once the Remedial Action Plan (RAP) has been ratified by the RWQCB. This small reduction in available acreage would not affect the viability of this parcel to continue row crop production. Therefore, the remediation component of the Project would not result in the conversion of this adjacent farmland to non-agricultural use.

Southern Properties

Active row crop terrain and hay-cropped land abuts the southern side of the Project Site (near Esperanza Lane) and land used for livestock grazing also abuts the southern side of the site (refer to Figure 4.15-1). Areas containing developed industrial and business parks with light manufacturing, commercial offices, and service uses lie to the north of these agriculturally-used lands. The western portion of these agriculturally-used lands is within the City limits and has either an Open Space or Business Park land use designation. The eastern portion of these agriculturally-used lands is within the County limits (outside the URL) and has an Agriculture land use designation. The City also designates these properties as either Open Space or Agriculture. Existing County policies generally establish that development should occur within or contiguous to the limits of the existing URLs. These properties are adjacent to the URL. However, it should be noted that the portion of land south of the Project Site lies within the Greenbelt Area as identified in the San Luis Obispo Area Plan and is considered a rural land use area. That said, neither the Project, with its combination of Conservation/Open Space and Recreation land use designations, nor the adjacent properties designated Services & Manufacturing, would preclude the continuation of current agricultural activities permitted under existing land use classifications.

However, the property adjacent to the south of the Project Site, also known as the Betita Property, along with the adjacent area in the Project Site, has a localized presence of petroleum in the subsurface (See Figure 2-6). The off-site area affected by this subsurface contamination is about five acres, and has historically been used for grazing. The Applicant has proposed as part of their project to have a land use convent for this adjacent property that would limit both the land use and the use of shallow groundwater for the portions of the property that have been affected by petroleum contamination from the Project Site. The Applicant has proposed that the covenants related to land use and groundwater would be reviewed and agreed upon by the lead municipality once the Remedial Action Plan (RAP) has been ratified by the RWQCB. Since the petroleum contamination is subsurface, the area could still be used for grazing, but other type of development and agriculture (i.e., row crops) could be limited by the Applicant proposed convent. Therefore, the remediation component of the Project would not result in the conversion of this adjacent farmland to non-agricultural use.

No remediation activities are proposed for the southern edge near these adjacent agricultural properties. However, restoration work would occur along the southern edge of the Project Site. Dust generated from the restoration work could affect the productivity of row crops on agricultural parcels to the south, which could be a temporary, short-term significant impact.

Mitigation Measures
Implement mitigation measures AQ-1b, AQ-2a, and AQ-2b.

Residual Impacts
The application of mitigation measures AQ-1b, AQ-2a, and AQ-2b would serve to minimize dust impacts of the proposed development on adjacent row crop agricultural properties. With the implementation of these mitigation measures the impacts would be considered *less than significant with mitigation (Class II).*

4.15.6 City Development Plan Impacts and Mitigation Measures

Impact #	Impact Description	Phase	Residual Impact
AR.4	The City Development Plan would result in the conversion of farmland or grazing land to non-agricultural uses.	Development	Class III

The City Development Plan would involve development of approximately 17 percent of the Project Site with approximately 800,000 square feet (floor area) of business park and service commercial uses, and would include parking, landscaping, open space, recreational playing fields, and bicycle/pedestrian trails. The City Development Plan could also include land for the City to construct public facilities such as a transit maintenance yard and storage facility or a fire station and training facility. Build-out of this plan would involve finish grading followed by construction of the structures over a 25-year period.

The location of the proposed development is shown in Figure 4.15-5. Development of the Northwest Operational Area, on the west side of the Project Site is the only area that would impact Prime Farmland. The Northwest Operations Area is developed with buildings, utilities, and pavement is not used for agricultural purposes. Therefore, this Prime Farmland would not represent a conversion to non-agricultural uses.

About 30 acres of land that is currently available for grazing would be converted to development. With the multitude of site constraints, the historical use of the Project Site, and the limited grassland that is accessible for grazing, the Project Site has only has limited and intermittent grazing for the purpose of weed control since the 1990s. Historically, the Project Site has not been used for continuous cattle grazing for the purpose of raising animals.

Cattle grazing could continue on the site with the development, but would have to be limited to areas outside of the restored wetland, VPFS habitat, and terrestrial areas. Given the biological sensitivity of these areas, it is likely that the Applicant would have to coordinate with the USFWS and CDFW to determine how to manage cattle at the site so they do not impact any of the biologically sensitive restoration areas.

Given that the Project Site is only used for limited cattle grazing to control weeds, the multitude of site constraints, the historical use of the site, and the limited grassland that is accessible for grazing, the impacts of the City Development Plan on the conversion of grazing land would be less than significant.

Mitigation Measures
No mitigation measures are required since the impact is less than significant.

Residual Impacts
The residual impact would be *less than significant (Class III)*.

Impact #	Impact Description	Phase	Residual Impact
AR.5	The City Development Plan would involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use.	Development	Class II

Construction of the City Development Plan would result in dust generation that could impact row crop productivity on adjacent agricultural lands. This is particularly true for the development at the Northwest Operations Area. This impact would be limited to the initial stages of construction when some limited earth moving activities would be occurring. The Applicant has proposed to conduct most of the gross grading for the development pads as part of the remediation activities. Dust generation during the development phase of the project would be limited to the final grading. This could result in a short-term significant impact to row crop productivity.

Further, there is potential after build out and operational activities commence that agricultural activities on the property adjacent to the Northwest Operations Area could create health-related and nuisance conflicts with occupants (employees and customers) in the form of pesticides, dust, odors and noise. However, in accordance with the California Civil Code "The Right To Farm Act" (Sections 3482.6 & 3482.6), this pre-existing agricultural use is not to be considered a nuisance. Therefore, the development at the Northwest Operations Area would continue to be subject to those inconveniences or discomforts arising from the adjacent agricultural operations. The potential impacts on the development could be potentially significant.

Mitigation Measures
Implement mitigation measures AQ-1b, AQ-2a, and AQ-2b.

AR-5 *The Applicant shall design the development for the Northwest Operations Area such that the buildings are located near the eastern edge of the parcel. This mitigation measure would not apply if the agricultural property adjacent to the Northwest Operations Area has received entitlements from the City to develop the property prior to development of the Northwest Operations Area.*

Residual Impacts
The application of mitigation measures AR-4, AQ-1b, AQ-2a, and AQ-2b would serve to minimize dust impacts of the proposed development on adjacent row crop agricultural properties. Placing the buildings near the eastern edge of parcel would provide a buffer to reduce impacts of the adjacent agricultural operations on the proposed development in the Northwest Operations

Area. With the implementation of these mitigation measures the impacts would be considered *less than significant with mitigation (Class II)*.

4.15.7 County Development Plan Impacts and Mitigation Measures

All of the impacts identified for the City Development Plan would apply to the County Development Plan. No additional impacts associated with the County Development Plan were identified.

4.15.8 Cumulative Analysis

The cumulative section addresses how the Project may contribute to the conversion of agricultural land when viewed with other existing and reasonable future development in the area.

Conversion of the Project Site to a mix of non-agricultural uses, such as Business Park, Conservation/Open Space, Recreation, and Service, would preclude use of those portions of the Project Site for agricultural purposes that are currently employed; that is, cattle grazing for fire prevention and weed control. However, as previously stated, the majority of the Project Site (approximately 313 acres or 94 percent) is designated as Other or Not Prime Farmland by the FMMP.

Regarding properties abutting the Project Site, land to the north of the site that falls within the City limits that is not designated Agriculture, but is currently used for grazing, has the potential for urban development, as does City land abutting the northwest portion of the Project Site. Full development of the Project in the Northwest Operations Area and the accompanying physical impacts, such as dust, odor and increased traffic, could impact the current agricultural uses on the adjacent properties by increasing pressure to convert to similar uses.

Land designated Agriculture within the County to the south of the Project Site falls within a Greenbelt Area and has less urban development potential. However, as identified in Section 3.1.3, Table 3.1, Cumulative Project Number 24, a project has been approved that involves placement of top soil from the Costco site to agricultural land (Drake Farms) for agricultural use (see Figure 4.15-1). This land is adjacent to the Project Site to the south. A combination of soil placement at that site and remediation and development at the Project Site could have cumulative impacts in the form of dust generation.

That said, due to the condition of the majority of the Project Site's soils and the extremely small likelihood for future productive agricultural use, as well as the land to the south falling within a Greenbelt Area, the Project would have cumulative impacts that are less than significant with mitigation.

4.15.9 Mitigation Monitoring Plan

4.15.9.1 Remediation Project Mitigation Monitoring Plan

The only mitigation measures identified for the remediation component of the Project were AQ-1b, AQ-2a, and AQ-2b. See the Mitigation Monitoring Plan for Air Quality (Section 4.1.8).

4.15.9.2 City Development Plan Mitigation Monitoring Plan

Mitigation measures AQ-1b, AQ-2a, and AQ-2b would apply to the City Development Plan. See the Mitigation Monitoring Plan for Air Quality (Section 4.1.8).

Mitigation Measure	Plan Requirements and Timing	Compliance Verification		
		Method	Timing	Responsible Party
AR-5	The Applicant shall design the development for the Northwest Operations Area such that the buildings are located near the eastern edge of the parcel. This mitigation measure would not apply if the agricultural property adjacent to the Northwest Operations Area has received entitlements from the City to develop the property prior to development of the Northwest Operations Area.	Review of development plans	Prior to issue of grading permits for development in the Northwest Operations Area	City Community Development

4.15.9.3 County Development Plan Mitigation Monitoring Plan

All of the mitigation measures for the City Development Plan would also apply to the County Development Plan.

4.15.10 References

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___ 2010d. Airport Area Specific Plan. August 2005.

San Luis Obispo County (SLOC). 2010a. Municipal Code, Title 5 Agriculture, Chapter 5.16 Agricultural Lands, Operations and the Right to Farm.

___ 2010b. Municipal Code, Title 22 Land Use. December 8, 2009.

___ 2010c. San Luis Obispo Area Plan. Revised October 14, 2009.

___ 2010d. San Luis Obispo County Regional Airport Land Use Plan. Amended May 18, 2005.

___ 2010e. General Plan Agriculture Element. Revised May 2010.

___ 2010f. General Plan Framework for Planning (Inland) – Land Use Element. Revised October 2009.

___2010g. General Plan Conservation and Open Space Element. May 2010.