Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613 SCH# For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814 Project Title: DRC2018-00045 SLOCAL Roots/Connella Lead Agency: County of San Luis Obispo

Contact Person: Megan Martin Mailing Address: 976 Osos Street, Room 300 Phone: <u>(805</u>)781-4163 City: San Luis Obispo Zip: 93408-2040 County: San Luis Obispo Project Location: County: San Luis Obispo City/Nearest Community: community of Nipomo Zip Code: <u>93454</u> Cross Streets: Suey Creek Rd/El Cazador Way Total Acres: 60.25 Lat. / Long.: 35° 4′ 55.27" N/ 120° 24′ 50.59" W Assessor's Parcel No.: <u>048-151-059</u>, <u>048-151-031</u> Section: _____ Twp.: _____ Range: _____ Base: _____ State Hwy #: _____ Waterways: Los Berros Creek Within 2 Miles: Airports: _____ Railways: ____ Schools: Document Type: CEQA: ☐ NOP ☐ Draft EIR NEPA: ☐ NOI ☐ Early Cons ☐ Supplement/Subsequent EIR
☐ Neg Dec ☐ (Prior SCH No.)
☐ Mit Neg Dec ☐ Other ☐ Supplement/Subsequent EIR ☐ EA ☐ Draft EIS ☐ Final Document Other ☐ FONSI Local Action Type: ☐ General Plan Update ☐ Specific Plan Rezone ☐ Annexation ☐ General Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment ☐ General Plan Element ☐ Planned Unit Development ☐ Use Permit ☐ Community Plan ☐ Site Plan ☐ Land Division (St ☐ Coastal Permit ☐ Land Division (Subdivision, etc.) ☐ Other Development Type: Residential: Units _____ Acres___ ☐ Water Facilities: Type ______ MGD _____ | MGD Power: Type MW MGD ☐ Educational____ Hazardous Waste: Type_____ Recreational_____ ☐ Other: Cannabis Activities **Project Issues Discussed in Document:** ☐ Fiscal ☐ Aesthetic/Visual ☐ Recreation/Parks ☐ Vegetation Flood Plain/Flooding Water Quality ☐ Agricultural Land ☐ Schools/Universities ☐ Septic Systems Forest Land/Fire Hazard ☐ Water Supply/Groundwater ☐ Air Quality Sewer Capacity Geologic/Seismic Wetland/Riparian ☐ Archeological/Historical ☐ Minerals ☑ Biological Resources ☐ Soil Erosion/Compaction/Grading ☐ Wildlife ☐ Coastal Zone ☐ Noise ☐ Solid Waste ☐ Growth Inducing ☐ Population/Housing Balance ☐ Toxic/Hazardous ☐ Drainage/Absorption ☐ Land Use ☐ Public Services/Facilities ☐ Traffic/Circulation ☐ Economic/Jobs ☐ Cumulative Effects ☐ Other Present Land Use/Zoning/General Plan Designation: **Project Description:** (please use a separate page if necessary)

See Attached.

Reviewing Agencies Checklist

| Lead Agencies may recommend State Clearinghouse dist If you have already sent your document to the agency ple | |
|--|--|
| Air Resources Board Boating & Waterways, Department of California Highway Patrol CalFire Caltrans District # Caltrans Division of Aeronautics Caltrans Planning (Headquarters) Central Valley Flood Protection Board Coachella Valley Mountains Conservancy Coastal Commission Colorado River Board Conservation, Department of Delta Protection Commission Education, Department of Energy Commission X Fish & Game Region # 4 X Food & Agriculture, Department of Health Services, Department of Housing & Community Development Integrated Waste Management Board Native American Heritage Commission | Office of Emergency Services Office of Historic Preservation Office of Public School Construction Parks & Recreation Pesticide Regulation, Department of Public Utilities Commission X Regional WQCB # 3 Resources Agency S.F. Bay Conservation & Development Commission San Gabriel & Lower L.A. Rivers and Mtns Conservancy San Joaquin River Conservancy Santa Monica Mountains Conservancy State Lands Commission SWRCB: Clean Water Grants SWRCB: Water Quality SWRCB: Water Rights Tahoe Regional Planning Agency Toxic Substances Control, Department of Water Resources, Department of Other Other |
| Local Public Review Period (to be filled in by lead age Starting Date May 13, 2019 | Ending Date June 12, 2019 |
| Lead Agency (Complete if applicable): | |
| Consulting Firm: Address: 976 Osos St Rm 300 City/State/Zip: San Luis Obispo, CA 93401 Contact: Megan Martin Phone: 805-781-4163 | Address: City/State/Zip: |
| Signature of Lead Agency Representative: Wela | n Marti Date: 5/8/19 |

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Attachment – Project Description

A request from Austen Connella/SLOCAL ROOTS FARMS, LLC. for a Minor Use Permit (DRC2018-00045) for 15,700 square feet of indoor cannabis cultivation and 6,690 square feet of outdoor cultivation on two parcels totaling 60 acres. Project development includes the construction of five new greenhouses totaling 15,700 square feet, a 1,000-square foot processing building for drying, curing, and processing, and a 200-square foot cold storage area. A modification from the fencing standards set forth in Section 22.40.050.D.6 of the County's Land Use Ordinance (LUO) is requested; a modification from the setback standards set forth in Section 22.40.050.D.3.b of the County's LUO is requested to reduce the setback from 300 feet to 250 feet from the southern property line; and, a modification from the parking standards set forth in Section 22.18.050.C.1 of the County's LUO is requested to reduce the required number of parking spaces onsite from 34 to 11. The project site is located at 7731 Suey Creek Road in the South County Inland Sub Area of the South County Planning Area.



Negative Declaration & Notice Of Determination

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

DATE: May 6, 2019

ENVIRONMENTAL DETERMINATION NO. ED19-104

PROJECT/ENTITLEMENT: SLOCAL Roots Minor Use Permit; DRC2018-00045

APPLICANT NAME: SLOCAL Roots Email: slocalroots@gmail.com

ADDRESS: 7731 Suey Creek Rd. Santa Maria, CA 93454

CONTACT PERSON: Austen Connella **Telephone:** 415-837-3957

PROPOSED USES/INTENT: Request from Austen Connella/SLOCAL ROOTS FARMS, LLC. for a Minor Use Permit (DRC2018-00045) for 15,700 square feet of indoor cannabis cultivation and 6,690 square feet of outdoor cultivation on two parcels totaling 60 acres. Project development includes the construction of five new greenhouses totaling 15,700 square feet, a 1,000-square foot processing building for drying, curing, and processing, and a 200-square foot cold storage area. A modification from the fencing standards set forth in Section 22.40.050.D.6 of the County's Land Use Ordinance (LUO) is requested; a modification from the setback standards set forth in Section 22.40.050.D.3.b of the County's LUO is requested to reduce the setback from 300 feet to 250 feet from the southern property line; and, a modification from the parking standards set forth in Section 22.18.050.C.1 of the County's LUO is requested to reduce the required number of parking spaces onsite from 34 to 11.

LOCATION: The project is located at 7731 Suey Creek Road in the South County Inland Sub Area of the South County Planning Area.

LEAD AGENCY: County of San Luis Obispo

Dept of Planning & Building 976 Osos Street, Rm. 200

San Luis Obispo, CA 93408-2040 Website: http://www.sloplanning.org

STATE CLEARINGHOUSE REVIEW: YES \bowtie NO \sqcap

OTHER POTENTIAL PERMITTING AGENCIES:

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

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

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

| Notice of Determinat | <u>ion</u> | State Clearinghouse | No | | | |
|--|---|----------------------------|------------------------------|--|--|--|
| | n Luis Obispo Countyoved/denied the above descr rminations regarding the above | ibed project on | Lead Agency, and | | | |
| pursuant to the provisions of 0 | inificant effect on the environment. CEQA. Mitigation measures and ding Considerations was not adop | monitoring were made a | condition of approval of the | | | |
| This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at the 'Lead Agency' address above. | | | | | | |
| | Megan Martin, Supervising Pla | nner | County of San Luis Obispo | | | |
| Signature | Project Manager Name | Date | Public Agency | | | |



Initial Study Summary – Environmental Checklist

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

(ver 5.10)_{Using Form}

Project Title & No. SLOCAL Roots/Connella Minor Use Permit ED19-104 (DRC2018-00045)

| "Potentially Significant Impact" for | POTENTIALLY AFFECTED: The or at least one of the environmental fassion on mitigation measures or projecevels or require further study. | actors checked below. Please refer |
|---|---|---|
| Aesthetics Agricultural Resources Air Quality Biological Resources Cultural Resources | Geology and Soils Hazards/Hazardous Materials Noise Population/Housing Public Services/Utilities/Energy | Recreation Transportation/Circulation Wastewater Water /Hydrology Land Use |
| DETERMINATION: (To be comp | pleted by the Lead Agency) | |
| On the basis of this initial evalua | tion, the Environmental Coordinator | finds that: |
| The proposed project C NEGATIVE DECLARATION | COULD NOT have a significant eff ON will be prepared. | ect on the environment, and a |
| be a significant effect in the | roject could have a significant effect on save because revisions in the project. A MITIGATED NEGATIVE DECL | ect have been made by or agreed |
| | MAY have a significant effect CT REPORT is required. | on the environment, and an |
| unless mitigated" impact analyzed in an earlier o addressed by mitigation | IAY have a "potentially significant in on the environment, but at least or document pursuant to applicable leg measures based on the earlier an ENTAL IMPACT REPORT is require addressed. | ne effect 1) has been adequately gal standards, and 2) has been alysis as described on attached |
| potentially significant effe DECLARATION pursuar pursuant to that earlier | roject could have a significant effect ets (a) have been analyzed adequate to applicable standards, and (b) EIR or NEGATIVE DECLARATION, ed upon the proposed project, nothin | ly in an earlier EIR or NEGATIVE have been avoided or mitigated including revisions or mitigation |
| Mindy Fogg, 5/6/2019 | M/J-35 | |
| Prepared by (Print) Date | Signature | |
| Megan Martin, 5/6/2019 | megan Marti | |
| Reviewed by (Print) Date | Signature (f | for) |

Project Environmental Analysis

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

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

A. PROJECT

DESCRIPTION: The project is a request from Austen Connella/SLOCAL ROOTS FARMS LLC. for a Minor Use Permit (MUP) for 15,700 square feet of indoor cannabis cultivation and 6,690 square feet of outdoor cultivation. Project development includes the construction of five new greenhouses totaling 15,700 square feet, a 1,000-square foot processing building for drying, curing, and processing, and a 200-square foot cold storage area. The processing building would also be used for ancillary uses such as storage, packaging, and labeling. The project would employ up to 10 people during harvest periods, and would operate seven days per week between the hours of 6:00 AM and 6:00 PM

The project site is in the Rural Lands land use category on two parcels totaling 60 acres. The property is located at 7731 Suey Creek Road (Assessor Parcel Numbers 048-151-059 and 048-151-031) in the South County Inland Planning Area (Figure 1). An aerial of the project site is shown in Figure 2.

An existing cannabis cultivation operation has been on site since 2015 and is registered as Cooperative/Collective registration CCM2016-00209 under Urgency Ordinance 3334. The existing cultivation consists of 15,750 square feet of outdoor cultivation. The existing outdoor grow will be partially replaced with the construction of the greenhouses. Other existing development on site includes two existing single-family residences, storage containers, sheds, soil/pot storage areas, waste storage, and parking areas.

As shown in Figure 3 and summarized in Table 1, the project would include the construction of five new greenhouses totaling 15,700 square feet. Four greenhouses, totaling 13,600 square feet, would be used for mature cannabis cultivation. The remaining 2,100-square foot greenhouse would be used for vegetative growth. The greenhouses would all be built over existing cultivation sites and would be up to 14 feet 5 inches in height. Outdoor cultivation would include 4,290 square feet of the existing outdoor grow in addition to the 2,400 square feet of proposed new outdoor cultivation in hoop houses. In total, the project would include 20,290 square feet of flowering canopy, including both indoor and outdoor uses. The metal processing building would be 1,000 square feet and 14 feet in height. Since construction will take place in areas that are already flat and under cultivation, project grading will negligible (less than 50 cubic yards). The area of disturbance is estimated to be 0.5 acre.

Table 1 - Project Components

| Project Component | Quantity | Structure Size (sf) | Footprint (sf) | Canopy (sf) |
|------------------------------|--------------------|---------------------|----------------|-------------|
| | 2 | 3,300 | 6,600 | 6,600 |
| (N) Greenhouses (flowering) | 1 | 3,000 | 3,000 | 3,000 |
| | 1 | 4,000 | 4,000 | 4,000 |
| (N) Greenhouses (vegetative) | 1 | 2,100 | 2,100 | 2,100 |
| (N) Hoop Houses | 5 | 480 | 2,400 | 2,400 |
| (N) Processing Building | 1 | 1,000 | 1,000 | |
| (N) Cold Storage | 1 | 200 | 200 | |
| Subtotal for | ses and Structures | 19,300 | 18,100 | |
| (E) Hoop Houses | 10 | n/a* | 4,290 | 4,290 |
| (E) Storage Container | 2 | 160 | 320 | |
| (E) Soil/Pot Storage | 4 | 225 | 900 | |
| (E) Sheds (total) | | 280 | 280 | |
| (E) Waste Storage | 1 | 300 | 300 | |
| (E) Parking | | | 3,000 | |
| Subt | 9,090 | 4,290 | | |
| | | Totals | 28,390 | 22,390 |

sf = Square Feet

There are currently eight water tanks on site providing 20,000 gallons of water storage as described in Table 2. Three additional water tanks are proposed per Cal FIRE recommendations (Table 2).

Table 2 - Water Tanks

| Tank Size | Quantity | Height | Purpose |
|---------------------------|----------|---------------|------------------|
| (E) 2,500-Gallon | 5 | 9 feet | Cultivation |
| (E) 1,500-Gallon | 1 | 9 feet | Cultivation |
| (E) 1,000-Gallon | 1 | 9 feet | Cultivation |
| (E) 5,000-Gallon | 1 | 18 feet | Fire Suppression |
| (N) 2,500 to 5,000-Gallon | 3 | Up to 18 feet | Fire Suppression |

Access to the site would be provided via an existing private driveway off Suey Creek Road. No road improvement would be required and no additional site disturbance is necessary due to the previously graded site.

Exterior lighting would be used for security purposes, specifically around the cultivation areas located in the central portion of the site. Supplemental lighting for outdoor grow areas would be provided for employees during harvest and planting season during the months of May, July, and October. These harvest periods would last for six days at a time, three times per year. An occasional fourth harvest may occur, rain conditions permitting. The property has an existing barbed wire perimeter fence, four feet in

E = Existing

N = New/Proposed

^{*}Existing Hoop Houses vary in individual size and canopy

height. No additional fencing is proposed around the cultivation areas. A 24-inch by 24-inch business sign is proposed and would be located at the main entrance gate approximately 150 feet from the public right-of-way. The sign would be approximately two inches thick and mounted to a supporting four-by-four post approximately three feet from the ground. Metal directory signs as requested by CalFIRE would be placed at the end of the roads leading to cultivation areas.

The project site would be served by two existing wells that have historically served the property for previous cannabis uses. The projected water demand for the project is one acre foot per year.

Proposed greenhouses would be equipped and maintained with sufficient ventilation controls (e.g. carbon scrubbers) to eliminate nuisance odor emissions from being detected offsite. Combined noise resulting from the use of wall- or roof-mounted HVAC, generator and odor mitigation equipment would be expected to generate noise levels of approximately 86 dBA at 25 feet from the source.

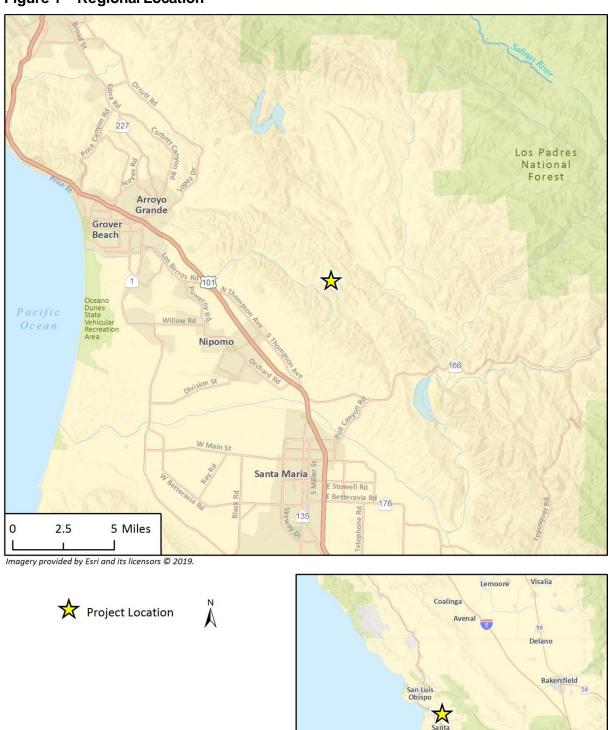
Employee restrooms would be located in the two existing residences. Eleven 8 x 16-foot parking spaces would be provided to accommodate all staff on an existing level dirt area, and would include one ADA-compliant space. Solid waste would be stored in a trailer adjacent to the main garden and would be self-hauled and disposed of at the Santa Maria transfer station or another fully State-licensed disposal site

Ordinance Modification: The project request includes a modification from the fencing provisions set forth in Section 22.40.050.D.6 of the County Land Use Ordinance (LUO), which describes fencing requirements for cannabis uses. The Ordinance requires that cannabis plants shall not be easily visible from off-site and all cannabis cultivation shall be located within a secure fence at least six feet in height. The project site's rural setting, steep topography, and proposed siting of cultivation areas provide adequate screening from off-site. The steep topography provides limited access to the site, of which is only possible through the driveway and locked gates. Further, the dense vegetation, including poison oak, contributes to the secure locations of the proposed garden areas. The property lines are fenced with existing 4-foot barbed wire fences. Due to the natural terrain, vegetation, and remote setting, no additional fencing is proposed.

Ordinance Modification: The project request includes a modification from the setback provisions set forth in LUO Section 22.40.050.D.3.b, which establishes a minimum 300-foot setback from the property line for outdoor cultivation. As described in LUO Sections 22.40.050.D.3.e and 22.40.050.E.7, the setback may be modified with a Use Permit if specific conditions of the site and/or vicinity make the required setback unnecessary or ineffective; and if the modification of the setback will not allow nuisance odor emissions from being detected offsite. The requested modification is for a reduced setback from 300 feet to 250 feet from the southern property line. Due to the natural terrain, vegetation, and remote setting, the proposed setback would be adequate in mitigating nuisance odors.

Ordinance Modification: The project request includes a modification from the parking provisions set forth in LUO Section 22.18.050.C.1, which describes parking requirements for agricultural uses. The type of commercial agricultural use that best matches the proposed cannabis cultivation is "Nursery Specialties." A ratio of one parking space per 500 square feet of floor area is the minimum requirement for nursery specialties. The proposed greenhouses and processing building would total 16,700 square feet, which with the application of this parking standard, would require the applicant to provide 34 parking spaces. The project proposes 11 parking spaces. Up to 10 employees may be on site at various times during the day. Therefore, 11 spaces are proposed as sufficient to meet the parking demands of the project.

Figure 1 - Regional Location



Santa Barbara

Figure 2 – Project Site

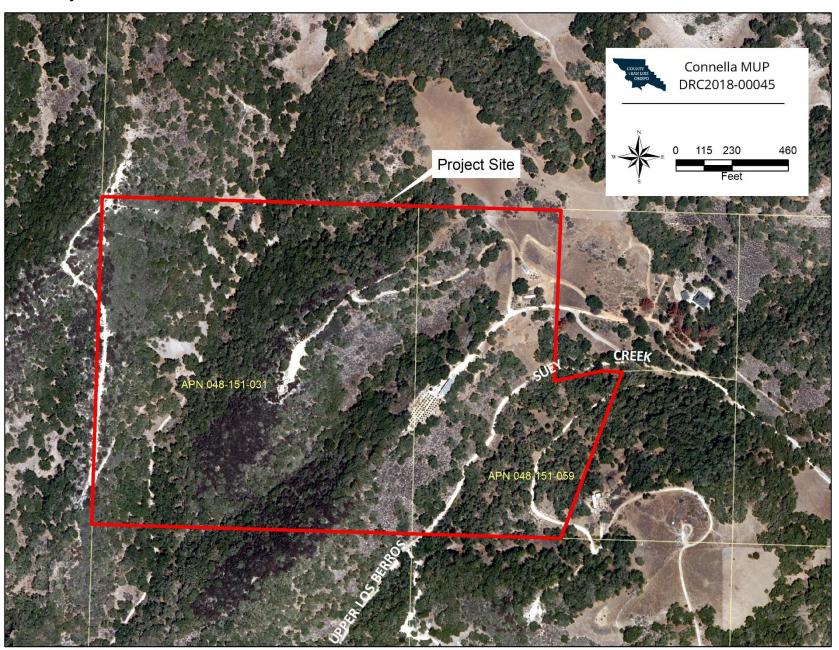


Figure 3 – Aerial View Closeup

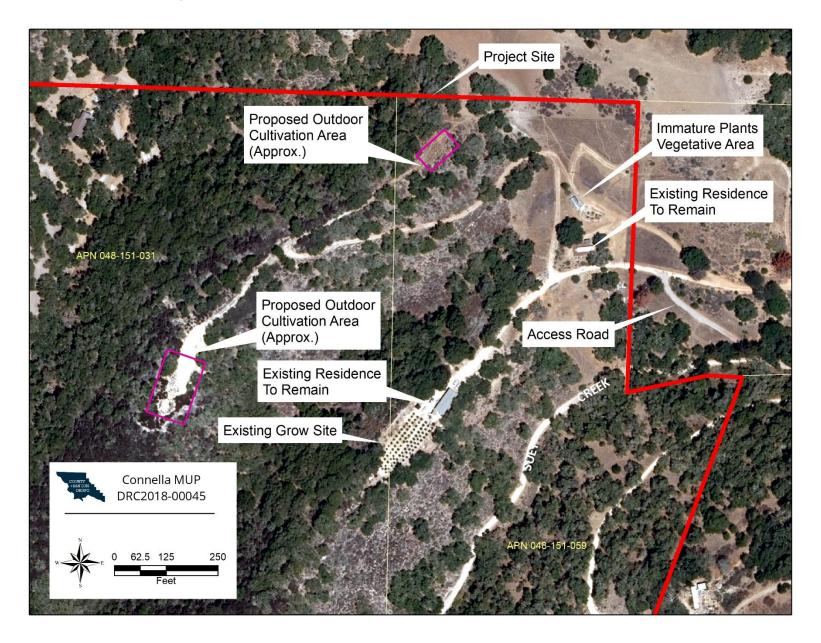
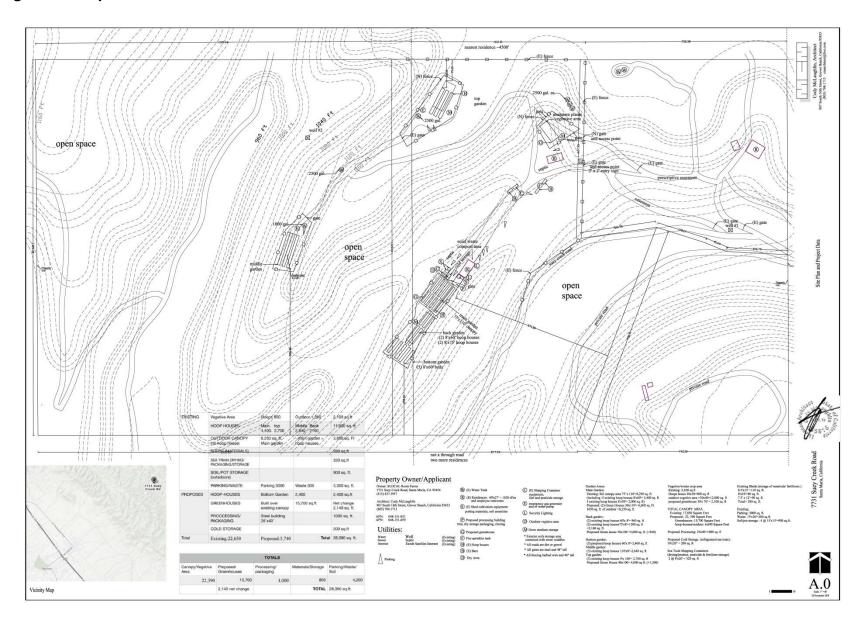


Figure 4 – Proposed Site Plan



ASSESSOR PARCEL NUMBER(S): 048-151-059, 048-151-031

Latitude: 35.08231 degrees N Longitude: 120.41456 degrees W **SUPERVISORIAL DISTRICT #4**

Other Public Agencies Whose Approval is Required

| Permit Type/Action | Agency |
|---|---|
| Cultivation Licenses | California Department of Food and Agriculture – CalCannabis |
| Meitten Anne and Demontion No No al feet also | CalCarmabis |
| Written Agreement Regarding No Need for Lake | California Department of Fish and Wildlife |
| and Streambed Alterations | |
| Waiver of Waste Discharge Requirements for | |
| Discharges of Waste Associated with Cannabis | Regional Water Quality Control Board (RWQCB) |
| Cultivation Activities, Order No. WQ-2017-0023- | Regional Water Quality Control Board (RWQCB) |
| DWQ (General Order) | |
| Safety Plan Approval and Final Inspection | California Department of Forestry (CalFire) |

В. **EXISTING SETTING**

PLAN AREA: South County **SUB**: South County Inland COMM: N/A

LAND USE CATEGORY: Rural Lands

COMB. DESIGNATION: None

PARCEL SIZE: 60 acres

TOPOGRAPHY: Nearly level to steeply sloping **VEGETATION**: Shrubs; Herbaceous; Oak woodland

EXISTING USES: Agricultural uses; single-family residence(s); accessory structures

SURROUNDING LAND USE CATEGORIES AND USES:

| North: Agriculture; | East: Rural Lands |
|---------------------|-------------------|
| South: Rural Lands | West: Agriculture |

C. **ENVIRONMENTAL ANALYSIS**

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



COUNTY OF SAN LUIS OBISPO **INITIAL STUDY CHECKLIST**

| 1. | AESTHETICS Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|----|---|----------------------------|--------------------------------------|-------------------------|-------------------|
| a) | Create an aesthetically incompatible site open to public view? | | | | |
| b) | Introduce a use within a scenic view open to public view? | | | | |
| c) | Change the visual character of an area? | | | \boxtimes | |
| d) | Create glare or night lighting, which may affect surrounding areas? | | | | |
| e) | Impact unique geological or physical features? | | | | \boxtimes |
| f) | Other: | | | | \boxtimes |

Aesthetics

Setting. Access to the project site is provided from an existing private driveway off Suey Creek Road. The site is surrounded by Rural Lands and Agriculture uses, with steep topography. The project site is located off of Suev Creek Road, but is not visible from public roadways due to the steep topography and dense surrounding vegetation. Two existing single-family residences are located on the eastern portion of the property. The project site is not located in a designated scenic area, and there are no geological or physical features located onsite. Lastly, Table VR-2 of the Conservation and Open Space Element provides a list of Suggested Scenic Corridors; none of the roadways in the vicinity of the project site are listed on Table VR-2.

Impact. The project site is not visible from a Designated State Scenic Highway. In addition, the project site is not located in a designated scenic view open to the public. The site does not include unique geological or physical features.

The project involves the construction of 15,700 square feet of greenhouses, a 1,000-square foot building for ancillary uses, a 200-square foot cold storage area and the installation of 2,400 square feet of hoop houses within a predominantly rural and agricultural area. The proposed greenhouses would be up to 14 feet and 5 inches in height and would be located on the interior of the site. In addition, the proposed greenhouses would be of similar size and scale as the existing residences and would be set back from Suey Creek Road such that they would not be visible from it due to the steep topography and surrounding vegetation. In compliance with LUO Section 22.40.050 D. 6, cannabis plants associated with cultivation shall not be easily visible from offsite.

In this case, all cannabis related activities will occur within secure buildings or hoop houses where the plants will not be visible. A total of eleven water tanks (eight existing and three new) would be located around the project site and would range from nine feet to 18 feet in height. The water tanks will be muted in color to match the surrounding vegetation and would be consistent with other rural development in this area. The project would be compatible with adjacent uses and surrounding visual character (agricultural and rural lands uses).

Security lighting would be placed throughout the site, adjacent to the main garden and at the project access gate. Each of the three security lighting fixtures would not exceed 1,000 total lumens, and would be directed downwards to reduce spillover. Supplemental lighting for outdoor cultivation areas would be provided for employees during harvest and planting season. The lighting would be stationary for a period not to exceed two weeks; the project will be conditioned to comply with LUO Section 22.10.060 for exterior lighting. The introduction of five greenhouse structures and new vehicles onsite would generate additional glare on the site. The majority of the lighting associated with the project would be in the greenhouse area. Lighting at the project access gate would be downward directed and consistent with other entry gate lighting in the vicinity of the site and consistent with LUO Section 22.10.060 B through F. Due to the siting of new structures towards the center of the project site, steep topography and relatively large size (60 acres) of the site, impacts from new sources of lighting and glare would be less than significant.

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

| 2. | AGRICULTURAL RESOURCES Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|----|---|----------------------------|--------------------------------------|-------------------------|-------------------|
| a) | Convert prime agricultural land, per NRCS soil classification, to non-agricultural use? | | | \boxtimes | |
| b) | Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use? | | | \boxtimes | |
| c) | Impair agricultural use of other property or result in conversion to other uses? | | | \boxtimes | |
| d) | Conflict with existing zoning for agricultural use, or Williamson Act program? | | | \boxtimes | |
| e) | Other: | | | | \boxtimes |

Agricultural Resources

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

Land Use Category: Rural Lands Historic/Existing Commercial Crops:



Cannabis

State Classification: Not Prime Farmland In Agricultural Preserve? No

Under Williamson Act contract? No

The property is nearly level to steeply sloping, with an average slope of 36 percent. Cultivation would occur on only a portion of the 60-acre property. As such, the soils listed below exist in the development footprint areas.

Table SL-2 of the Conservation/Open Space Element lists the important agricultural soils of San Luis Obispo County. Soils on the project site and total acreages are shown here in Table 1 and then described in detail below.

Table 1 - Classifications and Acreages of Soils On-site

| Soil Classification | | Acres | | |
|--|------------------------|-----------|--|--|
| Santa Lucia channery clay loam | Other Productive Soils | 7.0 acres | | |
| Nacimiento silty clay loam Other Productive Soils 3.0 a | | | | |
| Source: Classifications based on Table SL-2 of the County General Plan's Conservation/Open Space Element | | | | |

Based on the County's Conservation/Open Space Element, the project site contains soils classified as "Other Productive Soils".

Based on Natural Resources Conservation Service Soil classifications, the soil type(s) and characteristics on the site include:

Santa Lucia channery clay loam (30 to 50 percent slopes) +/- 7.0 acres

The Santa Lucia complex is a well-drained, moderate permeability soil found in upland areas. The parent material consists of weathered white shale containing some ash and siliceous and diatomaceous material. Locally, this soil complex has been used for grazing and some grain crop production. It has high runoff potential and low wind erodibility potential.

Nacimiento silty clay loam (15 to 30 percent slopes) +/- 3.0 acres

The Nacimiento complex is a deep, well-drained, mdoerately slow permeability soil generally present among rolling hills. The parent material consists of weathered calcerous shale and sandstone. The soil has has very high runoff potential and moderately low wind erodibility potential.

Impact. The project site is in a predominantly rural and agricultural area with agricultural activities occurring on the property and immediate vicinity. As discussed in the Setting, the project site is not under Williamson Act Contract or within an Agricultural Preserve.

The project site is located within the Rural Lands (RL) land use category and would continue to support agricultural uses. Prime Farmland is not present on the site and would thus not be impacted from construction of the greenhouses.

Mitigation/Conclusion. No mitigation measures are necessary.

| 3. | AIR QUALITY Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|----|--|----------------------------|--------------------------------------|-------------------------|-------------------|
| a) | Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District? | | | | |
| b) | Expose any sensitive receptor to substantial air pollutant concentrations? | | | | |
| c) | Create or subject individuals to objectionable odors? | | | | |
| d) | Be inconsistent with the District's Clean Air Plan? | | | | |
| e) | Result in a cumulatively considerable net increase of any criteria pollutant either considered in non-attainment under applicable state or federal ambient air quality standards that are due to increased energy use or traffic generation, or intensified land use change? | | | | |
| GF | REENHOUSE GASES | | | | |
| f) | Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | | | | |
| g) | Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | | | | |
| h) | Other: | | | | \boxtimes |

Air Quality

Setting. The project site is located in the South Central Coast Air Basin (SCCAB) under the jurisdiction of the San Luis Obispo County Air Pollution Control District (APCD). The APCD is in non-attainment for the 24-hour state standard for particulate matter (PM₁₀) and the eight-hour state standard for ozone (O₃) (SLOAPCD 2015). The APCD adopted the 2001 Clean Air Plan in 2002, which sets forth strategies for achieving and maintaining Federal and State air pollution standards. The APCD identifies significant impacts related to consistency with the 2001 Clean Air Plan by determining whether a project would exceed the population projections used in the Clean Air Plan for the same area, whether the vehicle trips and vehicle miles traveled generated by the project would exceed the rate of population growth for the same area, and whether applicable land use management strategies and transportation control measures from the Clean Air Plan have been included in the project to the maximum extent feasible.

The APCD developed and updated their CEQA Air Quality Handbook (2012) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. The Handbook includes screening criteria for project impacts. According to the Handbook, a project with grading in excess of 4.0 acres and moving 1,200 cubic yards of earth per day can exceed the construction threshold for respirable particulate matter (PM₁₀).

There are five single family dwellings within about 1,600 feet of the proposed location for the greenhouses; four of the five are upslope and appear to be downwind.

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

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

In March 2012, the APCD approved thresholds for GHG emission impacts, and these thresholds have been incorporated the APCD's CEQA Air Quality Handbook. APCD determined that a tiered process for residential/commercial land use projects was the most appropriate and effective approach for assessing the GHG emission impacts. The tiered approach includes three methods, any of which can be used for any given project:

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

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

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

Under CEQA, an individual project's GHG emissions would generally not result in direct significant impacts. This is because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation.

Figure 5 – Sensitive Receptors

Impact.

Construction Activities: As proposed, the project would result in the disturbance of less than half an acre for the construction of new greenhouses and accessory structures. This would result in the creation of dust during the construction phase, as well as short- and long-term vehicle emissions. The project would move less than 1,200 cubic yards/day of material and would disturb less than four acres of area, and as such, would be below the thresholds triggering construction-related mitigation. There are five single family dwellings within about 1,600 feet of the proposed location for the construction of the greenhouses; four of the five are upslope and appear to be downwind. The distance between the dwellings and the construction area, and the difference in elevation is expected to be sufficient to protect sensitive receptors from the temporary effects of construction activities.

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

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

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

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

To meet these ordinance objectives, outdoor cultivation areas will be sited at least 750 feet from the nearest off-site residence to avoid nuisance odors. In addition, the greenhouses would be equipped with odor controls according to industry standards. Implementation of these applicant-proposed features would address the potential impact of spreading objectionable odors. Furthermore, the project will be conditioned to participate in an ongoing compliance monitoring program through which compliance with the odor management standards of LUO Section 22.40.050 would be assessed and verified. Any verified nuisance odor violation would require corrective action. This impact would be less than significant.

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

| 4. | BIOLOGICAL RESOURCES Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|----|--|----------------------------|--------------------------------------|-------------------------|-------------------|
| a) | Result in a loss of unique or special status species* or their habitats? | | | | |
| b) | Reduce the extent, diversity or quality of native or other important vegetation? | | | | |
| c) | Impact wetland or riparian habitat? | | | | \boxtimes |
| d) | Interfere with the movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife? | | | | |
| e) | Conflict with any regional plans or policies to protect sensitive species, or regulations of the California Department of Fish & Wildlife or U.S. Fish & Wildlife Service? | | | | |
| f) | Other: | | | | \boxtimes |

Biological Resources

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

On-site Vegetation: Ruderal, non-native grasses, coast live oak (Quercus agrifolia), and chaparral.

Name and distance from blue line creek(s): Los Berros Creek intersects the southeastern corner of the property, but it is located approximately 320 feet from the development footprint (Figure 4).

Habitat(s): Ruderal/developed, oak woodland, annual grassland, chaparral.

Site's tree canopy coverage: 70%.

The California Department of Fish and Wildlife (CDFW) provided preliminary comments for this project on July 9, 2018. In the letter, CDFW listed special status species known to occur in the area and recommended that the site be assessed by a qualified biologist and that avoidance measures be included, as appropriate.

Kevin Merk Associates, LLC. (KMA) prepared a Biological Resources Assessment (BRA) for the project site in August 2018. According to the BRA, no wetlands or riparian habitat occur in close proximity to the project. The Los Berros Creek intersects the eastern corner of the property, but exists outside of the study area and cultivation footprint (Figure 4). Habitats recorded on site are depicted in Figure 5 below. The chaparral habitat contain occurrences of Santa Margarita manzanita, a California Rare Plant Rank 1 B.2 species; however, this species occurs outside of the study area and project footprint. As such, based on the previous extensive disturbance on the site, lack of current presence, and type of soils present, the BRA determined that presence of special status plant species in the study area is unlikely.

^{*} Species - as defined in Section15380 of the CEQA Guidelines, which includes all plant and wildlife species that fall under the category of rare, threatened or endangered, as described in this section.

Figure 4 – Study Area and Nearby Wetlands

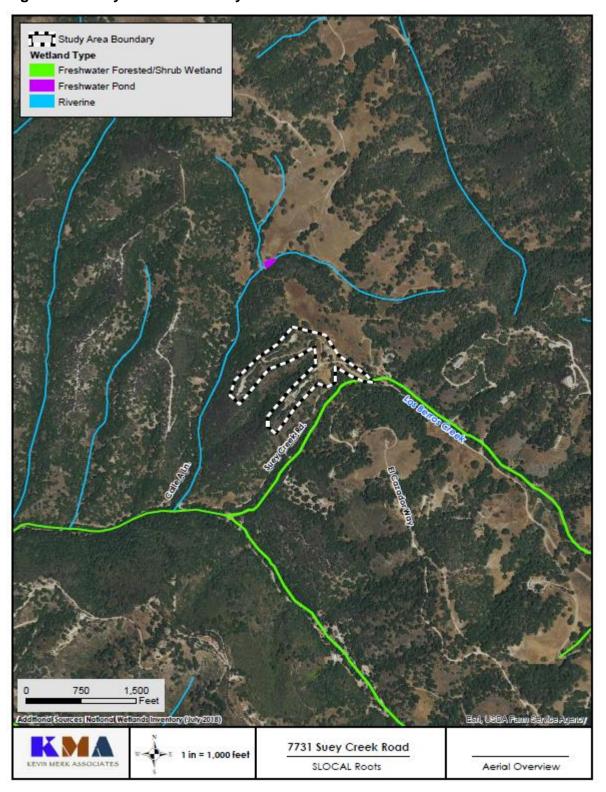
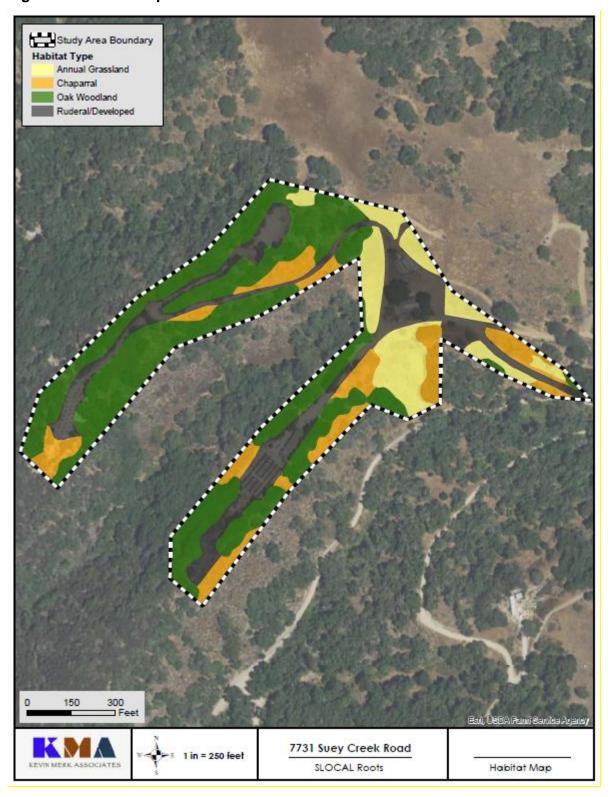


Figure 5 – Habitat Map



No special-status wildlife species were identified on the project site as part of the assessment. The California Department of Fish and Wildlife (CDFW) provided a letter on July 9, 2018 noting that California red legged frog (Rana daytronii), Foothill yellow-legged frog (Rana boylii), and western pond turtle (Emys marmorata) are special-status species that may occur in nearby wetlands. These species have the potential to occur in the low-lying valleys and creeks near the subject property; however, the proposed cannabis operation is located at the top of slopes in areas that would not be accessible to these species (KMA 2018).

Due to the presence of oak woodland habitat bordering the proposed cultivation areas, various nesting birds protected under the Migratory Bird Treaty Act have the potential to occur. CDFW noted the potential for predatory birds such as Golden eagle (Aguila Chrysaetos), Prairie falcon (Falco mexicanus) and White-tailed kite (Elanus leucurus) to occur, but the BRA found there to be a low potential due to unsuitable nesting or foraging habitat.

Impact.

Construction of the proposed greenhouses and installation of the hoop houses would result in about 0.5 acres of disturbance and would occur in previously disturbed areas, primarily where existing cannabis cultivation has been established. As such, potential direct impacts to sensitive vegetation would not occur. The BRA concluded that while Santa Margarita manzanita was present on-site, the species occurred in the chaparral habitat outside of the proposed project footprint. Therefore, impacts associated with special-status plant species would be less than significant. No oak trees would be removed as part of the project. However, sensitive species in the adjacent oak woodland habitat (e.g., oaks and nesting birds) have the potential to be indirectly affected by dust, runoff, and noise from project construction.

The project would not impact habitat connectivity or wildlife movement as the property is already fenced and used for cultivation. The proposed project would not create new barriers, and habitat connectivity and wildlife movement would not be affected.

There are no habitat conservation plans that apply to the project site. No trees would be removed, trimmed, or relocated. Therefore, the project would not conflict with any applicable tree preservation/protection policies. The project would not conflict with the provisions of any applicable habitat or natural community conservation plans and this impact would be insignificant.

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

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

Cultural Resources

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

Central Coast Archaeological Research Consultants (CCARC) prepared a Cultural Resources Study for the project site in June 2018. The study includes a records and literature search, as well as a field inspection of the site. The literature and records search was conducted at the Central Coast Information Center (CCIC), University of California, Santa Barbara. CCARC also consulted the National Register of Historic Places (NRHP) via the National Register Information Service (NRIS), the official online database of the NRHP, the California Inventory of Historic Resources, and the California Historical Landmarks. The searches did not reveal any listed environment properties or any archaeological sites within the study area or within a 0.5-mile radius of the project site. A field inspection conducted by CCARC in May 2018 did not indicate the presence of any cultural resources.

In order to meet AB 52 Cultural Resources requirements, outreach to Native American tribes groups was conducted (Salinan, Xolon Salinan, Yak Tityu Tityu Northern Chumash, and the Northern Chumash Tribal Council). No comments were received from the tribe groups.

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

Mitigation/Conclusion. Per County LUO Section 22.10.040, if during any future grading and excavation, buried or isolated cultural materials are unearthed, the Department of Building and Planning shall be notified, work in the area shall halt until these materials can be examined by a qualified archaeologist, and appropriate recommendations made.

Project design combined with regulatory compliance would ensure that any impacts are less than significant. Therefore, no mitigation measures are necessary.

| 6. | GEOLOGY AND SOILS Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|----|---|----------------------------|--------------------------------------|-------------------------|-------------------|
| a) | Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards? | | | | |
| b) | Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone", or other known fault zones*? | | | | |
| c) | Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill? | | | | |
| d) | Include structures located on expansive soils? | | | \boxtimes | |

| 6. GEOLOGY AND SOILS Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|---|----------------------------|--------------------------------------|-------------------------|-------------------|
| e) Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards? | | | | |
| f) Preclude the future extraction of valuable mineral resources? | | | \boxtimes | |
| g) Other: | | | | \boxtimes |

^{*} Per Division of Mines and Geology Special Publication #42

Geology and Soils

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

Topography: Nearly level to steeply sloping Within County's Geologic Study Area?: No

Landslide Risk Potential: High Liquefaction Potential: Low

Nearby potentially active faults?: No Distance? Not applicable Area known to contain serpentine or ultramafic rock or soils?: No

Shrink/Swell potential of soil: Low

Other notable geologic features? None

The project site is not located within the Geologic Study Area combining designation and is not within a high liquefaction area. The Setting in Section 2, Agricultural Resources, describes the soil types and characteristics on the project site. The site's potential for liquefaction hazards are considered low and potential for landslide hazards is considered high. The project site is not located in an Alquist Priolo Fault Zone, and no active fault lines cross the project site (California Geologic Survey 2018). A geotechnical report may be required to inform the design of building foundations and retaining walls as required by (LUO Section 22.14.070 (c)) and the California Building Code.

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

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

Impact. As proposed, project construction would not result in any additional disturbance as the greenhouses are proposed to be sited in a previously disturbed and graded area. No grading would be required. During construction activities, there is a potential for erosion and down-gradient sedimentation to occur. However, the required sedimentation and erosion control plan would minimize these potential impacts. The project would disturb less than one acre of land, and therefore a SWPPP would not be required.

Although the site is marked by steep topography, the cultivation areas would be sited on nearly level ridgelines. Based on the site location and conditions described above, the project is not expected to be particularly susceptible to landslides, earthquakes, subsidence, soil expansion, or similar hazards.

Mitigation/Conclusion. Prior to issuance of building permits, the applicant may be required to obtain a geotechnical report assessing current geologic conditions and to inform the design of building foundations and retaining walls. . In addition, the applicant will be required adhere to the best management practices in the erosion and sedimentation control plans. Implementation of plan and ordinance requirements would reduce potential impacts associated with geology and soils to a less than significant level. Additional measures beyond compliance with code requirements are not needed.

| 7. | HAZARDS (INCLUDING WILDFIRE HAZARDS) & HAZARDOUS MATERIALS - Will the project: | Significant | impact can & will be mitigated | Impact | Applicable |
|----|---|-------------|--------------------------------------|-------------|------------|
| a) | Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | | | \boxtimes | |
| b) | Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | | | | |
| c) | Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school? | | | | |
| d) | Be located on, or adjacent to, a site which is included on a list of hazardous material/waste sites compiled pursuant to Gov't Code 65962.5 ("Cortese List"), and result in an adverse public health condition? | | | | |
| e) | If within the Airport Review designation, or near a private airstrip, result in a safety hazard for people residing or working in the project area? | | | | |
| f) | Impair implementation or physically interfere with an adopted emergency response or evacuation plan? | | | \boxtimes | |
| g) | Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires? | | | | |

| 7. | HAZARDS (INCLUDING WILDFIRE HAZARDS) & HAZARDOUS MATERIAL Will the project: | Potentially Significant S - | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|----|--|---|--------------------------------------|-------------------------|-------------------|
| h) | If located in or near state respondances or lands classified as very fire hazard severity zones: | | | | |
| | i) Substantially impair an adopted emergency respondency evacues plan or emergency evacues plan? | | | | |
| | ii) Due to slope, prevailing and other factors, exace wildfire risks, and therek expose project occupan pollutant concentrations a wildfire or the uncontrations | rbate by ts to, s from | | | |
| | iii) Require the installation of maintenance of associate infrastructure (such as refuel breaks, emergency sources, power lines or utilities) that may exace fire risk or that may resulten por ary or ongoing into the environment? | red oads, water other rbate ilt in | | | |
| | iv) Expose people or struct significant risks, including downslopes or downstre flooding or landslides, a result of runoff, post-fire instability, or drainage changes? | ng eam s a | | | |
| k) | Other: | | П | | \bowtie |

Hazards and Hazardous Materials

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

- List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database
- List of Leaking Underground Storage Tank Sites by County and Fiscal Year from Water Board GeoTracker database
- List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit

- List of "active' Cease and Desist Orders (CDO) and Cleanup and Abatement Orders (CAO) from Water Board
- List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC

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

According to CalFire's San Luis Obispo County Fire Hazard Severity Zone map, the project site is in a State Responsibility Area for fire service, and, in a 'very high' severity risk area for fire. The closest fire station to the project site is San Luis Obispo County Fire Station 20, which is approximately five miles to the southwest. According to San Luis Obispo General Plan Safety Element Emergency Response Map, average emergency response time to the project time is greater than 15 minutes (San Luis Obispo County 1999).

The project is not within an Airport Review Area. The closest airport to the site is the Oceano County Airport, which is located approximately twelve miles to the west. No landfills exist within 0.5 miles of the project site.

The nearest school to the project site is William Rice Elementary School approximately eight miles to the south.

Impact.

<u>Construction Activities:</u> Construction activities may involve the use of oils, fuels, and solvents. In the event of a leak or spill, persons, soil, and vegetation down-slope from the site may be affected. The use, storage, and transport of hazardous materials is regulated by DTSC (22 Cal. Code of Regulations Section 66001, et seq.). The use of hazardous materials on the project site for construction and maintenance is required to be in compliance with local, state, and federal regulations.

<u>Operational Activities:</u> The project does not propose the routine use of hazardous materials and would not generate hazardous wastes. Rather, project operations would involve the intermittent use of small amounts of hazardous materials such as fertilizer and pesticides that are not expected to be acutely hazardous or result in waste material. In accordance with LUO Section 22.40.050 D.3. all applications for cannabis cultivation must include a list of all pesticides, fertilizers and any other hazardous materials expected to be used, along with a storage and hazardous response plan. Accordingly, products used on-site would be stored inside seatrains or sheds in small containers within spill containment bins.

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

The project is located in a State Responsibility Area and is in a Very High Fire Severity Zone. The project has been reviewed by Cal Fire / San Luis Obispo County Fire Department. Per the letter from Fire Captain Dan Wells dated April 25, 2018, specific concerns with this project include potential sources of ignition. The County will include standard conditions as recommended by Captain Wells to ensure that potential impacts related to wildfire hazards are less than significant. The conditions include:

- All Fire Department connections / Fire connections, water supply and required access roads shall be installed prior to structural construction.
- A Fire Safety Plan shall be prepared per Cal Fire approval and maintained on site. This Plan will
 include fire prevention actions, fire suppression actions, emergency reporting, and evacuation
 plans.
- The grade for all roads and driveways shall not exceed 16 percent. Design criteria shall be in accordance with the County Public Works Road Improvement Standards. Roads that are at grades of 12-16 percent shall be on non-skid asphalt or concrete surface.
- All roads shall:
 - Be able to support Fire Apparatus (40,000 pounds)
 - Provide vertical clearance of 13 feet 6 inches

- Maintain a 10-foot fuel reduction zone on both sides
- Minimum driveway width shall be 10 feet for less than 50 feet of length, 12 feet for driveways 50 to 199 feet in length, and 16 feet for greater than 200 feet in length.
- Turnarounds must be provided if a driveway exceeds 300 feet in length and shall be within 50 feet of the structure.
- Gates shall meet Section 503.5 of the California Fire Code requirements for access. All gates shall be set back from the road by a minimum of 30 feet from the edge of the roadway; shall be two feet wider on each side of the road; shall automatically open upon exiting; shall of a KNOX switch; shall have an approved means of emergency operation at all times; and shall be maintained operational at all times.
- Vegetation clearance shall include 30 feet of dry vegetation clearance around the perimeter of the cultivation areas and 10 feet from roadways, driveways, turnouts, cul-de-sacs, hammerheads, and fire hydrants. Residential structures, accessory structures and permitted structures other than greenhouses shall have a 30 feet of dry vegetation clearance and another 100 feet of vegetation reduction.
- Buildings shall be setback 30 feet from the property line.
- The project shall include installation of 5,000 gallon steel water storage tanks.
- Standard addressing and directional signage requirements will apply to the project.
- Two fire extinguishers shall be placed with each generator used at the site and each cultivation area will have a fire extinguisher based on Fire Code and California Title 19 requirements.
- All electrical wiring will meet the requirements of the California Electrical Code and California Fire Code.
- Future building will require a Fire Safety Plan from Cal Fire / San Luis Obispo County Fire of any structures and will meet California Fire Code. A Fire Protection Engineer may be required to submit a technical report on the commercial and residential structures.
- Prior to occupancy or final inspection, whichever occurs first, the applicant shall obtain final inspection and approval from Cal Fire for all required fire/life safety measures.

The current roads and driveways associated with this project meet Cal Fire standards for the proposed project (Wells 2018). As designed, the operation would be entirely located on the flat, unvegetated areas and would be required to meet Building Code and County standards for drainage, stormwater, and flood hazards. None of the operations or structures would be located on slopes. Therefore, the project would not expose people or structures to significant risks such as flooding or landslides, as a result of runoff or post-fire instability.

The project is not expected to conflict with any regional emergency response or evacuation plan, as the greenhouses would be set back from Suey Creek Road, and the existing grade and widths of the access road and driveways are permissible per CalFire standards.

The project is not with an Airport Review Area. Therefore, the project would not expose workers to aviation-related hazards.

Mitigation/Conclusion. Project development and operation would be in accordance with County Ordinances and Cal Fire/San Luis Obispo Fire Department Standards. Project design combined with regulatory compliance would ensure that any impacts are less than significant. Therefore, no mitigation measures are necessary.

| 8. | NOISE Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|----|---|----------------------------|--------------------------------------|-------------------------|-------------------|
| a) | Expose people to noise levels that exceed the County Noise Element thresholds? | | | | |
| b) | Generate permanent increases in the ambient noise levels in the project vicinity? | | | \boxtimes | |
| c) | Cause a temporary or periodic increase in ambient noise in the project vicinity? | | | \boxtimes | |
| d) | Expose people to severe noise or vibration? | | | \boxtimes | |
| e) | If located within the Airport Review designation or adjacent to a private airstrip, expose people residing or working in the project area to severe noise levels? | | | | |
| f) | Other: | | | | \boxtimes |

Noise

Setting. The project is not within close proximity of loud noise sources, as the project site and surrounding area consist of agricultural uses and scattered residences on rural land. The nearest sensitive receptors to the project site include a residence approximately 750 feet to the southeast of the project. The Noise Element of the County's General Plan includes projections for future noise levels from known stationary and vehicle-generated noise sources. Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area.

Impact.

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

Operational Impacts: The project is not expected to generate loud noises or conflict with the surrounding uses. Noise resulting from odor mitigation equipment would be expected to generate noise levels of approximately 86 dBA at 25 feet from the source. With attenuation of noise levels with distance, equipment-related noise levels at the property line would be well below 60 dBA. The project is located within a rural and agricultural area and based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area. Noise generated by vehicular traffic on Suey Creek Road would be comparable to background noise levels generated by surrounding agricultural operations and existing vehicular traffic. Operation of the project would not expose people to significant increased noise levels in the long term.

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

| 9. POPULATION/HOUSING Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|--|----------------------------|--------------------------------------|-------------------------|-------------------|
| a) Induce substantial growth in an area either directly (e.g., construct new homes or businesses) or indirectly (e.g., extension of major infrastructure)? | | | | |
| b) Displace existing housing or people, requiring construction of replacement housing elsewhere? | | | \boxtimes | |
| c) Create the need for substantial new housing in the area? | | | \boxtimes | |
| d) Other: | | | | \boxtimes |

Population/Housing

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

Impact. The project site includes two single-family residences. The single-family residences would remain in place throughout construction and operation of the project. Accordingly, the proposed project would not result in the removal or construction of any housing. The project is expected to employ up to 10 persons during harvest periods. It is expected the employees would be sourced from the existing labor pool of the County. Therefore, the project would not result in a need for a significant amount of new housing and would not displace existing housing.

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

| 10. | PUBLIC SERVICES / UTILITIES / ENERGY USAGE Will the project: Have an effect upon, or result in the need for new or altered public services in any of the following areas: | | | Impact can & will be mitigated | Insignificant Impact | Not Applicabl |
|---|---|--|----------------|--------------------------------------|-------------------------|------------------|
| | i) Fire protection | on? | | | \boxtimes | |
| | ii) Police proted CHP)? | etion (e.g., Sheriff, | | | \boxtimes | |
| | iii) Schools? | | | | \boxtimes | |
| | iv) Roads? | | | | \boxtimes | |
| | v) Solid Wastes | ? | | | \boxtimes | |
| | vi) Other public | facilities? | | | | \boxtimes |
| UTILITIES / ENERGY USAGE Will the project: a) Have an effect upon, or result in the need for new or altered public services in any of the following areas: i) Fire protection? ii) Police protection (e.g., Sheriff, CHP)? iii) Schools? iv) Roads? v) Solid Wastes? vi) Other public facilities? b) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? c) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? d) Other: Dublic Services Setting. The project area is served by the following public services/facilities: Police: County Sheriff Location: SLO County Sheriff. Approximately 12 miles Fire: CalFire Hazard Severity: Very High Response | \boxtimes | | | | | |
| c) | local plan for renew | | | | \boxtimes | |
| d) | Other: | | | | | \boxtimes |
| | | ES/ENERGY USAGE Significant & will be mitigated project: effect upon, or result in the new or altered public services the following areas: ire protection? | | | | |
| | . , | • | 0. | | 12 miles to the | west. |
| | | · | , - | Mor | | |
| | | | to the southwe | est | | |

Impact.

Fire Services

The California Department of Forestry and Fire Protection (Cal Fire) provides mutual and automatic aid supporting the County of San Luis Obispo. The nearest Cal Fire station (Station 20) is located 12 miles to the southwest at 450 Pioneer Street. According to Cal Fire's San Luis Obispo County Fire Hazard Severity Zone map, the project site is located in a "Very High" Fire Hazard Severity Zone.

Although not anticipated, the potential for fire to occur at the project's construction site is possible. It is expected that the electrical, plumbing and mechanical systems in the greenhouses would be properly

installed in compliance with all California Fire Code, California Building Code, Public Resources Code and any other applicable fire laws, thereby reducing the potential for a fire. The construction site would also be subject to County requirements relative to water availability and accessibility to firefighting equipment. In addition, a 5,000-gallon steel water storage tank would be required to serve the proposed greenhouses and existing residences. Lastly, the project will be conditioned to obtain a Fire Safety Plan from CalFire at the time of application for building permits. Adherence to these requirements during construction would reduce the potential for fire hazards during construction. The project's incremental impacts to Fire Department services would be insignificant, and would not require new or altered facilities to service the site.

Police Services

The project site is within the existing service range of the County Sheriff Department. Construction onsite would not normally require services from the Sheriff's Department, except in cases of trespassing, theft, and/or vandalism. The project includes a detailed security plan that must be reviewed and approved by the County Sheriff. The project site is located in a remote area and is not visible from public roadways. However, the project includes the incorporation of security cameras and presence of trained dogs to protect against any potential criminal intrusion. Incorporation of these security techniques would serve to reduce the need for police/sheriff enforcement. Since the site is currently in the existing service range, would not require additional police protection or law enforcement services, and would not trigger changes that would affect police protection services, this impact would be insignificant.

Schools, Parks, Other Facilities

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

Roads

Regional access to the site is provided by Suey Creek Road which is a County-owned, paved road. As discussed in the Transportation/Circulation section, the project is anticipated to generate 14 average daily tips (ADT). This small amount of additional traffic would not result in a significant change to existing road service or traffic safety levels.

Solid Waste

The nearest landfill to the site is the Santa Maria Transfer Station, located approximately six miles to the southwest. The project would generate greenwaste associated with cannabis cultivation that would be composted on-site. Parts of cannabis plants would be rendered unusable and unrecognizable before being combined with other compostable materials. The incremental amount of greenwaste generated by the project would be within the service capacity of the landfill. Operation of the project would generate solid waste, such as pesticide containers, fertilizer containers, packaging materials, and other solid nontoxic refuse waste which would be disposed of in a dump trailer with a locking rear hatch in the waste disposal area of the site. The trailer would be self-hauled to the Santa Maria Transfer Station when it reaches capacity. The project would be routinely hauled, and since operation of the project is not expected to generate a substantial amount of solid waste, impacts are considered insignificant.

Energy Usage

The project would be served by two existing Pacific Gas & Electric (PG&E) electrical services, which have previously served the existing residences. The 100-amp and 200-amp electrical lines would be used to power the proposed greenhouses, and would result in the annual consumption of 19,000 kilowatt-hours (kWh). In the event that additional power is necessary, the applicant shall apply for service through PG&E and secure appropriate permits through the County. Existing solar panels onsite would be utilized to power security camera and equipment. Therefore, the project would not result in the wasteful or inefficient use of energy resources. No state or local plan for renewable energy or energy efficiency is proposed for the project area and, therefore, the project would not conflict with such plans.

Mitigation/Conclusion. Public facility (County) and school (State Government Code 65995 et seq.) fee programs have been adopted. The project will be required to contribute to these programs to avoid potential direct and cumulative impacts. Potential impacts related to fire services, police services, roads, solid waste, and energy would be less than significant. Thus, no mitigation measures are necessary.

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

Recreation

Setting. The County's Parks and Recreation Element does not denote any trails or potential trails through the proposed project. The project is not proposed in a location that would affect any trail, park, recreational resource, coastal access, and/or Natural Area.

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

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

| | . TRANSPORTATION/ RCULATION | Potentially Significant | Impact can & will be | Insignificant Impact | Not Applicable |
|----|---|----------------------------|----------------------------|-------------------------|-------------------|
| | Will the project: | | mitigated | | |
| a) | Increase vehicle trips to local or area wide circulation system? | | | \boxtimes | |
| b) | Reduce existing "Level of Service" on public roadway(s)? | | | \boxtimes | |
| c) | Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)? | | | | |

| | . TRANSPORTATION/ RCULATION | Potentially Significant | Impact can & will be | Insignificant Impact | Not Applicable |
|----|---|----------------------------|----------------------------|-------------------------|-------------------|
| | Will the project: | | mitigated | | |
| d) | Provide for adequate emergency access? | | | | |
| e) | Conflict with an established measure of effectiveness for the performance of the circulation system considering all modes of transportation (e.g. LOS, mass transit, etc.)? | | | | |
| f) | Conflict with an applicable congestion management program? | | | | \boxtimes |
| g) | Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | | | | |
| h) | Result in a change in air traffic patterns that may result in substantial safety risks? | | | | |
| i) | Other: | | | | \boxtimes |
| | | | | | |

Transportation

Setting. The project site is located off of Suey Creek Road. The County has established the acceptable Level of Service (LOS) on roads for rural areas as "C" or better. Suey Creek Road is a County maintained road. The project is not within a Road Impact Fee area.

Impact.

Trip Generation, Levels of Service, Congestion

A traffic study was prepared by Rick Engineering Company (2018). The study was reviewed and accepted by County Public Works and Caltrans. The proposed project is estimated to generate a net increase of 14 average daily trips (ADT), including two trips during the AM peak hour and four trips during the PM peak hour during normal operations (see Table 3). During harvest periods, the project is estimated to generate 34 ADT, seven trips during the AM peak hour and seven trips during the PM peak hour.

Table 3 - Project Trip Generation Estimates

| | | Daily T | rips | | AM Peak | K Hou | r Trips | | | PM Peak Hour Trips | | | (|
|-----------------------------|----------|------------------|--------|----------------------|-----------------|--------|---------|-------|----------------------|--------------------|----|-----|-------|
| | | Driveway Rate | ADT | Peak Hour Rate | In/Out Split | In | Out | Total | Peak Hour Rate | In/Out Split | In | Out | Total |
| | | | Typica | l Opera | tions (De | c-Sep |) | | | | | | |
| Employees | 4 Daily | 3.02 | 12 | 0.48 | 87/13 | 2 | 0 | 2 | 0.51 | 29/71 | 0 | 2 | 2 |
| Delivery Vehicles | 1 Daily | - | 2 | 0.50 | 50/50 | 0 | 0 | 0 | 0.50 | 50/50 | 1 | 1 | 2 |
| Total Typical Project Trips | - | - | 14 | - | - | 2 | 0 | 2 | - | - | 1 | 3 | 4 |
| | | | Harves | st Opera | tions (O | ct-Nov | v) | | | | | | |
| Employees | 10 Daily | 3.02 | 30 | 0.48 | 87/13 | 4 | 1 | 5 | 0.51 | 29/71 | 2 | 3 | 5 |
| Delivery Vehicles | 2 Daily | - | 4 | 0.50 | 50/50 | 1 | 1 | 2 | 0.50 | 50/50 | 1 | 1 | 2 |
| Total Harvest Project Trips | - | - | 34 | - | - | 5 | 2 | 7 | - | - | 3 | 4 | 7 |

The existing traffic volume for Suey Creek Road, north of State Route 166, is approximately 317 vehicles per day. Based on the project's relatively low trip generation and low number of existing average daily trips on Suey Creek Road, the project would not noticeably impact traffic operation, would not reduce levels of service on nearby roads, conflict with adopted policies, plans or programs for transportation, and would not cause congestion on the local circulatory network. Since the project would not generate foot or bicycle traffic, or generate public transit demand, and since no public transit facilities, pedestrian or bicycle facilities exist in the area, the project would have no impact on levels of service/conditions for these facilities.

Access and Hazards

Per the Cal Fire memo dated April 25, 2018, the project's existing driveway and access road meet fire requirements regarding road grade, width, and base. Any non-greenhouse structure would be required to meet the grade and width requirements as well. The project does not propose any features that would delay or disrupt emergency vehicles or result in unsafe conditions.

Airport Traffic

The project site is not located in any runway protection/safety compatibility or object free zones. There would be no impact regarding aviation related hazards/patterns.

Mitigation/Conclusion. The project would not reduce the LOS of public roadways or significantly increase vehicle trips to the circulation system. Therefore, the project's transportation impacts would be less than significant, and no mitigation measures are necessary.

| 13. WASTEWATER | | Potentially Significant | Impact can & will be | Insignificant Impact | Not Applicable |
|----------------|---|----------------------------|-------------------------|-------------------------|-------------------|
| | Will the project: | | mitigated | | |
| a) | Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems? | | | | |
| b) | Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)? | | | | |

| 13. WASTEWATER | Potentially Significant | Impact can & will be | Insignificant Impact | Not Applicable |
|--|----------------------------|-------------------------|-------------------------|-------------------|
| Will the project: | | mitigated | | |
| c) Adversely affect community wastewate service provider? | r | | | \boxtimes |
| d) Other: | | | | \boxtimes |

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

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

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

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

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

Impacts/Mitigation. The project site has an existing septic system for the residential use on site. Based on the following project conditions or design features, wastewater impacts are considered less than significant:

✓ The project has sufficient land area per the County's Land Use Ordinance to support an on-site. system;



- ✓ There is adequate soil separation between the bottom of the leach line to bedrock or high. groundwater;
- ✓ The soil's slope is less than 20%;
- ✓ The leach lines are outside of the 100-year flood hazard area;
- ✓ There is adequate distance between proposed leach lines and existing or proposed wells;
- ✓ The leach lines are at least 100 feet from creeks and water bodies.

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

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

| 14 | I. WATER & HYDROLOGY Will the project: | Potentially Significant | Impact can & will be mitigated | Insignifican t Impact | Not Applicabl e |
|----|--|----------------------------|--------------------------------------|--------------------------|-----------------------|
| | JALITY Violate any water quality standards? | | | \boxtimes | |
| • | Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)? | | | | |
| c) | Change the quality of groundwater (e.g., saltwater intrusion, nitrogenloading, etc.)? | | | | |
| d) | Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff? | | | | |
| e) | Change rates of soil absorption, or amount or direction of surface runoff? | | | \boxtimes | |
| f) | Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur? | | | \boxtimes | |
| g) | Involve activities within the 100-year flood zone? | | | \boxtimes | |
| QL | JANTITY | | | | |
| h) | Change the quantity or movement of available surface or ground water? | | | \boxtimes | |

| i) Adversely affect community water service provider? | | \boxtimes | |
|--|--|-------------|-------------|
| j) Expose people to a risk of loss, injury or death involving flooding (e.g., dam failure,etc.), or inundation by seiche, tsunami or mudflow? | | | |
| k) Other: | | | \boxtimes |

Setting.

WATER SUPPLY— The project is not located within a groundwater basin at Level of Severity III as determined by the most recent Biennial Resource Management System Report. No water use offset is required. The project proposes to use an on-site well as its water source.

The topography of the site is nearly level to steeply sloping, with the project footprint sited on nearly level areas. The closest creek from the proposed development is the Los Berros Creek, located on-site approximately 320 feet from the project footprint. As described in the NRCS Soil Survey, the soil surface is considered to have low to moderately low erodibility.

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

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

Within the 100-year Flood Hazard designation? No

Closest creek? Los Berros Creek Distance? Approximately 320 feet southeast of the project footprint

Soil drainage characteristics: Well drained

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Section 22.52.110 or CZLUO Section 23.05.042) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

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

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Section 22.52.120) to minimize these impacts. When required, the plan must be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts.

Impact

Water Quality/Hydrology

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



- √ No additional site disturbance is proposed;
- ✓ The project would be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- ✓ The project is not on highly-erodible soils, nor on moderate to steep slopes;
- ✓ The project is more than 100 feet from the closest creek or surface water body;
- ✓ Stockpiles would be properly managed during construction to avoid material loss due to erosion;
- ✓ All hazardous materials and/or wastes would be properly stored on-site, which include secondary containment should spills or leaks occur.

Implementation of these County standards would reduce the project's water quality impacts to less than significant.

Water Quantity

Buildout of the proposed project would result in an estimated water demand of one (1) acre foot per year and would include uses for the proposed cultivation as well as for the existing residences. As required by LUO Section 22.40.050 C., the project application includes a detailed water management plan that sets forth water conservation methods to be employed throughout the life of the project.

Water on-site is supplied by two existing wells that have been used for previous cannabis cultivation and for the existing residences, and have a yield of 12 gallons per minute and 41 gallons per minute. The well pump test and water quality analysis from 2018 conclude that the wells produce sufficient water to meet the project's water demand (Miranda Pine Drilling Company 2018 and Agricultural Analytical Services Laboratory 2018). In addition, the project site is not located over an impacted groundwater basin.

Seiche/Tsunami/Mudflow

The project site is located approximately 13 miles inland from the Pacific Ocean and is not located in the Coastal Zone. Due to proximity, there is no risk from tsunami or seiche. Since the development footprint is relatively flat and is located atop a hillside mudflow risks would be insignificant.

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

| 15. LAND USE Will the project: | Inconsistent | Potentially Inconsistent | Consistent | Not Applicable |
|---|--------------|-----------------------------|-------------|-------------------|
| a) Be potentially inconsistent with land use, policy/regulation (e.g., general plan [County Land Use Element and Ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects? | | | | |
| b) Be potentially inconsistent with any habitat or community conservation plan? | | | \boxtimes | |

| 15 | 5. LAND USE Will the project: | Inconsistent | Potentially Inconsistent | Consistent | Not Applicable |
|----|---|--------------|-----------------------------|-------------|-------------------|
| c) | Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project? | | | | |
| d) | Be potentially incompatible with surrounding land uses? | | | \boxtimes | |
| e) | Other: | | | | \boxtimes |

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

- LUO Section 22.98 South County Planning Area
- 2. LUO Chapter 22.98 South County Inland Sub-Area

Under the County's Cannabis Activities Ordinance (Ordinance 3358), Cannabis Cultivation is allowed within the Rural Lands land use category.

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

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

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

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

| 16. MANDATORY FINDINGS OF SIGNIFICANCE | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|--|----------------------------|--------------------------------------|-------------------------|-------------------|
| Will the project: | | gato a | | |

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

Impact

- a) The proposed project does not have the potential to substantially degrade the quality of the environment. Compliance with all the mitigation measures identified in Exhibit B will ensure that project implementation will not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. In addition, the project would not contribute significantly to greenhouse gas emissions or increase energy consumption. Implementation of the project will not eliminate important examples of the major periods of California history or pre-history. Therefore, the anticipated project-related impacts are less than significant with incorporation of the mitigation measures include din Exhibit B.
- b) The potential for adverse cumulative effects were considered in the response to each question in Sections 1 through 15 of this form. In addition to project specific impacts, this evaluation considered the project's potential for incremental effects that are cumulatively considerable. As described in Section 4 above, potentially significant effects related to biological resources were identified. However, the mitigation measures included in Exhibit B would reduce the effects to a level below significance. As a result of this evaluation, there is no substantial evidence that, after mitigation, there are cumulative effects associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.
- c) In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in Sections 3. Air Quality, 6. Geology & Soils, 7. Hazards & Hazardous Materials, 8. Noise, 9. Population & Housing, 10. Public Services and Utilities, 12. Transportation & Circulation, 13. Wastewater, 14. Water & Hydrology, and 15. Land Use. As a result of this evaluation, there is no substantial evidence that there

are adverse effects to human beings associated with this project. Therefore, the project has been determined not to meet this Mandatory Finding of Significance.

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

Exhibit A - Initial Study References and Agency Contacts

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

| Cont | acted Agency | | <u>Response</u> |
|-------------|---|---------------------------|--|
| \boxtimes | County Public Works Department | | Attached |
| | County Environmental Health Services | S | Not Applicable |
| | County Agricultural Commissioner's C | ffice | Not Applicable |
| | County Airport Manager | | Not Applicable |
| | Airport Land Use Commission | | Not Applicable |
| \Box | Air Pollution Control District | | Not Applicable |
| 一 | County Sheriff's Department | | Not Applicable |
| \boxtimes | Regional Water Quality Control Board | | Attached |
| | CA Coastal Commission | | Not Applicable |
| \boxtimes | CA Department of Fish and Wildlife | | Attached |
| | · | | Attached |
| | CA Department of Transportation | | |
| H | CA Department of Transportation | | Not Applicable |
| | Community Services District | | Not Applicable |
| | Other Northern Chumash Tribal Council | | None |
| | Other South County Advisory Board | | None |
| \boxtimes | Other <u>Building Division</u> | | None |
| propo | osed project and are hereby incorporated I mation is available at the County Planning and | by refe | peen used in the environmental review for the erence into the Initial Study. The following ing Department. Design Plan |
| Coun | Project File for the Subject Application Ity documents Coastal Plan Policies Framework for Planning (Coastal/Inland) General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements: | □ ⊠ □ <u>Oth</u> | Specific Plan Annual Resource Summary Report Circulation Study er documents |
| [[[| Ägriculture Element Conservation & Open Space Element Economic Element Housing Element Noise Element Parks & Recreation Element/Project List Safety Element | | Clean Air Plan/APCD Handbook Regional Transportation Plan Uniform Fire Code Water Quality Control Plan (Central Coast Basin – Region 3) Archaeological Resources Map Area of Critical Concerns Map Special Biological Importance Map |

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

Project-Specific Studies

Agricultural Analytical Services Laboratory. Water Analysis Irrigation Water Report. July 2018.

Central Coast Archaeological Research Consultants. Cultural Resources Survey. June 2018.

Kevin Merk Associates, LLC. Biological Resources Assessment for Proposed Agricultural Project. .. August 2018.

Rick Engineering Company. Traffic Generation Letter. July 2018

Ron Taylor Drilling. Water Well Drillers Report. May 1991.

Other References

- California Department of Conservation (CDOC). 2015.CGS Information Warehouse: Regulatory Maps http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps accessed September 2018
- California Department of Finance. 2018. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2018 with 2010 Census Benchmark. http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/ (accessed September 2018).
- San Luis Obispo County.1999.General Plan Safety Element. https://www.slocounty.ca.gov/getattachment/893b6c58-7550-4113-911c-3ef46d22b7c8/Safety-Element.aspx. accessed August 2018

Exhibit B - Mitigation Summary Table

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

Biological Resources

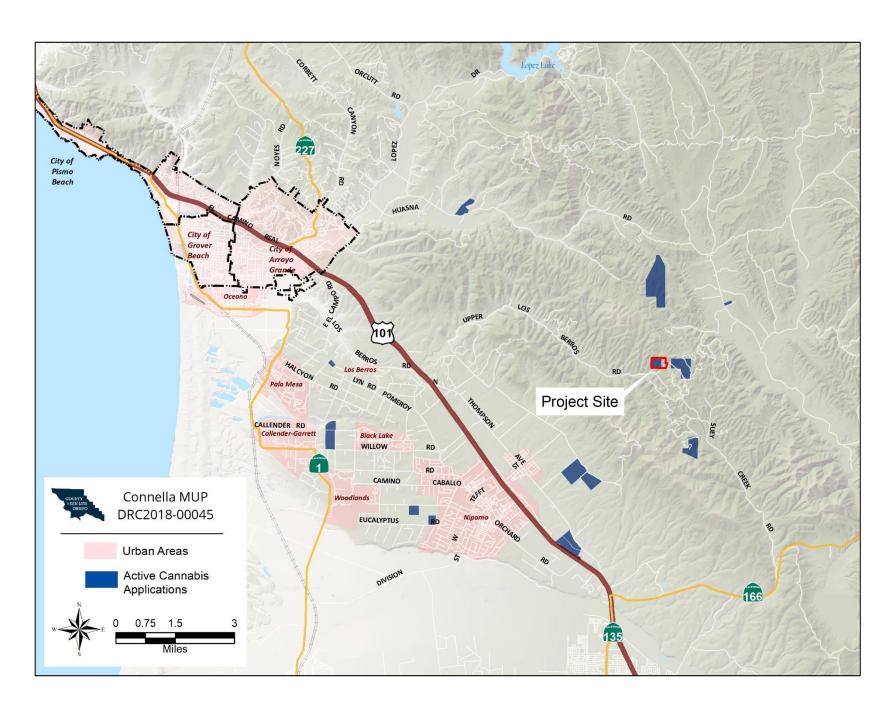
MM BIO-1:

Protective Fencing. Prior to issuance of a construction permit: Orange protective fencing shall be installed around native habitat in all areas where oak woodland occurs within 50 feet of proposed development. A qualified biologist shall confirm the placement of the temporary orange fencing. The protective fencing shall be maintained during all construction activities and crews informed of the restricted area.

MM BIO-2:

Avoidance of Nesting Birds. During project construction: To avoid impacts to nesting birds protected by the Migratory Bird Treaty Act, construction and site disturbance should be limited to the time period between September 1 and February 14, if feasible. If site disturbance and construction cannot be conducted during this time period, a pre-construction survey for active bird nests within the limits of the project shall be conducted by a qualified biologist and the following measures incorporated.

Surveys shall be conducted within two weeks prior to any construction activities proposed to occur between February 15 and August 31. If no active nests are located, ground disturbing/ construction activities may proceed. If active nests are located, then all construction work shall be conducted outside a non-disturbance buffer zone to be developed by the project biologist based on the species (i.e., 50 feet for common species and at least 500 feet for raptors and special status species), slope aspect and surrounding vegetation. No direct disturbance to nests shall occur until the young are no longer reliant on the nest site as determined by the project biologist. The biologist shall conduct monitoring of the nest until all young have fledged.



DATE: 5/3/2019 REVISED:

DEVELOPER'S STATEMENT & MITIGATION MONITORING/REPORTING PROGRAM FOR SLOCAL ROOTS ED19-104 (DRC2018-00045)

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

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

Biological Resources

MM BIO-1:

Protective Fencing. Prior to issuance of a construction permit: Orange protective fencing shall be installed around native habitat in all areas where oak woodland occurs within 50 feet of proposed development. A qualified biologist shall confirm the placement of the temporary orange fencing. The protective fencing shall be maintained during all construction activities and crews informed of the restricted area.

MM BIO-2:

Avoidance of Nesting Birds. During project construction: To avoid impacts to nesting birds protected by the Migratory Bird Treaty Act, construction and site disturbance should be limited to the time period between September 1 and February 14, if feasible. If site disturbance and construction cannot be conducted during this time period, a pre-construction survey for active bird nests within the limits of the project shall be conducted by a qualified biologist and the following measures incorporated.

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| Signature of Owner(s) | Austen Conr Name (Print) | rela 5/6/19 Date |
|-----------------------|-----------------------------|---------------------|
| Signature of Owner(s) | Keistin Kordi | ICH 5/6/19 |
| Signature of Owner(s) | Name (Print) | Date |

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