

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # _____

Project Title: DRC2017-00110 Culbertson Progreens, Inc Conditional Use Permit

Lead Agency: County of San Luis Obispo Contact Person: Megan Martin
Mailing Address: 976 Osos Street, Room 300 Phone: (805)781-4163
City: San Luis Obispo Zip: 93408-2040 County: San Luis Obispo

Project Location: County: San Luis Obispo City/Nearest Community: City of Paso Robles

Cross Streets: N. River Rd/Hwy 46 Zip Code: 93446

Lat. / Long: 35° 66' 94.42" N/ 120° 69' 4.95" W Total Acres: 19.12

Assessor's Parcel No.: 026-141-019 Section: _____ Twp.: _____ Range: _____ Base: _____

Within 2 Miles: State Hwy #: 101, 46 Waterways: Salinas River
Airports: _____ Railways: _____ Schools: _____

Document Type:

CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) Draft EIS Other _____
 Mit Neg Dec 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 Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other _____

Development Type:

Residential: Units _____ Acres _____ Water Facilities: Type _____ MGD _____
 Office: Sq.ft. _____ Acres _____ Employees _____ Transportation: Type _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____ Mining: Mineral _____
 Industrial: Sq.ft. _____ Acres _____ Employees _____ Power: Type _____ MW _____
 Educational _____ Waste Treatment: Type _____ MGD _____
 Recreational _____ Hazardous Waste: Type _____
 Other: Cannabis Activities

Project Issues Discussed in Document:

Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Wildlife
 Coastal Zone Noise Solid Waste Growth Inducing
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Land Use
 Economic/Jobs Public Services/Facilities Traffic/Circulation Cumulative Effects
 Other _____

Present Land Use/Zoning/General Plan Designation:

Agricultural

Project Description: (please use a separate page if necessary)

See Attached.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

- | | |
|---|---|
| <input type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Emergency Services |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> CalFire | <input type="checkbox"/> Parks & Recreation |
| <input checked="" type="checkbox"/> Caltrans District # 5 | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Planning (Headquarters) | <input checked="" type="checkbox"/> Regional WQCB # 3 |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Coachella Valley Mountains Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Commission |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers and Mtns Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mountains Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region # 4 | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input checked="" type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> Health Services, Department of | |
| <input type="checkbox"/> Housing & Community Development | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Integrated Waste Management Board | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date May 29 2019 Ending Date June 28, 2019

Lead Agency (Complete if applicable):

Consulting Firm: <u>County of San Luis Obispo</u>	Applicant: _____
Address: <u>976 Osos St -- Rm 300</u>	Address: _____
City/State/Zip: <u>San Luis Obispo, CA 93401</u>	City/State/Zip: _____
Contact: <u>Megan Martin</u>	Phone: _____
Phone: <u>805-781-4163</u>	

Signature of Lead Agency Representative: *Megan Martin* Date: 5/23/19

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

Attachment – Project Description

A request from Aaron Culbertson with PROGREENS Inc. (Progreens) for a Conditional Use Permit (CUP) for 9,600 square feet of indoor cannabis cultivation and non-volatile manufacturing. The project would also include ancillary processing activities, such as drying, packaging, and storage. Project development includes the construction of four 1,920-square foot greenhouses and expansion of an existing greenhouse from 720 square feet to 1,920 square feet. The proposed manufacturing and processing activities would occur inside of an existing 3,000 square-foot metal building. The project would employ up to nine persons and would operate Monday through Friday between the hours of 8 AM and 8 PM. The project site is located in the Agricultural land use category on a 19.12-acre property at 4415 North River Road (Assessor Parcel Number 026-141-019) about one mile north of the City of Paso Robles in the Salinas River Sub Planning Area of the North 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

ENVIRONMENTAL DETERMINATION NO. ED19-103

DATE: May 20, 2019

PROJECT/ENTITLEMENT: Culbertson_Progreens Conditional Use Permit; DRC2017-00110

APPLICANT NAME: Culbertson_Progreens **Email:** progreens.inc@gmail.com

ADDRESS: PO Box 4869 Paso Robles, CA 93446

CONTACT PERSON: Aaron Culbertson **Telephone:** 805-238-9461

PROPOSED USES/INTENT: A request from Aaron Culbertson with PROGREENS Inc. (Progreens) for a Conditional Use Permit (CUP) for 9,600 square feet of indoor cannabis cultivation and non-volatile manufacturing. The project would also include ancillary processing activities, such as drying, packaging, and storage. Project development includes the construction of four 1,920-square foot greenhouses and expansion of an existing greenhouse from 720 square feet to 1,920 square feet. The proposed manufacturing and processing activities would occur inside of an existing 3,000 square-foot metal building. The project would employ up to nine persons and would operate Monday through Friday between the hours of 8 AM and 8 PM. An existing cannabis cultivation operation is on site and registered as Cooperative/Collective registration CCM2016-00037 under Urgency Ordinance 3334. The project request includes a modification from the parking provisions set forth in Section 22.18.050.C.1 of the County Land Use Ordinance to reduce the parking spaces from 26 to 9 spaces.

LOCATION: The project site is located in the Agricultural land use category on a 19.12-acre property at 4415 North River Road, about one mile north of the City of Paso Robles.

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

STATE CLEARINGHOUSE REVIEW: YES NO

OTHER POTENTIAL PERMITTING AGENCIES:

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

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT 4:30 p.m. (2 wks from above DATE)

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

<u>Notice of Determination</u>		State Clearinghouse No. _____	
This is to advise that the San Luis Obispo County _____ as <input type="checkbox"/> <i>Lead Agency</i>			
<input type="checkbox"/> <i>Responsible Agency</i> approved/denied the above described project on _____, and has made the following determinations regarding the above described project:			
The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures and monitoring were made a condition of approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.			
This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at the 'Lead Agency' address above.			
Megan Martin, Supervising Planner		County of San Luis Obispo	

Signature	Project Manager Name	Date	Public Agency
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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. Culbertson Conditional Use Permit ED19-103 (DRC2017-00110)

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

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

DETERMINATION: (To be completed by the Lead Agency)

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

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

Mindy Fogg

Prepared by (Print)

Signature

Date

Megan Martin

Reviewed by (Print)

Signature

(for)

Date



Project Environmental Analysis

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

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

A. PROJECT

DESCRIPTION: The project is a request from Aaron Culbertson with PROGREENS Inc. (Progreens) for a Conditional Use Permit (CUP) for 9,600 square feet of indoor cannabis cultivation and non-volatile manufacturing. The project would also include ancillary processing activities, such as drying, packaging, and storage. Project development includes the construction of four 1,920-square foot greenhouses and expansion of an existing greenhouse from 720 square feet to 1,920 square feet. The proposed manufacturing and processing activities would occur inside of an existing 3,000 square-foot metal building. The project would employ up to nine persons and would operate Monday through Friday between the hours of 8 AM and 8 PM.

The project site is located in the Agricultural land use category on a 19.12-acre property at 4415 North River Road (Assessor Parcel Number 026-141-019) about one mile north of the City of Paso Robles in the Salinas River Sub Planning Area of the North County Planning Area. The project site's regional location is shown in Figure 1, and an aerial of the site is shown in Figure 2.

An existing cannabis cultivation operation was established on site in 2015 and is registered as Cooperative/Collective registration CCM2016-00037 under Urgency Ordinance 3334. The existing cultivation consists of 6,000 square feet of outdoor cultivation in the southern portion of the property in planter boxes. The existing outdoor grow will be replaced with the construction of the greenhouses such that there will be no outdoor cultivation with the implementation of this CUP. Other existing development on site includes the small greenhouse (to be expanded), the metal building (to be improved), and two single family residences that will remain.

As shown in Figure 3, and summarized in Table 1, the project would include five 1,920-square foot greenhouses; each would be ten feet in height. The first floor of the existing 3000-square foot building would be utilized for non-volatile manufacturing as well as ancillary uses such as drying, packaging, and storage. Manufacturing would involve ethanol extraction using cannabis trim from on-site. The second story of the existing building storage space that would not involve cannabis uses. A 400-square foot, locked storage container would be placed near the greenhouses to store pesticides and fertilizer. The development/building footprint of the project would total 13,000 square feet. The entirety of the area to be used for the CUP, including the buildings, parking lot, driveway, and spaces in between, would be approximately one acre. Due to the flat topography and the existing development of the site, no grading is anticipated.

Table 1 – Project Components

Project Component	Structure Size	Count	Footprint (sf)	Canopy (sf)
(N) Greenhouses	20' x 96'	5	9,600	Up to 9,600
(E) Metal Building <ul style="list-style-type: none"> • Manufacturing = 80 sq ft • Storage = 108 sq ft • Office = 212 sq ft • Processing = 2,000 sq ft 	75' x 40'	1	3,000	n/a
(N) Storage Container	5' x 80'	1	400	n/a
Total Structural Footprint			13,000	

sf = Square Feet
 E = Existing
 N = New/Proposed

Access to the site would be directly from North River Road. All exterior lighting would be for security purposes only and would be shielded and directed downward. Lighting associated with the greenhouses would be shielded from exterior views by blackout tarps. The greenhouses and existing building would be equipped with carbon filters in order to manage nuisance odors.

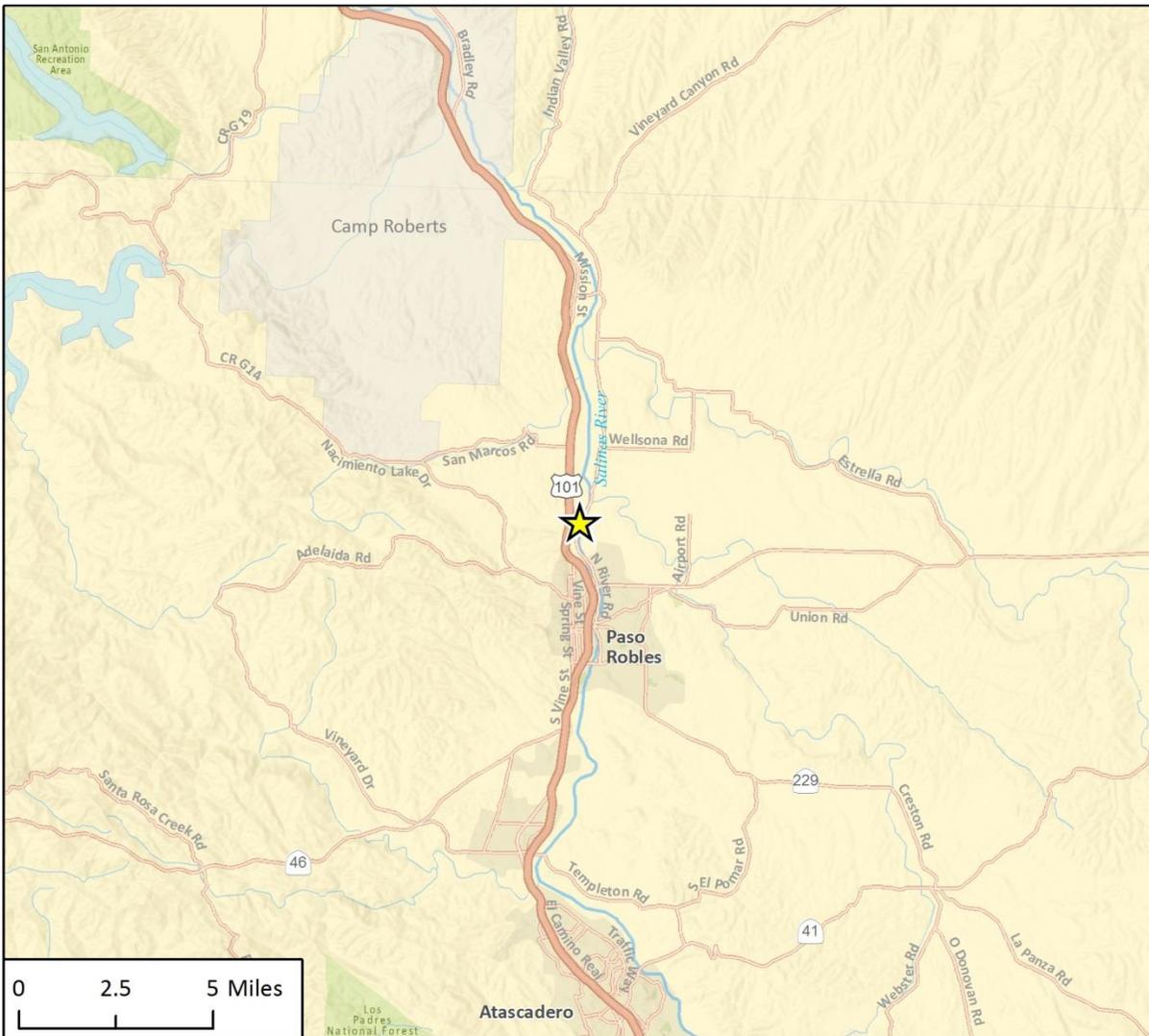
The site has existing wood fencing that is seven feet high on the southern property line, and six feet high on northern, eastern, and western property lines. A new six-foot high wood fence would also enclose a 16,800-square foot area that includes the greenhouses and storage container but does not include the existing metal building. The proposed project would be screened from public views with the combination of existing and proposed fencing as well as the existing landscaping. No exterior signage is proposed.

The project site would be served by an existing well that has been used for existing cannabis uses. The estimated annual water usage for the project is 0.8 acre feet per year. The project is located in the Paso Robles Groundwater Basin within an Area of Severe Decline. Therefore, the project would be required to offset the projected water use at a 2:1 ratio in compliance with the Countywide Water Conservation Program (CWWCP).

A restroom is located in the existing metal building. Nine parking spaces, including one ADA-compliant space, would be provided for employees on the northern portion of the use area. Solid waste would be stored on site and hauled to the proper disposal site. Cannabis waste (i.e. twigs, stems, trim waste, stalks, roots, and soil containing roots) would be stored on site in special compost bins. Cannabis waste materials would be composted or chipped and used as recyclable material.

Ordinance Modification: The project request includes a modification from the parking provisions set forth in Section 22.18.050.C.1 of the County Land Use Ordinance (LUO), The parking standard that best matches the proposed cannabis cultivation is “Nursery Specialties” with a parking requirement of one parking space per 500 square feet of floor area. The proposed greenhouses and buildings would total 13,000 square feet, which would require the applicant to provide 26 parking spaces. The project will employ up to nine employees, not all of which would be on site at the same time. Therefore, nine spaces are proposed as sufficient to meet the parking demands of the project.

Figure 1 – Regional Location



★ Project Location N



Fig 1 Regional Location

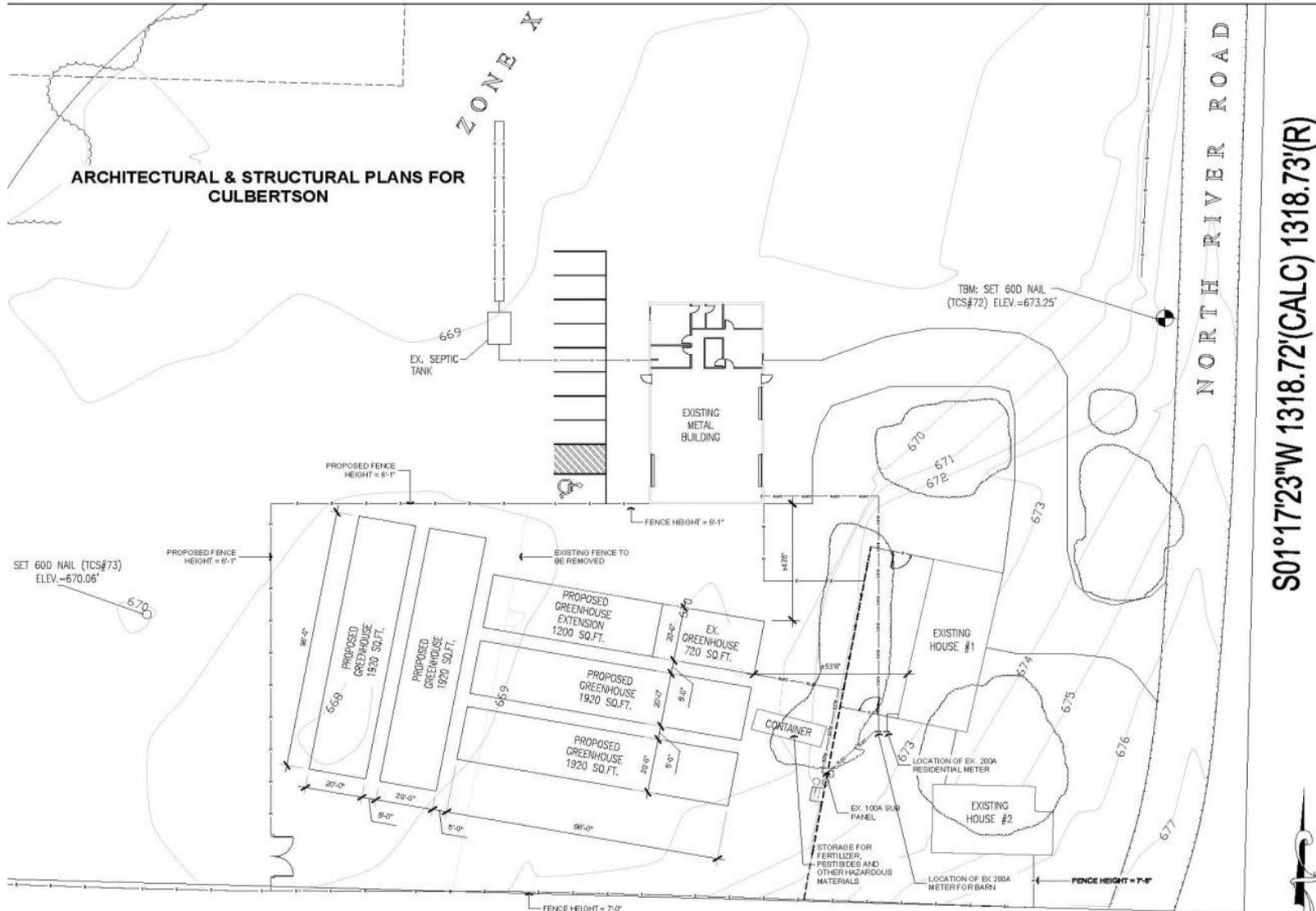
Figure 2 Project Site



Imagery provided by Microsoft Bing and its licensors © 2018.

Fig. 2. Project Location

Figure 3 – Proposed Site Plan



S01°17'23"W 1318.72'(CALC) 1318.73'(R)

ASSESSOR PARCEL NUMBER(S): 026-141-019

Latitude: 35.66766 degrees N Longitude: 120.69183 degrees W

SUPERVISORIAL DISTRICT # 1

Other Public Agencies Whose Approval is Required

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

B. EXISTING SETTING

PLAN AREA: North County

SUB: Salinas River

COMM: N/A

LAND USE CATEGORY: Agriculture

COMB. DESIGNATION: Flood Hazard

PARCEL SIZE: 19.12 acres

TOPOGRAPHY: Nearly level (slopes steeply where the drainage occurs on site)

VEGETATION: Agriculture ; Riparian; Ornamental landscaping ; Developed

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

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Agriculture ; undeveloped	<i>East:</i> Agriculture ; single-family residence(s) and agricultural uses
<i>South:</i> Agriculture ; single-family residence(s) and agricultural uses	<i>West:</i> 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	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Aesthetics

Setting. The proposed cannabis related improvements will be located on a relatively level bench between Old River Road and the riparian corridor associated with the Salinas River. The site, as with most of the surrounding uses, is currently utilized for agricultural purposes, with relatively flat to gently sloping topography on the eastern portion of the property. Two existing residences and ornamental trees are situated on the southeast corner of the property, adjacent to North River Road. An existing greenhouse is located directly west of the single-family residence, and an existing metal building is located north of the residences and greenhouse. 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. Views of the Salinas River from Old River Road along the project frontage are screened by dense riparian vegetation.

The project involves the new construction of 7,680-square feet of greenhouse structures, and expansion of an existing greenhouse from 720 square feet to 1,920 square feet, within a predominantly agricultural area. The proposed greenhouses would be up to ten feet 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 North River Road such that they would only be partially visible from it due to intervening residences, trees, and proposed fencing. In compliance with LUO Section 22.40.050.D.6, cannabis plants associated with cultivation shall not be easily visible from offsite. In this case, all cannabis related activities would occur within secure buildings where the plants would not be visible. The project would be compatible with adjacent uses and surrounding visual character (agricultural and rural residential uses).

Security lighting would be shielded and motion-activated. Each security lighting fixture would not exceed 1,000 total lumens and would be directed downwards to reduce spillover. While this lighting could be visible from adjacent properties, compliance with California Title 24 outdoor lighting energy efficiency requirements would reduce this impact to a less than significant level. All indoor lighting would be shielded from exterior views by blackout tarps. 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 the new uses and structures behind existing residences, trees, and fencing, 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

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

Agricultural Resources

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

Land Use Category: Agriculture

Historic/Existing Commercial Crops:
Unknown

State Classification: Prime Farmland if Irrigated

In Agricultural Preserve? No

Under Williamson Act contract? No

The developed portions of the project site are relatively flat. The average slope of the parcel is under five (5) percent.

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 2 and then described in detail below.

Table 2 – Classifications and Acreages of Soils On-site

Soil	Classification	Acreage
Corducci-Typic Xerofluvents (0 to 5 percent slopes)	N/A	12.9 acres
Mocho clay loam (0 to 5 percent slopes)	Prime Farmland	4.5 acres
Pico fine sandy loam (2 to 9 percent slopes)	Prime Farmland	0.8 acres
Arbuckle-Positas complex (50 to 75 percent slopes)	N/A	0.3 acres
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 Prime Farmland. Based on Natural Resources Conservation Service Soil classifications, the soil type(s) and characteristics on the site include:

Corducci-Typic Xerofluvents (0 to 5 percent slopes) +/- 12.9 acres

Present on flood plains, alluvial fans, and stream terraces at elevations 70 to 2,480 feet. The natural drainage class of Corducci and Typic Xerofluvents is somewhat excessively drained. These soils have very low runoff risk and have occasional frequency of flooding. This soil is not classified as prime farmland.

Mocho clay loam (0 to 5 percent slopes) +/- 4.5 acres

Typically present on alluvial flats and alluvial fans at elevations of 660 to 1,830 feet. This soil unit is well drained with medium surface runoff. This soil is classified as Prime farmland if irrigated.

Pico fine sandy loam (2 to 9 percent slopes) +/- 0.8 acres

Typically consists of soil on alluvial fans at elevations of 600 to 1,500 feet. Mean annual precipitation is 12 to 20 inches. This soil unit is typically very deep and well drained, featuring slow surface runoff and low risk of erosion. These soils are typically used for cultivated crops, rangeland, and urban land. This soil is classified as prime farmland if irrigated.

Arbuckle-Positas complex (50 to 75 percent slopes) +/- 0.3 acres

Often found on terraces and escarpments, typically occurring at elevations of 600 to 1,500 feet. The Arbuckle soil unit is well drained with high surface runoff. The Positas soil unit is also well drained and has very high surface runoff. This soil is not classified as prime farmland.

Impact. The project site is in a predominantly rural and agricultural area with agricultural activities occurring in the immediate vicinity. Construction of the proposed greenhouses and expansion of the existing greenhouse would occur in a previously disturbed area. As discussed in the Setting, the project site is not under Williamson Act Contract or in an agricultural preserve.

The project site is located within the Agriculture (AG) land use category and would continue to support agricultural uses; however, the new greenhouses would adversely impact about 0.2 acres of soils classified as Prime Farmland if Irrigated.

Per the memo from Lynda Auchinachie dated April 30, 2018, the Agriculture Department has reviewed the project for ordinance and policy consistency as well as potential impacts to on and off-site agricultural resources and operations. The Department has determined that the potential impacts to agriculture associated with the project will be less than significant and recommends the following conditions of approval:

- Prior to commencing permitted cultivation activities, the applicant shall consult with the Department of Agriculture regarding potential licensing and/or permitting requirements and to determine if an Operator Identification Number (OIN) is needed. An OIN must be obtained prior

to any pesticides being used in conjunction with the commercial cultivation of cannabis; “pesticide” is a broad term, which includes insecticides, herbicides, fungicides, rodenticides, etc., as well as organically approved pesticides.

- Throughout the life of the project, best management water conservation practices shall be maintained.

These conditions will be incorporated in the Conditional Use Permit approval.

Although the site contains Prime Farmland, permanent structures (e.g. the existing metal building and proposed greenhouses) would only impact approximately 0.2 acre. The relatively low acreage impacted, combined with the conditions of approval from the Agriculture Department would ensure that impacts to agricultural resources are less than significant.

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

3. AIR QUALITY

Will the project:

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

GREENHOUSE GASES

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

Air Quality

Setting. The 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).

The nearest sensitive receptors to the site are single-family residences located approximately 600 feet north and south of the proposed greenhouses.

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 into 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.

Impact.

Construction Activities: As proposed, the project would result in the disturbance of approximately 0.2 acres (8,880 square feet) to allow for the construction of four new greenhouses and expansion of the existing greenhouse. Since the site is relatively flat and already developed, no grading is anticipated. Thus, construction of the project would result in the creation of a minimal amount of dust. Since the project would move less than 1,200 cubic yards/day of material and would disturb less than four acres of area, potential impacts would be below the thresholds triggering construction-related mitigation. However, the project is within 1,000 feet of sensitive receptors on the surrounding parcels and the SCCAB is currently in nonattainment status for PM₁₀; therefore, standard mitigation for construction-related particulates will be required. This would include: maintaining all equipment in proper tune according to manufacturer's specifications; use of diesel construction equipment meeting ARB's Tier-2 certified engines or cleaner off-road heavy-duty diesel engines; restricting vehicle idling time, staging and queuing areas located 1,000 feet away from sensitive receptors; and using electric equipment when feasible. With implementation of mitigation measure AQ-1, construction related impacts would be less than significant.

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.

As proposed, the greenhouses would be equipped with wall-mounted exhaust fans and carbon filters to manage nuisance odors. In addition, the existing metal building to be used for manufacturing and

processing would be equipped with carbon filters. 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. Implementation of mitigation measure AQ-1, which specifies standard control measures for construction equipment in the vicinity of sensitive receptors, is required to reduce construction-related air quality emissions to a less than significant level (Exhibit B). This measure, along with project design and regulatory compliance, would ensure that any operational impacts are less than significant.

4. BIOLOGICAL RESOURCES

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species* or their habitats?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Interfere with the movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>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?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Biological Resources

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

On-site Vegetation: Nonnative annual grasses and forbs; red willow (*Salix laevigata*), sandbar willow (*Salix exigua*), California rose (*Rosa californica*), and mulefat (*Baccharis salicifolia*); landscaping trees and ruderal vegetation.

Name and distance from blue line creek(s): Salinas River is located on the property, approximately 0.2 miles west of the project footprint.

Habitat(s): Developed/Landscaped, Agricultural, Riparian

Site's tree canopy coverage: The property's approximate tree coverage is 60%. However, all development would occur in open, previously disturbed space.

The California Department of Fish and Wildlife (CDFW) provided preliminary comments for this project on March 8, 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.

SWCA Environmental Consultants (SWCA) prepared a Biological Resources Assessment (BRA) for the project site in June 2018. SWCA conducted a reconnaissance-level field survey on May 21, 2018, within the blooming period for special-status plant species known to occur in the area. The purpose of the Biological Resources Assessment was to (1) characterize the site's existing conditions and (2) identify biological resources that would potentially be impacted by the project. For the purposes of this project, the study area encompasses approximately 18.6 acres of land, including those outside of the project footprint. Vegetation/habitat types on site included riparian/wetland, agriculture, and developed land (Figure 4).

Based on the previous extensive disturbance on the site, lack of current presence, and type of soils present, the Biological Resources Assessment determined that no special-status plant species have the potential to occur within the study area (SWCA 2018).

Based on field observations and searches of the California Natural Diversity Database (CNDDDB) and California Native Plant Society (CNPS), the following special status animal species were identified with having some potential to occur on site based on the presence of suitable habitat:

- Burrowing Owl (*Athene cunicularia*)
- California Legless Lizard (*Anniella pulchra*)
- San Joaquin Whipsnake (*Masticophis flagellum ruddocki*)
- Coast Horned Lizard (*Phrynosoma blainvillii*)
- Golden Eagle (*Aquila chrysaetos*)
- Great Blue Heron (*Ardea herodias*)
- Ferruginous Hawk (*Athene cunicularia*)
- Yellow Warbler (*Setophaga petechial*)
- California Horned Lark (*Eremophila alpestris actia*)
- Prairie Falcon (*Falco mexicanus*)
- Bald Eagle (*Haliaeetus leucocephalus*)
- Least Bell's Vireo (*Vireo bellii pusillus*)
- Pallid Bat (*Antroxous pallidus*)
- Townsend's Big-Eared Bat (*Corynorhinus townsendii*)
- Hoary Bat (*Lasiurus cinereus*)
- Monterey Dusky-Footed Woodrat (*Neotoma macrotis Luciana*)
- Salinas Pocket Mouse (*Perognathus inomatus psammophilus*)
- American Badger (*Taxidea taxus*), Species of Special Concern
- San Joaquin Kit Fox (*Vulpex macrotis mutica*), Endangered/Threatened
- Other nesting birds

No special status wildlife species were detected on the project site during the site observations (SWCA



2018). Based on an analysis of known ecological requirements for the 28 special status wildlife species reported or known from the region and habitat conditions that were observed in the project area, thirteen species have low potential to occur and seven species have moderate potential to occur and the remaining eight species have no potential to occur (SWCA 2018).

The County has established procedures for the mitigation of potential impacts to San Joaquin kit fox (*Vulpes macrotis*). If the project site lies within the kit fox habitat area (Figure 5), and the site is less than 40 acres in size, the pre-determined standard mitigation ratio for the project area is applied. The standard mitigation ratio is based on the results of previous kit fox habitat evaluations and determines the amount of mitigation acreage based on the total area of disturbance from project activities.

If the project occurs on a site of 40 acres or more, a habitat evaluation must be prepared by a qualified biologist. The habitat evaluation is submitted to the County who reviews the application for completeness and conducts a site visit. The habitat evaluation is then submitted to the California Department of Fish and Wildlife (CDFW) for review and comment. CDFW then determines the mitigation ratio for the project which in turn determines the total amount of acreage needed to mitigate for the loss of habitat based on the total area of permanent disturbance. Mitigation for the loss of kit fox habitat may be provided by one of the following:

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

Impact.

New construction for the proposed project would occur in areas that have already been previously disturbed by the existing cannabis operations and would be set back a minimum of 50 feet from the upland edge of the riparian and wetland habitat on the western portion of the property as required by LUO Section 22.40.050. The project would have no direct or indirect impacts on wetland or riparian habitat if Best Management Practices (e.g. straw wattles, gravel bags, silt fences, etc.) are installed, and if the appropriate setbacks from the drainage on the northern edge of the property are established. In addition, impacts to special-status plant species are not expected.

The project site lies within the known habitat for San Joaquin kit fox. Therefore, construction of the proposed greenhouses could directly or indirectly impact San Joaquin Kit Fox and their habitat. Because the project site is less than 40 acres, a Kit Fox Habitat Evaluation form was not required and the project will be required to comply with the standard mitigation ratio. Since the project is located in an area where the standard mitigation ratio is three to one, all impacts to kit fox habitat will be mitigated at a ratio of three acres conserved for each acre impacted (3:1). According to the BRA the project would impact approximately 1.0 acre of designated kit fox habitat. Therefore, the standard mitigation requirement for the project is: 1.0 acre X [3:1] = 3.0 acres.

San Joaquin kit fox is unlikely to be present in the project area due to existing uses and lack of suitable habitat. Although San Joaquin kit fox has not been observed in the vicinity for many years, the historic and potential habitat suitable for kit fox as defined by CDFW and the County of San Luis Obispo (2018) could be utilized by the species if range recovery of the species extends into the Paso Robles area. Therefore, mitigation is required.

Suitable foraging and nesting habitat is present for migratory birds throughout the property. Although none of these species were identified during the reconnaissance-level survey, the potential for some of these species to occur cannot be completely ruled out due to the movement of these species. If migratory birds are present at the time of ground disturbing and construction activities, they may be disturbed by project activities. Mitigation measures are required to avoid or minimize this impact.

There is suitable roosting habitat available for roosting bat species on the property, but it is limited to trees and existing buildings. Alteration of any existing buildings (e.g. expansion of the existing greenhouse) could potentially impact roosting bat species. As such, mitigation measures are required to avoid and minimize this impact.

Due to the soils and vegetation on site, the California legless lizard (*Anniella pulchra*), San Joaquin whipsnake (*Masticophis flagellum ruddocki*), and coast horned lizard (*Phrynosoma blainvillii*) have potential to occur. Ground disturbing activities associated with construction of the greenhouses could potentially impact these species. Thus, mitigation measures are required.

There are no habitat conservation plans that apply to the project site. No trees would be removed, trimmed, or relocated, and 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 potential impact would be insignificant.

Mitigation/Conclusion. Potential impacts to biological resources are considered less than significant with incorporation of mitigation measures BIO-1 through BIO-5, as described in Exhibit B. These measures require: implementation of best management practices to avoid or minimize erosion/pollutant impacts to the on-site drainage; surveys and, if necessary, avoidance measures to ensure that nesting birds, reptiles, and roosting bats are not disturbed; and implementation of the County's standard mitigation measures for projects in designated San Joaquin kit fox areas.

Figure 4 – Habitat Map

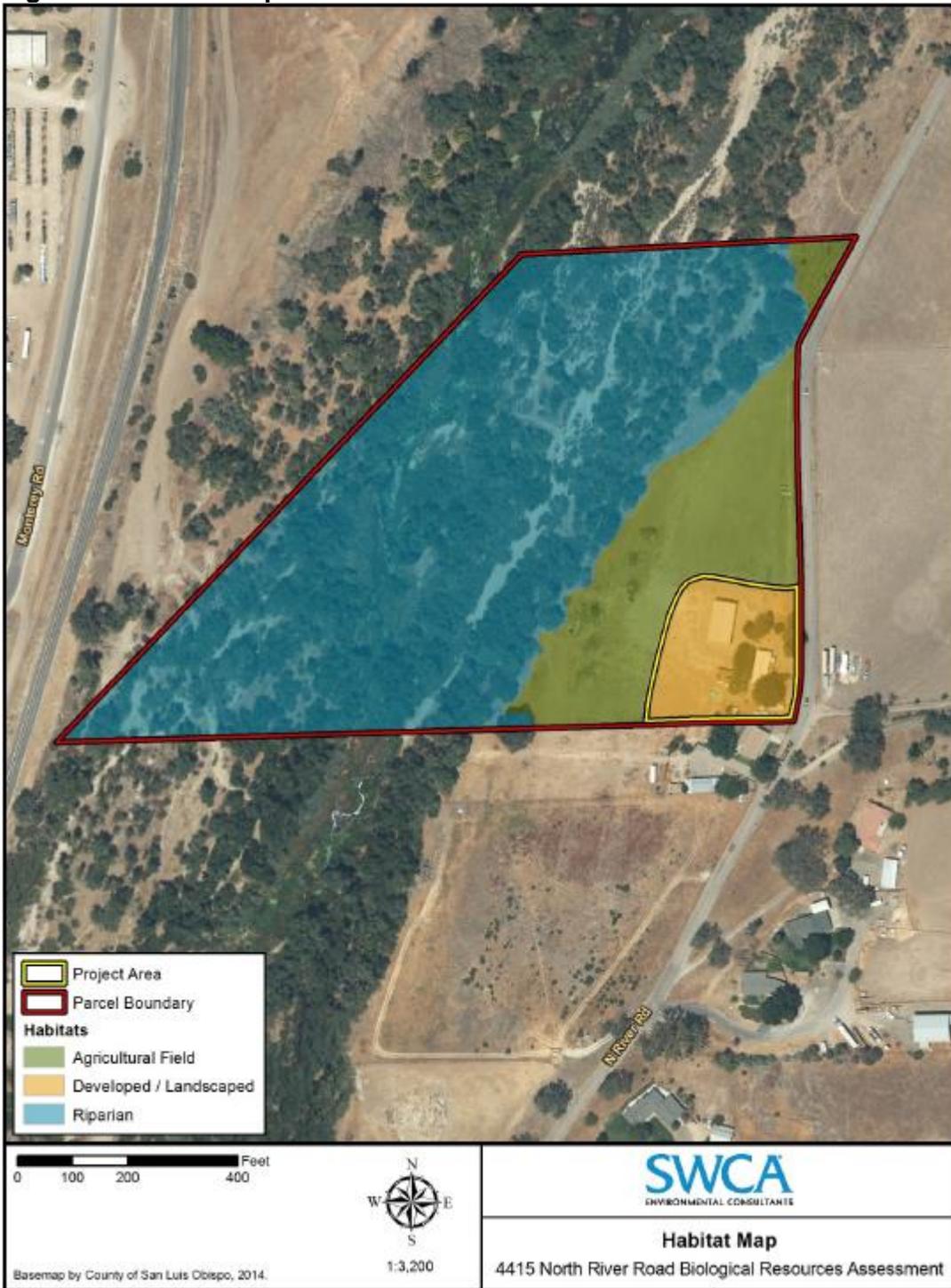
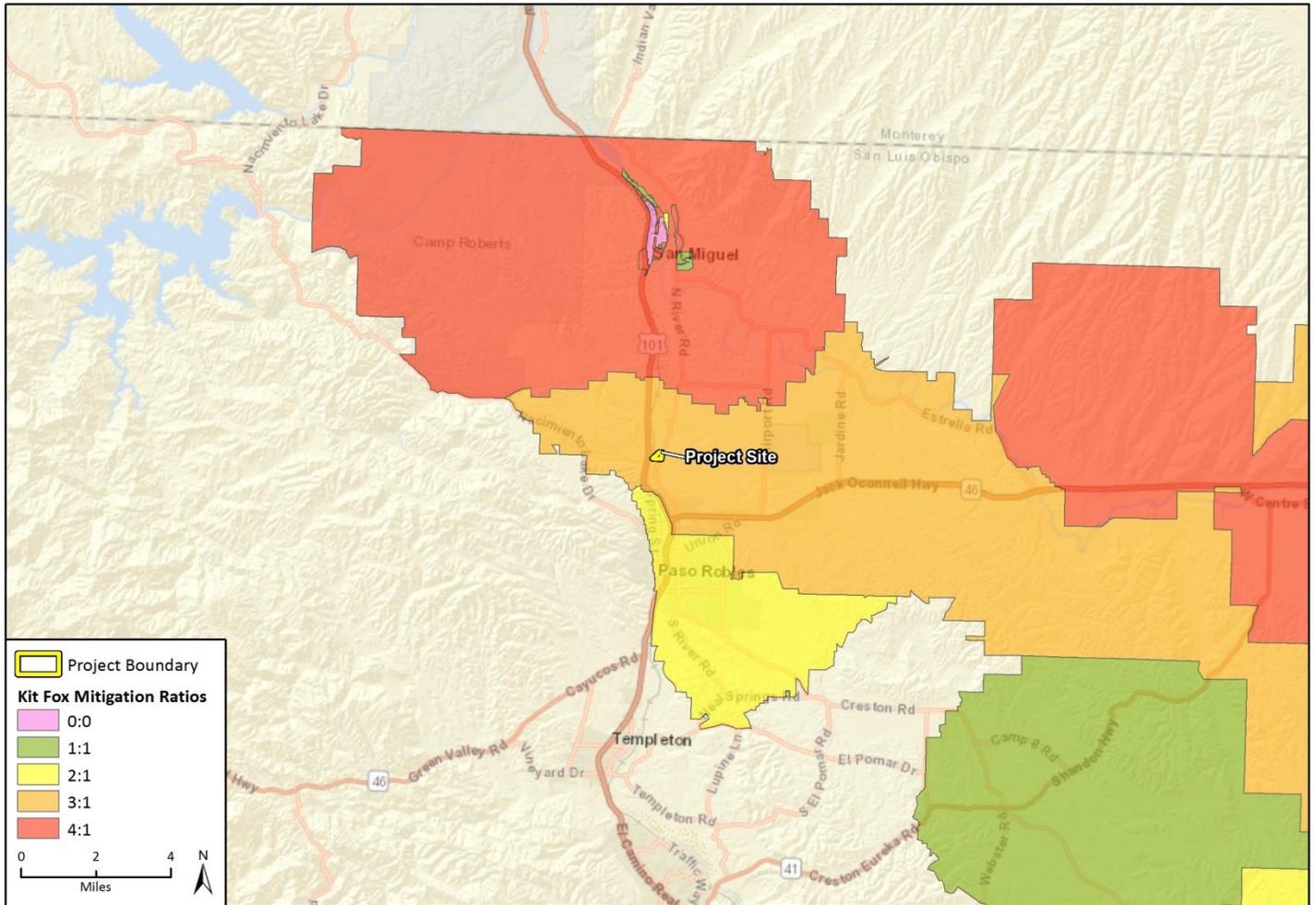


Figure 5 – Project Site In Relation to San Joaquin Kit Fox Mitigation Ratios



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

Fig 4 KFMR

5. CULTURAL RESOURCES

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

Cultural Resources

Setting. The project 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.

SWCA conducted and prepared a Phase I Archaeological Inventory Survey/Report, which included 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. SWCA 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, California Historical Landmarks, California Points of Historical Interest, and the California Office of Historic Preservation Historic Property Directory and Determinations of Eligibility. The searches did not reveal any listed environment properties or any archaeological sites within the study area or within a 0.25-mile radius of the project site. A field inspection conducted by SWCA 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). The Northern Chumash Tribal Council (NCTC) replied stating that the project is located along a waterway that could potentially be very sensitive. As such, NCTC requested that a Phase I Survey be conducted. Upon reviewing the report from SWCA, NCTC replied that they had no further comments.

Impact. The SWCA record search and field inspection did not identify any prehistoric or historic materials located on or near the project site. In addition, the project footprint would be focused in the previously disturbed/developed area of the property. Therefore, significant impacts are not anticipated.

Mitigation/Conclusion. Per County LUO Section 22.10.040, if 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. No significant impacts to cultural resources are expected to occur, and no additional mitigation measures are necessary.

6. GEOLOGY AND SOILS

Will the project:

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

* Per Division of Mines and Geology Special Publication #42

Geology and Soils

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

Topography: Nearly level to gently sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low

Liquefaction Potential: Low

Nearby potentially active faults?: No Distance? Not applicable

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

Shrink/Swell potential of soil: Low

Other notable geologic features? None

The project site is not located within the Geologic Study Area 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 is considered low on the portion of the site containing the project footprint, and high on the western portion of the site within the Salinas River corridor. All construction activities would take place on soils with low potential for



liquefaction. The project site is not located in an Alquist Priolo Fault Zone, and no active fault lines cross the project site (California Geological Survey 2018). A geotechnical report would be required for the project prior to issuance of a building permit to ensure geological stability of the specific area of work (LUO Section 22.14.070 (c)).

The San Luis Obispo County Mineral Designation Maps indicate the site is located just north of a Mining Disclosure Zone surrounding the North River Road Recycling Pit. The project would not impede any extraction activities, nor would it result in the preclusion of mineral resource availability.

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 result in the disturbance of approximately 0.2 acres (8,880 square feet) for construction of four new greenhouses and expansion of one greenhouse. Due to the site’s topography and existing disturbance, no earthwork is anticipated.

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 would be required to submit a geotechnical report. During construction, the applicant would be required to follow recommendations in the geotechnical report to avoid adverse impacts and ensure workers are not exposed to geologic hazards. In addition, the applicant may be required to prepare drainage plans and adhere to the best management practices in the erosion and sedimentation control plans. Implementation of plan and ordinance requirements would mitigate potential impacts associated with geology and soils to a less than significant level. With the implementation of these standard conditions, impacts would remain less than significant and no mitigation measures would be needed.

7. HAZARDS (INCLUDING WILDFIRE HAZARDS) & HAZARDOUS MATERIALS -

Will the project:

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

7. HAZARDS (INCLUDING WILDFIRE HAZARDS) & HAZARDOUS MATERIALS -

Will the project:

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

d) *Be located on, or adjacent to, a site which is included on a list of hazardous material/waste sites compiled pursuant to Gov't Code 65962.5 ("Cortese List"), and result in an adverse public health condition?*

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?*

g) *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?*

h) *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones:*

i) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

ii) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

iii) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

7. HAZARDS (INCLUDING WILDFIRE HAZARDS) & HAZARDOUS MATERIALS -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
iv) <i>Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Hazards and Hazardous Materials

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

- List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database
- List of Leaking Underground Storage Tank Sites by County and Fiscal Year from Water Board GeoTracker database
- List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit
- List of “active’ 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 Local Responsibility Area for fire service, and, not in a ‘very high’ severity risk area for fire. The closest fire station to the project site is CalFire Station 30, which is approximately six miles to the south. According to San Luis Obispo General Plan Safety Element Emergency Response Map, average emergency response time to the project site is 5 to 10 minutes (San Luis Obispo County 1999).

The project is not within the Airport Review Area. The closest airport to the site is the Paso Robles Municipal Airport, which is located approximately three miles to the east. The nearest school to the project site is Georgia Brown Elementary School approximately 1.2 miles to the east.

Impact.

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

Operational Activities: The project does not propose the routine use of hazardous materials and would not generate hazardous wastes. Project operations would involve the intermittent use of small amounts

of hazardous materials such as fertilizer and pesticides that are not expected to be acutely hazardous. Cannabis manufacturing would involve ethanol extraction using cannabis trim. 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, the applicant proposes the following material handling, storage and waste management measures which would ensure the safe use and handling of chemical/industrial materials:

- Containment of all stored non-solid chemical/industrial materials or wastes (e.g., particulates, powders, shredded paper, etc.) that can be transported or dispersed by the wind or contact with storm water during handling;
- Covering waste disposal containers and material storage containers that contain chemical/industrial materials when not in use;
- Cleaning all spills of chemical/industrial materials or wastes that occur during handling in accordance with the spill response procedures; and
- Observing and cleaning as appropriate, any outdoor material or waste handling equipment or containers that may be contaminated by contact with chemical/industrial materials or wastes.

The proposed project was reviewed by CalFire. Per the memo from Clinton Bullard (May 2018), the applicant will be required to install sprinklers, fire hydrant(s), and presence of fire extinguishers.

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 not located in a State Responsibility Area or a “very high” severity risk area which could present a significant fire safety risk. Nonetheless, the project would be required to comply with Standard Fire Code requirements, including the installation of a fire sprinkler system, pressurized fire hydrants, and a heat/smoke detection system. The project is not expected to conflict with any regional emergency response or evacuation plan, as the greenhouses would be set back from North River Road.

The County’s Environmental Health Division also reviewed the project (Ghiglia 2019) and required the applicant to provide a summary of materials to be used on site. Based on the summary, a hazardous materials business plan would not be required.

The project is not located within an Airport Review Area. In addition, the project site is not underlain by any of the designated Aircraft Flight Paths. Therefore, the project would not expose workers to aviation-related hazards.

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

8. NOISE

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate permanent increases in the ambient noise levels in the project vicinity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Cause a temporary or periodic increase in ambient noise in the project vicinity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



8. NOISE

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

Noise

Setting. The project is not within close proximity of loud noise sources other than traffic on Old River Road, as the project site and surrounding area consist of agricultural uses and scattered residences on agricultural land. The nearest sensitive receptors to the project site include residences approximately 160 feet to the south 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. The nearest airport to the project site is the Paso Robles Municipal Airport, located approximately three (3) miles east of the project. The project site is located outside of the 55, 60, 65, 70, and 75 dBA contours, as identified on the Noise Contour Maps generated for the Paso Robles Airport. In addition, the project site is not located underneath any of the established Aircraft Flight Paths for the Airport (City of Paso Robles 2007).

Impact.

Construction Impacts: Construction activities may involve the use of heavy equipment. 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 use of generators, wall-mounted exhaust fans, and odor mitigation equipment would be expected to generate noise levels of 53 dBA at the property line which is below the maximum allowable level of 70 dBA during daytime hours (7AM to 10PM) and 65 dBA allowed during nighttime hours. The project is located within an 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 North River 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.

As discussed in the Setting, the project site is located approximately three miles west of the Paso Robles Airport, and is not located in any of the airports identified noise contours or located beneath any designated Aircraft Flight Paths. Due to the proximity of the site away from the Airport, the project would not subject workers to excessive aviation related noise levels.

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

9. POPULATION/HOUSING

Will the project:

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

Population/Housing

Setting. In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (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 (California Department of Finance 2018).

Impact. The project site includes two single-family residences that would remain in place throughout construction and operation of the project. Therefore, the proposed project would not result in the removal or construction of any housing. The project is expected to employ approximately nine persons. It is expected the employees would come from the existing population 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. As a standard condition, the project will be required to provide payment of the housing impact fee for commercial projects. The project design combined with regulatory compliance ensure that impacts will remain less than significant and o mitigation measures are necessary.

10. PUBLIC SERVICES / UTILITIES/ ENERGY USAGE

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>				



insignificant, and would not require new or altered facilities to service the site.

Police Services

The project site is in the existing service range for the County Sheriff Department. Construction on-site would not normally require services from the Sheriff's Department, except in cases of trespassing, theft, and/or vandalism. The project includes a security plan that was reviewed by the Sheriff's Department. The project includes the incorporation of motion-sensor security lighting, security cameras, and a locked fence surrounding the greenhouses. 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 North River Road which is a County-owned, paved road. Per the San Luis Obispo County Municipal Code, Chapter 13.01 – Road Improvement Fee, the applicant is required to pay a one-time City traffic impact fee pursuant to the City of Paso Robles' traffic impact fee program. Payment of fees would reduce the project's incremental contribution for utilizing area roadways.

Solid Waste

The nearest landfill to the site is the Paso Robles Landfill, located approximately nine miles to the east. The landfill has a remaining capacity of approximately four million cubic yards as of 2017. The incremental amount of greenwaste generated by the project that is not recycled/reused would be within the service capacity of the landfill. Operation of the project would generate solid waste that would be stored on-site until hauled. The cannabis waste would be composted or chipped and used as recyclable material. In addition, non-recyclable waste such as pesticide containers, fertilizer containers, packaging materials, and other solid non-toxic refuse waste, would be disposed of on-site and hauled to a landfill by an employee, once the waste has been made unrecognizable. Waste associated with the project would be routinely disposed of, 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 existing Pacific Gas & Electric (PG&E) electrical services. It would result in the annual consumption of 43,800 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. 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

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

Recreation

Setting. The 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.

12. TRANSPORTATION/CIRCULATION

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
a) <i>Increase vehicle trips to local or area wide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Level of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Conflict with an established measure of effectiveness for the performance of the circulation system considering all modes of transportation (e.g. LOS, mass transit, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Conflict with an applicable congestion management program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

12. TRANSPORTATION/CIRCULATION

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

Will the project:

- g) *Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?*
- h) *Result in a change in air traffic patterns that may result in substantial safety risks?*
- i) *Other: _____*

Transportation

Setting. The project site is located along North River Road, a two-lane County road that extends from the community of San Miguel on the north to the City of Paso Robles on the south. The County has established the acceptable Level of Service (LOS) on roads for rural areas as “C” or better. North River Road is currently operating at LOS “A” levels.

Impact.

Trip Generation, Levels of Service, Congestion

As described in the project’s traffic study prepared by Associated Transportation Engineers (2018), the proposed project is estimated to generate a net increase of 38 average daily trips (ADT), including three trips during the AM peak hour and seven trips during the PM peak hour (see Table 3).

Table 3 – Project Trip Generation Estimates

Component	Number Per Day	Shift	Trip Generation				
			ADT	A.M. Peak		P.M. Peak	
				In	Out	In	Out
Full-Time Employees	1(a)	NA	0	0	0	0	
	1	Mon-Fri: 10:00 AM to 6:00 PM	2	0	0	0	
	1	Mon-Fri: 6:00 AM to 3:00 PM	2	0	0	0	
	1(b)	Wed-Tues 8:00 AM to 5 PM	6	1	1	1	
Park-Time Employees	1	Mon-Thur: 12:00 PM to 6:00 PM	2	0	0	0	
	1	Tues-Sun: 8:00 AM to 4:00 PM	2	1	0	1	
	1(b)	Mon-Fri: 5:00 PM to 8:00 PM	6	0	0	1	
	1(b)	Fri-Sun: 4:00 PM to 8:00 PM	6	0	0	1	
	1(c)	Mon-Fri: 11:00 AM to 8:00 PM	2	0	0	0	
Deliveries/Shipments(d)	5	10:00 AM-3:00	10	0	0	0	
Totals			38	2	1	3	

- (a) Full time employee lives on the site.
- (b) Trip generation for drivers assume 1 inbound trip for arrival at work + 1 outbound trip for initial delivery run + 1 inbound trip for restock + 1 outbound trip for restock + 1 outbound trip for departing work.
- (c) Trip generation for 1 extra trim staff employed about 40 days per year.
- (d) Deliveries/shipments 10:00 AM to 3:00 PM.



The existing traffic volume for North River Road is approximately 1,153 vehicles per day. Based on the project's relatively low trip generation and low number of existing average daily trips on North River 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

Access to the project site is proposed via the existing driveway connection. Given the low traffic volumes on North River Road at the project driveway, delays for turning into and out of the driveway are estimated at LOS A. In addition, adequate sight line distances are provided for drivers of vehicles turning to and from the site's driveway connection to North River Road. As such, there are no delays or hazards associated with the access point to the project site. The project does not propose any features that would delay or disrupt emergency vehicles or result in unsafe conditions.

Emergency Response

As discussed above, the number of trips generated by the project would be minimal, and would not result in congestion along North River Road. Therefore implementation of the project would not lead to impairment of emergency response vehicles accessing the Paso Robles Airport or result in decreases of levels of service. 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. Given the project's proximity to the City of Paso Robles, it is subject to City's traffic mitigation fee program requirements. The applicant is required to pay the applicable traffic impact fee to the City, and payment would become a condition of approval for the project. Payment of this fee would negate the requirement to develop a Transportation Management Plan, which includes monitoring and annual reporting of the project's traffic generation. No significant traffic impacts were identified, and no mitigation measures above what are already required by existing regulations are necessary.

13. WASTEWATER

Will the project:

- a) *Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?*
- b) *Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?*
- c) *Adversely affect community wastewater service provider?*
- d) *Other:* _____

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

regulations include specific requirements for both on-site and community wastewater systems. These regulations are applied to all new wastewater systems.

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

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

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

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

Based on Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type for the project site is Mocho clay loam and Corducci-Typic Xerofluvents. The main limitations of this soil for wastewater effluent include:

- poor filtering characteristics** due to the very permeable nature of the soil, without special engineering will require larger separations between the leach lines and the groundwater basin to provide adequate filtering of the effluent. In this case, based on general knowledge of the area and size of the proposed parcels, it is expected that there will be adequate separation for filtering of effluent before reaching any groundwater source.
- shallow depth to bedrock**, which is an indication that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, the chances increase for the effluent to infiltrate cracks that could lead directly to groundwater source or surrounding wells without adequate filtering, or allow for daylighting of effluent where bedrock is exposed to the earth's surface. In this case, due to limited availability of information relating to the shallow depth to bedrock characteristic, the following additional information will be needed prior to the issuance of a building permit: soil borings at leach line location(s) showing that there is adequate distance to bedrock. If adequate distance cannot be shown, a county-approved plan for an engineered wastewater system showing how the basin plan criteria can be met will be required.



--**steep slopes**, where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent. In this case, the proposed leach lines are located on a gently sloping portion of the subject property that is sufficiently set back from any steep slopes to avoid potential daylighting of effluent. Therefore, no measures are necessary above what is called out for in the CPC/Basin Plan to address potential steep slopes.

--**slow percolation**, where fluids will percolate too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be greater than 30 and less than 120 minutes per inch.

Impacts/Mitigation. The project site has an existing septic system for the residential use on site. The restrooms would be located in the existing metal building. 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;
- ✓ The soil’s slope is less than 20%;
- ✓ The leach lines are outside of the 100-year flood hazard area;
- ✓ There is adequate distance between proposed leach lines and existing or proposed wells;
- ✓ The leach lines are at least 100 feet from creeks and water bodies.

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

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

14. WATER & HYDROLOGY

Will the project:

QUALITY

a) **Violate any water quality standards?**

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) **Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)?**

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) **Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?**

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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d) **Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff?**

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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14. WATER & HYDROLOGY

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
QUANTITY				
h) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Expose people to a risk of loss, injury or death involving flooding (e.g., dam failure, etc.), or inundation by seiche, tsunami or mudflow?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting.

The project site is in the Paso Robles Groundwater Basin, which has been assigned a Level of Severity III by the 2014-2016 Resource Management System Summary Report. The Board of Supervisors adopted Resolution 2015-288 in 2015 to establish the Countywide Water Conservation Program (CWWCP) in response to the declining water levels in the Nipomo Mesa Water Conservation Area (NMWCA) part of Santa Maria Groundwater Basin), Los Osos Groundwater Basin (LOGWB), and the Paso Robles Groundwater Basin (PRGWB). A key strategy of the CWWCP is to ensure all new construction and new or expanded agriculture will offset its predicted water use by reducing existing water use on other properties within the same water basin. In addition, LUO Section 22.040.050 5. requires all cannabis cultivation sites located within a groundwater basin with a Level of Severity III to provide an estimate of water use associated with cultivation activities, and a description of how the new water use will be offset. All water demand within a groundwater basin with LOS III is required to offset at a minimum 1:1 ratio unless a greater offset is required through the land use permit approval process. In addition, all water demand within an identified Area of Severe Decline shall offset at a ratio of 2:1.

Offset clearance is obtained by the purchase of water use offset credits through a County-approved conservation program for the particular groundwater basin. If the average water use reported in the previous four quarterly water use reports is greater than the water use offset credits associated with the permitted use(s), the permittee will be required to either: 1) identify specific measures (and a timeframe for implementation) to reduce the metered water demand to be equal to, or less than, the water use offset credits associated with the project; or 2) purchase additional water use offset credits from the approved water conservation program for the particular groundwater basin to offset the increased use documented by the water use reports. The project is located within an Area of Severe Decline. Therefore, a water use offset at a ratio of 2:1 will be required for the CUP.



The topography of the site is nearly level to gently sloping. The closest creek from the proposed development is the Salinas River, located on-site approximately 460 feet west of the development footprint. As described in the NRCS Soil Survey, the soil surface is considered to have 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? Yes

Closest creek? Salinas River Distance? Approximately 460 feet west of the development 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 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:

- ✓ Approximately 8,800 square feet of new 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

Water Demand: As discussed in the Setting, above, the project site is located in an area where a 2:1 water use offset is required. The property owner may purchase additional water use offset credits from the approved water conservation program for the particular groundwater basin to offset the increased

use documented by the water use reports thereby fulfilling the offset requirements of LUO 3246.

Wallace Group has prepared a Water Use Evaluation (March 2019) for the project site, which calculated water usage based on the proposed activities and the existing cannabis activities.

The four 1,920-square foot greenhouses would cultivate 9,600 square feet of indoor cannabis canopy, thereby consuming 0.80 acre feet per year (AFY) of water. Approximately 6,000 square feet of historically-irrigated outdoor cannabis would be removed to accommodate the construction of the proposed greenhouses. This would result in a net water demand increase of 0.70 AFY, as shown in Table 4 below.

Table 4 – Estimated Annual Water Demand

Use	Rate	Gross Demand (gallons/year)	Gross Demand (AFY)
Indoor Cultivation: Greenhouse (22,000 sf)	22,000 sf canopy x 0.1 gal/sf/day x 270 days	594,000	0.80
Remove 6,000 sf existing irrigated outdoor cannabis cultivation	6,000 sf canopy x 0.03 gal/sf/day x 180 days	-32,400	-0.10
Net Water Demand Increase		561,600	0.70
Estimated Water Demand			0.70

To satisfy the project’s 2:1 offset ratio, the property owner shall be required to purchase additional water use offset credits to offset the net demand water increase: 0.70 AFY x 2:1 = 1.40 AFY. As such, the project would comply with the County’s 2:1 water offset requirement.

Water Supply: Water on-site is supplied by an agricultural well producing nine gallons per minute. Based on the Water Use Evaluation, the existing water supply is adequate for the proposed agricultural uses.

Flood Hazard

The project site lies within the Flood Hazard combining designation as delineated by the official maps of the Land Use Element. Although the northern portion of the project site is located in the 100-year flood hazard area, the project would be located in the southeastern portion of the site and outside the 100-year flood hazard area (Figure 6).

Seiche/Tsunami/Mudflow

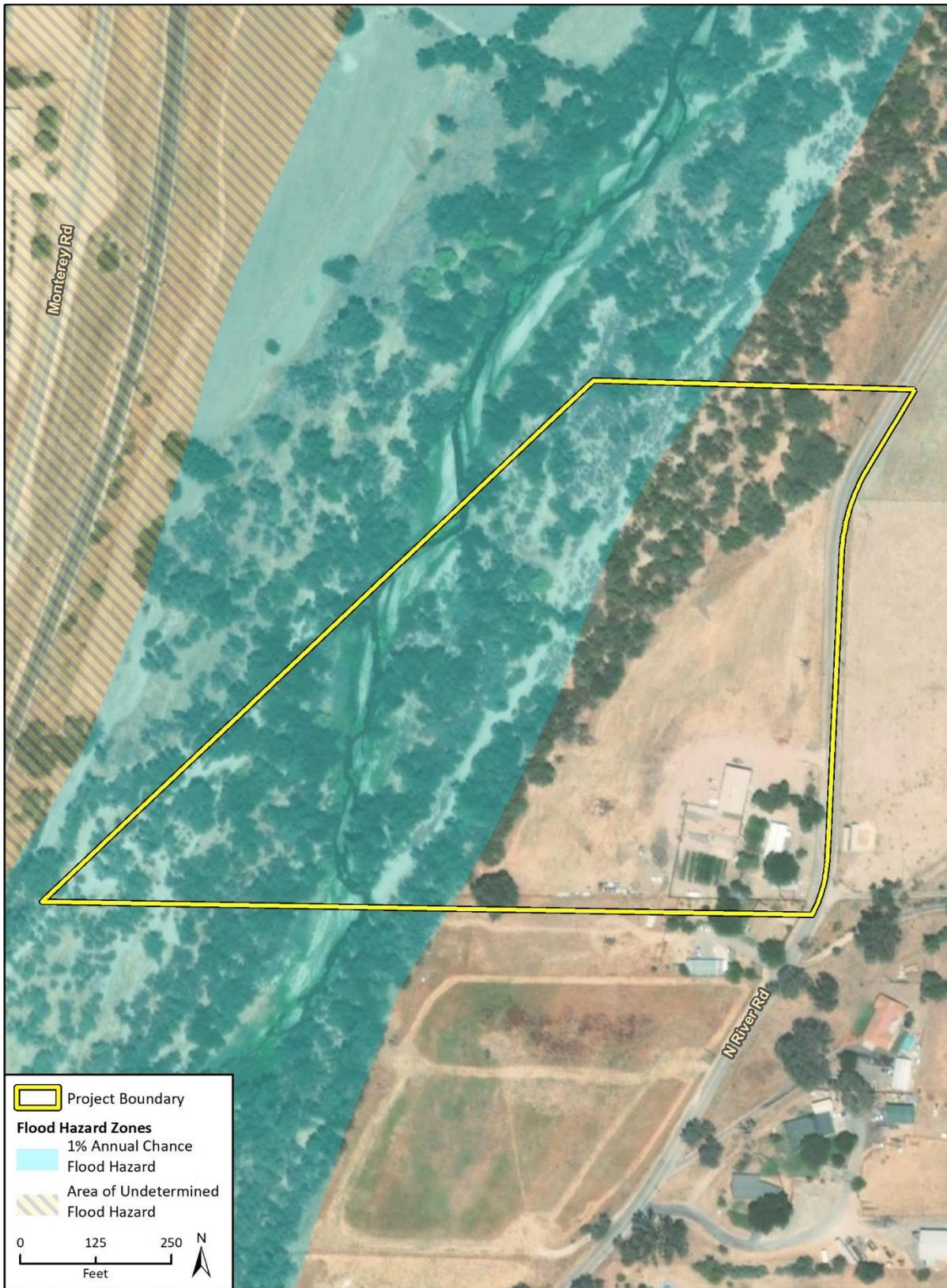
The project site is located approximately 25 miles inland from the Pacific Ocean and is not located in the Coastal Zone. Due to the location of the project, there is no risk from tsunami or seiche. Since the project site is relatively flat and is not located adjacent to hillsides, mudflow risks would be insignificant.

Mitigation/Conclusion. The applicant would be required to prepare a sedimentation and erosion control plan in accordance with the County of San Luis Obispo LUO. Compliance with these existing regulations would ensure potential impacts related to drainage, sedimentation, and erosion would be less than significant; therefore, water quality-related impacts would be less than significant.

The project would comply with the County’s required 2:1 water offset by purchasing additional water use offset credits to offset the net demand water increase. No substantial long-term adverse impacts on water supply or quantity would occur.

The project would not require connection to any existing water or stormwater facilities and would not affect or exceed the capacity of existing facilities or community water service provider. Although a portion of the project site is within the 100-year flood zone, no structures would be built in the flood hazard area, thereby reducing the risk of flooding or inundation. Therefore, potential impacts related to water service providers and flooding would be less than significant.

Figure 6 – Flood Hazard Area



Imagery provided by Microsoft Bing and its licensors © 2019.
Additional data provided by FEMA, 2018.

Fig. 5 Flood Hazard Area

15. LAND USE

Will the project:

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

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

1. LUO Section 22.94.080 – Salinas River Sub-area Standards
2. LUO Section 22.14.060 –FEMA Flood Hazard Area
3. LUO Chapter 22.94 – North County Planning Area

Under the County's Cannabis Activities Ordinance (Ordinance 3358), Cannabis Cultivation is allowed within the Agricultural land use category. The purpose of the Agricultural land use category is to recognize and retain commercial agriculture as a desirable land use and as a major segment of the county's economic base. The Agriculture land use allows for the production of agricultural related crops, on parcel sizes ranging from 20 to 320 acres.

Impact. The project is surrounded by agricultural uses. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CAL FIRE for Fire Code, RWQCB for Basin Plan, 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
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Will the project:

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?*

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	-------------------------------------	--------------------------	--------------------------

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)*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Impact

a) The proposed project does not have the potential to substantially degrade the quality of the environment. Potential impacts to biological resources have been identified but would be mitigated to a level below significant. 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. Implementation of the project will not eliminate important examples of the major periods of California history or pre-history. Therefore, the anticipated project-related impacts are less than significant with incorporation of the mitigation measures included in Exhibit B.

b) The potential for adverse cumulative effects were considered in the response to each question in Sections 1 through 15 of this form. In addition to project specific impacts, this evaluation considered the project’s potential for incremental effects that are cumulatively considerable. As described in Section 4 above, there were determined to be potentially significant effects related to air quality and biological resources. However, the mitigation measures included in Exhibit B would reduce the effects to a level below significance. As a result of this evaluation, there is no substantial evidence that, after mitigation, there are cumulative effects associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

c) In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in Sections 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. Potential impacts related to air quality have been identified but would be mitigated to a level below significant. For the remaining issues, there is no substantial evidence that adverse effects to human beings are associated with this project. Therefore, the project has been determined not to meet this Mandatory Finding of Significance.

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

Exhibit A - Initial Study References and Agency Contacts

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

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

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

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



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

Project-Specific Studies

Associate Transportation Engineers, *Traffic Study for the North River Road Marijuana Cultivation Project, County of San Luis Obispo*. April 2018.

SWCA Environmental Consultants. *Biological Resources Assessment for 4415 North River Road*. June 2018.

SWCA Environmental Consultants. *Phase I Archaeological Report for 4415 North River Road*. June 2018.

Wallace Group, *Water Use Evaluation*, March 1, 2019

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

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.

Air Quality

MM AQ-1:

Standard Control Measures for Construction Equipment. The following standard air quality mitigation measures shall be implemented during construction activities at the project site. The measures shall be shown on grading and building plans.

- Maintain all construction equipment in proper tune according to manufacturer's specifications;
- Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
- Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NO_x exempt area fleets) may be eligible by proving alternative compliance;
- All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit;
- Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- Electrify equipment when feasible;
- Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and
- Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas, liquefied natural gas, propane or biodiesel.

Biological Resources

MM BIO-1:

Avoidance Measures for Migratory Birds. Site preparation, ground-disturbing, and construction activities shall be conducted outside of the migratory bird breeding season. If such activities are required during this period, an environmental monitor shall conduct a nesting bird survey and verify that migratory birds are not nesting in the site. If nesting activity is detected, the following measures shall be implemented:

- a. The project shall be modified or delayed to avoid direct take of identified nests, eggs, and/or young protected under the Migratory Bird Treaty Act



and/or California Fish and Game Code.

- b. The Environmental Monitor shall document all active nests and submit a letter report to the County of San Luis Obispo documenting project compliance with the Migratory Bird Treaty Act, California fish and Game Code, and applicable project mitigation measures.

MM BIO-2: Avoidance Measures for Roosting Bats. The following measure is required to avoid and minimize potential impacts to roosting bat species should any existing buildings be demolished or altered:

- a. Prior to demolition of existing buildings, a preconstruction survey shall be conducted by a qualified biologist. If bats are found to be roosting, and bat exclusion is necessary, a Bat Exclusion Plan shall be submitted to the County of San Luis Obispo and California Department of Fish and Wildlife for approval prior to construction.

MM BIO-3: Avoidance Measures for Amphibians and Reptiles. Within 30 days prior to ground-disturbing activities, an environmental monitor shall conduct surveys for silvery legless lizards, San Joaquin whipsnake, and coast horned lizard in the anticipated disturbance area. The surveyor shall utilize hand search or covered board methods in area of disturbance where sensitive reptiles are expected to be found (e.g., under shrubs, other vegetation, or debris). If cover board methods are used, they shall commence at least 30 days prior to the start of ground-disturbing activities. Hand search surveys shall be completed immediately prior to and during disturbances to the vegetated areas. During vegetation-disturbing activities, the environmental monitor shall walk behind the equipment to capture sensitive reptiles that are unearthed by the equipment. The surveyor shall capture and relocate any reptiles observed during the survey effort. The captured individual shall be relocated from the construction area and placed in suitable habitat on the site but outside of the work area.

MM BIO-4: Best Management Practices. Best Management Practices (e.g., straw wattles, Environmental Sensitive Area/exclusion fencing, gravel bags, silt fencing, etc.) shall be installed prior to the start of any cannabis-growing activities to avoid direct inadvertent impacts to the drainage on the northern edge of the biological study area and ravines on the western edge of the biological study area. Best Management Practices shall be installed to avoid any indirect impacts to these drainages that may occur from erosion/sedimentation.

MM BIO-5: County Standard Mitigation of Impacts to San Joaquin kit fox Habitat. In accordance with the County Guide to San Joaquin kit fox Mitigation Procedures under CEQA, the applicant shall adopt the Standard Kit Fox CEQA Mitigation Measures and shall include these measures on development plans. The following summarizes those that are applicable to this project:

1. Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County of San Luis Obispo and CDFW that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:
 - a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 3.0 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area), either on-site or off-site, and provide for a non-wasting endowment to provide for



management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Wildlife (Department) and the County.

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

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

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

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

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

2. A maximum of 25 mph speed limit shall be required at the project site during construction activities.
3. All construction activities shall cease at dusk and not start before dawn.
4. A qualified biologist shall be on-site immediately prior to initiation of project activities to inspect for any large burrows (e.g., known and potential dens) and to ensure no wildlife are injured during project activities. If dens are encountered, they should be avoided as discussed below.
5. Exclusion zone boundaries shall be established around all known and potential San Joaquin kit fox dens.
6. All excavations deeper than two feet shall be completely covered at the end of each working day.
7. All pipes, culverts, or similar structures shall be inspected for San Joaquin kit fox and other wildlife before burying, capping, or moving.



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



DATE: 5/17/2019

REVISED:

**DEVELOPER'S STATEMENT & MITIGATION MONITORING/REPORTING PROGRAM
FOR CULBERSTON/PROGREENS
ED19-103 (DRC2017-00110)**

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.

Air Quality

MM AQ-1:

Standard Control Measures for Construction Equipment. The following standard air quality mitigation measures shall be implemented during construction activities at the project site. The measures shall be shown on grading and building plans.

- Maintain all construction equipment in proper tune according to manufacturer's specifications;
- Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
- Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NO_x exempt area fleets) may be eligible by proving alternative compliance;
- All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit;
- Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- Electrify equipment when feasible;
- Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and

- Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas, liquefied natural gas, propane or biodiesel.

Biological Resources

MM BIO-1: **Avoidance Measures for Migratory Birds.** Site preparation, ground-disturbing, and construction activities shall be conducted outside of the migratory bird breeding season. If such activities are required during this period, an environmental monitor shall conduct a nesting bird survey and verify that migratory birds are not nesting in the site. If nesting activity is detected, the following measures shall be implemented:

- a. The project shall be modified or delayed to avoid direct take of identified nests, eggs, and/or young protected under the Migratory Bird Treaty Act and/or California Fish and Game Code.
- b. The Environmental Monitor shall document all active nests and submit a letter report to the County of San Luis Obispo documenting project compliance with the Migratory Bird Treaty Act, California fish and Game Code, and applicable project mitigation measures.

MM BIO-2: **Avoidance Measures for Roosting Bats.** The following measure is required to avoid and minimize potential impacts to roosting bat species should any existing buildings be demolished or altered:

- a. Prior to demolition of existing buildings, a preconstruction survey shall be conducted by a qualified biologist. If bats are found to be roosting, and bat exclusion is necessary, a Bat Exclusion Plan shall be submitted to the County of San Luis Obispo and California Department of Fish and Wildlife for approval prior to construction.

MM BIO-3: **Avoidance Measures for Amphibians and Reptiles.** Within 30 days prior to ground-disturbing activities, an environmental monitor shall conduct surveys for silvery legless lizards, San Joaquin whipsnake, and coast horned lizard in the anticipated disturbance area. The surveyor shall utilize hand search or covered board methods in area of disturbance where sensitive reptiles are expected to be found (e.g., under shrubs, other vegetation, or debris). If cover board methods are used, they shall commence at least 30 days prior to the start of ground-disturbing activities. Hand search surveys shall be completed immediately prior to and during disturbances to the vegetated areas. During vegetation-disturbing activities, the environmental monitor shall walk behind the equipment to capture sensitive reptiles that are unearthed by the equipment. The surveyor shall capture and relocate any reptiles observed during the survey effort. The captured individual shall be relocated from the construction area and placed in suitable habitat on the site but outside of the work area.

MM BIO-4: **Best Management Practices.** Best Management Practices (e.g., straw wattles, Environmental Sensitive Area/exclusion fencing, gravel bags, silt fencing, etc.) shall be installed prior to the start of any cannabis-growing activities to avoid direct inadvertent impacts to the drainage on the northern edge of the biological study area and ravines on the western edge of the biological study area. Best Management Practices shall be installed to avoid

any indirect impacts to these drainages that may occur from erosion/sedimentation.

MM BIO-5:

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

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

a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 3.0 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Wildlife (Department) and the County.

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

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

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

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

Mitigation alternative (c) can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the CEQA. This fee is calculated based on the current cost-per-credit of



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SHEET INDEX

A-1.1	SITE PLAN
A-2.1	GREENHOUSE FLOOR PLAN & ELEVATIONS
A-2.2	METAL BUILDING FLOOR PLAN & ELEVATIONS
E-1.1	ELECTRICAL PLAN
MP-1.1	MECHANICAL PLAN
S-1.1	FOUNDATION PLAN
S-2.1	FRAMING PLAN

PROJECT INFORMATION

OWNER	AARON CULBERTSON
PROJECT ADDRESS	4415 N. RIVER ROAD PASO ROBLES, CA 93442
APN	026-141-019
PHONE	

PROJECT STATISTICS

LOT SIZE	20.0 ACRES
OCCUPANCY	R-1
CONSTRUCTION TYPE	VB
EXISTING HOUSE #1	1495 SQ. FT.
EXISTING HOUSE #2	1015 SQ. FT.
EXISTING CONTAINER	195 SQ. FT.
PLANTER BOXES (COMBINED)	2401 SQ. FT.
EXISTING METAL BUILDING	3000 SQ. FT.
PROPOSED GREENHOUSE	720 SQ. FT.

PROJECT DESCRIPTION

ARCHITECTURAL AND STRUCTURAL PLANS FOR GREENHOUSE STRUCTURES AS PER PLANS ATTACHED

VICINITY MAP



CORRESPONDENCE

PROFESSIONAL ENGINEER

JK ENGINEERING
 JOHN A. KUDLA
 610 10TH ST. STE A
 PASO ROBLES, CA 93446
 LIC.# : C5652 805.423.3077

DRAFTSMAN/DESIGNER

JB DRAFTING & DESIGN
 JOHN BUTLER
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PLAN PREPARED FOR:

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REVISION LOG

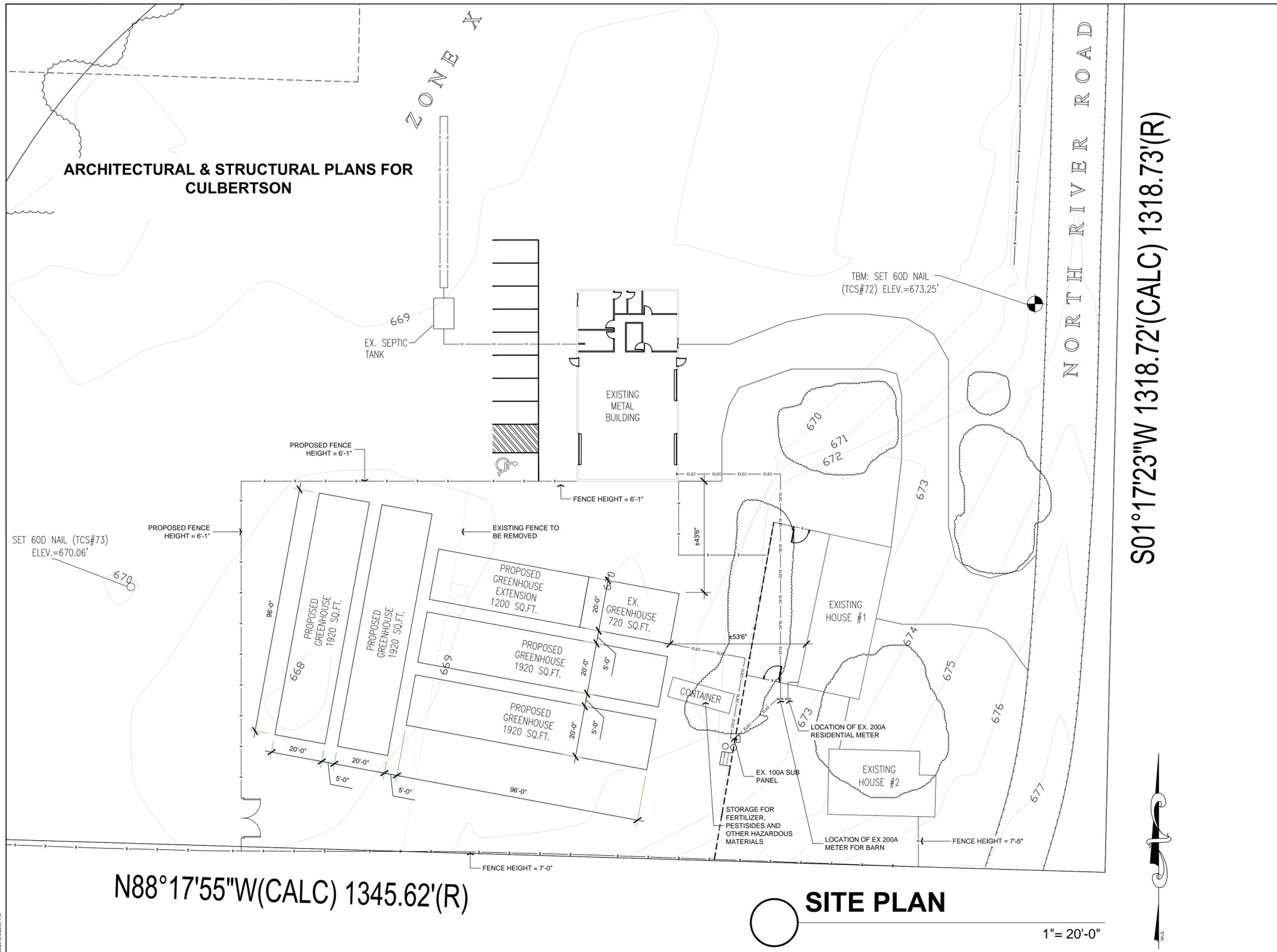
REV.	DESCRIPTION	DATE

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PROJECT NO. ---
 FILE NAME A-1.1 PROPOSED SITE PLAN.DWG
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PROPOSED SITE PLAN

SHEET NUMBER:
A-1.1



SITE PLAN

1" = 20'-0"

GENERAL CONSTRUCTION NOTES

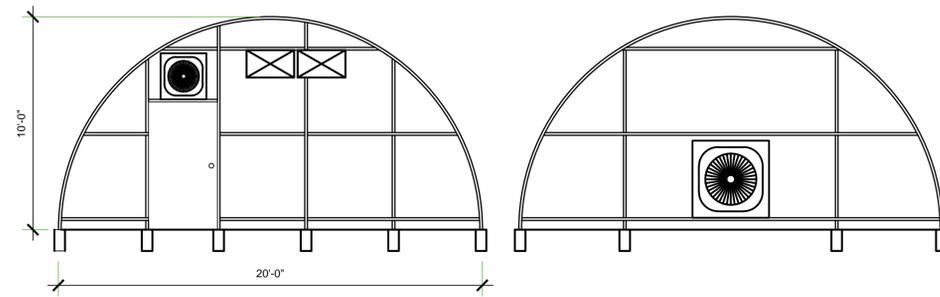
- ALL WORK SHALL CONFORM WITH THE:
 - 2016 CBC (2012 IBC AND CALIFORNIA AMENDMENTS)
 - 2016 CEC (2011 NEC AND CALIFORNIA AMENDMENTS)
 - 2016 CMC (2012 IAPMO UMC AND CALIFORNIA AMENDMENTS)
 - 2016 CPC (2012 IAPMO UPC AND CALIFORNIA AMENDMENTS)
 - 2016 CENC AND T-24
 - 2016 CALIFORNIA GREEN BUILDING CODE
 - 2016 CFC (2012 IFC AND CALIFORNIA AMENDMENTS)
- THESE NOTES SHALL APPLY TO ALL DRAWINGS UNLESS OTHERWISE NOTED OR SHOWN. FEATURES OF CONSTRUCTION SHOWN ARE TYPICAL AND THEY SHALL APPLY GENERALLY THROUGHOUT SIMILAR CONDITIONS. ALL OMISSIONS OR CONFLICTS BETWEEN VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND/OR GENERAL NOTES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT/ENGINEER BY THE GENERAL CONTRACTOR BEFORE PROCEEDING WITH ANY WORK SO INVOLVED.
- ALL WORK AND CONSTRUCTION METHODS AND MATERIALS SHALL COMPLY WITH ALL PROVISIONS OF THE BUILDING CODES AND OTHER RULES, REGULATIONS AND ORDINANCES GOVERNING THE CONSTRUCTION SITE. BUILDING CODE REQUIREMENTS IN ALL CASES TAKE PRECEDENCE OVER THE DRAWINGS. IT SHALL BE THE RESPONSIBILITY OF ANYONE SUPPLYING LABOR AND/OR MATERIALS TO BRING TO THE ATTENTION OF THE ARCHITECT/ENGINEER ANY DISCREPANCIES OR CONFLICTS BETWEEN THE REQUIREMENTS OF THE CODE AND THE DRAWINGS.
- DO NOT SCALE THE DRAWINGS. DIMENSIONS SHOWN SHALL TAKE PRECEDENCE OVER DRAWING SCALE OR PROPORTION. LARGE SCALE DRAWINGS SHALL TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS.
- THE CONTRACT DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISHED STRUCTURE. UNLESS OTHERWISE SHOWN, THEY DO NOT INDICATE METHOD OF CONSTRUCTION. CONTRACTOR SHALL SUPERVISE AND DIRECT WORK AND SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES. OBSERVATION VISITS TO THE SITE BY FIELD REPRESENTATIVES OF THE ARCHITECT/ENGINEER SHALL NOT INCLUDE INSPECTIONS OF THE PROTECTIVE MEASURES OR THE CONSTRUCTION PROCEDURES REQUIRED FOR SAME, WHICH ARE THE SOLE RESPONSIBILITY OF THE CONTRACTOR. ANY SUPPORT SERVICES PERFORMED BY THE ARCHITECT/ENGINEER DURING CONSTRUCTION SHALL BE DISTINGUISHED FROM CONTINUOUS AND DETAILED INSPECTION SERVICES WHICH ARE FURNISHED BY OTHERS. THESE SUPPORT SERVICES PERFORMED SOLELY FOR THE PURPOSE OF ASSISTING IN QUALITY CONTROL AND IN ACHIEVING CONFORMANCE WITH CONTRACT DRAWINGS AND SPECIFICATIONS, AND THEREFORE THEY DO NOT GUARANTEE CONTRACTOR'S PERFORMANCE AND SHALL NOT BE CONSTRUED AS SUPERVISION OF CONSTRUCTION.
- CONTRACTOR HEREBY GUARANTEES TO THE OWNER AND THE ARCHITECT/ENGINEER THAT ALL MATERIALS, FIXTURES, AND EQUIPMENT FURNISHED TO THE PROJECT ARE NEW UNLESS OTHERWISE SPECIFIED. CONTRACTOR ALSO WARRANTS THAT ALL WORK WILL BE OF GOOD QUALITY AND FREE FROM ANY FAULTS AND DEFECTS FOR A PERIOD OF ONE YEAR AFTER THE DATE OF SUBSTANTIAL COMPLETION, UNLESS A GREATER WARRANTY OR GUARANTEE IS REQUIRED BY THE PROJECT SPECIFICATIONS.
- ANYONE SUPPLYING LABOR AND/OR MATERIALS TO THE PROJECT SHALL CAREFULLY EXAMINE ALL SUBSURFACES TO RECEIVE WORK. ANY CONDITIONS DETRIMENTAL TO WORK SHALL BE REPORTED IN WRITING TO THE CONTRACTOR PRIOR TO BEGINNING WORK. COMMENCEMENT OF WORK SHALL IMPLY ACCEPTANCE OF ALL SUBSURFACES.
- REFER TO ARCHITECTURAL, MECHANICAL, AND ELECTRICAL DRAWINGS FOR DEPRESSED SLABS CURB, FINISHES, TEXTURES, CLIPS, GROUNDS, ETC., NOT SHOWN ON STRUCTURAL DRAWINGS.
- ANY MATERIALS STORED AT THE SITE SHALL BE COMPLETELY SUPPORTED FREE OF THE GROUND, COVERED AND OTHERWISE PROTECTED TO AVOID DAMAGE FROM THE ELEMENTS.
- MORE DETAILED INFORMATION SHALL TAKE PRECEDENCE OVER LESSER DETAILED INFORMATION. SPECIFICATIONS SHALL TAKE PRECEDENCE OVER DRAWINGS.
- GRADING PLANS, DRAINAGE IMPROVEMENTS, ROAD AND ACCESS REQUIREMENTS AND ENVIRONMENTAL HEALTH CONSIDERATIONS SHALL COMPLY WITH ALL APPLICABLE CODES AND LOCAL ORDINANCES.
- THE CONTRACTOR AND ALL SUB-CONTRACTORS WILL BE HELD ACCOUNTABLE TO THE ABOVE GENERAL NOTES FOR THE CONSTRUCTION OF THE PROJECT.
- THE CONTRACTOR SHALL BE RESPONSIBLE TO REMOVE OR DISBURSE ANY EXCESS MATERIAL FROM PROJECT SITE.
- THIS SET OF PLANS TO BE ON JOB SITE AT ALL TIMES DURING CONSTRUCTION. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE APPROVED PLANS. NO CHANGES OR REVISIONS TO THE APPROVED PLANS OR SPECIFICATIONS SHALL BE PERMITTED UNLESS SUBMITTED TO AND APPROVED BY THE BUILDING OFFICIAL. THE ISSUANCE OF A PERMIT SHALL NOT PREVENT THE BUILDING OFFICIAL FROM REQUIRING THE CORRECTION OF ERRORS OR OMISSIONS FROM THE APPROVED PLANS AND SPECIFICATIONS. [CBC 108]
- ALL CONTRACTORS AND SUB-CONTRACTORS MUST HAVE ON FILE WITH THE BUILDING DEPARTMENT, A LIST OF ALL SUCH CONTRACTORS AND SUB-CONTRACTORS WITH APPROPRIATE CURRENT BUSINESS LICENSE NUMBERS.
- UNLESS NOTED OTHERWISE, ALL VESTIBULES, CLOSETS, COLUMNS, PROJECTIONS, RECESSES, OR OTHER ADJACENT AREAS WITHIN SCHEDULED AREA SHALL HAVE FINISHES AS SCHEDULED FOR THE RESPECTIVE SPACES IN WHICH THEY OCCUR.
- CONTRACTOR SHALL VERIFY ALL SETBACKS, EASEMENTS, CONTOURS, AND BUILDING PAD PRIOR TO CONSTRUCTION.
- TRUSS CALCULATIONS FOR APPROVED PROJECTS ARE REQUIRED TO BE ON THE JOB SITE AT TIME OF FRAMING INSPECTION WITH THE APPROPRIATE REQUIRED SIGNATURES AND STATEMENT AS FOLLOWS: TRUSS CALCULATIONS SHALL INCLUDE THE WET-STAMP AND SIGNATURE OF THE TRUSS DESIGN ENGINEER. IN ADDITION, THEY SHALL INCLUDE ON THE COVER SHEET A WET-SIGNED STATEMENT FROM THE PROJECT'S DESIGN ENGINEER THAT TRUSS CALCULATIONS AND LAYOUTS ARE IN SUBSTANTIAL CONFORMANCE WITH THE STRUCTURAL DESIGN AND INTENT OF THE STRUCTURE. FAILURE TO PROVIDE THEM AS STATED WILL RESULT IN A CORRECTION AND A FAILURE TO PASS FRAMING INSPECTION. [BSP]
- VERIFY LOCATION OF ALL UTILITY TIE-INS AT STREET AND POINT OF CONNECTIONS AT BUILDING PRIOR TO CONSTRUCTION.
- A COPY OF SOILS REPORT SHALL BE ON SITE DURING FOUNDATION INSPECTION.
- ALL PROPERTY CORNERS SHOULD BE ESTABLISHED AT THE TIME OF FOUNDATION INSPECTION WITH THE MARK OF A LICENSED SURVEYOR.

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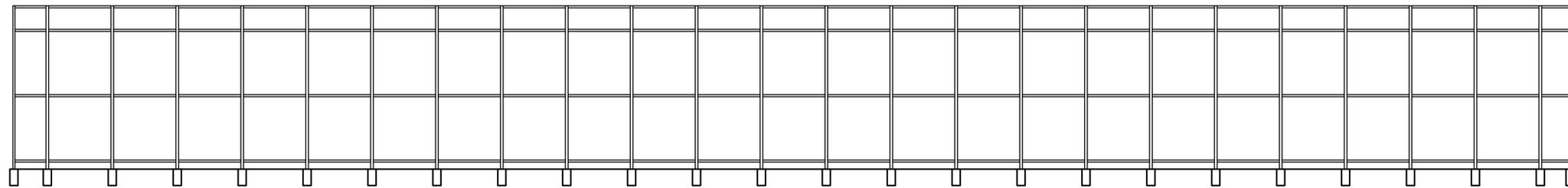
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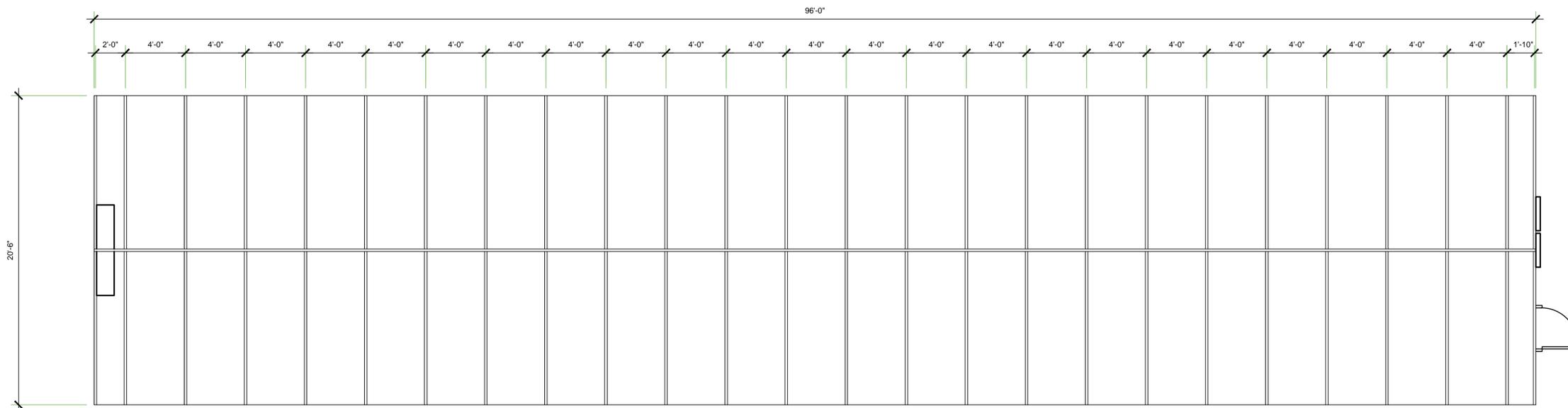


○ FRONT ELEVATION
1/4" = 1'

○ REAR ELEVATION
1/4" = 1'



○ SIDE ELEVATION
1/4" = 1'



○ NEW GREENHOUSE FLOOR PLAN
1/4" = 1'

PLAN PREPARED FOR:

AARON CULBERTSON
4415 N. RIVER ROAD
PASO ROBLES, CA 93446

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PROJECT NO. ---
FILE NAME A-2.2 HOOP HOUSE ELEVATIONS.DWG
DRAWN BY JMB II C.D.
DATE 11/29/2018 4:09 PM

SHEET TITLE:
GREENHOUSE FLOOR PLAN

SHEET NUMBER:
A-2.1



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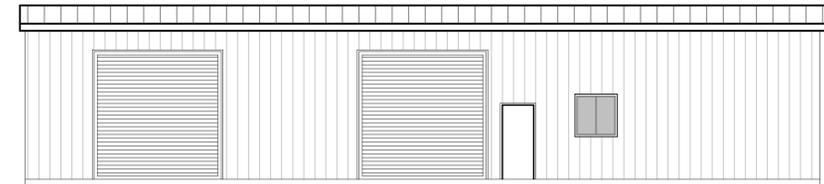
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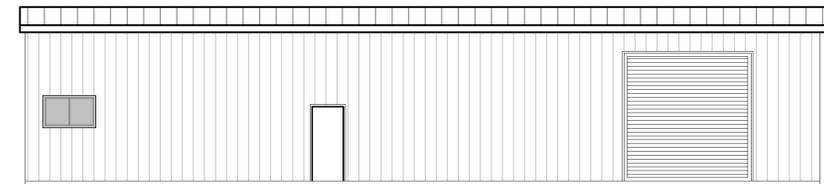
PROJECT NO. ---
 FILE NAME A-2.1 METAL BUILDING FLOOR PLAN & ELEVATIONS DWG
 DRAWN BY JMB II C.D.
 DATE 11/29/2018 4:09 PM

SHEET TITLE:
METAL BUILDING FLOOR PLAN & ELEVATIONS

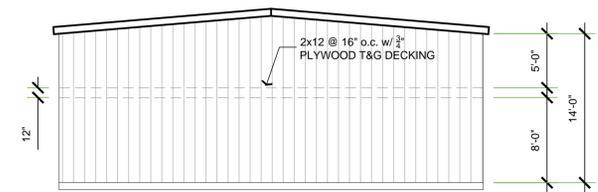
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A-2.2



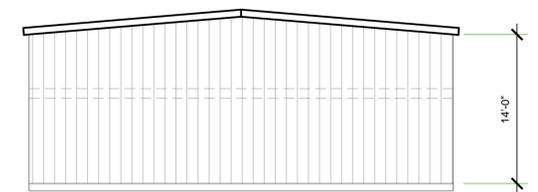
FRONT ELEVATION
 1/8" = 1'



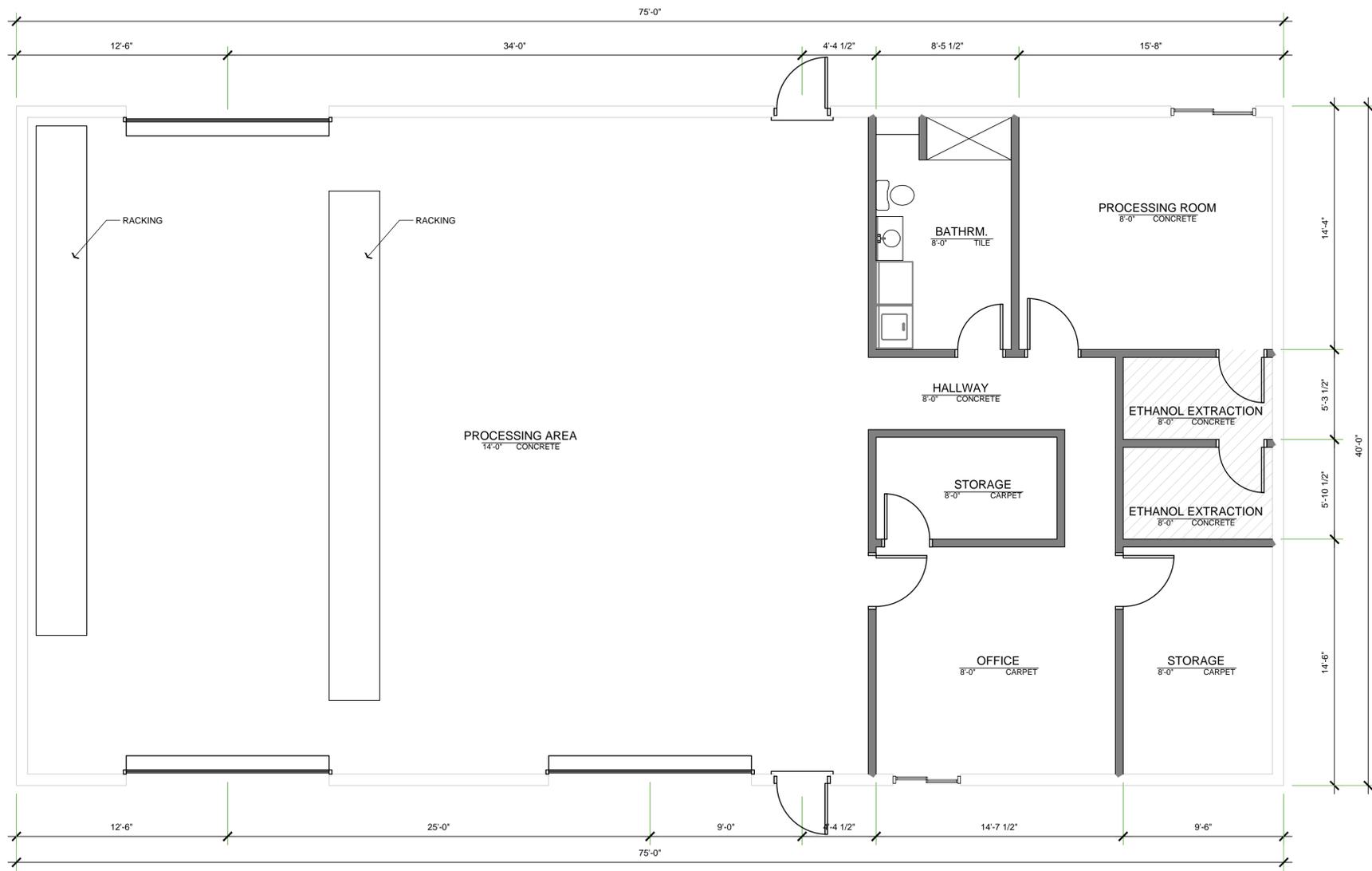
REAR ELEVATION
 1/8" = 1'



LEFT ELEVATION
 1/8" = 1'



RIGHT ELEVATION
 1/8" = 1'



FLOOR PLAN
 1/4" = 1'

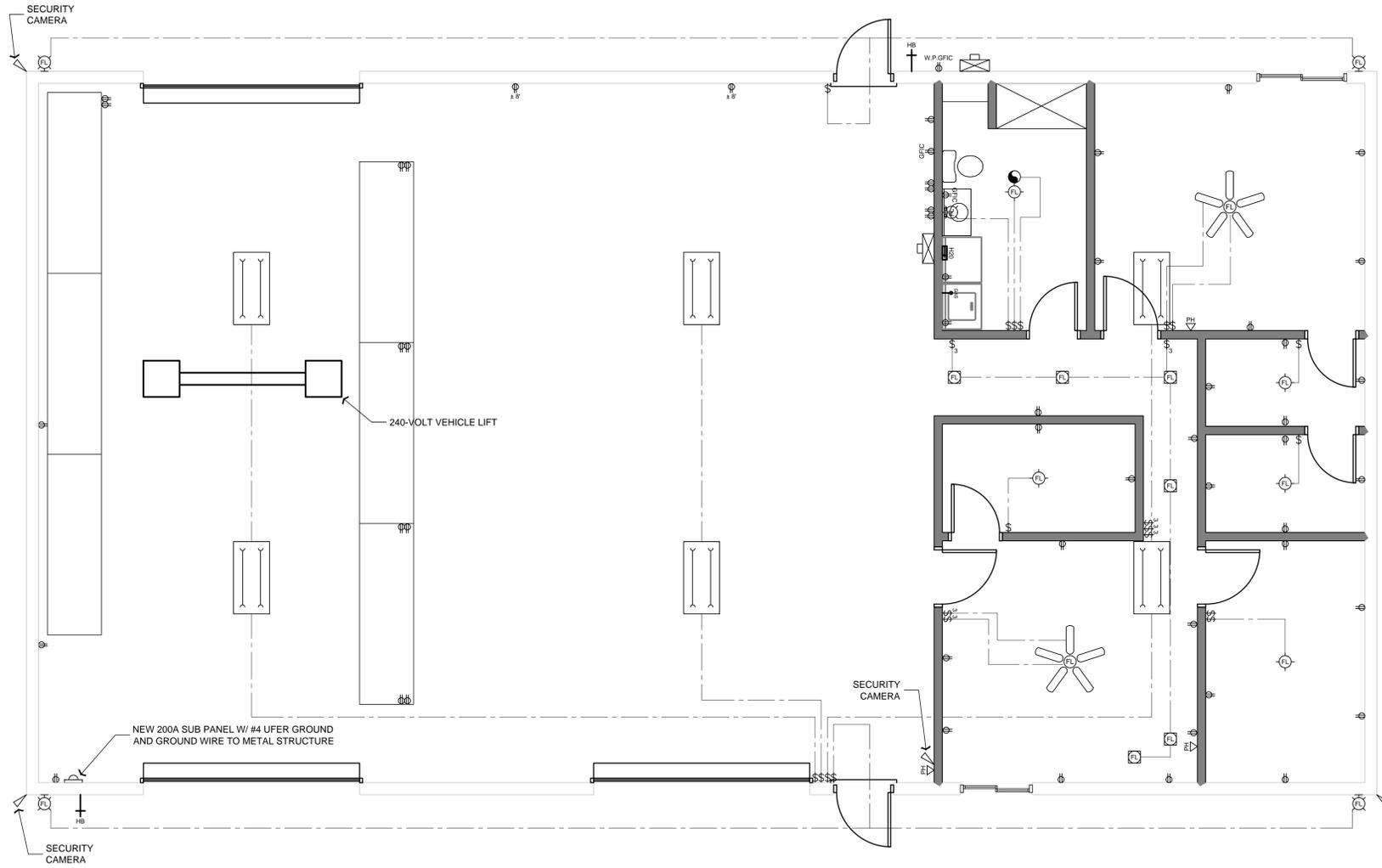
P:\Culbertson\Drafting\Projects\A-2.1 METAL BUILDING FLOOR PLAN & ELEVATIONS.dwg, Plot Summary #102910, 11/29/2018 4:09 PM



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ELECTRICAL PLAN
1/4" = 1'

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PROJECT NO. ---
FILE NAME A-2.3 METAL BUILDING ELECTRICAL PLAN.DWG
DRAWN BY JMB II C.D.
DATE 11/29/2018 4:10 PM

SHEET TITLE:
METAL BUILDING ELECTRICAL PLAN

SHEET NUMBER:
A-2.3

P:\Culbertson\Drawings\A-2.3 METAL BUILDING ELECTRICAL PLAN.dwg 11/29/2018 3:52:52 PM



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LEGEND

- CEILING MOUNTED EXHAUST FAN TO EXTERIOR
- PHONE
- CATV
- 115 V DUPLEX RECEPTACLE @ +18" AFF. U.O.N.
- 115 V GFCI DUPLEX RECEPTACLE
- 115 V WATER PROOF GFCI OUTLET
- 115 V ARCH FAULT CIRCUIT INTERRUPTER OUTLET
- 3-WAY SWITCH
- 4-WAY SWITCH
- SINGLE POLE SWITCH
- SWITCH w/ DIMMER CONTROL
- SWITCH w/ OCCUPANT SENSOR
- SMOKE DETECTOR, HARD-WIRED TOGETHER
- GAS STUB (SIZE AS REQ'D)
- ELECTRIC SUB-PANEL
- FAN
- CARBON MONOXIDE DETECTOR
- EMERGENCY LIGHT
- HOSE BIB
- FLOOD LIGHT
- RECESSED CAN LIGHT FIXTURE, FLUORESCENT
- RECESSED CAN LIGHT FIXTURE, STD RECESSED
- WALL MOUNTED LIGHT FIXTURE
- WALL MOUNTED EXTERIOR FIXTURE, DOWNCAST
- CEILING MOUNTED PENDANT FIXTURE
- CEILING MOUNTED LIGHT FIXTURE
- CEILING MOUNTED FAN w/ LIGHT FIXTURE PROVIDE SEPARATE SWITCH FOR FAN & LIGHT
- FLUORESCENT BAR LIGHT
- EXIT SIGN
- 1X8 FLUORESCENT LIGHT FIXTURE

ELECTRICAL PLAN CALLOUTS

1. NEW 100A PANEL "A" WITH UFER GROUND. SEE SINGLE LINE DIAGRAM

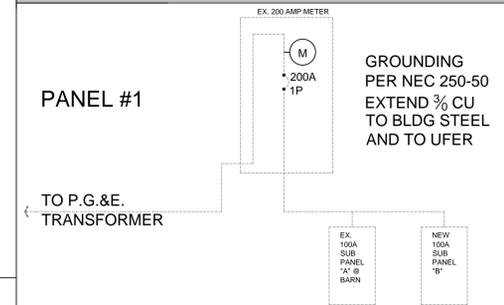
LEGEND

- ADJUSTABLE GROW LIGHT WITH REFLECTOR
- STANDARD 4' FLUORESCENT LIGHTS
- AURA AU-036WU16 AIR HANDLER
- AURA AU-036C016 CONDENSER

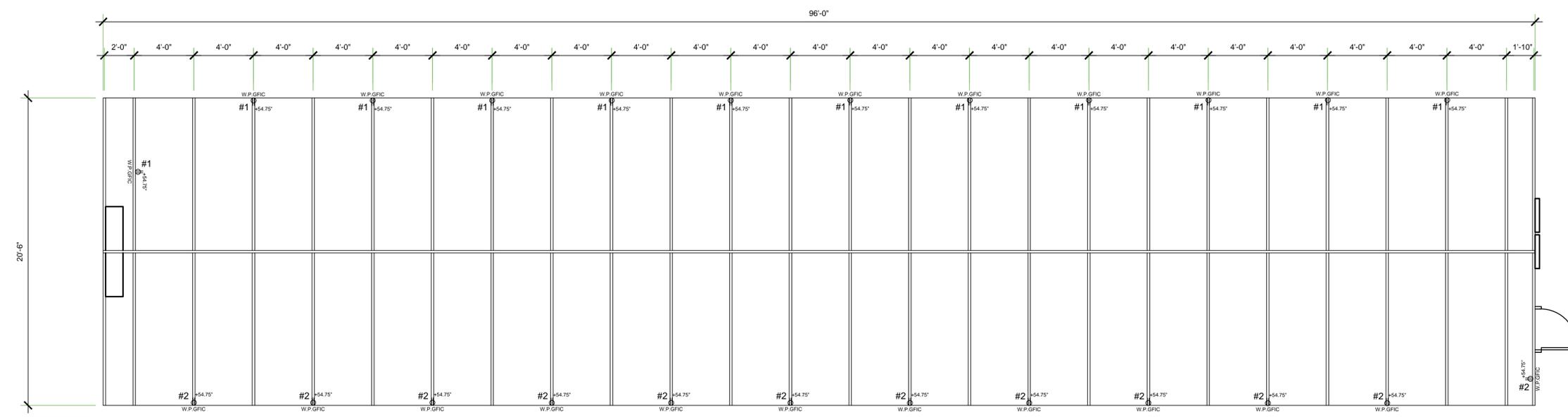
ELECTRICAL NOTES

1. THE NATIONAL ELECTRIC CODE STATES THAT THERE MUST BE A DISCONNECT SWITCH WITHIN SIGHT OF ALL APPLIANCES IF THE CIRCUIT BREAKER IS NOT CAPABLE OF BEING LOCKED IN THE OPEN POSITION. (ELECTRICAL CONTRACTOR TO VERIFY IF DISCONNECT SWITCH IS REQUIRED).
2. DISCONNECT MARKING: THE DISCONNECTING MEANS SHALL BE MARKED "FIRE PUMP DISCONNECTING MEANS." THE LETTERS SHALL BE AT LEAST 25 MM (1 IN.) IN HEIGHT, AND THEY SHALL BE VISIBLE WITHOUT OPENING ENCLOSURE DOORS OR COVERS.
3. CONTROLLER MARKING: A PLACARD SHALL BE PLACED ADJACENT TO THE FIRE PUMP CONTROLLER, STATING THE LOCATION OF THIS DISCONNECTING MEANS AND THE LOCATION OF THE KEY (IF THE DISCONNECTING MEANS IS LOCKED).
4. ALL ENCLOSURES INSIDE A GREENHOUSE SHALL BE "NEMA 4x RATED" AND ALL LIGHTING SHALL BE LISTED FOR HORTICULTURAL USE.

SINGLE LINE



PANEL: B 100A		PHASE: SINGLE						LOCATION: EXTERIOR P.P.			
		VOLTS: 120/240			WIRE: 3-WIRE						
CR#	DESCRIPTION	A	B	C	A	B	C	DESCRIPTION	CR#		
1	GENERAL RECEPTACLES	1000			20	1	20	1	1000	GENERAL RECEPTACLES	2
3	GENERAL RECEPTACLES	1800			20	1	20	1	2000	GENERAL RECEPTACLES	4
5	FAN		1500		20	1	20	1	1500	FAN	5
7					20	1	20	1	1500	FAN	8
9											10
11											12
13											14
15											16
Total Volt-Amps:		1800.00	1800.00	1500.00					2520.00	1020.00	1500.00
Total Volt-Amps:		10140.00									
Total Load Amps:		42									



NEW GREENHOUSE ELECTRICAL PLAN
 1/4" = 1'

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 FILE NAME E-1.1 ELECTRICAL PLAN.DWG
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 DATE 11/29/2018 4:10 PM

SHEET TITLE:
ELECTRICAL PLAN

SHEET NUMBER:
E-1.1

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 PASO ROBLES, CA 93446

MECHANICAL CALLOUTS

- EXHAUST HOOD/FAN (SEE SEPARATE SUBMITTAL)
- SEE SHEET S-1.1 FOR STRUCTURAL DETAILS ON HANGING HOOD.

MECHANICAL VENTILATION REQUIRED

OCCUPANCY PER CMC TABLE 402.1

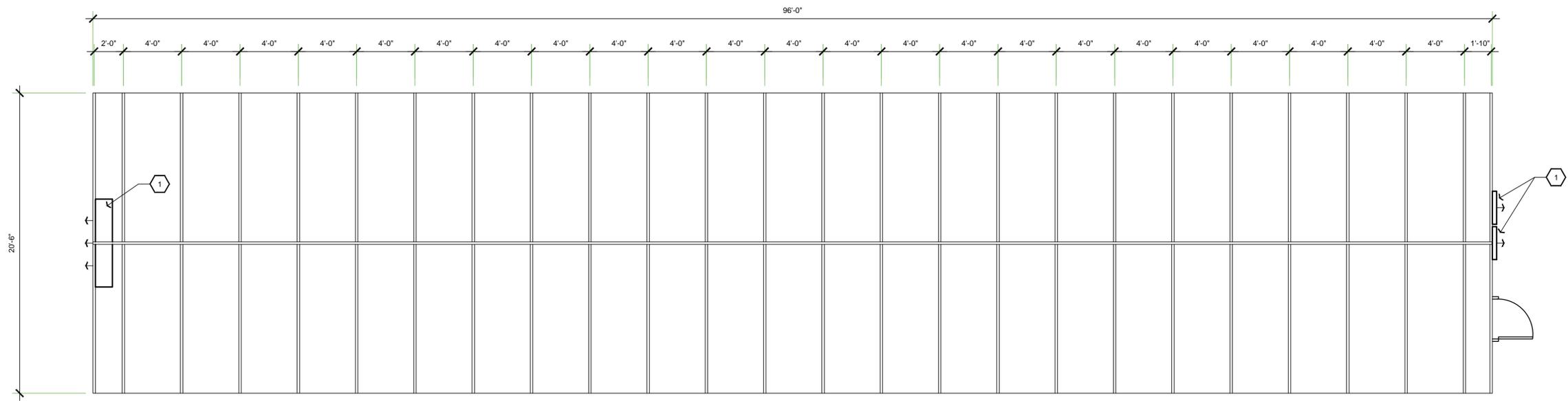
RESTAURANT DINING AREA = 927 SQ.FT. X .07 = 64.89 PERSONS
 KITCHEN AREA = 402 SQ.FT. X .02 = 18.04 PERSONS
 STORAGE AREA = 174 SQ.FT. X .002 = .348 PERSONS

TOTAL VENTILATION OCCUPANCY = 65.3 PERSONS
 TOTAL VENTILATION AREA = 1503 SQ.FT.

VENTILATION REQUIRED PER CMC EQUATION 403.2.1 AND TABLE 402.1

TOTAL OUTDOOR AIRFLOW (CFM) =
 AIR RATE (CFM/PERSON) X # OF OCCUPANTS PLUS AIR RATE (CFM/SQ.FT.) X AREA
 7.5 X 65.3 + 18 X 1503
 489.75 + 270.54 = 760.29

THEREFORE THERE MUST BE A SUPPLY AIR VOLUME OF 760.29 CFM FOR THIS BUILDING.
 MECHANICAL INSTALLER TO VERIFY ADEQUACY OF CURRENT SYSTEM



NEW GREENHOUSE MECHANICAL PLAN
 1/4" = 1'

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PROJECT NO. ---
 FILE NAME MP-1.1 MECHANICAL PLAN.DWG
 DRAWN BY JMB II C.D.
 DATE 11/29/2018 4:10 PM

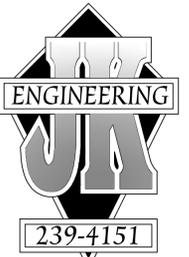
SHEET TITLE:
MECHANICAL PLAN

SHEET NUMBER:
MP-1.1

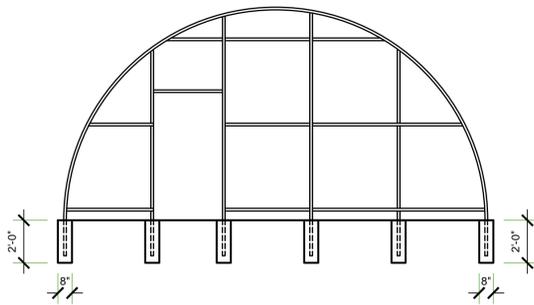
P:\Culbertson\Drawings\MP-1.1 MECHANICAL PLAN.dwg 11/29/2018 4:10 PM

FOUNDATION NOTES

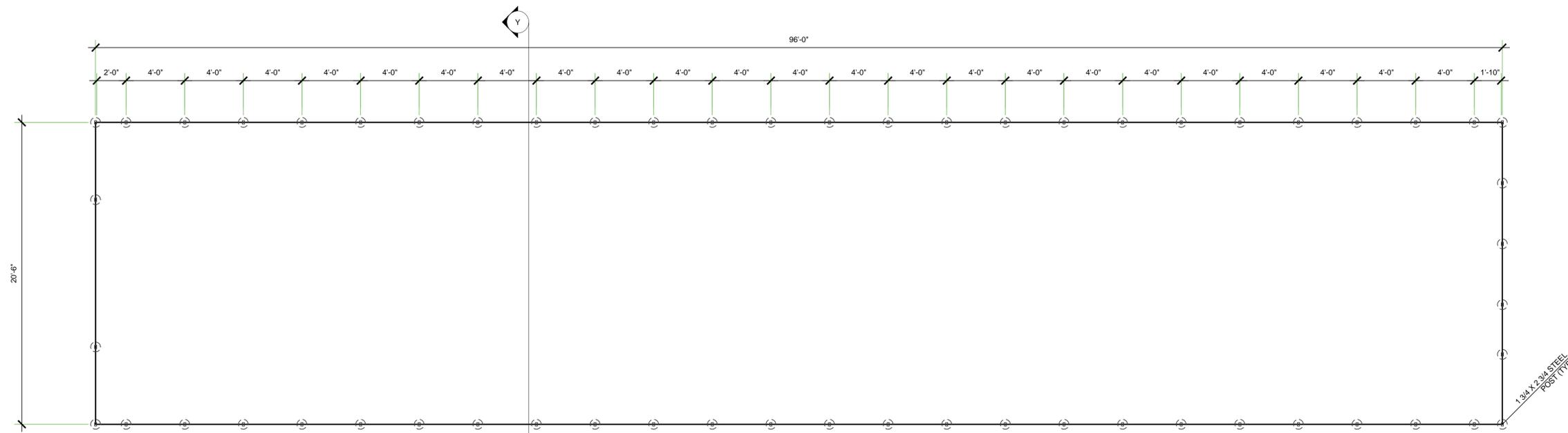
- SEE DETAIL 1, SHEET 17 OF CONLEY'S INSTRUCTION MANUAL FOR INSTALLATION OF ARCH TO CONCRETE FOOTING 8" Ø x 24" DEEP.



John A. Kudla
 Civil Engineering &
 Structural Design
 R.C.E. #50652
 610 10th ST. UNIT 'A' PASO
 ROBLES, CA.



SECTION PLAN
 1/4" = 1'



NEW GREENHOUSE FOUNDATION PLAN
 1/4" = 1'

PLAN PREPARED FOR:
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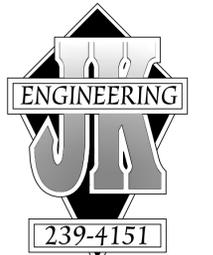
PROJECT NO. ---
 FILE NAME S-1.1 FOUNDATION PLAN.DWG
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FOUNDATION PLAN

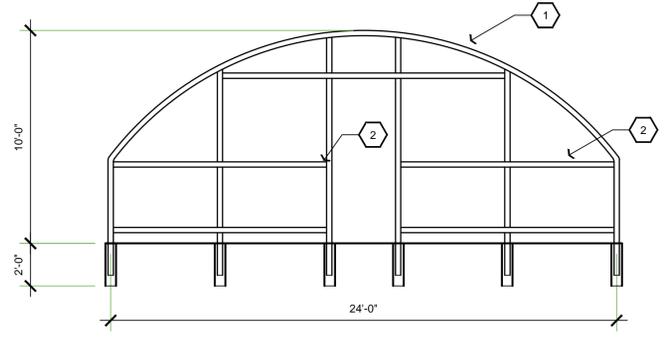
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FRAMING NOTES

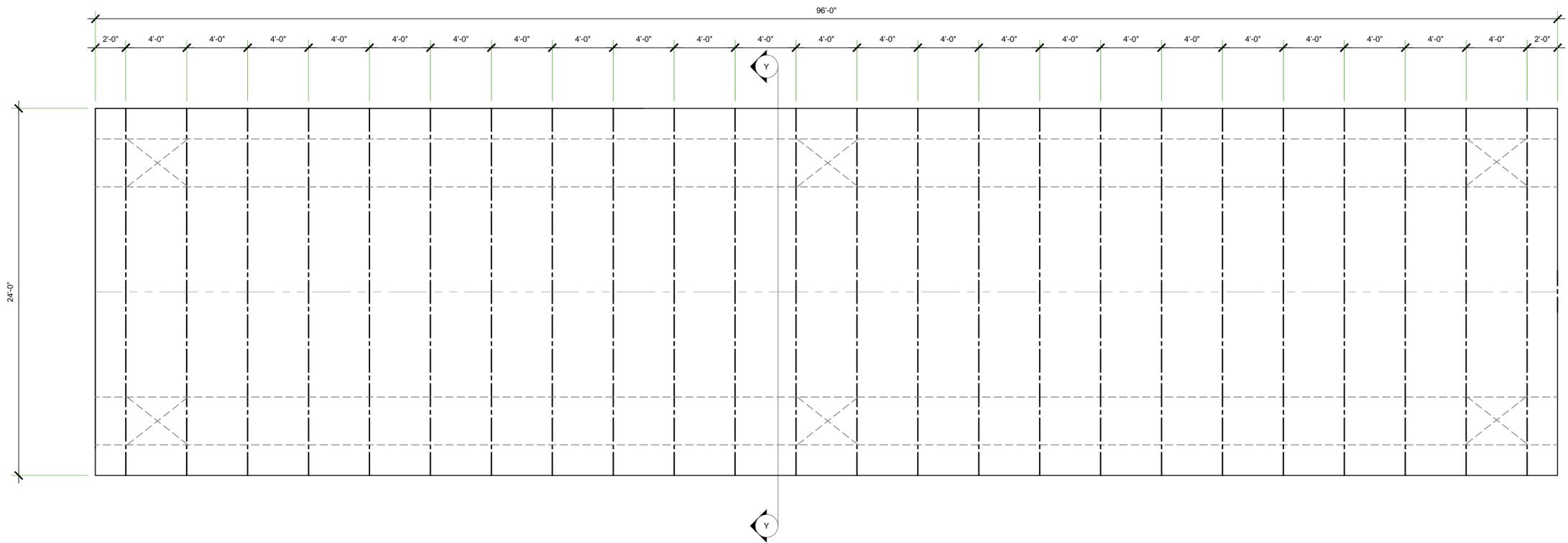
1. SEE DETAIL 1, SHEET 9 OF CONLEY'S INSTRUCTION MANUAL FOR ARCH CONNECTION.
2. SEE FIGURE 17 AND DETAIL 1, SHEET 15 OF CONLEY'S INSTRUCTION MANUAL FOR END WALL CONNECTIONS.



John A. Kudla
 Civil Engineering &
 Structural Design
 R.C.E. #50652
 610 10th ST. UNIT 'A' PASO
 ROBLES, CA.



SECTION PLAN
 1/4" = 1'



GREENHOUSE FRAMING PLAN
 1/4" = 1'

PLAN PREPARED FOR:
AARON CULBERTSON
 4415 N. RIVER ROAD
 PASO ROBLES, CA 93446

REVISION LOG

REV.	DESCRIPTION	DATE

These drawings are the exclusive property of J.K. Engineering and shall be used solely for the purpose of this project on this site. Any use other than the project upon which it is intended for without the written consent of J.K. Engineering and John Kudla is prohibited.

PROJECT NO. ---
 FILE NAME S-2.1 FRAMING PLAN.DWG
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COUNTY OF SAN LUIS OBISPO

DEPARTMENT OF AGRICULTURE / WEIGHTS & MEASURES

Martin Settevendemie, Agricultural Commissioner / Sealer of Weights & Measures

DATE: April 30, 2018
TO: Brandi Cummings, Project Manager
FROM: Lynda L. Auchinachie, Agriculture Department
SUBJECT: Culbertson Conditional Use Permit DRC2017-00110 (2008)

The applicant is requesting a conditional use permit to allow for up to 22,000-square feet of indoor cultivation area within two greenhouse structures, a small outdoor cultivation area within existing raised planter boxes, and manufacturing (non-volatile extraction of oil) and delivery services within an existing 3,000 square foot accessory structure. All proposed development is cluster within an existing disturbed area proximate to a residence and the accessory structure. The 20-acre project site is located within the Agriculture land use category and north of Paso Robles.

The proposal has been reviewed for ordinance and policy consistency as well as potential impacts to on and off site agricultural resources and operations. The following conditions of approval are recommended:

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

The above comments and recommendations are based on policies in the San Luis Obispo County Agriculture Element, the Land Use Ordinance, the California Environmental Quality Act (CEQA) and on current departmental objectives to conserve agricultural resources and to provide for public health, safety and welfare, while mitigating negative impacts of development to agriculture.

If you have questions, please call 781-5914.



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



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13 MAR 2018

PLANNING & BUILDING

March 8, 2018

Brandi Cummings, Project Manager
County of San Luis Obispo
Department of Planning and Building
976 Osos Street, Room 300
San Luis Obispo, California 93408
bcummings@co.slo.ca.us

**Subject: Conditional Use Permit Application (DRC2017-00110 Culbertson)
PROJECT REFERRAL
Indoor and Outdoor Cannabis Cultivation (PROJECT)
CEQA-2018-0039-0000-R4**

Dear Ms. Cummings:

The California Department of Fish and Wildlife (CDFW) received a Project Referral for a Conditional Use Permit Application from San Luis Obispo County for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State (Fish & Game Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. For example, to the extent implementation of the Project as proposed may result in “take” as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & Game Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

In this role, CDFW is responsible for providing, as available, biological expertise during public agency environmental review efforts (e.g., CEQA), focusing specifically on project activities that have the potential to adversely affect fish and wildlife resources. CDFW provides recommendations to identify potential impacts and possible measures to avoid or reduce those impacts.

Water Pollution: Pursuant to Fish and Game Code § 5650, it is unlawful to deposit in, permit to pass into, or place where it can pass into “Waters of the State” any substance or material deleterious to fish, plant life, or bird life, including non-native species. It is possible that without mitigation measures this Project could result in pollution of Waters of the State from storm water runoff or construction-related erosion. Potential impacts to the wildlife resources that utilize watercourses in the Project area include the following: increased sediment input from road or structure runoff; toxic runoff associated with Project-related activities and implementation; and/or impairment of wildlife movement. The Regional Water Quality Control Board and United States Army Corps of Engineers also have jurisdiction regarding discharge and pollution to Waters of the State.

Bird Protection: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include §§ 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

Fully Protected Species: CDFW has jurisdiction over fully protected species of birds, mammals, amphibians, reptiles, and fish pursuant to Fish and Game Code §§ 3511, 4700, 5050, and 5515. Take of any fully protected species is prohibited and CDFW cannot authorize their incidental take.

Unlisted Species: Species of plants and animals need not be officially listed as Endangered, Rare, or Threatened (E, R, or T) on any State or Federal list to be considered E, R, or T under CEQA. If a species can be shown to meet the criteria for E, R, or T as specified in the CEQA Guidelines (California Code of Regulations, Title 14,

Chapter 3, § 15380), CDFW recommends it be fully considered in the environmental analysis for this Project.

PROJECT DESCRIPTION SUMMARY

Proponent: Jeremy Jenkins, Progreens

Objective: The Project proponent seeks a Conditional Use Permit to construct an indoor and outdoor cannabis cultivation area. The Project plans to expand an existing 6,000 square foot (SF) site to 22,000 SF, which will include a 3,000 SF warehouse and 6000 SF cannabis cultivation area. The Project proposes to construct two indoor cannabis cultivation greenhouses, an outdoor cannabis cultivation area with planter boxes, new underground electrical conduit, trimming room, and vehicle and outdoor storage area.

Location: The Project is located on a 17.8-acre parcel at 4415 N. River Road, Paso Robles, California; Assessor's Parcel Number 026-141-019, in San Luis Obispo County.

Timeframe: Unspecified.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following recommendations to assist San Luis Obispo County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

I. Environmental Setting and Related Impact

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or the United States Fish and Wildlife Service (USFWS)?

Review of the California Natural Diversity Database (CNDDDB) reveals records for several special status species within the vicinity of the Project area including, but not limited to, the State and federally Endangered least Bell's vireo (*Vireo bellii pusillus*), the State Threatened and federally Endangered San Joaquin kit fox (*Vulpes macrotis mutica*), the federally Threatened vernal pool fairy shrimp (*Branchinecta lynchi*), the State Candidate for listing as Endangered tricolored blackbird (*Agelaius tricolor*), the State and federally threatened California tiger salamander (*Ambystoma californiense*), the State Fully Protected golden eagle (*Aquila chrysaetos*), the California Rare Plant

Rank 1B.1 Kellogg's horkelia (*Horkelia cueata* var. *sericea*), and the following California Rare Plants Rank 1B.2: woodland wooly threads (*Monolopia gracilens*), Lemmons jewelflower (*Caulanthus lemmonii*), Jared's pepper-grass (*Lepidium jaredii* ssp. *jaredii*), Santa Lucia dwarf rush (*Juncus luciensis*), San Luis Obispo owl's clover (*Castilleja densiflora* var. *obispoensis*), shining navarettia (*Navarretia nigelliformis* ssp. *radians*), and the following State Species of Special Concern: burrowing owl (*Athene cunicularia*), western spadefoot (*Spea hammondi*), yellow warbler (*Setophaga petechia*), Salinas pocket mouse (*Perognathus inornatus psammophilus*), Monterey dusky-footed woodrat (*Neotoma macrotis luciana*), American badger (*Taxidea taxus*), northern California legless lizard (*Anniella pulchra*), and western pond turtle (*Emys marmorata*) (CDFW 2018).

Review of aerial imagery indicates that the eastern portion of the Project area has been previously disturbed and contains a warehouse and parking area. The Salinas River is located along the western section of the property, which contains riparian habitat, including trees and shrubs, which has the potential to support special status species. The Project has the potential to impact biological resources. An analysis of potential impacts and recommended mitigation measures summarized by species follows below.

CDFW recommends that the Project area be assessed by a qualified biologist to determine if sensitive biological resources are present on or in the vicinity of the Project area and that results of this assessment be included in an Initial Study (IS). To determine if the species mentioned above are present and if they could be impacted by the proposed Project, CDFW recommends that the IS include focused biological surveys conducted by qualified biologists, during appropriate survey period(s), well in advance of any ground disturbance and prior to Project implementation. Results of the IS can be used to identify appropriate subsequent CEQA documents and any potential permitting needs for this Project.

COMMENT 1: least Bell's vireo (LBV)

Issue: LBV have been documented to occur within the Project area (CDFW 2005). Suitable LBV habitat includes rivers and streams with dense riparian vegetation. Riparian vegetation often used include shrubs and trees including willows, mulefat, wild rose, cottonwoods, and other dense vegetation. Review of aerial imagery indicates that suitable habitat for LBV occurs within the Project area.

Specific impact: Without appropriate avoidance and minimization measures for LBV, potential significant impacts associated with the Project's construction could include nest abandonment, reduced reproductive success, and reduced health and vigor of eggs and/or young.

Evidence impact is potentially significant: Breeding habitat loss resulting from urban development, water diversion, and spread of agricultural is the primary threat to LBV. In addition, high rates of brood parasitism by brown-headed cowbirds have caused reductions in breeding populations (USFWS 1998). Little suitable habitat for LBV remains in San Luis Obispo County. LBV was observed within the Project parcel and suitable nesting habitat is present within or adjacent to the Project site. Depending on timing, disturbance to nesting activities can cause abandonment of the nest, significantly impacting LBV populations. Due to these reasons, the following mitigation measures would be required to avoid potential to significant impacts to LBV.

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Environmental Setting and Related Impact)

To evaluate potential impacts to LBV, CDFW recommends conducting the following evaluation of the subject parcel and its vicinity and implementing the following mitigation measures.

Mitigation Measure 1: LBV Surveys

CDFW recommends that construction be timed to avoid the normal bird breeding season (February 1 through September 15). However, if construction must take place during that time, CDFW recommends that a qualified wildlife biologist conduct surveys for LBV in accordance with USFWS' "*Least Bell's Vireo Survey Guidelines*" (USFWS 2001) prior to the start of implementation of ground- or vegetation-disturbing activities to evaluate presence/absence of LBV and to evaluate potential Project-related impacts.

Mitigation Measure 2: LBV Avoidance

If a LBV is found during surveys, CDFW recommends implementation of a minimum 300-foot no-disturbance buffer in accordance with USFWS' "*Least Bell's Vireo Survey Guidelines*" (USFWS 2001). CDFW advises that this buffer remain in place until the breeding season has ended or until a qualified biologist has determined that nesting has ceased, the birds have fledged, and are no longer reliant upon parental care for survival.

Mitigation Measure 3: LBV Take Avoidance

In the event that a LBV is detected during surveys, and implementation of the no-disturbance buffer above is not feasible, consultation with CDFW is warranted to acquire an Incidental Take Permit (ITP), pursuant to Fish and Game Code § 2081(b), prior to any ground-disturbing activities.

COMMENT 2: San Joaquin Kit Fox (SJKF)

Issue: SJKF have been documented to occur within 3 miles of the Project area (CDFW 1990). Review of aerial imagery indicates that the Project area is bordered by the Salinas River to the west and natural grassland habitat to the east, which could serve as corridors or habitat to local populations of SJKF. SJKF den in right-of-ways, vacant lots, etc., and populations can fluctuate over time. Presence/absence in any one year is not necessarily a reliable indicator of SJKF potential to occur on a site. SJKF may be attracted to project areas due to the type and level of ground-disturbing activities and the loose, friable soils resulting from intensive ground disturbance. As a result, there is potential for SJKF to occupy or colonize the Project area.

Specific impact: Without appropriate avoidance and minimization measures for SJKF, potential significant impacts associated with the Project's construction could include den collapse, inadvertent entrapment, reduced reproductive success, reduction in health and vigor of young, and direct mortality of individuals.

Evidence impact is potentially significant: Habitat loss resulting from agricultural, urban, and industrial development is the primary threat to SJKF (Cypher et al. 2013). The Project area contains potentially suitable SJKF habitat. Therefore, subsequent ground-disturbing activities have the potential to significantly impact local SJKF populations.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts to SJKF, CDFW recommends conducting the following evaluation of the subject parcel and implementing the following mitigation measures.

Mitigation Measure 4: SJKF Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment in advance of Project implementation, to determine if the Project area or its immediate vicinity contains suitable habitat for SJKF.

Mitigation Measure 5: SJKF Surveys

CDFW recommends that a qualified biologist assess presence/absence of SJKF and/or their dens by conducting surveys within 200 feet of the Project area, following the USFWS "*Standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance*" (USFWS 2011). Pre-construction surveys are also recommended, and CDFW advises conducting these surveys in all areas of

potentially suitable habitat no less than 14 days and no more than 30 days prior to beginning of ground-disturbing activities.

Mitigation Measure 6: SJKF Take Authorization

SJKF detection warrants consultation with CDFW to discuss how to avoid take, or if avoidance is not feasible, to acquire an ITP prior to ground-disturbing activities, pursuant to Fish and Game Code § 2081(b).

COMMENT 3: Tricolored blackbird (TRBL)

Issue: TRBL are known to occur within 6 miles of the Project area (CDFW 2014). Review of aerial imagery indicates that the Project area is bordered by the Salinas River to the west, which consists of riparian habitat with trees and shrubs, which could serve as habitat to TRBL. TRBL are known to breed near fresh water, preferably in emergent wetland with tall, dense cattails or tules, but also in thickets of willow, blackberry, wild rose, and tall herbs (Zeiner et al. 1990b).

Specific impact: Without appropriate avoidance and minimization measures for TRBL, potential significant impacts associated with the Project activities could include nest and/or colony abandonment, reduced reproductive success, and reduced health and vigor of eggs and/or young.

Evidence impact would be significant: The Project site contains elements that have the potential to support TRBL nesting colonies. As mentioned above, TRBL are known to breed near fresh water, preferably in emergent wetland with tall, dense cattails or tules, but also in thickets of willow, blackberry, wild rose, and tall herbs (Zeiner et al. 1990b). This potential nesting habitat is present adjacent to the Project area. For this reason, depending on timing, disturbance to nesting colonies could cause abandonment, significantly impacting TRBL populations (Meese et al. 2014).

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Environmental Setting and Related Impact)

To evaluate potential impacts to TRBL, CDFW recommends conducting the following evaluation of the subject parcel and its vicinity and implementing the following mitigation measures.

Mitigation Measure 7: TRBL Surveys

CDFW recommends that construction be timed to avoid the normal bird-breeding season (February 1 through September 15). However, if construction must take

place during that time, CDFW recommends that a qualified wildlife biologist conduct surveys for nesting TRBL buffer in accordance with CDFW's "*Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015*" (CDFW 2015) no more than 10 days prior to the start of implementation to evaluate presence/absence of TRBL nesting colonies in proximity to Project activities and to evaluate potential Project-related impacts.

Mitigation Measure 8: TRBL Take Avoidance

If an active TRBL nesting colony is found during preconstruction surveys, CDFW recommends implementation of a minimum 300-foot no-disturbance buffer in accordance with CDFW's "*Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015*" (CDFW 2015). CDFW advises that this buffer remain in place until the breeding season has ended or until a qualified biologist has determined that nesting has ceased, the birds have fledged, and are no longer reliant upon the colony or parental care for survival. It is important to note that TRBL colonies can expand over time, and for this reason, the colony should be reassessed to determine the extent of the breeding colony within 10 days of Project initiation.

Mitigation Measure 9: TRBL Take Avoidance

In the event that a TRBL nesting colony is detected during surveys, consultation with CDFW is warranted to discuss how to implement the project and avoid take, or if avoidance through the implementation of the no-disturbance buffer referenced above is not feasible, to acquire an ITP, pursuant to Fish and Game Code § 2081(b), prior to any ground-disturbing activities.

COMMENT 4: California tiger salamander (CTS)

Issue: CTS have the potential to occur in the vicinity of the Project area. Review of aerial imagery indicates the presence of seasonally flooded wetland features within 1.3 miles (observed CTS dispersal distance) of the Project site, which have the potential to support breeding CTS. In addition, the Project area may support small mammal burrows, a requisite upland habitat feature for CTS.

Specific impact: Without appropriate avoidance and minimization measures for CTS, potential significant impacts associated with the Project's construction could include burrow collapse, inadvertent entrapment, reduced reproductive success, reduction in health and vigor of eggs, larvae and/or young, and direct mortality of individuals.

Evidence impact would be significant: The Project area is within the range of CTS and potentially supports both suitable upland and breeding habitat. In addition, the Project area lies within 1.3 miles (observed CTS dispersal distance) of surrounding seasonally flooded wetlands. As a result, there is potential for CTS to occupy or colonize the Project area.

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Environmental Setting and Related Impact)

To evaluate potential impacts to CTS, CDFW recommends conducting the following evaluation of the subject parcel and implementing the following mitigation measures.

Mitigation Measure 10: Focused CTS Surveys

CDFW recommends that a qualified biologist evaluate potential Project-related impacts to CTS prior to ground-disturbing activities using the USFWS's *"Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander"* (USFW 2003). CDFW advises that the survey include a 100-foot buffer around the Project area in all areas of wetland and upland habitat that could support CTS.

Mitigation Measure 11: CTS Avoidance

In the absence of protocol surveys as described above, in order to implement full avoidance for the species, CDFW advises a minimum 50-foot no-disturbance buffer delineated around all small mammal burrows within and/or adjacent to the Project construction footprint. If burrow avoidance is not feasible, consultation with CDFW is warranted to determine if the Project can avoid take.

Mitigation Measure 12: CTS Take Authorization

If full avoidance is not feasible or protocol level surveys do not yield a negative finding, acquisition of an ITP pursuant to Fish and Game Code § 2081(b) would be warranted prior to Project implementation to comply with CESA. Alternatively, in the absence of protocol surveys, the applicant can assume presence of CTS within the Project area and obtain an ITP from CDFW.

COMMENT 5: Burrowing Owl (BUOW)

Issue: BUOW are known to occur in the vicinity of the Project area. BUOW inhabit open grassland containing small mammal burrows, a requisite habitat feature used by BUOW for nesting and cover. The Project area is bordered by grass land habitat

that has the potential to support BUOW. Therefore, there is potential for BUOW to colonize the Project site.

Specific impact: Without appropriate avoidance and minimization measures for BUOW, potential significant impacts associated with the Project's construction could include burrow collapse, inadvertent entrapment, nest abandonment, reduced reproductive success, reduced health and vigor of eggs and/or young, and direct mortality of individuals.

Evidence impact is potentially significant: Habitat loss and degradation are considered the greatest threats to BUOW in California's Central Valley (Gervais et al. 2008). The Project area is bordered by grass land habitat that has the potential to support BUOW. Therefore, subsequent ground-disturbing activities associated with the Project have the potential to significantly impact local BUOW populations. In addition, and as described in CDFW's "*Staff Report on Burrowing Owl Mitigation*" (CDFG 2012), excluding and/or evicting BUOW from their burrows is considered a potentially significant impact under CEQA.

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Environmental Setting and Related Impact)

To evaluate potential impacts to BUOW, CDFW recommends conducting the following evaluation of the subject parcel and its vicinity and implementing the following mitigation measures.

Mitigation Measure 13: BUOW Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment in advance of Project implementation, to determine if the Project area or its vicinity contains suitable habitat for BUOW.

Mitigation Measure 14: BUOW Surveys

CDFW recommends that a qualified biologist conduct surveys for BUOW following the California Burrowing Owl Consortium's "*Burrowing Owl Survey Protocol and Mitigation Guidelines*" (CBOC 1993) and CDFW's "*Staff Report on Burrowing Owl Mitigation*" (CDFG 2012). Specifically, CBOC and CDFW's Staff Report suggest three or more surveillance surveys conducted during daylight with each visit occurring at least three weeks apart during the peak breeding season (April 15 to July 15), when BUOW are most detectable. In addition, CDFW advises that surveys include a 500-foot buffer around the Project area.

Mitigation Measure 15: BUOW Avoidance

CDFW recommends no-disturbance buffers, as outlined in the “*Staff Report on Burrowing Owl Mitigation*” (CDFG 2012), be implemented prior to and during any ground-disturbing activities. Specifically, CDFW’s Staff Report recommends that impacts to occupied burrows be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

* meters (m)

Mitigation Measure 16: BUOW Passive Relocation and Mitigation

If BUOW are found within these recommended buffers and avoidance is not possible, it is important to note that according to the Staff Report (CDFG 2012), exclusion is not a take avoidance, minimization, or mitigation method and is considered a potentially significant impact under CEQA. However, if necessary, CDFW recommends that burrow exclusion be conducted by qualified biologists and only during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods, such as surveillance. CDFW recommends replacement of occupied burrows with artificial burrows at a ratio of 1 burrow collapsed to 1 artificial burrow constructed (1:1) as mitigation for the potentially significant impact of evicting BUOW. BUOW may attempt to colonize or re-colonize an area that will be impacted; thus, CDFW recommends ongoing surveillance, at a rate that is sufficient to detect BUOW if they return.

COMMENT 6: Golden Eagle (GOEA)

Issue: GOEA have been documented to occur within 3 miles of the Project area (CDFW 2006). Suitable GOEA nesting habitat includes cliffs of all heights and large trees in open areas. Review of aerial imagery indicates that large trees could occur within or adjacent to the Project site that could provide suitable nesting habitat for GOEA.

Specific impact: Without appropriate avoidance and minimization measures for GOEA, potentially significant impacts associated with the Project's construction could include nest abandonment, reduced reproductive success, reduced health and vigor of eggs and/or young.

Evidence impact is potentially significant: Habitat loss and breeding are the primary threats to GOEA (Smith et al. 2008 and WRI 2009). Potential suitable nesting habitat for GOEA may occur within or adjacent to the Project site. Therefore, subsequent ground-disturbing activities have the potential to significantly impact GOEA.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts to GOEA, CDFW recommends conducting the following evaluation of the subject parcel and implementing the following mitigation measures.

Mitigation Measure 17: GOEA Surveys

CDFW recommends that construction be timed to avoid the normal bird breeding season (February 1 through September 15). However, if construction must take place during that time, CDFW recommends that a qualified wildlife biologist conduct surveys for GOEA in accordance with the *USFWS Interim Golden Eagle Inventory and Monitoring Protocols; and Other Recommendations* (USFWS, 2010) no more than 10 days prior to the start of implementation to evaluate presence/absence of GOEA in proximity to Project activities and to evaluate potential Project-related impacts.

Mitigation Measure 18: GOEA Avoidance

If a GOEA is found during preconstruction surveys, CDFW recommends implementation of a minimum ½-mile no-disturbance buffer. CDFW advises that this buffer remain in place until the breeding season has ended or until a qualified biologist has determined that nesting has ceased, the birds have fledged, and are no longer reliant upon parental care for survival.

Mitigation Measure 19: GOEA Take Avoidance

In the event that a GOEA is detected during surveys, consultation with CDFW is warranted to discuss how to implement the project and avoid take. Take of any fully protected species is prohibited and CDFW cannot authorize their incidental take.

COMMENT 7: Western pond turtle (WPT)

Issue: WPT have been documented to occur within the vicinity of the Project area (CDFW 2007). Review of aerial imagery indicates that the Project area is bordered by the Salinas River to the west, which does experience lower water levels that expose suitable basking habitat, in the form of muddy islands and banks, and during which time the water is presumably moving at a slower rate, sufficient to support WPT. WPT are known nest in the spring or early summer within 100 meters of a water body, although nest sites as far away as 500 meters have also been reported (Thomson et al. 2016).

Specific impact: Without appropriate avoidance and minimization measures for WPT, potential significant impacts associated with the Project's construction could include den collapse, inadvertent entrapment, reduced reproductive success, reduction in health and vigor of young, and direct mortality of individuals.

Evidence impact is potentially significant: Habitat loss resulting from agricultural and urban development is the primary threat to WPT, as well as possible impacts of competition and predation by introduced species (Thomson et al. 2016). The Project area is bordered by the Salinas River, which has potential habitat to support WPT. Therefore, subsequent ground-disturbing activities have the potential to significantly impact WPT populations.

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Environmental Setting and Related Impact Shortcoming)

To evaluate potential impacts to WPT, CDFW recommends conducting the following evaluation of the subject parcel and implementing the following mitigation measures.

Mitigation Measure20: WPT Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment in advance of Project implementation to determine if the Project area or its immediate vicinity contains suitable habitat for WPT.

Mitigation Measure 21: WPT Surveys

Because the timeframe for construction is unspecified, CDFW believes the Project does have the potential to impact WPT. Because of this, CDFW recommends that a qualified biologist conduct focused surveys for WPT 10 days prior to Project implementation. In addition, CDFW recommends that focused surveys for nests occur during the egg-laying season (March through August) and that any nests discovered remain undisturbed until the eggs have hatched.

Mitigation Measure 22: Relocation of WPT

CDFW recommends that if any WPT are discovered at the site immediately prior to or during Project activities, they be allowed to move out of the area on their own.

COMMENT 8: Special status plants

Issue: Seven special status plants meeting the definition of rare or endangered under CEQA § 15380 are known to occur in the vicinity of the Project area.

Specific impact: Without appropriate avoidance and minimization measures for special status plants, potential significant impacts associated with the Project's construction could include inability to reproduce, direct mortality, and habitat modification.

Evidence impact is potentially significant: The Project site is located within and adjacent the Salinas River to the west and natural grasslands to the east, which may provide suitable habitat for special status plant species. As a result, ground-disturbing activities have the potential to significantly impact special status plant species.

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Environmental Setting and Related Impact)

To evaluate potential impacts to special status plant species, CDFW recommends conducting the following evaluation of the subject parcel and its vicinity and implementing the following mitigation measures.

Mitigation Measure 23: Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment in advance of Project implementation to determine if special status plant species or their habitats are present on or in the vicinity of the Project and propose appropriate mitigation measures to avoid impacts to those resources.

Mitigation Measure 24: Special Status Plant Surveys

If suitable habitat is present, CDFW recommends that the Project site be surveyed for special status plants by a qualified botanist following the "*Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities*" (CDFG, 2009). This protocol, which is intended to maximize detectability, includes identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period.

Mitigation Measure 25: Special Status Plant Avoidance

CDFW recommends special status plant species be avoided whenever possible by delineation and observing a no-disturbance buffer of at least 50 feet from the outer edge of the plant population(s) or specific habitat type(s) required by special status plant species. If buffers cannot be maintained, then consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special status plant species.

Mitigation Measure 26: Special Status Plant Take Authorization

If buffers cannot be maintained, then consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special status plant species.

COMMENT 9: Other State Species of Special Concern

American badger, western spadefoot, yellow warbler, Salinas pocket mouse, northern California legless lizard, and Monterey dusky-footed woodrat

Issue: American badger can inhabit grassland habitats with dry friable soils, suitable for excavating dens (Zeiner et al. 1990a). Western spadefoot occur in grassland in playas and alkali flats (Thomson et al. 2016). Yellow warbler inhabit riparian deciduous habitats in summer: cottonwoods, willows, alders, and other small trees and shrubs typical of low, open-canopy riparian woodland (Zeiner et al. 1990e). Salinas pocket mouse can inhabit annual grassland, desert scrub, and oak savannah communities on sandy soils and other friable soils (Bolster 1998). Northern California legless lizard are found primarily in areas with sandy or loose organic soils or where there is plenty of leaf litter (Zeiner et al. 1990d). Monterey dusky-footed woodrat prefers forest habitats with moderate canopy, year-round greenery, a brushy understory, and suitable nest building materials (Zeiner et al. 1990c). The subject parcel is within the range of all six of the species mentioned above. All six species have been documented to occur in the vicinity of the parcel, and the parcel and/or the adjacent Salinas River and/or grassland likely support the habitat elements mentioned above. Therefore, the subject parcel is suitable for occupation or colonization by these species.

Specific impact: Without appropriate avoidance and minimization measures for American badger, western spadefoot, yellow warbler, Salinas pocket mouse, northern California legless lizard, and Monterey dusky-footed woodrat, potentially significant impacts associated with the Project's construction could include nest/den/burrow abandonment, which may result in reduced health or vigor of eggs and/or young, and/or direct mortality.

Evidence impact is potentially significant: Habitat loss is a primary threat to all six of the species mentioned above (Bolster 1998, Shuford et al. 2008, Zeiner et al. 1990a, c, and d, and Thomson et al. 2016). The Salinas River adjacent to the Project area and adjacent grasslands have the potential to significantly impact local populations of these species.

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Environmental Setting and Related Impact)

To evaluate potential impacts to these species, CDFW recommends conducting the following evaluation of the subject parcel and its vicinity and implementing the following mitigation measures.

Mitigation Measure 27: Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment in advance of Project implementation to determine if the Project area or its immediate vicinity contains suitable habitat for the species mentioned above.

Mitigation Measure 28: Species of Special Concern Surveys

If suitable habitat is present, CDFW recommends that a qualified biologist conduct focused surveys for each species and their requisite habitat features to evaluate potential impacts resulting from ground-disturbance.

Mitigation Measure 29: Avoidance

Avoidance whenever possible is encouraged via delineation and observing a 50-foot no-disturbance buffer around burrows and dens.

II. Environmental Setting and Related Impact

Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS?

COMMENT 10: Lake and Streambed Alteration

Issue: Review of aerial imagery indicates that the Salinas River is located within the parcel and adjacent to the Project area.

Specific impact: Work within or adjacent to stream channels has the potential to result in substantial diversion or obstruction of natural flows; substantial change or

use of material from the bed, bank, or channel (including removal of riparian vegetation); deposition of debris, waste, sediment, toxic runoff or other materials into water causing water pollution and degradation of water quality.

Evidence impact is potentially significant: The parcel of the Project area is located within and adjacent to the Salinas River. Project activities within or adjacent to the Salinas River may be subject to CDFW's lake and streambed alteration regulatory authority, pursuant Fish & Game Code § 1600 et seq. Activities within or adjacent to this feature has the potential to not only impact resources on-site, but also up and downstream resources.

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Environmental Setting and Related Impact)

Notification of Lake and Streambed Alteration

Based on aerial imagery, the Project site is located adjacent to the Salinas River. CDFW has regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource, pursuant to Fish and Game Code § 1600 et seq. Section 1602(a) of the Fish and Game Code requires an entity to notify CDFW before engaging in activities that would substantially change or use any material from the bed, channel, or bank of any stream or substantially divert or obstruct the natural flow of a stream. Project activities are proposed that may involve activities within a stream that is jurisdictional under Fish and Game Code § 1602. CDFW recommends coordination with CDFW staff prior to ground-breaking activities on-site or submit a Lake or Streambed Alteration Notification to determine if the activities proposed within the stream are subject to CDFW's jurisdiction. Please note that CDFW is required to comply with CEQA in the issuance of a Lake or Streambed Alteration Agreement.

Additionally, Business and Professions Code 26060.1 (b)(3) includes a requirement that California Department of Food and Agriculture cannabis cultivation licensees demonstrate compliance with Fish and Game Code 1602 through written verification from CDFW. CDFW recommends submission of a Lake and Streambed Alteration Notification to CDFW for the proposed Project prior to initiation of any cultivation activities.

Editorial Comments and/or Suggestions

Subsequent CEQA Documents: If the results of the IS indicate that significant environmental impacts will occur as an outcome of Project implementation and cannot be mitigated to less than significant levels, a Mitigated Negative Declaration (MND) would not be appropriate. Further, when an MND is prepared, mitigation measures

must be specific and clearly defined and cannot be deferred to a future time. The specifics of mitigation measures may be deferred, provided the lead agency commits to mitigation and establishes performance standards for implementation, when an Environmental Impact Report (EIR) is prepared. Regardless of whether an MND or EIR is prepared, CDFW recommends that mitigation measures be fully addressed and made enforceable conditions of Project approval in the CEQA document prepared for the Project.

Nesting birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include §§ 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

The Project area likely provides nesting habitat for birds. CDFW encourages Project implementation occur during the bird non-nesting season. However, if ground-disturbing activities must occur during the breeding season (February through mid-September), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above.

To evaluate Project-related impacts on nesting birds, CDFW recommends that a qualified wildlife biologist conduct preconstruction surveys for active nests no more than 10 days prior to the start of ground disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the work site to identify nests and determine their status. A sufficient area means any area potentially affected by a project. In addition to direct impacts (i.e. nest destruction), noise, vibration, odors, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends a qualified biologist continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, CDFW recommends the work causing that change cease and CDFW consulted for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or

ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

Federally Listed Species: CDFW recommends consulting with the USFWS on potential impacts to federally listed species including, but not limited to, LBV, SJKF, CTS and vernal pool fairy shrimp. Take under the Federal Endangered Species Act (FESA) is more broadly defined than CESA; take under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with FESA is advised well in advance of any ground-disturbing activities.

ENVIRONMENTAL DATA

CEQA requires that information developed in EIRs and negative declarations be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special status species and natural communities detected during Project surveys to CNDDDB. The CNDDDB field survey form can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp.

FILING FEES

If it is determined that the Project has the potential to impact biological resources, an assessment of filing fees will be necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & Game Code, § 711.4; Pub. Resources Code, § 21089).

CONCLUSION

CDFW appreciates the opportunity to comment on the Project to assist San Luis Obispo County in identifying and mitigating Project impacts on biological resources.

Brandi Cummings, Project Manager
Department of Planning and Building
March 8, 2018
Page 20

Questions regarding this letter or further coordination should be directed to Heather Rodriguez, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 243-4014 extension 243, or by email at Heather.Rodriguez@wildlife.ca.gov.

Sincerely,



Julie A. Vance
Regional Manager

cc: Holley Kline
United States Fish and Wildlife Service
2800 Cottage Way, Suite W-2605
Sacramento, California 95825

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CAL FIRE
San Luis Obispo
County Fire Department

635 N. Santa Rosa • San Luis Obispo, CA 93405
Phone: 805.543.4244 • Fax: 805.543.4248
www.calfireslo.org

Scott M. Jalbert, Unit Chief

May 10, 2018

San Luis Obispo County
Department of Planning & Building
County Government Center
San Luis Obispo, CA. 93408

Subject: DRC2017-00110 – (Culbertson)
4415 N. River Road near Paso Robles, CA.

Ms. Cummings,

CAL FIRE/San Luis Obispo County Fire Department has reviewed the New Project Referral information and conducted an onsite consultation for the proposed Conditional Use Permit to allow for Cannabis cultivation operations and the change of occupancy classification to an existing 3,000 square foot agricultural exempt structure. The project site is located within lands classified as Local Responsibility Area (LRA).

Special Concerns:

This project location has an extended fire engine response time where emergency services are not readily available. The cumulative effects of commercial development and/or special event type programs within areas such as this continue to place challenges upon CAL FIRE/County Fire's ability to provide effective and efficient emergency services within rural areas.

The nearest CAL FIRE/County Fire station (#30-Paso Robles) is located at 2510 Ramada Drive between Templeton and Paso Robles, CA. This station has an approximate 7-mile vehicular travel distance and a 15-minute response time. A minimum of 2 fulltime firefighters are on duty at this station at all times.

The following are requirements that must be satisfied prior to final inspection and occupancy.

- A Registered Fire Protection Engineer (F.P.E.) is required to design and approve of the required commercial fire sprinkler system(s), water storage tank(s), underground piping, fire hydrants and fire pump for the proposed occupancy classification change to the existing agricultural exempt structure. A detailed and comprehensive written technical analysis of all fire suppression system related components is required to be provided to CAL FIRE/County Fire.
- **The proposed occupancy classification change to the existing agricultural exempt structure will require the installation of a properly designed and installed commercial fire sprinkler system.**

- **VEHICULAR ACCESS** – Based upon the somewhat limited size/scope of the current proposal, the existing primary access road providing access to the project site directly from N. River Road does not present a concern relative to fire/life safety. The existing gate must be setback a minimum of 30-feet from the edge of N. River Road.
- **WATER STORAGE** - “Poly” and or plastic style water storage tanks shall not be allowed. Multiple or “daisy chained” tanks are only allowed if reviewed and approved by the Registered Fire Protection Engineer (F.P.E.). Utilizing a multiple tank approach will require the use of a manifold and flexible couplings. The Registered Fire Protection Engineer must determine the amount of water required to be held in storage dedicated to fire suppression purposes. **It is highly unlikely that the recently placed water storage tank will meet all relative requirements. The Registered Fire Protection Engineer will be required to provide input on this matter.**
- **FIRE PUMP/HYDRANTS** – Pressurized fire hydrants will be required due to the layout of the site and the occupancy classification change. Fire Hydrant placement and proper sizing/type of all underground piping shall be addressed within the written technical analysis provided by the Registered Fire Protection Engineer. All fire hydrants shall provide (1) 4-inch and (2) 2-1/2 inch male connections with National Standard threads.
- **ALARMS/DETECTION** – The required fire sprinkler system shall be monitored in accordance with all relative standards set forth within N.F.P.A. 72 and 13. A properly designed and installed heat/smoke detection system shall be required. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels, temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically monitored for integrity and to ensure valves are locked in the open position. Monitoring shall be provided by a central station listed by Underwriters Laboratories for receiving fire alarms.
- **OCCUPANCY CLASSIFICATION** – An occupancy classification change to any additional existing structure located onsite shall require the installation of an appropriately designed and installed commercial fire sprinkler system.
- **EMERGENCY ACCESS** – A Knox Corporation key switch shall be installed on all electric gates and a rapid entry Knox box shall be attached to commercial structures. The Knox box(es) shall be located where approved by County Fire.
- **ADDRESSING** – Address numbers shall meet current commercial standards. Proper signage shall be required onsite in order to properly identify access and egress routes. Minimum 8-inch address numbers are required on the existing agricultural exempt structure. 6-inch address shall be placed at the site entrance off N. River Road.

The existing green/hoop houses present no significant concerns for fire/life safety.

Properly sized and located fire extinguishers shall be required at several locations onsite.

The proposed project will require final inspection prior to occupancy. Please contact this office at (805)593-3490 to schedule the final inspection once all requirements have been satisfied.

If I may be of additional assistance regarding this matter, please do not hesitate to contact me at (805)543-4244, extension 3425.

Sincerely,



Clinton I. Bullard
Fire Inspector

C: Jenkins, Applicant



Date: March 7, 2019
To: Mindy Fogg, Project Planner
Megan Martin, Project Planner
From: David E. Grim, Development Services
Subject: Public Works Revised Comments on DRC2017-00110 Culbertson CUP, North River Rd., Paso Robles, APN 026-141-019

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

Public Works Comments:

- A. We have reviewed the ATE April 27, 2018 traffic report and revised our recommendations accordingly.
- B. The proposed project is within a drainage review area. Drainage plan is required and it will be reviewed at the time of Building Permit submittal by Public Works. The applicant should review Chapter 22.52.110 of the Land Use Ordinance prior to future submittal of development permits.
- C. If the project site disturbs 1.0 acre or more the applicant must enroll for coverage under California's Construction General Permit, which may require preparation of a project Stormwater Control Plan even though it is located outside a Stormwater Management Area.
- D. Per the City of Paso Robles comment letter dated March 7, 2019, "The project will pay traffic impact fees to the City based on light industrial per square foot rates prior to issuance of either the certificate of occupancy for the County building permit or issuance of a permit to operate."

Recommended Project Conditions of Approval:

Access

- 1. **On-going condition of approval (valid for the life of the project)**, to minimize project related traffic impacts in accordance with the project traffic report (Associated Transportation Engineers No. 18035L01, dated April 27, 2018), the project is limited to the following, or no more than 38 average daily vehicle trips with 7 afternoon peak hour trips:
 - a. Three (3) full time employees: one (1) from 10am to 6pm Mon-Fri; and one (1) from 6am to 3pm Mon-Fri; and one (1) from 8am to 5pm every day.
 - b. Five (5) part time employees: one (1) from 12pm to 6pm Mon-Thurs; and one (1) from 8am to 4pm Tues-Sun; and one (1) from 5pm to 8pm Mon-Fri; and one (1) from 4pm to 8pm Fri-Sun; and one (1) from 11am to 8pm Mon-Fri.
 - c. Five (5) deliveries/shipments per day: 10am to 3pm Mon-Fri.

2. **At the time of application for construction permits**, the applicant shall submit plans and application to the Department of Public Works to secure an Encroachment Permit and post a cash damage bond to install improvements within the public right-of-way in accordance with County Public Improvement Standards. The plan is to include, as applicable:
 - a. Realign and reconstruct the existing site access driveways approach in accordance with County Public Improvement Standard B-1a drawing for rural roadways and A-5 sight distance standards. All other points of access must be removed, scarified, and the shoulder restored to A-1 rural road standards.
 - b. Any gate must be relocated a minimum of 75-feet back from the nearest edge of traveled way of North River Road (applicable to County collector and arterial roads).
3. **Prior to commencing permitted activities**, all work in the public right-of-way must be constructed or reconstructed to the satisfaction of the County Public Works Inspector and in accordance with County Public Improvement Standards; the project conditions of approval, including any related land use permit conditions; and the approved improvement plans.
4. **At the time of application for construction permits**, the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with Cal Fire standards and specifications back to the nearest public maintained roadway.
5. **On-going condition of approval (valid for the life of the project)**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage; tree planting; fences; etc. without a valid encroachment permit issued by the Department of Public Works.
6. **On-going condition of approval (valid for the life of the project)**, the property owner shall be responsible for operation and maintenance of public road frontage landscaping and maintaining County driveway sight distance standards in a viable condition and on a continuing basis into perpetuity.

Drainage

7. **At the time of application for construction permits**, the applicant shall submit complete drainage plans and report for review and approval in accordance with Section 22.52.110 (Drainage) of the Land Use Ordinance.
8. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.

Storm Water Pollution Prevention Plan (SWPPP)

9. **At the time of application for construction permits**, if the project site disturbs 1.0 acre or more the applicant must enroll for coverage under California's Construction General Permit, which may include preparation of a project Storm Water Control Plan even if the project is located outside a Stormwater Management Area. Sites that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by San Luis Obispo County Codes.

Stormwater Control Plan (SWCP)

10. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to post-construction stormwater requirements by submitting a Stormwater Control Plan application or Stormwater Post Construction Requirements (PCRs) Waiver Request Form.
- a. The applicant must submit a SWCP for all regulated projects subject to Performance Requirement #2 and above. The SWCP must be prepared by an appropriately licensed professional and submitted to the County for review and approval. Applicants must utilize the County's latest SWCP template.
 - b. If post-construction stormwater control measures (SCMs) are proposed, the applicant must submit a draft Stormwater Operations and Maintenance Plan for review by the County. The plan must consist of the following Planning & Building Department forms;
 - 1. Structural Control Measure Description (Exhibit B)
 - 2. Stormwater System Contact Information
 - 3. Stormwater System Plans and Manuals
 - c. If applicable, following approval by the County, the applicant shall record with the County Clerk-Recorder the Stormwater Operation and Maintenance Plan and an agreement or provisions in the CCRs for the purpose of documenting on-going and permanent storm drainage control, management, treatment, inspection and reporting.
11. **Prior to acceptance of the improvements (if applicable)**, the Stormwater Operations and Maintenance plan and General Notice must be updated to reflect as-built changes, approved by the County, and re-recorded with the County Clerk-Recorder as amendments to the original document.

G:\Development\DEVSERV Referrals\Land Use Permits\CUP\DRC2017\DRC2017-00110 Culbertson CUP San Miguel\DRC2017-00110 Culbertson CUP San Miguel_revised 20190307.docx

Re: AB52, NCTC -- DRC2017-00110 CULBERTSON, North County E-Referral, Conditional Use Permit, Paso Robles

Brandi Cummings

Tue 2/13/2018 11:12 AM

Sent Items

To: Mail for PL_Referrals Group <plreferrals@co.slo.ca.us>;

Thanks Fred. I'll let the applicant know.



Brandi Cummings
Planner III
Planning & Building, County of San Luis Obispo
Tel: (805) 781-1006
[Website](#) | [Facebook](#) | [Twitter](#) | [Map](#)

From: Mail for PL_Referrals Group
Sent: Tuesday, February 13, 2018 10:03:13 AM
To: Brandi Cummings
Cc: fcollins_northernchumash.org
Subject: FW: AB52, NCTC -- DRC2017-00110 CULBERTSON, North County E-Referral, Conditional Use Permit, Paso Robles

From: Fred Collins [mailto:fcollins@northernchumash.org]
Sent: Monday, February 12, 2018 7:06 AM
To: Mail for PL_Referrals Group <plreferrals@co.slo.ca.us>
Subject: RE: AB52, NCTC -- DRC2017-00110 CULBERTSON, North County E-Referral, Conditional Use Permit, Paso Robles

Dear Brandi,

This project is located along a waterway, potentially very sensitive, please provide Record Search, and we need to get a Phase I survey done, NCTC wants to be on site during the Phase I survey, no charge to applicant.

Fred Collins,
NCTC

From: Mail for PL_Referrals Group [<mailto:plreferrals@co.slo.ca.us>]
Sent: Friday, February 9, 2018 2:47 PM
To: fcollins_northernchumash.org
Cc: Brandi Cummings
Subject: AB52, NCTC -- DRC2017-00110 CULBERTSON, North County E-Referral, Conditional Use Permit, Paso Robles

County of San Luis Obispo
Department of Planning & Building

DRC2017-00110 CULBERTSON, North County E-Referral, Conditional Use Permit, Paso Robles

APN(s): 026-141-019

[DIRECT LINK to CULBERTSON Referral Package](#)

Brandi Cummings (805-781-1006 or bcummings@co.slo.ca.us)

The deadline for consultation request is:

MARCH 11th 2018

The County of San Luis Obispo is notifying you of the proposed project listed above. The project application was recently filed with the Planning Department for review and approval. State law under Assembly Bill 52 (Public Resources Code Section 21080.3.1) allows California Native American tribes 30 days to request consultation regarding possible significant effects that implementation of the proposed project may have on tribal cultural resources. The attached letter is your official notification and provides target timelines for the AB 52 Consultation Process.

If you have questions about this project or wish to request consultation, please contact the project manager(s) listed above and provide a designated lead contact person for this consultation

For general questions about the AB52 process, or as an additional point of contact for specific projects, inquiries can be directed to the AB 52 Coordinator, Brian Pedrotti (805-788-2788 or bpedrotti@co.slo.ca.us) or Hilary Brown (805-788-2009 or hbrown@co.slo.ca.us).