Summary of Water Consumption for GREENHOUSE Cannabis Cultivation @
GREEN GOLD ORGANIC COLLECTIVE
3033 MOUNT LOWE RD., SAN LUIS OBISPO
Permit No DRC2019-00091
Exceptions to Applicants Environmental Submittals Water Management
Water Demand Analysis and Summary

Sirs:

Based on the applicants **UNSTATED DEMAND TOTAL OF 0.0 acre-feet/year** of greenhouse water use, we hereby take exception to the demand factors this applicant has provided for this project as follows:

1) For the purposes of this exercise, we are factoring a cannabis plants modestly assessed 2 gal/day water requirement when grown in a greenhouse. This value allows for an average consumption over the life of the plant. We will factor the area per plant water demand at 16 sq-ft per plant. This will account for a single mature flowering plant area calculation as well as multiple plants in that same area while in a vegetative state.

2) When completing CEQA applications the applicant will present the total sq-ft being considered for cultivation. As well as where the water will be coming from and how many gallons/day that operation will require. This will ultimately be converted into an acre-foot/year demand on whatever water supply will be feeding that applicant.

1 acre = 43,560 sq-ft **1 acre-foot = 325,851 gallons**

3) Here is our project water demand analysis for a **STATED 26,136** sq-ft canopy totals:

   26,136 sq-ft (Total Area) ÷ 16 sq-ft (per plant area) = 1,633 plants

   1,633 (plants) x 2 gal/day water = 3,266 gal/day water

   3,266 (gal/day) ÷ 325,851 (gal) = 0.01 acre-feet/day

ACTUAL GREENHOUSE DEMAND: 0.01 X 365 days = 3.65 acre-feet/year

We propose this project, if allowed to operate, be required to install ultrasonic flow meters at all incoming and outgoing water systems that would account for all real time (BIM compatible) water distribution and discharge on this project.

Concerned Citizens

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. **Green Gold Organic Collective Conditional Use Permit (Previously DRC2018-00034) ED No.ED19-105** **DRC2019-00091**

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

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

DETERMINATION: (To be completed by the Lead Agency)

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

☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

David Moran		1/8/2020
Prepared by (Print)	Signature	Date
Eric Hughes	(for) Xzandrea Fowler Environmental Coordinator	1/21/2020
Reviewed by (Print)	Signature	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: A request by **Green Gold Organic Collective** for a Conditional Use Permit (DRC2019-00091) (Previously DRC2018-00034) to establish 26,136 square feet (0.60 acres) of outdoor cannabis cultivation on a 58.12-acre parcel. Indoor cultivation is not proposed, and all outdoor cultivation would occur within hoop-house structures. The project would result in approximately 35,000 square feet (0.8 acres) of site disturbance including approximately 25 cubic yards of cut and fill. The project site is located within the Agriculture land use category at 3033 Mt. Lowe Road, approximately 0.35 miles east of U.S. Highway 101 on the East Cuesta Ridge in the Los Padres Sub Area North of the North County Planning Area.

The subject parcel is a part of a 140-acre site consisting of 5 adjacent parcels under common ownership (Figure 2) (APN 070-241-014, 070-241-035, 070-241-036, 070-241-037, and 070-241-039). The project site is within the Sensitive Resource Area Combining Designation associated with the Santa Lucia Wilderness and the Hi-Mtn. Road, Knobcone Pine. Development within an area subject to one or more Combining Designations requires a Conditional Use Permit. The project site contains grassland, oak woodland, and mixed chaparral habitat types. Existing development includes a single-family residence, access roads, and a groundwater well with a 10,000-gallon water storage tank. Surrounding land uses include undeveloped agriculture to the north, west, and south, and the Los Padres National Forest open to the immediate east. The project site is located within a State Responsibility Area for fire protection and within a Very High Fire Hazard Severity Zone. The nearest offsite residence is approximately 1,500 feet northwest of the project site.

Access to the site is provided from the intersection of U.S. Highway 101 N and Mt. Lowe Road at the East Cuesta Ridge parking lot (Figure 2). Mt. Lowe Road is a designated fire road with a locked gate at the entrance providing vehicle access to property owners and others with authorization; however, public access is also provided to hikers and bicyclists.

Access to the cultivation site and the single-family residence is provided by existing 10-foot wide gravel roads extending from Mt. Lowe Road. The cultivation site would be secured behind a second locked gate, approximately 1.30 miles south of the first gated entrance (Figure 3). The cultivation area will be located on an a relatively level open grassland area and will contain approximately 26,136 square feet (0.60 acre) of canopy. The cultivation site would be enclosed within a 6-foot-tall wooden fence with locking gates and security cameras.

Up to two cultivation cycles per year would occur from April to July and from July to October. Temporary canopy shelters would be used during the harvest season in late July and late October. Cannabis plants will be harvested and transported offsite for processing and trimming; no processing is proposed onsite. Cannabis plant waste would be composted onsite in the designated compost area. Cannabis plant

waste would be composted onsite at the designated compost area near the cultivation site. The product would be stored in a secured, locked location onsite until it is picked up by a third-party licensed distributor. No other processing activities are proposed.

Water for crop irrigation will be provided by an existing on-site well and stored in four 5,000-gallon polyurethane storage tanks. The estimated water demand is approximately 168,020 gallons per year (0.52 acre-feet-per-year). New irrigation lines will be installed along the previously graded access road from the water storage tanks which will be placed on the hilltop northwest of the cultivation site (Figure 3). Electrical power to the subject property is provided by an existing photovoltaic array which is not connected to the electrical power grid; the proposed cannabis activities would not require any modifications or expansion to the existing solar infrastructure. The use of diesel generators is not proposed and no additional power or lighting would be used for the cultivation areas outside of what is necessary for required security measures.

The project facilities would operate six days per week between 7 a.m. and 4 p.m. and would employ two full-time resident employees who will reside on site and up to two temporary employees during the harvest. An Americans with Disabilities Act (ADA) compliant parking stall and portable restroom for the harvest season will be located near materials storage area (Figure 4). Additional security will be provided by the two full-time employees who will live on-site in the existing single-family residence.

ASSESSOR PARCEL NUMBER(S): 070-241-038

Latitude: 35° 20' 39.95" N Longitude: 120° 37' 14.84" W **SUPERVISORIAL DISTRICT** # 5

B. EXISTING SETTING

PLAN AREA: North County **SUB**: Los Padres Sub Area North **COMM:** Rural

LAND USE CATEGORY: Agriculture

COMB. DESIGNATION: Sensitive Resource Area

PARCEL SIZE: 58.12 acres

TOPOGRAPHY: Moderately sloping to steeply sloping

VEGETATION: Grasses, Chaparral, Oak woodland

EXISTING USES: Single-family residence(s), undeveloped

SURROUNDING LAND USE CATEGORIES AND USES:

North: Agriculture; undeveloped	*East:* Open Space; undeveloped
South: Agriculture; undeveloped	*West:* Agriculture; undeveloped

Other Approvals That May Be Required to Implement the Project

Permit Type/Action	Agency
Cannabis cultivation license	California Department of Food and Agriculture (CDFA), CalCannabis Cultivation Licensing Division
Cannabis manufacturing license	California Department of Public Health (CDPH), Manufactured Cannabis Safety Branch
Lake and Streambed Alteration (LSA) Agreement or written verification that one is not needed	California Department of Fish and Wildlife (CDFW), Cannabis Program
Small Irrigation Use Registration and coverage under the Cannabis Cultivation General Order	California State Water Resources Control Board (SWRCB)

A more complete discussion of other agency approvals and licensing requirements is provided in Appendix A of this Initial Study.

Figure 1. Project Vicinity Map

Figure 2. Project Location Map

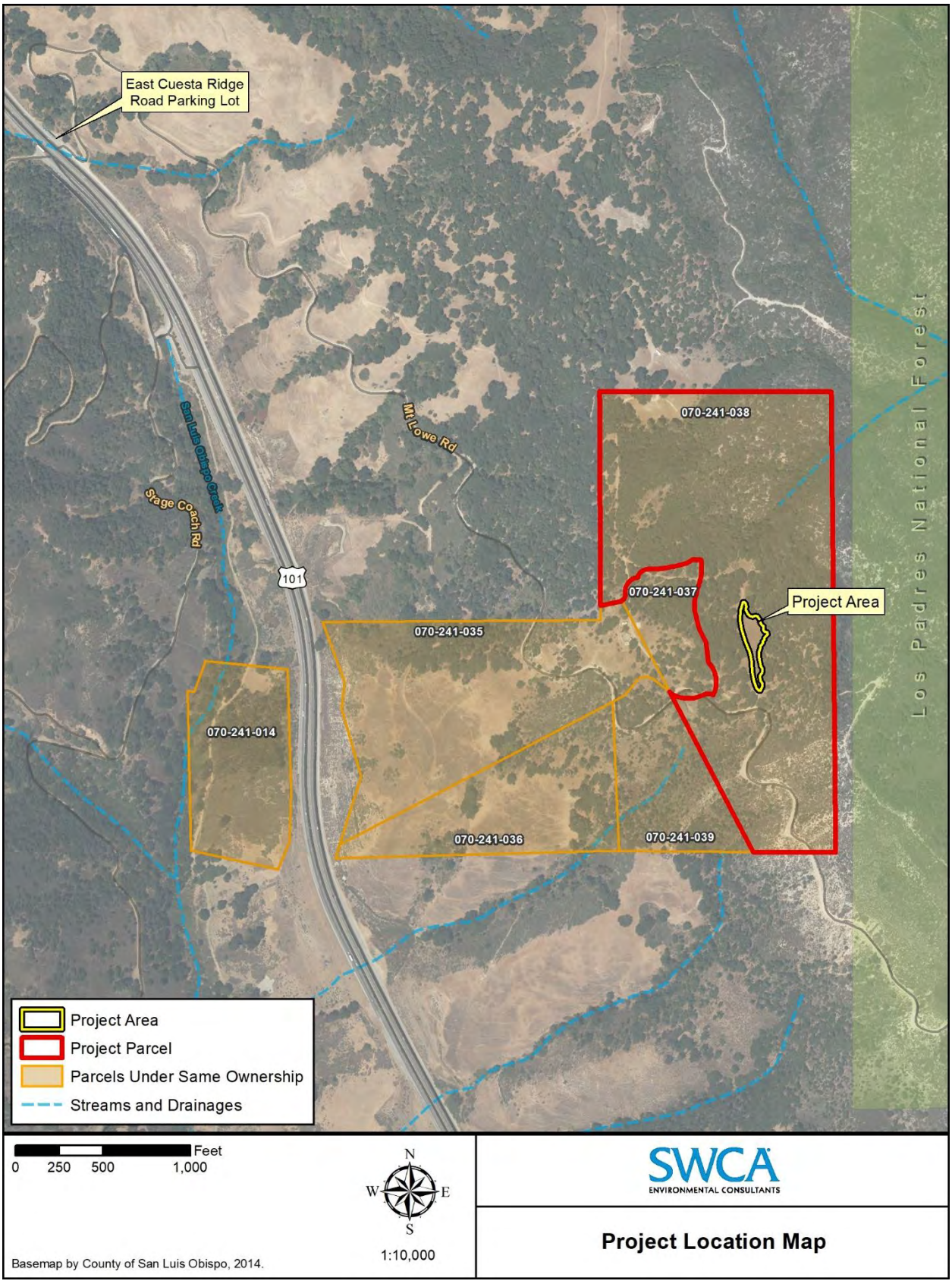


Figure 3 – Existing Conditions and Project Facilities

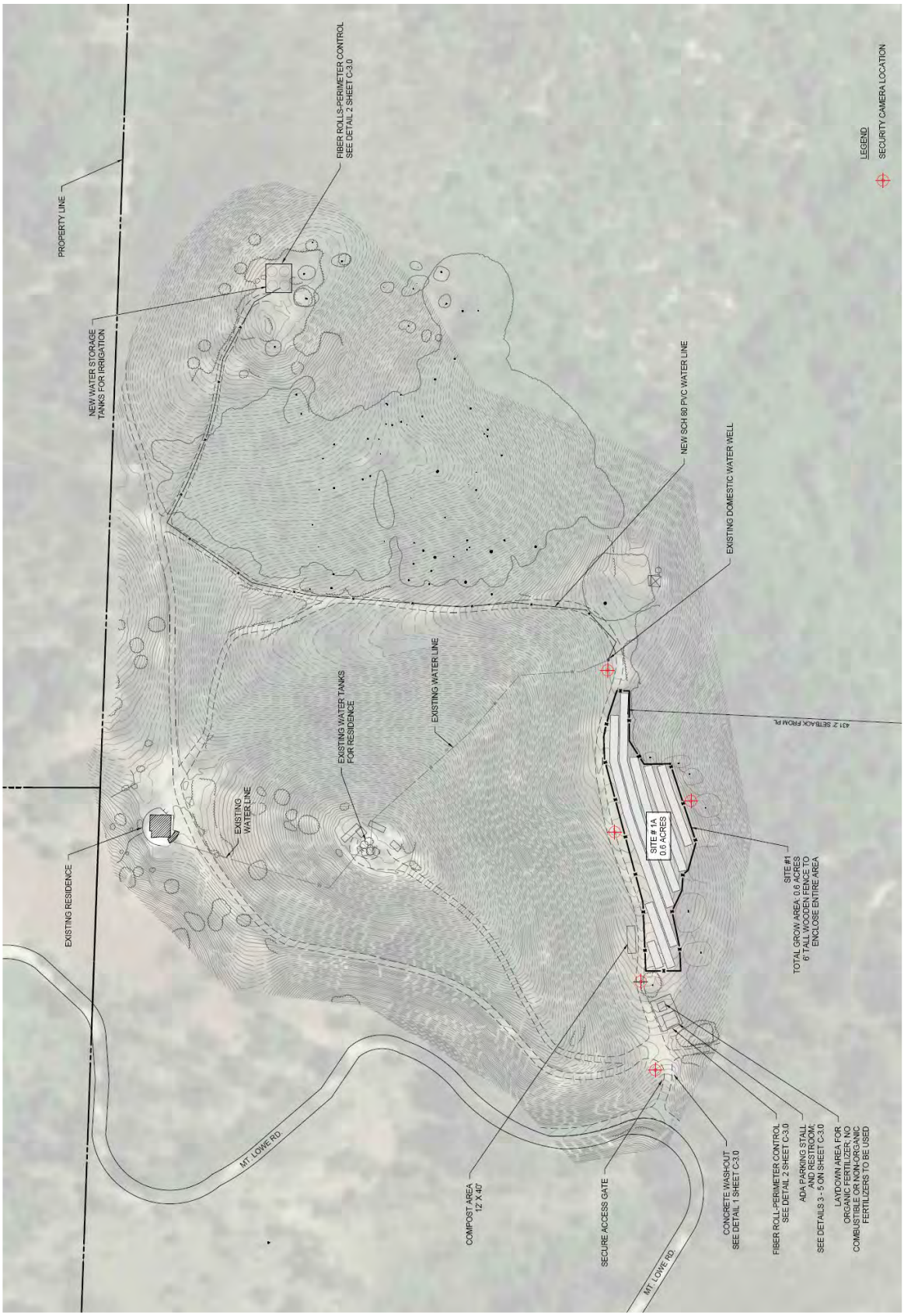
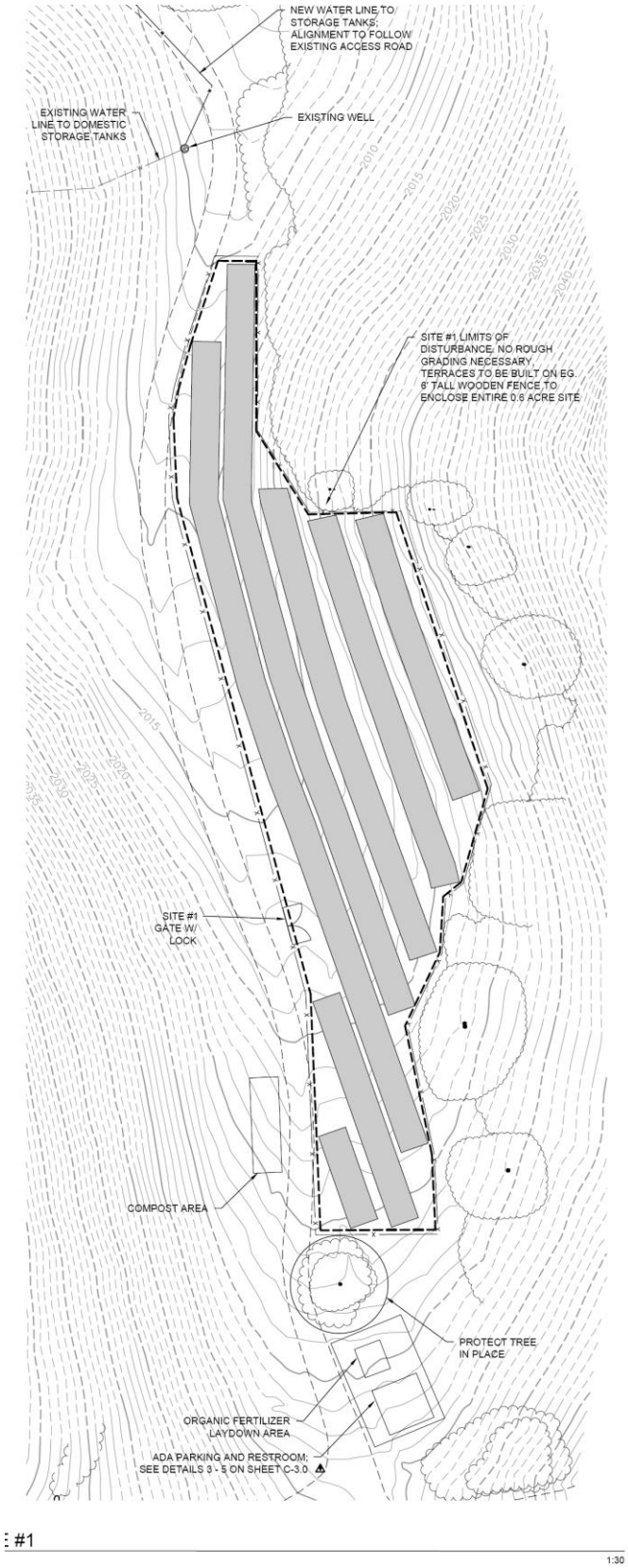


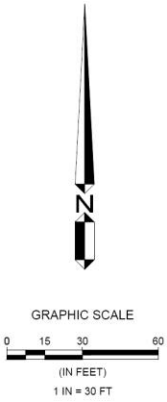
Figure 4 – Site Plan Closeup



GRADING QUANTITIES:

CUT (CY):	<25 CY
FILL (CY):	<25 CY BALANCED
TOTAL GROW AREA SITE # 1:	0.6 ACRES
AREA OF DISTURBANCE*:	0.02 ACRES

*AREA OF DISTURBANCE FOR CONSTRUCTION IS LIMITED TO THE NEW WATERLINE ALONG EXISTING ACCESS ROAD PAD PREPARATION FOR THE FOUR 5,000 GALLON WATER STORAGE TANKS, AND MINOR GRADING FOR ADA PARKING STALL.



C. ENVIRONMENTAL ANALYSIS

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

COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST

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

Aesthetics

Setting. The project site is located on a rural 58.12-acre parcel within a 140-acre site in an undeveloped area on the East Cuesta Ridge north of the city of San Luis Obispo. The topography of the project site is moderately to steeply sloping, with elevations ranging from 2,015 feet above mean sea level (amsl) to 2,120 feet amsl. Existing development includes a single-family residence and water storage tank that are almost entirely screened from Mt. Lowe Road by the steep topography and existing vegetation.

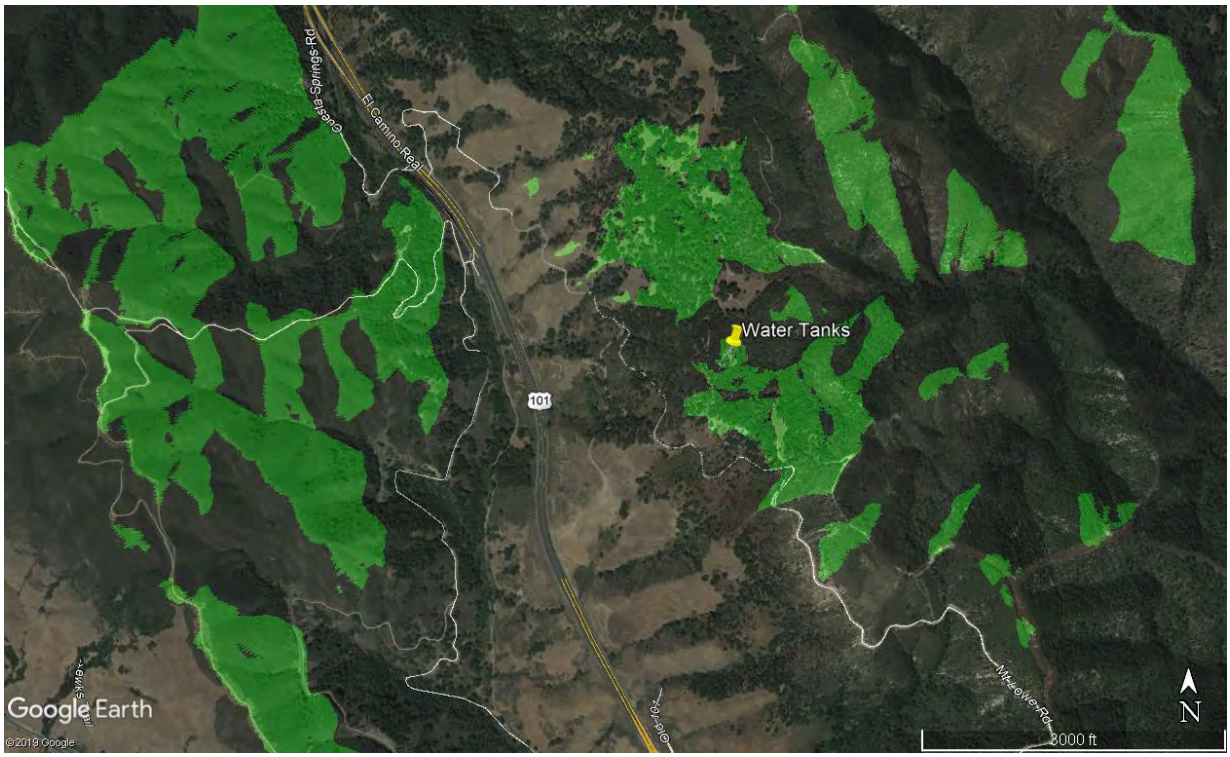
The predominant land use in the vicinity is ranching on parcels of 40 acres or more; the Los Padres National Forest borders the project to the east. The visual character of the area is composed of steep, densely vegetated slopes covered with coastal chaparral and coast live oak woodland. Public views along the upper elevations of Mt. Lowe Road are generally to the south and west towards West Cuesta Ridge and the city of San Luis Obispo. Mt. Lowe Road is not a State designated scenic highway and is not listed as a suggested scenic corridor on Table VR-2 of the Conservation/Open Space Element.

Impact.

a),b),c) The project would result in the construction of 12-foot-wide by 80-foot-long hoop-house structures to accommodate approximately 26,136 square feet (0.60 acres) of cannabis canopy in a low-lying grassland meadow surrounded by steep hillsides covered with dense chaparral and coast live oak woodland. The cultivation area will be enclosed by a 6-foot-high solid fence located approximately 0.35 miles east of U.S. Highway 101. The area and would not be visible from the highway due to the intervening terrain and vegetation.

In addition, four new 5,000-gallon water storage tanks will be constructed on a hilltop located to the northeast of the cultivation site (Figure 3). A line-of-site viewshed analysis (Figure 5) suggests that the proposed water tanks will not be visible from Mt. Lowe Road or SR 101, but could be visible briefly to travelers on West Cuesta Ridge. However, given the low number of trips and the distance between the roadway and the hilltop, the water tanks will be largely indistinguishable from the hillside.

Figure 5 – Line-of-Site Viewshed Analysis for Proposed Water Tanks (The Water Tanks Are Visible to the Areas Shown in Green)



LUO Section 22.40.050 D. 6. requires that cannabis cultivation be located so that it is not easily visible from off site. Although Mt. Lowe Road is open to hikers and bicyclists for recreational purposes, the cultivation site would not be visible due to the intervening topography and dense vegetation surrounding the site. There are no other residential developments or public viewing locations within the immediate vicinity of the proposed project site. Based on the project's remote location, topography and vegetation, the project would not result in an aesthetically incompatible site or create a new use within a scenic view open to public viewing and would not result in a significant change to the visual character of the area, and impacts would be *less than significant*. Therefore, impacts would be *less than significant*.

d) The project proposes outdoor cultivation using hoop houses and does not propose greenhouses or activities that would otherwise require the use of artificial lighting. However, security lighting will be required that would produce temporary, localized light and glare. Given the location of the cultivation site and the absence of nearby off-site residences and public vantages, impacts associated with security lighting are not expected to create glare or night lighting that would affect surrounding areas, and *no impacts would occur.*

e) The proposed cultivation site is within a grassland meadow which would not result in impacts to any unique geologic feature. The project does not propose any other activities that would otherwise change the project's visual setting. Therefore, impacts related to unique geological or physical or physical features would be *less than significant.*

Mitigation/Conclusion.

The project is not expected to adversely impact aesthetic resources because:

- The proposed cannabis activities will not be visible from public vantage points.
- The project will not require extensive grading or significant cut and fill on steep slopes.

In addition, State law also sets forth general environmental protection measures for cannabis cultivation in Title 3, Division 8, Chapter 1 Article 4 of the California Code of Regulations. Section 8304 (c) states: *All outdoor lighting used for security purposes shall be shielded and downward facing*. Section 8304 (g) states: *mixed-light license types of all tiers and sizes shall ensure that lights used for cultivation are shielded from sunset to sunrise to avoid nighttime glare*. Compliance with the recommended mitigation measure as well as Section 8304 (c) and (g) will reduce potential impacts to less than significant.

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

Agricultural Resources

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

Land Use Category: Agriculture

State Classification: Not classified

Historic/Existing Commercial Crops: None

In Agricultural Preserve? No

Under Williamson Act contract? No

Based on the California Department of Conservation, the Natural Resources Conservation Service (NRCS), Farmland Mapping and Monitoring Program (FMMP), and San Luis Obispo County Important Farmland Map (DOC 2016), the project site is located in an area that has not been mapped and therefore does not contain Prime Farmland or Farmland of Statewide Importance. The project site is located within the Agriculture land use category, but is not within an Agriculture Preserve area, and is not under a Williamson Act contract.

The soil type(s) and characteristics on the subject property include:

19 Lopez-Santa Lucia families association 10 to 70 percent slopes

This moderately to steeply sloping soil is considered well drained with a moderate to moderately slow permeability, a high runoff class, and a very low to moderate water capacity. This soil is found on mountainsides and is primarily associated with manazanita, coast live oak, and Coulte pine vegetation types.This soil is classified by the NRCS as Not Prime Farmland.

Impact.

a),b) The project site is underlain by soils that are not classified as Prime Farmland by the NRCS (NRCS 2019). In addition, the soil classification is not included on the list of important farmland provided by on Table SL-2 of the Conservation/Open Space Element. The project has not been mapped by the FMMP and does not contain Prime Farmland, Farmland of Statewide Importance, or Unique Farmland. Therefore, the project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses and no impact would occur. Lastly, the project does not propose any new permanent structures or other facilities that would permanently convert soils to a non-agricultural use.

c) The project site has not historically, nor does it currently, support agricultural uses. The surrounding area consists of Agriculture and Open Space land use designations that have limited use for agricultural activities outside of grazing. Implementation of the project would not result in the conversion of surrounding properties to non-agricultural uses; therefore, impacts would be *less than significant*.

d) Cannabis cultivation is considered an allowable use within the Agriculture land use category and is listed as a compatible use for lands subject to land conservation contracts. Neither the project site nor any of the adjacent properties are currently under a Williamson Act contract. Therefore, the project would not result in any conflicts with existing zoning for agricultural use or Williamson Act programs and *no impacts would occur*.

Mitigation/Conclusion. No significant impacts to agricultural resources would occur; therefore, no mitigation measures are necessary.

3. AIR QUALITY

Will the project:

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

Air Quality

Setting. The 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 CAP provides a complete description of the air basin and the environmental and regulatory setting and is incorporated by reference. The CAP may be reviewed in its entirety by following this link: https://www.slocleanair.org/rules-regulations/clean-air-plan.php

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

Thresholds of Significance for Construction Activities. The APCD's CEQA Handbook establishes thresholds of significance for construction activities (Table 1). According to the Handbook, a project with grading in excess of 4.0 acres and/or a project that will move 1,200 cubic yards of earth per day can exceed the construction threshold for respirable particulate matter (PM_{10}). In addition, a project with the potential to generate 137 lbs per day of ozone precursors (ROG + NOx) or diesel particulates in excess of 7 lbs per day can result in a significant impact.

Table 1 – Thresholds of Significance for Construction

Pollutant	Threshold[1]		
	Daily	Quarterly Tier 1	Quarterly Tier 2
ROG+NOx (combined)	137 lbs	2.5 tons	6.3 tons
Diesel Particulate Matter	7 lbs	0.13 tons	0.32 tons
Fugitive Particulate Matter (PM10), Dust[2]		2.5 tons	
Greenhouse Gases (CO2, CH4, N2O, HFC, CFC, F6S)	Amortized and Combined with Operational Emissions		

Source: SLO County APCD CEQA Air Quality Handbook, page 2-2.

Notes:

1. Daily and quarterly emission thresholds are based on the California Health & Safety Code and the CARB Carl Moyer Guidelines.
2. Any project with a grading area greater than 4.0 acres of worked area can exceed the 2.5 ton PM10 quarterly threshold.

Thresholds of Significance for Operations. Table 1-1 of the APCD's CEQA Handbook provides screening criteria based the size of different types of projects that would normally exceed the operational thresholds of significance for greenhouse gases and ozone precursors. The list of project categories in Table 1-1 is not comprehensive and does not include cannabis-related activities. However, operational impacts are focused primarily on the indirect emissions associated with motor vehicle trips associated with development. For example, a project consisting of 99 single family residences generating 970 average daily vehicle trips would be expected to exceed the 25 lbs/day operational threshold for ozone precursors. A project consisting of 54 single family residences generating 529 average daily motor vehicle trips would be expected to exceed the threshold for greenhouse gas emissions.

The APCD has also estimated the number of vehicular round trips on an unpaved roadway necessary to exceed the 25 lbs/day threshold of significance for the emission of particulate matter (PM10). According to the APCD estimates, an unpaved roadway of one mile in length carrying 6.0 round trips would likely exceed the 25 lbs/day PM10 threshold.

The prevailing winds in the project vicinity are from the north and west (onshore) during the daylight hours and are slightly offshore at night. The nearest offsite residences are upwind to the west.

Greenhouse gases (GHG) are any gases that absorb infrared radiation in the atmosphere, and are different from the criteria pollutants discussed in Section III, Air Quality, above. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated gases. These are most commonly emitted through the

burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement).

Carbon dioxide is the most abundant GHG and is estimated to represent approximately 80-90% of the principal GHGs that are currently affecting the earth's climate. According to the ARB, transportation (vehicle exhaust) and electricity generation are the main sources of GHGs in the state.

In March 2012, the SLOAPCD approved thresholds for Greenhouse Gas (GHG) emission impacts, and these thresholds have been incorporated into the CEQA Air Quality Handbook. The Bright-Line Threshold of 1,150 Metric Tons CO_2/year (MT CO_2e/yr) is the most applicable GHG threshold for most projects. Table 1-1 in the SLOAPCD CEQA Air Quality Handbook provides a list of general land uses and the estimated sizes or capacity of those uses expected to exceed the GHG Bight Line Threshold of 1,150 Metric Tons of carbon dioxide per year (MT CO_2/yr). Projects that exceed the criteria or are within ten percent of exceeding the criteria presented in Table 1-1 are required to conduct a more detailed analysis of air quality impacts.

Under CEQA, an individual project's GHG emissions will 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.

In October 2008, ARB published its *Climate Change Proposed Scoping Plan*, which is the State's plan to achieve GHG reductions in California required by Assembly Bill (AB) 32. The Scoping Plan included ARB-recommended GHG reductions for each emissions sector of the state's GHG inventory. The largest proposed GHG reduction recommendations were associated with improving emissions standards for light-duty vehicles, implementing the Low Carbon Fuel Standard program, implementation of energy efficiency measures in buildings and appliances, the widespread development of combined heat and power systems, and developing a renewable portfolio standard for electricity production.

Senate Bill (SB) 32 and Executive Order (EO) S-3-05 extended the State's GHG reduction goals and require ARB to regulate sources of GHGs to meet a state goal of reducing GHG emissions to 1990 levels by 2020, 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050. The initial Scoping Plan was first approved by ARB on December 11, 2008 and is updated every five years. The first update of the Scoping Plan was approved by the ARB on May 22, 2014, which looked past 2020 to set mid-term goals (2030-2035) toward reaching the 2050 goals. The most recent update released by ARB is the 2017 Climate Change Scoping Plan, which was released in November 2017. The 2017 Climate Change Scoping Plan incorporates strategies for achieving the 2030 GHG-reduction target established in SB 32 and EO S-3-05.

The County Energy Wise Plan (EWP; 2011) identifies ways in which the community and County government can reduce greenhouse gas emissions from their various sources. Looking at the four key sectors of energy, waste, transportation, and land use, the EWP incorporates best practices to provide a blueprint for achieving greenhouse gas emissions reductions in the unincorporated towns and rural areas of San Luis Obispo County by 15% below the baseline year of 2006 by the year 2020. The EWP includes an Implementation Program that provides a strategy for actions with specific measures and steps to achieve the identified GHG reduction targets including, but not limited to, the following:

- Encourage new development to exceed minimum Cal Green requirements;
- Require a minimum of 75% of nonhazardous construction and demolition debris generated on site to be recycled or salvaged;
- Continue to implement strategic growth strategies that direct the county's future growth into existing communities and to provide complete services to meet local needs;
- Continue to increase the amount of affordable housing in the County, allowing lower-income

families to live closer to jobs and activity centers, and providing residents with greater access to transit and alternative modes of transportation;

- Reduce potable water use by 20% in all newly constructed buildings by using the performance methods provided in the California Green Building Code;
- Require use of energy-efficient equipment in all new development;
- Minimize the use of dark materials on roofs by requiring roofs to achieve a minimum solar reflectivity index of 10 for high-slope roofs and 68 for low-slope roofs; and
- Use light-colored aggregate in new road construction and repaving projects adjacent to existing cities.

In 2016 the County published the EnergyWise Plan 2016 Update, which describes the progress made toward implementing measures in the 2011 EWP, overall trends in energy use and emissions since the baseline year of the inventory (2006), and the addition of implementation measures intended to provide a greater understanding of the County's emissions status.

Pursuant to Section 8203 (g) of the Title 3, Division 8, Chapter 1 of the California Code of Regulations, beginning January 1, 2022, CDFA will require cultivation applicants to disclose the greenhouse gas emission intensity (per kWh) of their utility provider and show evidence that the electricity supplied is from a zero net energy source.

Impact.

a) *Construction Emissions*

As proposed, the project would result in site disturbance of approximately 35,000 square feet (0.8 acres), including approximately 25 cubic yards of cut and 25 cubic yards of fill material. This would result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 2-2 of the APCD's CEQA Air Quality Handbook, estimated construction-related emissions were calculated and are shown in Table 2 below.

Table 2 -- Estimated Construction Emissions.

Pollutant	Total Estimated Project Emissions	APCD Emissions Threshold	Below Threshold?
ROG + NO_x (combined)	5.7 lbs	137 lbs/day	Yes
Diesel Particulate Matter (DPM)	0.245 lbs	7 lbs/day	Yes
Fugitive Particulate Matter (PM_{10})	0.47 tons	2.5 tons/quarter	Yes

Construction of the project is expected to take between 1 and 2 months to complete and daily emissions for Reactive Organic Gas (ROG) + Nitrogen Oxide (NO_x), Diesel Particulate Matter (DPM) or Fugitive Particulate Matter (PM_{10}) would not exceed APCD's significance thresholds. The project will be conditioned to comply with the fugitive dust control measures set forth in LUO Section 22.52.160.C (Construction Procedures, Air Quality Controls). These procedures provide additional protection from dust and ensure fugitive dust emissions are adequately controlled to below the 20% opacity limit as identified in the APCD's 401 "Visible Emissions" rule and that dust is not emitted offsite. Therefore, impacts from construction equipment emissions would be reduced to *less than significant.*

Sensitive Receptors

Sensitive receptors are people or other organisms that may have a significantly increased sensitivity or exposure to air pollution by virtue of their age and health (e.g. schools, day care centers, hospitals, nursing homes), regulatory status (e.g. federal or state listing as a sensitive or endangered species), or proximity to the source. In accordance with the SLOAPCD CEQA Handbook, the types of projects that would normally be subject to mitigation for sensitive receptors are large-scale, long-term projects that are within 1,000 feet of sensitive receptor locations. the nearest sensitive receptor (an off-site residence) is approximately 1,500 feet to the northwest which affords sufficient separation from the proposed construction activities, based on the SLOAPCD CEQA Handbook.

Operation-Related Emissions

From an operational standpoint, based on the small number of average daily trips (four) the project will not exceed operational thresholds triggering mitigation. The project would be consistent with the general level of development anticipated and projected in the APCD's Clean Air Plan.

According to the APCD estimates, an unpaved roadway of one mile in length carrying 6.0 round trips would likely exceed the 25 lbs/day PM10 threshold. Access to the cultivation site and the single-family residence is provided by existing 10-foot wide gravel roads extending 1.30 miles from Mt. Lowe Road. The project will generate four net average daily trips along the unpaved roadway which, due to the lack of sensitive receptors, is not expected to result in a significant impact associated with the emission of particulate matter (PM10).

Therefore, operational air quality impacts would be *less than significant.*

b) The project is not located within an area identified as having the potential to contain Naturally Occurring Asbestos (NOA), based on the APCD's NOA map; therefore, the project would not have the potential to expose individuals to harmful NOA concentrations. The nearest sensitive receptor (an off-site residence) is located over 1,500 feet northwest of the project. Therefore, impacts related to exposure of sensitive receptors to substantial air pollutant concentrations would be *less than significant with mitigation*.

c) The project proposes outdoor cannabis cultivation activities which inherently could result in objectionable odors to nearby sensitive receptors. The project includes outdoor cannabis cultivation, only. This activity can produce potentially objectionable odors during the flowering and harvest phase and these odors could disperse through the air and be sensed by surrounding receptors. Accordingly, Section 22.40.050 of the LUO requires 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.

With regard to the affects of cannabis odors on air quality, there are no standards for odors under either the federal or State Clean Air Acts. Accordingly, there are no objective standards through which the adverse effects of odors may be measured. Although odors do affect "air quality", they are treated as a nuisance by the County and abated under the County's nuisance abatement procedures.

The precise adverse health effects of cannabis odors, if any, are unknown. However, a study published in the Journal of American Medicine in 1986 (Am J Med. 1986 Jan;80(1):18-22) concluded that odors are an important cause of the worsening of certain respiratory illnesses such as asthma.

A person's expectations regarding the harmful effects of an odor may affect airway physiology in asthma sufferers (Journal of Psychosomatic Research Volume 77, Issue 4, October 2014, Pages 302-308). As discussed above, odors are not considered an air pollutant under federal or state laws air quality laws.

The Project incorporates the following features to address odors:

- The Operations Plan required by LUO Section 22.40.040.A.3. sets forth operating procedures to be followed to help ensure odors associated with cannabis related activities do not leave the project site.
- The project will be conditioned to operate in a manner that ensures odors associated with cannabis activities are contained on the project site.
- The project will be conditioned to participate in an ongoing cannabis monitoring program. Once implemented by the County, the project site will be inspected four times per year to ensure ongoing compliance with conditions of approval, including those relating to odor management.

Based on the distance to the nearest offsite sensitive receptors, impacts associated with odors are considered less than significant.

d) The project would be located within the Los Padres Sub Area North of the North County Planning Area and would be consistent with the area's historic rural and limited agricultural development. The project would be consistent with the general level of development anticipated and projected in APCD's Clean Air Plan; therefore, impacts related to consistency with APCD's Clean Air Plan would be *less than significant*.

e) The project proposes outdoor cannabis cultivation which includes drying and processing of cannabis grown onsite. The project would result in 4 average daily vehicle trips and electrical power supplied to the site would be provided by an existing photovoltaic array which is not connected to the electrical power grid. The use of diesel generators is not proposed and no additional power or lighting would be used for the cultivation areas other than what is necessary for required security measures. The project would not result in cumulatively considerable energy demand, generation of substantial new traffic, or significant intensification of land use that would generate substantial additional mobile or stationary emissions; therefore, impacts related to a cumulatively considerable net increase of a criteria pollutant would be *less than significant.*

f-g) The project does not include indoor cultivation or other activities that would require wasteful, inefficient or unnecessary energy demand. Moreover, electricity for the project will be provided by an existing photovoltaic array; no modifications will be required to serve the project.

Based on four average daily trips, and using the US EPA Greenhouse Gas Calculator, the project is expected to generate 18.5 metric tons of CO2e per year which does not exceed the APCD's Bright-Line Threshold of 1,150 metric tons of GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provide guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as global climate change, is not 'cumulatively considerable', no mitigation is required. Therefore, potential impacts related to the generation of greenhouse gases would be *less than significant*

Mitigation/Conclusion. Impacts to air quality are expected to be less than significant. Objectionable odors would be naturally mitigated due to the site's topography and distance from the nearest sensitive receptors. No additional mitigation is necessary.

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

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

Biological Resources

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

On-site Vegetation: grasses, chaparral, and oak woodland

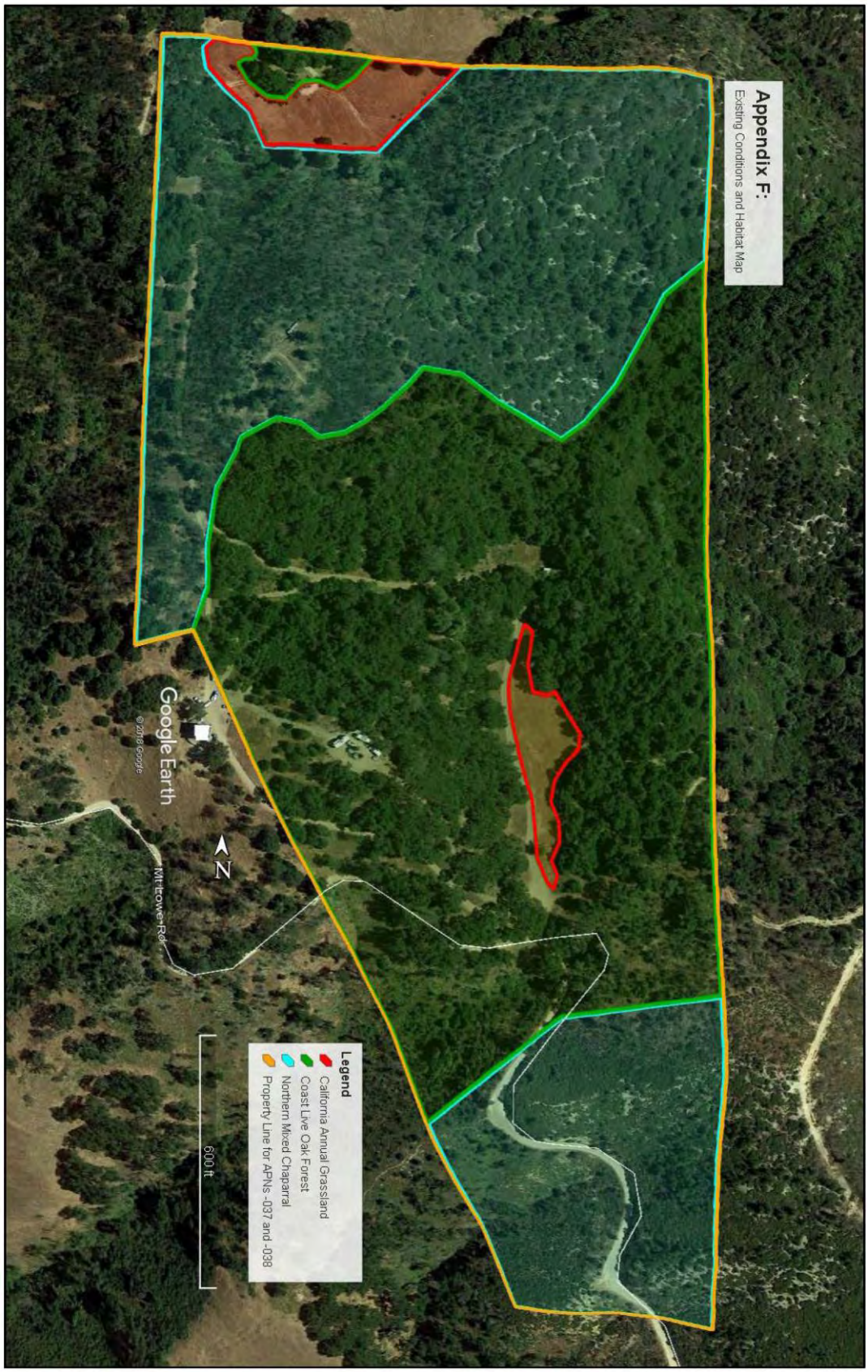
Name and distance from blue line creek(s): Unnamed drainage 700 feet northeast

Habitat(s): California Annual Grassland, Coast Live Oak Forest, Ruderal/Disturbed

The following information is based on comments received from the California Department of Fish and Wildlife (CDFW 2018a) and a Biological Resources Survey Report prepared by Ecological Assets Management, LLC. (EAM 2019):

The area proposed for cultivation is comprised of annual grassland habitat dominated by wild oat (*Avena fatua*), ripgut brome (*Bromus diandrus*), soft chess (*Bromus hordeaceus*), Italian rye grass (*Festuca perennis*), red-stemmed filaree (*Erodium cicutarium*), field bindweed (*Convolvulus arvensis*), summer mustard (*Hirschfeldia icana*), and spring vetch (*Vicia sativa*). Native forbs include catchfly (*Silene gallica*), sky lupine (*Lupinus nanus*), Johnny jump-up (*Viola pedunculata*), and winecups (*Clarkia purpurea*). The grassland area also contains scattered occurrences of small native shrub species including poison oak (*Toxicodendron diversilobium*), deerweed (*Lotus scoparius*), and bracken fern (*Pteridium aquilinum*). There are no wetland or riparian habitats within the proposed project site. Vegetative habitats found on the project site are shown in Figure 6.

Figure 6 – Habitat Types



Methodology

Ecological Assets Management (EAM) Senior Biologist Dwayne Oberhoff conducted four site visits in May and June of 2018 and in February of 2019 to determine the presence/absence of special-status species and sensitive habitats within the survey area. The biological investigation included blooming period surveys for potential plant species, direct observation and evaluation of onsite and adjacent habitat conditions, review of the California Natural Diversity Data Base (CNDDB) and California Native Plant Society (CNPS) records documenting occurrence data from the area, a project referral response letter from the CDFW regarding the project, and previous biological survey reports conducted in nearby areas. The CNDDB and CNPS databases were queried for special-status species occurrences within the project area and in the surrounding nine USGS Geological Survey 7.5-minute quadrangle maps (Atascadero, Santa Margarita, Wilson Corner, San Luis Obispo, Lopez Mountain, Santa Margarita Lake, Pismo Beach, Arroyo Grande, and Tar Springs Ridge; EAM 2019).

Results

Special-status Plant Species
For the purposes of this section, special-status plant species are defined as the following:

- Plants listed or proposed for listing as threatened or endangered under the Federal Endangered Species Act (FESA; Code of Federal Regulations [CFR] Title 50, Section 17.12 for listed plants and various notices in the Federal Register for proposed species).
- Plants that are candidates for possible future listing as threatened or endangered under the FESA.
- Plants that meet the definitions of rare or endangered species under the California Environmental Quality Act (CEQA; State CEQA Guidelines Section 15380).
- Plants considered by CNPS to be “rare, threatened, or endangered” in California (CNPS Ranks 1, 2, and 3).
- Plants listed by CNPS as plants about which we need more information and plants of limited distribution (CNPS Rank 4).
- Plants listed or proposed for listing by the State of California as threatened or endangered under the California Endangered Species Act (CESA; California Code of Regulations [CCR] Title 14, Section 670.5).
- Plants listed under the California Native Plant Protection Act (California Fish and Game Code Section 1900 et seq.).
- Plants considered sensitive by other Federal agencies (i.e., U.S. Forest Service, Bureau of Land Management), state and local agencies, or jurisdictions.

Based on a CNDDB and CNPS query and a project review by CDFW, 93 special-status plant species are known to occur within the nine quadrangles surrounding the subject parcel. Only one special-status plant species, Santa Lucia manzanita (*Arctostaphylus luciana),* was observed on the subject property. However, no special-status species were observed within or immediately adjacent to the annual grassland that comprises the proposed project area.

<u>Santa Lucia manzanita</u>
Santa Lucia manzanita is a perennial shrub that occurs on shale outcrops in chaparral and cismontane woodland habitats with ranges from 350 to 850 meters in elevation. Bloom period ranges from February to March and is listed as a rare, threatened, or endangered plant species in California.

Special-status Animal Species
For the purposes of this section, special-status animal species are defined as the following:

- Animals listed or proposed for listing as threatened or endangered under the FESA (50 CFR 17.11 for listed animals and various notices in the *Federal Register* for proposed species).
- Animals that are candidates for possible future listing as threatened or endangered under the FESA.
- Animals that meet the definitions of rare or endangered species under CEQA (State CEQA Guidelines Section 15380).
- Animals listed or proposed for listing by the State of California as threatened and endangered under the CESA (14 CCR 670.5).
- Animal species of special concern to CDFW.
- Animal species that are fully protected in California (CFGC Sections 3511 [birds], 4700 [mammals], and 5050 [reptiles and amphibians]).

The CNDDB identified 55 special-status wildlife species known to occur within the nine-quadrangle search surrounding the subject parcel. The CDFW letter identified American badger and nesting birds as potentially present in the project area. The American badger are potentially present within the general area based on known occurrences at lower elevations. However, no badger activity or potential den sites were observed during surveys of the project area. Several Monterey dusky-footed woodrat *(Neotoma fuscipes luciana*) stick nests within the madrone/oak woodland in area north of the project site were observed during the surveys. A number of other migratory bird and other raptor species subject to the Migratory Bird Treaty Act (MBTA) are known from the general area and could potentially utilize the annual grassland habitat and adjacent oak woodlands as foraging and nesting habitat. None of the special-status wildlife species or raptors were observed during the 2018 or 2019 surveys.

American Badger
American badger can occupy a diversity of habitats and requires sufficient food, friable soils, and open, uncultivated ground. The American badger population in California has been declining due to agriculture and urban development. The population now survives in low numbers in peripheral parts of the valley and lowlands of San Luis Obispo County.

Monterey dusky-footed woodrat
Monterey dusky-footed woodrat occurs in coastal central California in habitats that exhibit a moderate vegetative canopy, with a brushy understory. Builds nests of sticks and leaves near or within a tree or shrub, or at the base of a hill. Monterey dusky-footed woodrat is listed as a California species of special concern.

Impact.

a-b) Special-status Plants

Development of the project would result in approximately 0.8 acres of disturbance to annual grassland. The annual grassland is primarily comprised of non-native grasses and forbs and does not include any special-status plant species or habitats. Many of the special-status plant species identified by the CNDDB search and by CDFW that have potential to occur within the project area have highly specialized habitat requirements that either occur on serpentine, sandy or shale-based soils, or are perennial species that would have been identifiable during the field surveys. Santa Lucia manzanita (*Arctostaphylus Luciana*) was the only special-status plant species identified on the property, north of the project area. Based on the focused floristic survey efforts from 2018 and 2019, no special-status plants were observed or are present within or immediately adjacent to the annual grasslands that comprise the proposed project area and *no impacts to special-status plant*

species would occur.

The existing ruderal/disturbed or annual grassland habitats do not support special-status species and the project would not directly reduce the extent, diversity or quality of native or other important vegetation. However, the project proposes disturbance near existing coast live oak, and while no grading is proposed, indirect impacts to coast live oak have the potential to occur. The County requires 2:1 mitigation for impacts to native oak trees with a diameter at breast height (DBH) of five inches or greater, as measured at a height of four feet six inches aboveground. Impacts include any ground disturbance within the critical root zone of one and one-half times the canopy/dripline diameter, trunk damage, or any pruning of branches three inches in diameter or greater. Indirect impacts to coast live oak would be reduced through Mitigation Measure BIO-1, which would require protective fencing around the canopy dripline of potentially affected oaks, and oak tree replacement at a 2:1 ratio if critical root system and/or limbs of oak trees are impacted during project implementation. Implementation of Mitigation Measure BIO-1 would further prevent the potential for the project to reduce the extent, diversity or quality of native or other important vegetation; therefore*, impacts would be less than significant with mitigation.*

Special-status Wildlife

None of the special-status species identified by the CNDDB query and CDFW were observed on the project site during the field surveys. The project site lacks hydrology and suitable habitat that would support aquatic or semi-aquatic species such as California red-legged frog (*Rana draytonii*), Coast Range newt (*Taricha torosa torosa*), Foothill yellow-legged frog (*Rana boylii*), San Luis Obispo pyrg (*Pyrgulopsis taylori*), Steelhead trout (*Oncorhynchus mykiss irideus*), or Western pond turtle (*Emys marmorata*) and no impacts to these species would occur.

American badger has the potential to be present within the general area based on known occurrences at lower elevations. However, no badger activity or potential den sites were observed during surveys of the project area and no ground squirrel colonies that could provide a suitable prey base for this highly mobile carnivore are present in or adjacent to the project area. In general, American badger are found at lower elevations in annual grasslands and sparse oak woodlands with abundant prey sources nearby. Based on these habitat requirements and observed conditions at the project site, no impacts to American badger would occur.

During the site visits, several Monterey dusky-footed woodrat (*Neotoma fuscipes luciana*) stick nests within the madrone/oak woodland in area north of the project site were observed. The project, as proposed, would not remove madrone/oak woodland habitat and would not result in impacts to any identified woodrat nests or habitat where nests could occur.

Identified bat species from the area such as the Townsend's western big-eared bat (*Corynorhinus townsendii townsendii*), Western mastiff bat (*Eumops perotis californicus*) pallid bat (*Antrozous pallidus*), and California leaf-nosed bat (*Macrotus californicus*) usually roost on high cliffs, rocky outcrops, tunnels and mine shafts and bridges. No roosting habitat is present within the project site and impacts to these bat species would not occur. Western red bat (*Lasiurus blossevillii*) are known to roost in trees but impacts to Western red bat is not expected to occur since tree removal is not proposed.

The CNDDB identified several special-status bird species that are known from the area. Many of these species have specific habitat requirements or require specific features for nesting such as coastal areas, sandy beaches, riparian woodland, wetlands, open water, streams/rivers, open grasslands, desert scrub, and/or cliffs. None of these habitats or specific features were observed and are not present on the subject parcel or within the project area. Of the special-status raptors species identified by the CNDDB, which include, ferruginous hawk (*Buteo regalis*), golden eagle

(*Aquila chrysaetos*), white-tailed kite (*Elanus leucurus*), merlin (*Falco columbarius*), Prairie falcon (*Falco mexicanus*), American peregrine falcon (*Falco peregrinus anatum),* California condor (*Gymnogyps californianus*), and Bald eagle (*Haliaeetus leucocephalus*), none were observed during the four site visits. Nesting and foraging habitat for most of these species does not occur on the project site or are winter migrants to the area. The nearest occurrences for many of these special-status raptor species identified by the CNDDB are located in lower elevations within open habitats, which also likely have an abundant prey base. The proposed project site is located along the upper most elevations of the Santa Lucia Range in an area that is surrounded by dense oak woodland and has a sparsely distributed prey base. However, a number of other migratory bird and other raptor species subject to the MBTA are known from the general area and could potentially utilize the annual grassland habitat and adjacent oak woodlands as foraging and nesting habitat.

Potential impacts to nesting birds could occur if tree or ground nesting birds are present within the project area or near construction related activities that create noise and cause ground disturbance. Direct impacts to nesting raptors and other bird species from tree removal would not occur as no tree removal is proposed. However, direct impacts to ground nesting birds could occur from construction activities that occur during the nesting season (February 1st through September 15th). Indirect impacts have the potential to occur if active nests are present within the general project area. Impacts to nesting birds are considered temporary and would be minimized through the implementation of Mitigation Measure BIO-2, which would require nesting bird surveys and the designation of buffers. Therefore, the project would not result in the loss of unique or special-status species or their habitats and *impacts would be less than significant with mitigation*.

c) The proposed project site is comprised of annual grassland, coast live oak, and ruderal disturbed habitats. The nearest intermittent stream is located more than 700 feet northeast of the project area and there are no seeps, wetlands, ponds, creeks, drainage features or any other aquatic or riparian features within or adjacent to project area. *Therefore, no impacts would occur to wetlands or riparian habitats.*

d) The project area does not support any surface water resources or migratory corridors. The California Essential Habitat Connectivity Project was queried for Essential Habitat Connectivity, which are the best available data describing important areas for maintaining connectivity between large blocks of land for wildlife corridor purposes (CDFW 2018b). These important areas are referred to as Essential Connectivity Areas. Essential Connectivity Areas are only intended to be a broad-scale representation of areas that provide essential connectivity. The project site is located within the Santa Lucia Mountain range which is located within an Essential Connectivity Area. However, based on the size, scale, and location of the outdoor cultivation, implementation of the proposed project would not significantly restrict the movement of any native resident or migratory fish or wildlife species, or established native resident or migratory wildlife corridors; therefore, potential *impacts would be less than significant.*

e) The project proposes development within the County's Combining Designation overlay for three Sensitive Resource Areas (SRA): Santa Lucia Wilderness, Hi-Mountain Road, and Knobcone Pine. Development within an SRA is subject to a Conditional Use Permit and processing requirements per the County Land Use Ordinance Section 22.14.110. The Biological Resources Survey Report prepared for the project determined the most suitable location for cannabis cultivation that would have the least impacts on potentially sensitive resources. Based on the survey results, the cultivation area has been sited in a location that does not impact or conflict with potentially sensitive resources as described in the County's SRA Combining Designation (EAM 2019). The project is not located within a designated habitat or community conservation plan area and has been found to be consistent with adopted County and other agency environmental plans and policies. Therefore, the project would not conflict with any regional plans or policies to protect sensitive

species and impacts would be *less than significant*.

Mitigation/Conclusion. The proposed project would develop 0.8 acres of annual grassland that does not support special-status species. There are no aquatic or riparian habitats within the project area and the scale of the project would not affect the movement of wildlife. Further, development of the project would not conflict with any plans or policies for the protection of sensitive species. However, development of the grassland has the potential to impact nearby coast live oak and ground nesting birds if construction activities were to occur during the nesting season. Implementation of Mitigation Measure BIO-1 and BIO-2 would require oak tree replacement if indirect impact to oaks occur as well as nesting bird surveys with the designation of buffers, if necessary, reducing impacts to biological resources to *less than significant with mitigation*.

In addition, State law also sets forth general environmental protection measures for cannabis cultivation in Title 3, Division 8, Chapter 1 Article 4 of the California Code of Regulations. In addition, State law also sets forth general environmental protection measures for cannabis cultivation in Title 3, Division 8, Chapter 1 Article 4 of the California Code of Regulations. Sections 8304 (a) and (b) require cannabis projects to:

(a) Comply with section 13149 of the Water Code as implemented by the State Water Resources Control Board, Regional Water Quality Control Boards, or California Department of Fish and Wildlife;

(b) Comply with any conditions requested by the California Department of Fish and Wildlife or the State Water Resources Control Board under section 26060.1(b)(1) of the Business and Professions Code;

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

Cultural Resources

Setting. The project would be located in an area historically occupied by the Salinan and/or Northern Chumash groups. The project would disturb up to 0.8 acres of grassland meadow. The nearest streams include a small unnamed ephemeral drainage located in the northeast corner of the subject parcel. There are no significant geologic features or outcroppings within the project area.

In accordance with Assembly Bill AB 52 (AB 52) Cultural Resources requirements, outreach to four Native American tribal groups was conducted (Northern Salinan, Xolon Salinan, Yak Tityu Northern Chumash, and the Northern Chumash Tribal Council). No comments were received for this project.

Impact.

a,b,d) A Cultural Resources Survey was prepared for the project by Central Coast Archaeological Research Consultants (CCARC 2018) and included a Phase I Archaeological surface survey and a records search using the National Register of Historic Places (NRHP), the California Inventory of Historic Places, and Central Coast Information Center (CCIC). The records search did not identify any previously recorded cultural resources within or near the project site. No prehistoric or historic cultural materials were observed during the Phase I surface survey. Although the project area is characterized as having archaeological sensitivity, the landform has been altered during previous grading activities, dirt road construction and maintenance, ranching activities, construction of a level staging pad and utility installation. Additionally, no fresh water is within the immediate vicinity of the proposed project. As a result, the potential for archaeological deposits existing on the property is considered to be low.

The project will be conditioned to comply with LUO Section 22.10.040 (Archaeological Resources) which sets forth procedures to be followed that in the event previously undiscovered archaeological resources are encountered during project construction. If resources are encountered, construction activities shall cease, and the Planning Department will be notified of the discovery. If the discovery includes human remains, the County Coroner shall also to be notified. In addition, State law also sets forth general environmental protection measures for cannabis cultivation in Title 3, Division 8, Chapter 1 Article 4 of the California Code of Regulations. Section 8304 (d) requires the project to Immediately halt cultivation activities and implement section 7050.5 of the Health and Safety Code if human remains are discovered. Therefore, impacts would be *less than significant.*

c) There are no known paleontological resources within the project site. The project would result in approximately 25 cubic yards of cut and 25 cubic yards of fill for outdoor cannabis cultivation. Earthmoving activities would occur within a grassland meadow and on a hilltop subject to previous grading and disturbance. Therefore, the project does not propose large quantities of grading or significant cuts into slopes that would disturb the underlying geological

formation/bedrock. Therefore, the project has low potential to disturb any paleontological resources, if present, and impacts related to paleontological resources would be *less than significant*.

Mitigation/Conclusion. No significant cultural or tribal cultural resources impacts would occur, and no mitigation measures beyond compliance with the LUO are necessary to mitigate for the unlikely discovery of prehistoric, archaeological, or historic resources, or human burials.

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

* **Per Division of Mines and Geology Special Publication #42**

Geology and Soils

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

Topography: Moderately sloping to steeply sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: Moderate to high

Liquefaction Potential: Low

Nearby potentially active faults?: No Distance? Not applicable

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

Shrink/Swell potential of soil: Negligible

Other notable geologic features? None

The project site consists of gently to steeply sloping topography. The project site is not located within the Geologic Study Area designation. The Setting in Section 2, Agricultural Resources, describes the soil types and characteristics on the project site. The site's potential for liquefaction hazard are considered low. The project site is not located in an Alquist Priolo Fault Zone, and no active fault lines

cross the project site (CGS 2018). Prior to the issuance of a building permit, the site may be subject to the preparation of a geological report per the County's Land Use Ordinance (LUO section 22.14.070 (c)) to inform the design of building foundations.

The San Luis Obispo County Mineral Designation Maps indicate the site is not located in a Mining Disclosure Zone or Energy/Extractive Area. Therefore, the project would not result in the preclusion of mineral resource availability.

DRAINAGE – The area proposed for cannabis activities are not located within a 100-year flood hazard area. Drainage, sedimentation and erosion control plans are required for all construction and grading projects (LUO Sec. 22.52.100 and 22.52.110) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts.

SEDIMENTATION AND EROSION – Soil type, amount of disturbance and slopes are key aspects to analyzing potential sedimentation and erosion issues. When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Section 22.52.120) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local agency who manages compliance with this program.

Impact.

a) The project site is located in an area with moderate to high potential for landslides and low potential for liquefaction. The project proposes outdoor cannabis cultivation and does not propose the construction of any structures or buildings other than the new water tanks. Less than one acre of disturbance would occur and the project would be to subject sedimentation and erosion control measures as discussed below. Therefore, impacts associated with unstable earth conditions would be *less than significant*.

b) The project site is not located within an Alquist-Priolo Fault Hazard Zone, and there are no mapped active faults crossing or adjacent to the site (DOC 2018). The closest potentially active fault is approximately 1.5 miles southwest of the project site, known as the Oceanic fault. Therefore, the potential for surface ground rupture to occur within the site is very low, and potential impacts related to location within known fault zones would be *less than significant*.

c) The project would result in the disturbance of approximately 0.8 acres, including approximately 25 cubic yards of cut and 25 cubic yards of fill. During grading activities there would be a potential for erosion and sedimentation to occur. A sedimentation and erosion control plan is required for all construction and grading projects (LUO Section 22.52.120) to minimize potential impacts related to erosion and sedimentation, and includes requirements for specific erosion control measures, setbacks from creeks, and siltation. The plan must be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. The project would not result in over one acre of disturbance and would not be subject to Regional Water Quality Control Board (RWQCB) requirements for preparation of a Storm Water Pollution Prevention Plan (SWPPP) (LUO Section 22.52.130). The project is located outside of the County of San Luis Obispo Municipal Stormwater Management Area and compliance with the Central Coast Post-Construction Requirements and submission of a Stormwater Control Plan is not required Therefore, project impacts related to soil erosion, topographic changes, loss of topsoil would be *less than significant*.

d) The project site is underlain by the 19 Lopez-Santa Lucia families association, 10 to 70 percent slopes, which is a very gravelly clay loam with a low shrink-swell potential (NRCS 2019). The project proposes outdoor cannabis cultivation and does not propose the construction of habitable structures or buildings. As such, the project does not propose the use of structures on expansive soil; therefore,

no impact would occur.

e) The project proposes minimal site development for the cultivation of outdoor cannabis. No buildings or structures are proposed outside of temporary hoop-houses. All site improvements including grading would be performed to the specifications of an engineered grading plan consistent with the goals and policies set forth in the County Safety Element relating to geologic and seismic hazards; therefore, impacts would be *less than significant.*

f) Based on the California Geological Survey (CGS) Information Warehouse for Mineral Land Classification, and the project site is not located within an area that has been evaluated for mineral resources and is not located in close proximity to an active mine (DOC 2015). In addition, based on Chapter 6 of the County Conservation and Open Space Element – Mineral Resources, the project site is not located within an extractive resource area or an energy and extractive resource area. Therefore, impacts related to preclusion of future extraction of valuable mineral resources would be *less than significant.*

Mitigation/Conclusion. Compliance with existing regulations and the measures outlined in the County's LUO and codes would ensure no significant geologic or soil impacts would occur. No mitigation measures are necessary.

7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on, or adjacent to, a site which is included on a list of hazardous material/waste sites compiled pursuant to Gov't Code 65962.5 ("Cortese List"), and result in an adverse public health condition?	☐	☐	☐	☒
e) Impair implementation or physically interfere with an adopted emergency response or evacuation plan?	☐	☐	☒	☐
f) If within the Airport Review designation, or near a private airstrip, result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?	☐	☐	☒	☐
h) Be within a 'very high' fire hazard severity zone?	☐	☐	☒	☐
i) Be within an area classified as a 'state responsibility' area as defined by CalFire?	☐	☐	☒	☐
j) Other: _____	☐	☐	☐	☒

Hazards and Hazardous Materials

Setting. To comply with Government Code Section 65962.5 (known as the "Cortese List) the following databases/lists were checked in September 2019 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.

The project would be located within the State Responsibility Area and within the Very High Fire Hazard Severity zone. Based on a review by CAL FIRE/County Fire, it would take approximately 25 minutes to respond to a call regarding fire or life safety. The project is not located within an Airport Review Area and there are no active public or private landing strips within the vicinity.

Impact.

a) The project involves outdoor cannabis cultivation which would include the use of natural and organic products that would be handled per the manufactures' specifications and stored in an enclosed materials storage area near the cultivation site. Processing activities would include drying and trimming of the cannabis and all green waste generated would be composted onsite near the cultivation site. Manufacturing activities are not proposed, and no hazardous materials would be used for cultivation or processing. The project does not propose the routine use or transport of hazardous materials, nor the generation of hazardous wastes; therefore, *no impacts would occur.*

b) As discussed above, the project would use natural and organic products that would be handled per in accordance with the manufactures' specifications and stored in an enclosed materials storage area. During construction, the use of standard materials, oils, and fuels to operate and maintain construction equipment would be handled pursuant to existing regulations. The proposed project and associated activities would not 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. Therefore, impacts would be *less than significant.*

c) The closest school facility is located approximately 3 miles southwest of the project site. The project site is not located within 0.25 miles of an existing or proposed school; therefore, *no impacts would occur.*

d) Based on the California Department of Toxic Substances Control's Envirostor and the State Water Resources Control Board's GeoTracker, the proposed project site is not listed or located in close proximity to a site listed on the 'Cortese List', which lists of hazardous materials sites compiled pursuant to Government Code Section 65962.5; therefore*, no impacts would occur.*

e) The project does not require any road closures and would be designed to accommodate emergency vehicle access. Based on the County's Land Use View tool and Dam and Levee Failure Plan, the project is not located within an area that would be inundated in the event of failure of a dam failure. The project would not impair implementation or physically interfere with County hazard mitigation or emergency plans; therefore, *no impacts would occur.*

f) The nearest airstrip in proximity to the project site is in Santa Margarita, located approximately 3.25 miles north of the site. The project is not located within an Airport Review designation or within

close proximity of a private airstrip; therefore, *no impacts would occur.*

g-i) The project is located within the Very High Fire Hazard Severity Zone and is located on a parcel with moderately-dense native vegetation and limited access. The site is located within a 'State Responsibility Area' where it would take 25 minutes or more to respond to a call regarding fire or life safety. The project has been reviewed by CAL FIRE/County Fire and determined that the current driveway road width and base meets fire requirements (CAL FIRE 2018). Additional site improvements would be designed to comply with all fire safety rules and regulations including the California Fire Code and Public Resources Code, which may include improved gate requirements, vegetation clearing or trimming around all existing, and/or installation of a water storage tank for fire protection. The project does not propose the development of any structures or buildings; however, the project would be subject to a final inspection by CAL FIRE/ San Luis Obispo County Fire. Therefore, impacts related to location within a very high hazard severity zone and a state responsibility area would be *less than significant.*

Mitigation/Conclusion. No significant impacts as a result of hazards or hazardous materials would occur, and no mitigation measures are necessary beyond the requirements of existing County Code and state law.

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

Noise

Setting. The project site is located in a rural part of the county surrounded by Agriculture and Open Space land uses, with the nearest noise sensitive land uses (a single family residence) located approximately 1,500 feet away. Based on the County's General Plan Noise Element, future noise generation from known stationery and vehicle-generated noise sources for the project area are within acceptable levels. The project would not be located within an Airport Review Area and there are no active public or private landing strips within the vicinity.

Impact.

a) The proposed project does not include any features that would generate a permanent or consistent source of mobile or stationary operational noise. The project includes minor grading activities to establish outdoor cannabis cultivation. These construction activities have the potential to generate short-term construction noise. All construction activities would be required to take place between 7:00 a.m. and 9:00 p.m. on weekdays and between 8:00 a.m. and 5:00 p.m. on Saturday and Sunday in accordance with LUO 22.10.120.A.4. In addition, these activities would occur near the center of a 140-acre site surrounded by undeveloped land, and all construction noises would considerably attenuate over the distance to the nearest offsite receptor. Therefore, impacts related to exposing people to noise levels that exceed the County Noise Element thresholds would be *less than significant.*

b) The proposed project does not include the use of any features that would generate a permanent or consistent source of mobile or stationary operational noise. The project would result in the generation of 4 average daily trips, which is consistent with surrounding rural residential and agricultural uses in the area. Therefore, impacts related to generation of permanent increases in ambient noise levels would be *less than significant*.

c-d) Project construction activities would generate short-term construction noise. These activities would be restricted to occur within construction hours set forth in the County LUO and would be located

at least 1,500 feet from any offsite receptors. No construction equipment or methods are proposed that would generate substantial ground vibration. Therefore, impacts related to temporary or periodic increases in ambient noise levels or severe noise or vibration would be *less than significant*.

e) The nearest airstrip in proximity to the project site is in Santa Margarita, located approximately 3.25 miles northeast of the site. The project site is not located within an Airport Review designation or adjacent to a private airstrip; therefore, *no impacts would occur*.

Mitigation/Conclusion. During Construction, the project would be required to adhere to all noise standards within Section 22.10.120 of the LUO. Based on the location of the proposed project and the distance of any noise generating activities to the nearest sensitive land uses, the project would not exceed the County's noise thresholds. No significant noise impacts would occur, and no mitigation measures are necessary.

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

Population/Housing

Setting In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which 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. The project site is zoned for Agriculture land use and is surrounded by existing Agriculture and Open Space land uses. The project site contains an existing single-family residence for onsite personnel associated with the project. No new or additional housing is proposed.

Impact.

a-c) The project proposes cannabis activities within an agricultural area and would employ up to two resident employees and up to two temporary employees during harvest season. Workers would likely be sourced from the local labor pool and would not require new or additional housing as a result of the proposed project. The general scope and scale of the proposed activities would not directly or indirectly induce substantial population growth in the area and would not result in a need for a significant amount of new housing nor displace existing housing in this area. Therefore, impacts to housing and population would be *less than significant*.

Mitigation/Conclusion. No significant population and housing impacts would occur as a result of the proposed project; therefore, no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES

Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	☐	☐	☒	☐
b) Police protection (e.g., Sheriff, CHP)?	☐	☐	☒	☐
c) Schools?	☐	☐	☒	☐
d) Roads?	☐	☐	☒	☐
e) Solid Wastes?	☐	☐	☒	☐
f) Other public facilities?	☐	☐	☒	☐
g) Other: _____	☐	☐	☐	☒

Public Services

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

Police: County Sheriff — Location: San Luis Obispo (Approximately 11 miles to the south)

Fire: Cal Fire (formerly CDF) — Hazard Severity: Very High — Response Time: 25 minutes

Location: #23-San Luis Obispo located at 635 North Santa Rosa Street (Approximately 8 miles to the south)

School District: San Luis Coastal Unified School District

A fee program has been adopted to address impacts related to public facilities (county) and schools (State Government Code 65995 et seq.). Fees are assessed annually by the County based on the type of proposed development and proportional impact and collected at the time of building permit issuance. Fees are used for the construction as needed to finance the facilities required to the serve new development.

Impact.

a) The project would be designed to comply with all fire safety rules and regulations including the California Fire Code and Public Resources Code, which may include vegetation clearing or trimming around all existing and proposed structures, and/or installation of a water storage tank for fire protection. CAL FIRE/ County Fire has reviewed the project and determined that the current roads meet fire requirements; however, the project would be subject to a final inspection by CAL FIRE/ San Luis Obispo County Fire (CAL FIRE 2018). Based on the limited amount of development proposed, the project would not create a significant new demand for fire services. In addition, the project would be subject to public facility fees to offset the increased demand on fire protection services. Therefore, impacts would be *less than significant*.

b) The applicant has prepared a safety and security plan subject to the review and approval of the County Sheriff's Department. The project would be required to adhere to the security measures and protocols in the Security Plan as well as with any additional recommendation or requirements provided by the San Luis Obispo County Sheriff's Office. In addition, the project would be subject to public facility fees to offset the increased demand on law enforcement services. Therefore, impacts related to police services would be *less than significant.*

c) As discussed in *Section 9. Population/Housing* of this Initial Study, the project would not induce population growth and would not result in the need for additional school services or facilities. Therefore, impacts would be *less than significant.*

d) Based on the traffic report prepared for the project by Central Coast Transportation Consulting (CCTC, 2019), the project would result in four net new average daily trips. The project is not located within a County road fee area and the trips generated from the project would be consistent with surrounding land uses. The traffic report has been reviewed by the Department of Public Works who had no further comments regarding traffic outside of recommended conditions of approval related to onsite circulation. In addition, the project would be subject to any applicable public facilities fees to offset the increased traffic on surrounding roadways. Therefore, impacts to roads would be *less than significant.*

e) The applicant proposes to dispose of cannabis waste generated on the project site through onsite composting pursuant to the California Code of Regulations, Title 14, Division 7, Chapter 3: Minimum Standards for Solid Waste Handling and Disposal. Ancillary non-cannabis waste would be collected and hauled by the applicant to a local waste facility on an as-needed basis. The project would not be served by a public solid waste service and would not result in any increased demand or other impacts on public solid waste facilities or services; therefore, *no impacts would occur*.

f) As discussed in *Section 9. Population/Housing* of this initial study, the project workers would be sourced from the local labor pool and would not result in increased demand on other surrounding public services such as libraries, parks, or recreational facilities. Therefore, *no impacts would occur.*

Mitigation/Conclusion. Regarding cumulative effects, public facility (county) and school (State Government Code 65995 et seq.) fee programs have been adopted to address this impact, and would reduce the cumulative impacts to less than significant levels. No significant public services/utility impacts would occur as a result of the proposed project; therefore, no mitigation measures are necessary.

11. RECREATION

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

Setting. The project would be located within a privately-owned parcel that would support the cultivation of cannabis and would not be open to the general public. The project site would be accessed directly off of Mt. Lowe Road, a gravel fire road closed to public vehicles but open for hiking and biking. Mt. Lowe Road begins at the intersection of U.S. Highway 101 N and switchbacks through private property for approximately 1.3 miles before entering the Los Padres National Forest. Mt. Lowe Road continues along the East Cuesta Ridge for approximately 5 miles before intersecting with Reservoir Canyon Road. The trails plan included in the Parks and Recreation Element identifies a trail corridor in this area that corresponds to Mt. Lowe Road. No additional trails corridors are identified.

Impact.

a-c) The establishment of cannabis cultivation would employ up to two full-time resident employees housed onsite at the existing single-family residence. During harvest season, the project would employ up to two additional temporary employees. A Trip Generation Evaluation prepared by Central Coast Transportation Consulting estimated that up to 4 average daily trips (ADT) would occur under the most intense conditions and generally less under normal operations (CCTC August, 2019). Vehicles are prohibited from accessing Mt. Lowe Road except by property owners and authorized personnel.

Vehicles traveling on Mt. Lowe Road could potentially interfere with recreational hikers and bikers. Based on the Trip Generation Evaluation prepared for the proposed project, the increase in ADT would be minimal (4 net new trips per day) and similar to existing conditions. As such, the project would not affect the existing access to trails, parks, or other recreational opportunities on Mt. Lowe Road. Additionally, the two onsite resident employees would not increase the use or demand for parks or other recreation opportunities. Therefore, impacts would be *less than significant*.

Mitigation/Conclusion. No significant impacts on recreational resources would occur, and no mitigation measures are necessary.

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

Transportation

Setting. The County has established Level of Service (LOS) "C" or better for rural roadways. The project site currently has one residence and generates a very low volume of traffic.

The project site is located at 3033 Mt. Lowe Road on the East Cuesta Ridge, with access provided from the intersection of U.S. Highway 101 N and Mt. Lowe Road at the East Cuesta Ridge Parking Lot. Mt. Lowe Road is a designated fire road with a locked gate at the entrance providing vehicle access to private property owners and authorized personnel. A project referral package was sent to County Public Works and Caltrans.

Impact.

a-b,e) A traffic report prepared by Central Coast Transportation Consulting analyzed project trip generation which included estimates for the existing single-family residence and an employee shuttle, product delivery, and miscellaneous supply trips during peak harvest season. The analysis concluded that under the most intense use conditions, the project is estimated to generate 4 average daily trips, with much fewer trips under typical operations (CCTC, August 2019). The project would result in a net reduction of motor vehicle trips when compared with existing conditions because the current employees who commute to the site will live in the existing on-site residence. Therefore, the project will not significantly increase vehicle trips to a

local circulation system nor reduce the existing level of service to the public roadways. Therefore, *impacts would be less than significant*.

c) With regard to traffic safety, the project includes an analysis of the minimum stopping sight distance at the intersection of Mt. Lowe Road and Highway 101 N (Central Coast Transportation Consulting, 2019) that concludes that there is not adequate sight distance for vehicles traveling 65 miles per hour (mph) to exit the highway, as set by the Highway Capacity Manual. The study further evaluated vehicles traveling at 60 mph and concluded that the northernmost entry point at the end of the parking area would provide adequate sight distance to exit the highway (CCTC 2018b). Caltrans reviewed the project and supporting traffic studies and recommended that the project limit the number of large and slower moving vehicles accessing the project site (Caltrans 2018). The County Public Works Department reviewed the project and Caltrans' concerns, and supported their comments and recommendations. Mitigation Measure TR-1 is recommended which would require preparation of an access plan that would limit deliveries outside of the PM peak hour period from 3:00 p.m. to 6:00 p.m. Implementation of the required mitigation measure would further limit the number of vehicles entering Mt. Lowe Road from Highway 101 N and would not result in a significant increase in unsafe conditions on public roadways including limited access, design features, sight distance, and slow vehicles. *Therefore, impacts would be less than significant with mitigation*.

d) CAL FIRE/ County Fire has reviewed the project for compliance with current emergency access requirements and standards and have concluded that all driveways and roadways meet required fire protection access standards (CAL FIRE 2018). Gate access would be required to comply with Section 503.5 of the 2016 California Fire Code which would require the installation of KNOX switches or padlocks. The project would be subject to a final inspection by CAL FIRE/ County Fire to ensure all safety access requirements are met. The project does not propose any uses or activities that would otherwise affect emergency access. *Therefore, impacts would be less than significant.*

f,g) Based on the relatively low volume of traffic anticipated, the proposed project would not conflict with an applicable congestion management program. Additionally, the type of activities and the relative remoteness of the project would not conflict with any other adopted policies or plans regarding public transportation or other alternative transportation facilities. *Therefore, impacts would be less than significant.*

h) The project would not be located within the immediate vicinity of an airport or airstrip; therefore, the project would not interfere with air traffic patterns and *no impacts would occur*.

Mitigation/Conclusion. A traffic engineering report has been prepared for the project concluded that that there is not adequate sight distance for vehicles accessing the project site from Highway 101. The project was reviewed by the County Public Works Department and Caltrans, and recommend that the project limit the amount of vehicle trips accessing the site.

The project would be required to prepare an access plan per Mitigation Measure TR-1, which would require deliveries to occur outside peak hour times and would limit the number of vehicles entering the site. Implementation of Mitigation Measure TR-1 would reduce impacts related to traffic safety to less than significant. The project does not propose any other activities or improvements that would significantly impact traffic or transportation and no additional mitigation is necessary.

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

Wastewater

Setting. The project site is currently served by an onsite septic system that was installed when the single-family residence was constructed in 2002.

Impact.

a-b) The project does not propose an expansion of the existing wastewater treatment system to accommodate future uses. The single-family residence is served by an existing septic system, which is adequate for the two resident employees and the proposed project activities. There are no freshwater sources within the immediate project vicinity; however, there is a small unnamed ephemeral drainage located in the northeast corner of the subject parcel. The cultivation areas would be irrigated using an existing onsite well and water storage tanks, and fertilized using organic and natural products. The cultivation areas would be irrigated and managed so that runoff from the site would not occur. Therefore, based on the existing wastewater system and the activities associated with the proposed project, impacts related to waste discharge requirements and quality of surface and groundwater would be *less than significant.*

c) The project would continue the use of the existing onsite wastewater treatment system and would not require connection to or adversely affect a community wastewater service provider; therefore, *no impacts would occur*.

Mitigation/Conclusion. No significant impacts related to wastewater would occur. No mitigation measures are necessary.

14. WATER & HYDROLOGY

Will the project:

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

Water

Setting. The project would be located within both the Salinas and Estero Bay Hydrological Units within both the Trout Creek and Reservoir Canyon Watersheds. The project is within both the San Luis Obispo and Santa Margarita Water Planning Areas. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) indicate that there are no floodplains present within the project area and it is mapped entirely within Flood Zone D (Panel 06079C1100G, effective 11/16/2012; FEMA 2019). The USGS Lopez Mountain, California 7.5-minute quadrangle map shows the nearest blue-line creek is an unnamed drainage located within the subject parcel approximately 700 feet northeast of the proposed area of disturbance (County 2019). The project site is not located within the County's mapped dam inundation zone or in a flood-hazard combining designation. Water for the proposed project would

be sourced from an existing onsite well.

Drainage Characteristics

The topography of the project site is moderately sloping to steeply sloping The closest creek from the proposed development is located approximately 700 feet to the northeast. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

Projects involving more than one acre of disturbance are subject to preparation of 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 be installed.

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

Within the 100-year Flood Hazard designation? No

Closest creek? Unnamed drainage Distance? Approximately 700 feet

Soil drainage characteristics: Moderately drained

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.110) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would not have more impact than 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 described in the Agriculture section under "Setting". As described in the NRCS Soil Survey, the project's soil erodibility is as follows:

Soil erodibility: Low

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

Impact

Water Quality/Hydrology

a,c-e,g) With regards to project impacts on water quality the following conditions apply:

- ✓ Approximately 0.8 acres of site disturbance is proposed and the movement of approximately 25 cubic yards of material;
- ✓ The project is not located within a County Stormwater Management Area but would be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- ✓ The project would not be disturbing over one acre and will not be required to prepare a SWPPP, which will be implemented during construction;
- ✓ The project is not within a 100-year Flood Hazard designation;
- ✓ The project is more than 100 feet from the closest creek or surface water body;
- ✓ Stockpiles would be properly managed during construction to avoid material loss due to erosion;

- ✓ The project is subject to the County's Plumbing Code (Chapter 7 of the Building and Construction Ordinance [Title 19]), and/or the "Water Quality Control Plan, Central Coast Basin" for its wastewater requirements, where wastewater impacts to the groundwater basin would be less than significant;
- ✓ All hazardous materials and/or wastes would be properly stored on-site, which include secondary containment should spills or leaks occur;

The project proposes to establish a new cultivation site and associated facilities in an area that is entirely outside of the 100-year Flood Hazard designation (FEMA 2019). The nearest streams include an unnamed drainage located 700 feet northeast. The project would result in less than one acre of ground disturbance and does not require the preparation of a SWPPP; however, the project would incorporate Best Management Practices (BMPs) during construction including (but not limited to) the protection of existing vegetation and surface water courses, site stabilization following grading, proper management of dirt stockpiles, slope stability measures and the removal of dirt from construction vehicles. Water quality protection measures would include protection of stockpiles, protection of slopes, protection of all disturbed areas, protection of access roads and perimeter containment measures. With implementation of BMPs for water quality protection, impacts to water quality would be *less than significant*.

b,f) The project includes approximately 0.8 acres of site disturbance on soils with low erodibility. The nearest water feature includes an unnamed ephemeral drainage located 700 feet northeast of the proposed development area. The project would implement BMPs for water quality protection and standard requirements to prepare drainage and erosion/sedimentation control plans. Therefore, impacts related to alteration of surface water quality and sedimentation/erosion would be *less than significant.*

Water Quantity

h) The proposed project would utilize an existing on-site well to supply water for crop irrigation. A Water Use Evaluation prepared for the project estimated that the annual water demand for the project would be approximately 0.36 acre-feet a year (Wallace Group 2018). Water consumption would primarily occur from April through September using an existing well that produces about 12 gallons per minute, running approximately 1 to 2 hours a day. Based on a pump test performed in 2011 (Filipponi and Thompson Drilling, February 23, 2011) the water evaluation concluded that the existing well has sufficient capacity for the proposed cultivation and irrigation demand. The project site is not located in a groundwater basin with a Level of Severity III as determined by the most recent Resource Management System Biennial Report. The groundwater basin is not designated by the County as being in severe decline and is not required to offset water usage through the County's Water Conservation Program. Therefore, impacts related to available surface or groundwater would be *less than significant*.

i) Water would be supplied from an existing well located onsite and the project would not require connection or service by a community water provider; *therefore, no impacts would occur.*

j) Based on the County Safety Element Dam Inundation Map, the project site is not located in an area that would become inundated in the event of dam failure (County 2019). The project site is located approximately 15 miles east of the Pacific Ocean coastline and is not adjacent to a large body of water, therefore, potential impacts related to tsunami or seiche events are negligible. Therefore, impacts related to risks involving flooding, or inundation by seiche, tsunami or mudflow are *less than significant.*

Mitigation/Conclusion. As specified above for water quality, existing regulations and/or required plans would adequately address surface water quality impacts during construction and permanent use of the project. No additional measures above those required by County Code, the California Building Code or those incorporated into the project description are needed to protect water quality. The project is not

located in a groundwater basin designated by the County as LOS III or being in severe decline and the project is not required to offset their water demand through the County's Water Conservation Program. Therefore, impacts to water resources would be less than significant and no mitigation is required.

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

Land Use

Setting. Land uses surrounding the project include undeveloped agriculture to the north, west, and south, and open space managed by the U.S. Forest Service to the immediate east. The project would be located within the County's Sensitive Resource Area (SRA) Combining Designation for Santa Lucia Wilderness, Hi-Mountain Road, and Knobcone Pine. SRAs are applied to areas of the county with special environmental qualities, or areas containing unique or endangered vegetation or habitat resources. The purpose of these combining designation standards is to require that proposed uses be designed with consideration of the identified sensitive resources, and the need for their protection.

The proposed project was reviewed for consistency with relevant plans, policies and regulatory requirements (e.g., County Land Use Ordinance, North County Area Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CAL FIRE for Fire Code, APCD for Clean Air Plan, etc.).

Impact.

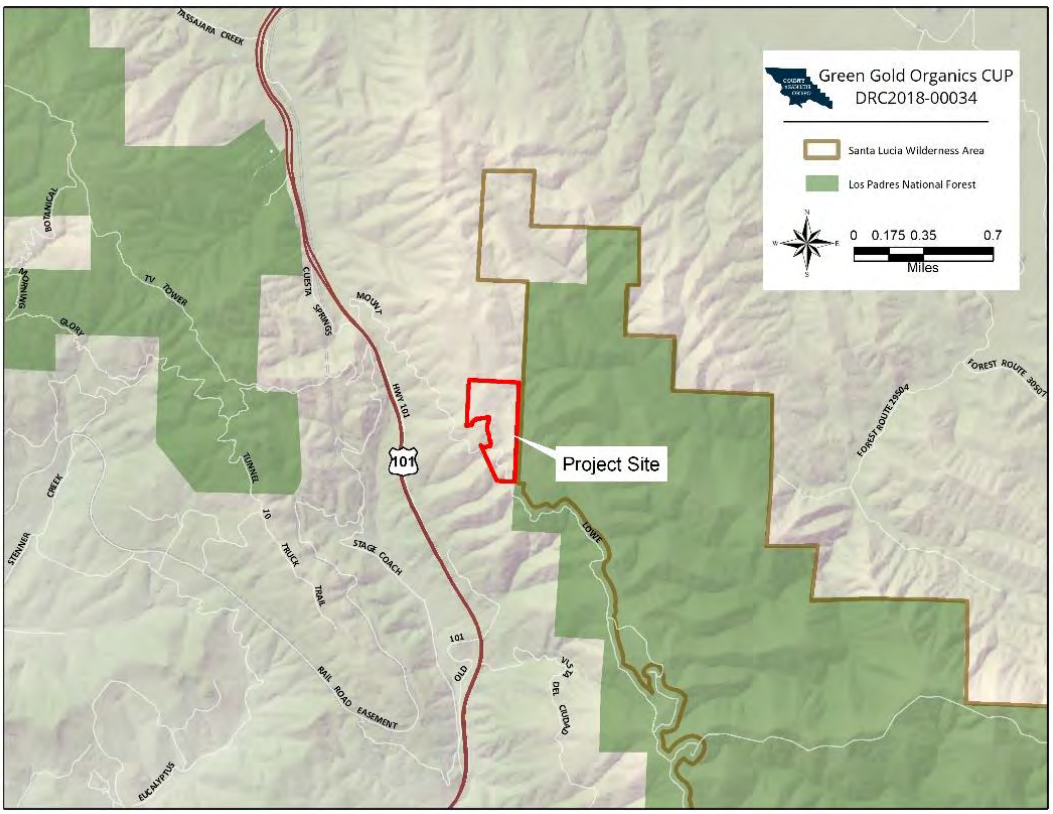
a) The project would establish a cultivation site under a Conditional Use Permit on a rural property within an area designated as Agriculture; cannabis cultivation is an allowable use under Section 22.060.030.C, Table 2-2 – Allowable Land Uses and Permit Requirements. Access to the site would be directly off Highway 101 N and Mt. Lowe Road, a gated road permitting vehicle access to property owners and authorized personnel. Based on a Trip Generation Evaluation prepared by Central Coast Transportation Consulting (CCTC 2018a), the project would result in four average daily trips which is a net reduction from baseline conditions and would not conflict with an existing transportation plan nor affect hikers or bikers that use Mt. Lowe Road for recreation (see Section 7. Transportation/Circulation and Section 11. Recreation). In addition, the project would be required to prepare an access plan per Mitigation Measure TR-1, which would reduce safety impacts related to sight distance by requiring deliveries to occur outside peak hour times

and limit the number of vehicles entering the site. As discussed in Section 7. Hazards and Hazardous Materials, the project would be located within a State Responsibility Area and in a Very High Fire Hazard Severity Zone with moderately dense native vegetation and limited access. The project has been reviewed by CAL FIRE/County Fire and determined that the project site currently meets fire access requirements. The project would be required to be consistent with standards set forth by CAL FIRE/ County Fire and the Public Works Department. Therefore, impacts related to inconsistency with land use and policies adopted to address environmental effects would be *less than significant with mitigation*.

b-c) The project proposes development within the County's Combining Designation overlay for three Sensitive Resource Areas (SRA): the Santa Lucia Wilderness, Hi-Mountain Road, and Knobcone Pine.

Santa Lucia Wilderness. This rugged area within the Los Padres National Forest is important for its wilderness and wildlife value and is one of the most primitive in the county. Several rare and endemic plant species are present, and the area is valuable as a wildlife habitat, watershed and scenic backdrop. The project site is adjacent to the National Forest/Wilderness Area boundary (Figure 7).

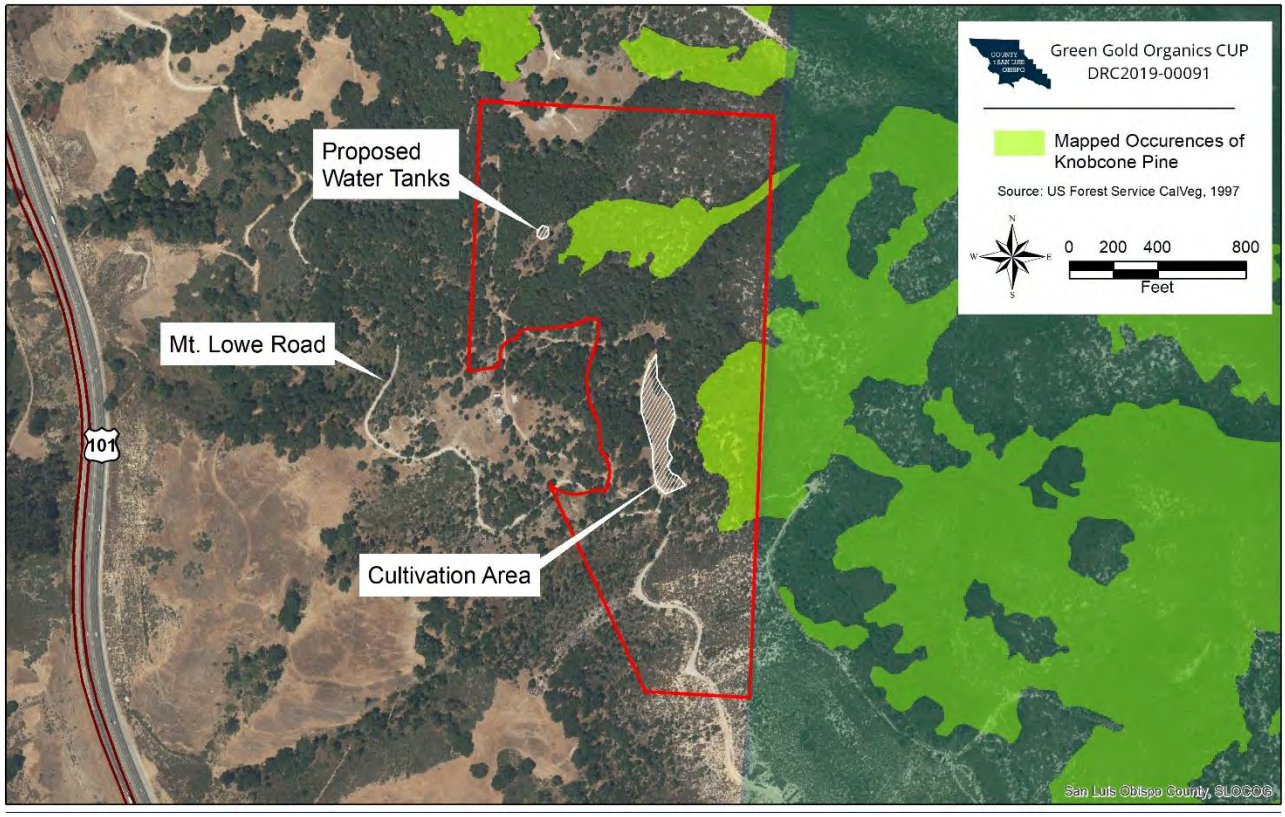
Figure 7 – Project Site in Relation to the Santa Lucia Wilderness Area



Hi Mountain Road. Hi Mountain Road is located about ten miles to the east of the project site. The Regional Transportation Plan designates this as a scenic road and recommends that new development be subject to scenic highway standards. Based on the project description, the project site is not served by, nor within the viewshed of, Hi Mountain Road.

Knobcone Pine Forest. Knobcone pine (*Pinus attenuata*) is restricted to an area of several square miles east of Highway 101 at Cuesta summit. Coulter pine (*Pinus coulteri*) is also in this area. Figure 8 shows the project site, cultivation area and proposed water tank locations in relation to mapped occurrences of Knobcone pine based on data collected by the US Forest Service. As shown in Figure 8, Knobcone pine does not appear to occur in either area. Moreover, the Biological Resources Assessment prepared for the project site did not identify the presence of Knobcone Pine in the area of disturbance.

Figure 8 – Mapped Occurrences of Knobcone Pine



Development within an SRA is subject to a Conditional Use Permit and processing requirements per Land Use Ordinance Section 22.14.110. A Biological Resources Survey Report (EAM 2019) was prepared for the project to determine the most suitable location for cannabis cultivation that would have the least impacts on potentially sensitive resources (see Section 4 Biological Resources). Based on the results of the survey report, the cultivation area has been sited in a location that does not impact or conflict with potentially sensitive resources as described in the County's SRA Combining Designation. The project is not located within a designated habitat or community conservation plan area and has been found to be consistent with adopted County and other agency environmental plans and policies. Therefore, impacts related to consistency with habitat conservation plans or adopted agency environmental plans would be *less than significant*.

d) The project is surrounded by undeveloped agriculture and open space land uses and would be located directly west of the Los Padres National Forest managed by the U.S. Forest Service. The proposed cannabis activities would be setback at least 300 feet from the eastern property boundary that abuts the National Forest, and all access would be through private property and not require the use of federal land. As such, the project and proposed cannabis cultivation would comply with all siting and location requirements in Sections 22.40.040 and 22.40.050 of the LOU and be compatible with surrounding land uses and impacts would be *less than*

significant.

Mitigation/Conclusion. The project would be required to prepare an access plan per Mitigation Measure TR-1 to reduce potential safety impacts related to sight distance. No other potential land use or planning inconsistencies would result from the project; therefore, potential impacts would be less than significant and no additional mitigation measures are required.

16. MANDATORY FINDINGS OF SIGNIFICANCE

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or pre-history?	☐	☒	☐	☐
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	☐	☐	☒	☐
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

a) As discussed in each of the preceding topical sections, the project would result in potentially significant impacts to biological resources and transportation but would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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 prehistory. Compliance with the recommended mitigation measures would mitigate potential direct and indirect impacts to special-status species, and nesting birds.

b) The State CEQA Guidelines define cumulative impacts as "two or more individual effects that, when considered together, are considerable or which compound or increase other environmental impacts." Section 15355 of the CEQA Guidelines further states that individual effects can be various changes related to a single project or the change involved in a number of other closely related past, present, and reasonably foreseeable future projects. The discussion of cumulative impacts must reflect the severity of the impacts as well as the likelihood of their occurrence. However, the discussion need not be as detailed as the discussion of environmental impacts attributable to the project alone. Furthermore, the discussion should remain practical and reasonable in considering other projects and related cumulatively considerable impacts. Furthermore, per State CEQA Guidelines, Section 15130 (a) (1), an EIR should not discuss impacts which do not result in part from the project evaluated in the EIR.

The State CEQA Guidelines allow for the use of two different methods to determine the scope of projects for the cumulative impact analysis:

- List Method - A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency (Section 15130).

- General Plan Projection Method - A summary of projections contained in an adopted General Plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact (CEQA Guidelines §15130).

This MND examines cumulative effects using both the List Method and the General Plan Projection method to evaluate the cumulative environmental effects of the project within the context of other reasonably foreseeable cannabis projects and regional growth projections.

Existing and Reasonably Foreseeable Cannabis Activities

In 2016, the County estimated that were as many as 500 unpermitted (illegal) cannabis cultivation sites within the unincorporated county. Assuming one-half acre per site, the canopy associated these activities could be as high as 250 acres.

Table 3 provides a summary of the total number of cannabis activities for which the County has either approved or has received an application as of the date of this initial study. As shown on Table 3, the County has received applications for a total of 115 cultivation sites (including indoor and outdoor) with a total canopy of 330 acres. Under the County's cannabis regulations (LUO Sections 22.40. et seq. and CZLUO Section 22.80 et seq.), the number of cultivation sites allowed within the unincorporated county is limited to 141, and each site may have a maximum of 3 acres of outdoor canopy and 22,000 sq.ft. (0.5 acres) of indoor canopy. Therefore, if 141 cultivation sites are ultimately approved, the maximum total cannabis canopy allowable in the unincorporated county will be 493 acres (141 sites x 3.5 acres of canopy per site = 493 acres).

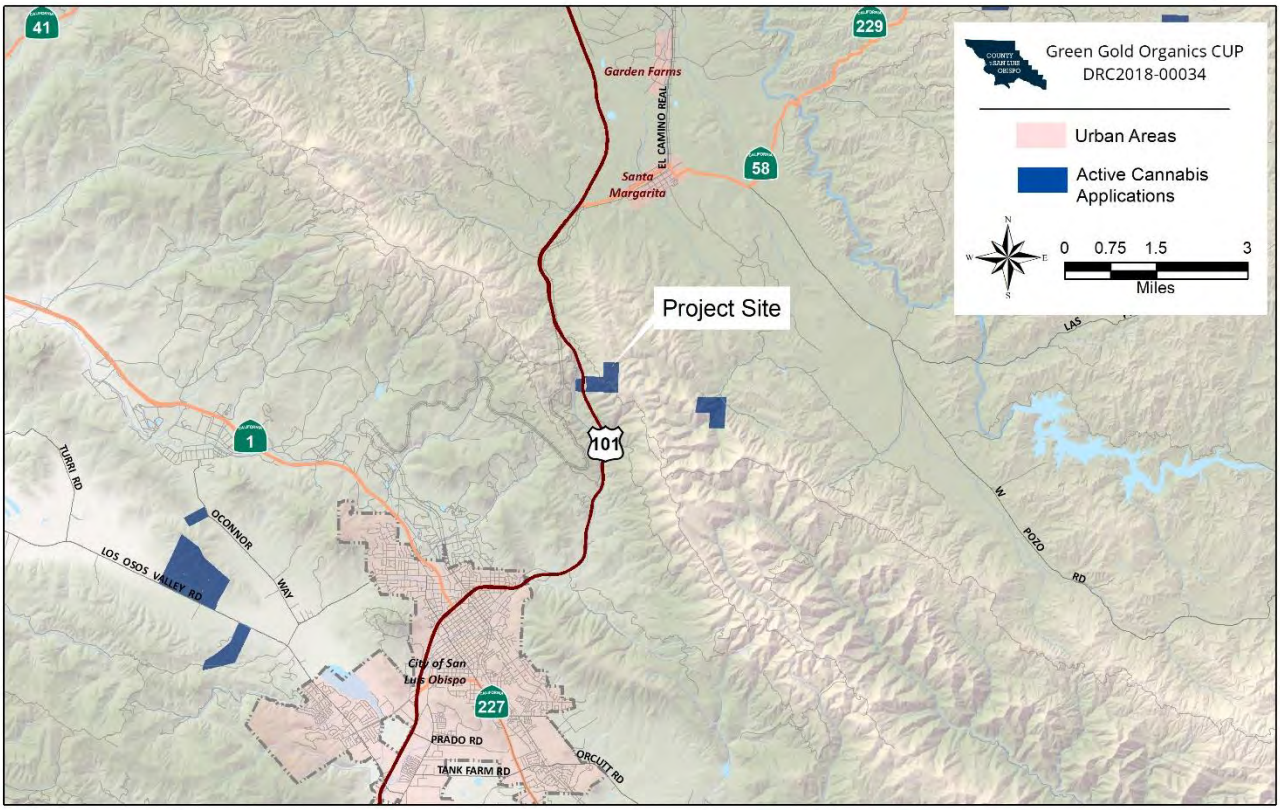
Table 3 -- Summary of Cannabis Activities for Unincorporated San Luis Obispo County[1]

Project Type	Total Number of Cannabis Activities[2]	Canopy (acres)	Approved
Indoor Cultivation	115	89	10
Outdoor Cultivation		241	10
Total Cultivation:	115	330	20
Nursery	43	--	3
Processing	9	--	0
Manufacturing	25	--	6
Non-Storefront Dispensary	30	--	6
Distribution	7	--	0
Transport Only	4	--	0
Laboratory	1	--	1
Total:	**234**	**330**	**36**

Notes:
1. As of the date of this initial study.
2. Total number of all cannabis activities for which an application has been submitted to the County to date. A project site may include multiple cannabis activities.

Figure 9 shows the project site along with other approved and proposed cannabis activities in the region.

Figure 9 -- Project Site with Reasonably Foreseeable Cannabis Projects in the Vicinity



For purposes of assessing the cumulative impacts of cannabis cultivation activities, the following assumptions are made:

- All 115 cultivation sites will be approved and developed;
- Each cultivation site will be developed as follows:
  - 3 acres of outdoor cultivation;
  - 0.5 acres of indoor cultivation;
  - 19,000 sq.ft. of ancillary nursery;
  - A total area of disturbance of 6.0 acres to include the construction of one or more buildings to house the indoor cultivation, ancillary nursery and processing;
  - A total of six full-time employees;
  - A total of six average daily motor vehicle trips;
  - All sites will be served by a well and septic leach field;

Aesthetic and Visual Resources
The analysis provided in Section I. Aesthetic and Visual Resources provides an overview of the visual setting and concludes that the potential project-specific impacts will be less than significant. Since project-specific impacts to visual and aesthetic resources are less than

significant, the impacts to aesthetic and visual resources of this project, when considered with the potential impacts of other reasonably foreseeable development in the area, are less than cumulatively considerable.

Agricultural Resources
Table 4 provides a summary of the potential impacts to important farmland from cannabis cultivation applications as of the date of this MND based on the following assumptions:

- All of the applications are approved;
- Each site is developed with 3 acres of outdoor cultivation, 0.5 acres of indoor cultivation, plus another one acre of disturbance associated with additional buildings for processing, areas devoted to access roads, water storage, and other miscellaneous support facilities;
- Cultivation sites often have multiple soil types with different qualities of farmland. For this analysis, the number of cultivation sites impacting a particular important farmland classification is assumed to be directly proportional to the total acreage for the classification. For example, *Prime Farmland* is about 19% of the total acreage potentially impacted by the approved and currently active cultivation applications. Therefore, the number of cultivation sites assumed to impact Prime Farmland is: 115 x .19 = 22 sites.

Table 4 – Cumulative Impacts to Important Farmland Associated with Approved and Reasonably Foreseeable Cannabis Cultivation Projects

Farmland Classification	Total Acres for All Cultivation Projects By Farmland Classification	Percent of Total Acres	Number of Applications for Cultivation	Number of Cultivation Sites By Farmland Classification	Potential Area of Disturbance (Acres)
Prime Farmland if Irrigated	1,298.8	19%	115	22	98.1
Farmland of Statewide Importance	980.3	14%	115	16	74.0
Not Prime Farmland	4,568.8	67%	115	77	345.2
Total:	**6,848.0**	**--**	**--**	**115**	**517.5**

Source: NRCS Soil Survey, 2019

The analysis provided in Section II, Agricultural Resources, indicates that the project will not result in the permanent conversion of prime farmland. However, when considered with the potential impacts of other reasonably foreseeable cannabis cultivation projects in the unincorporated county, the contribution of the subject project to potential impacts to important farmland is considered less than cumulatively considerable because:

- As shown in Table 4, the total acreage potentially of prime farmland impacted by approved and reasonably foreseeable cannabis cultivation projects in the unincorporated county (about 98 acres) is less than the average annual increase in the total amount of prime farmland experienced each year in the County since 2006.
- Agricultural activities on the remainder of the project site would be unaffected by the proposed cannabis activities.

Air Quality
The analysis provided in Section III, Air Quality, concludes that the project's potential construction-related and operational emissions will fall below APCD thresholds of significance for both project-related and cumulative impacts. Therefore, when considered with the potential impacts of other reasonably foreseeable cannabis cultivation projects in the unincorporated county, the contribution of the subject project to potential impacts to air quality are considered less than cumulatively considerable.

Biological Resources
The analysis provided in Section IV., Biological Resources, concludes that the project will have a less than significant impact so long as the recommended avoidance and mitigation measures are incorporated into the project description. Because project impacts will have a less than significant impact with mitigation, when considered with the potential impacts of other reasonably foreseeable development in the area, project impacts are considered less than cumulatively considerable.

Energy Use
Cannabis cultivation typically uses an insignificant amount of natural gas. Accordingly, this assessment of cumulative impacts is based on the demand for electricity. The analysis provided in Section VI., Energy, states that the project could increase the demand for electricity by a negligible amount.

Table 5 provides a summary of total electricity demand associated with the development of all 115 previous approved and currently active cannabis cultivation projects. The summary was derived using the CalEEMOD computer model used by the California Air Resources Board and assumes all 115 sites are developed with the maximum allowable canopies: 3 acres for outdoor cultivation and 22,000 for indoor cultivation.

Table 5 – Projected Demand for Electricity from Approved and Reasonably Foreseeable Cannabis Cultivation Projects

Land Use	Total Electricity Demand From Current Cannabis Cultivation Projects[1] (Kilowatt Hours/Year)	Total Electricity Demand (Gigawatt Hours/Year)	Electricity Consumption In San Luis Obispo County in 2018[2] (Gigawatt Hours)	Total Demand In San Luis Obispo County With Cannabis Cultivation (Gigawatt Hours/Year)	Percent Increase Over 2018 Demand
Outdoor Cultivation	184,259,000	184			
Indoor Cultivation	620,400,000	620			
Total:	**804,659,000**	**804**	**1,765.9**	**2,569**	**45%**

Notes:
1. Source: CalEEMOD 2016 v.3.2. Assumes 115 cultivation projects with 3.5 acres of cannabis canopy.
2. Source: California Energy Commission, 2019.

Table 5 indicates that electricity demand in San Luis Obispo County could increase by as much 45% if all 115 cultivation projects are approved and constructed.

Table 6 shows the percent increase in the projected 2030 demand throughout PG&E's service area for electricity, assuming all 115 cultivation projects are approved and implemented.

Table 6 – Projected Demand for Electricity from Approved and Reasonably Foreseeable Cannabis Cultivation Projects Compared with Projected 2030 Demand

Increased Electricity Consumption In San Luis Obispo County With 115 Cannabis Cultivation Projects[1] (Gigawatt Hours)	804
Projected 2030 Demand[2]	33,784
Percent Increase in 2030 Demand With Cannabis Cultivation	**2.4%**

Notes:

1. Source: CalEEMOD 2016 v.3.2. Assumes 115 cultivation projects with 3.5 acres of cannabis canopy.
2. Source: Pacific Gas and Electric, 2018, Integrated Resource Plan. PG&E is required by State law (the Renewable Portfolio Standard) to derive at least 60% percent of their electricity from renewable sources by 2030. These sources are "bundled" and offered for sale to other Load Serving Entities (utility providers).

The project's contribution to the increased demand for electricity, when considered with the growth of demand in other parts of the PG&E service area for electricity, would be considered wasteful and inefficient and cumulatively considerable.

Greenhouse Gas (GHG) Emissions

As discussed in Section III., the project is expected to generate 27.8 MTCO2e per year. Accordingly, using the GHG threshold information described in the Setting section, the project will not the Bright-Line Threshold of 1,150 metric tons of GHG emissions. Therefore, the project's potential direct and cumulative GHG emissions are not considered significant or cumulatively considerable.

Hydrology/Water Demand

For purposes of assessing the cumulative impact to water supplies, the following assumptions are made:

- All 115 cannabis cultivation projects are approved and implemented;
- All 115 projects derive their water demand from groundwater resources;
- Water demand associated with outdoor cannabis cultivation is assumed to be 0.03 gallons per day per square foot of canopy, and 0.1 gallons per day per square foot of canopy for indoor cultivation;
- The growing period for outdoor cultivation and ancillary nursery is assumed to be 270 days; the growing season for indoor cultivation is assumed to be 365 days;
- This analysis assumes no recycling of water;

Table 7 – Total Estimated Water Demand from Cannabis Cultivation

Bulletin 118 Groundwater Basin[1]	Number of Cultivation Projects	Acres	Total Estimated Water Demand From Cannabis Cultivation AF/Year[3]
Paso Robles Groundwater Basin[4]	33[2]	2,648.41	190.09
Carrizo Plain Groundwater Basin	13	585.01	75.84
Pozo Valley Groundwater Basin	1	129	7.28
Atascadero Basin	6	190.55	35.85
Los Osos Groundwater Basin[4]	2	278.6	12.99
San Luis Obispo Valley	1	11.93	7.28
Santa Maria Valley Groundwater Basin[4]	13	833.73	75.84
Huasna Valley	2	50.21	12.99
Sub-Total:	71	4,727.44	407.18
Not Within A Bulletin 118 Groundwater Basin	44	2,120.56	252.93
Total for All Cultivation Sites	**115**	**6,848.21**	**660.11**

Notes:

1. Source: California Department of Water Resources Bulletin 118.
2. Includes 661.21 acres (12 projects) in the Area of Severe Decline.
3. Based on the assumptions for development and water demand outlined above.
4. Designated "Critically Overdrafted" groundwater basins by the California department of Water Resources.

As shown in Table 7, a total of 71 cultivation projects are served by groundwater basins designated by the Department of Water Resources Bulletin 118. Two of the eight basins where cultivation is proposed, Los Osos Valley and the Paso Robles Groundwater Basin, are designated as "Critically Overdrafted" by the State. In addition, new development within the Paso Robles and the Santa Maria Valley groundwater basins is subject to the water conservation provisions of Chapter 19.07.042 of the County Code. Prior to issuance of a construction permit for a new structure with plumbing fixtures, the developer of such new structure must obtain an offset clearance from the department of planning and building verifying that new water use has been offset at a 1:1 ratio. Water savings must come from the same groundwater basin as the proposed new development.

Lastly, section 22.40.050 D. 5. requires that a cultivation project located within a groundwater basin with a Level of Severity III (LOS III) as determined by the most recent Resource Management Report must provide an estimate of water demand prepared by a licensed professional or other expert, and a description of how the new water demand will be offset. For such projects, the water use offset ratio is 1:1. If the project is within an Area of Severe Decline the offset requirement is 2:1, unless a greater offset is required by the review authority through the permit review process.

Groundwater basins serving cannabis cultivation that have been designated Level of Severity III include the Paso Robles, Los Osos and Santa Maria Valley groundwater basins. As shown in Table 8, there are 48 cultivation projects with a total estimated water demand of 278.9 acre feet a year (AFY) within groundwater basins that are subject to the 1:1 water use offset requirement. Therefore, the net increase in water demand from cannabis cultivation in these

basins is assumed to be zero. There are 23 cultivation sites within other groundwater basins that are not subject to the water use offset requirements of Title 19.04 and 44 sites that do not overlie a designated groundwater basin. Therefore, the net cumulative water demand from cannabis cultivation is assumed to be 392.17 AFY.

Table 8 – Total Estimated Water Demand from Cannabis Cultivation from Bulletin 118 Groundwater Basins with No Level of Severity

Bulletin 118 Groundwater Basin[1]	Number of Cultivation Projects	Acres	Total Estimated Water Demand From Cannabis Cultivation AF/Year[3]	Total Storage/ Safe Yield	Status of Groundwater Basin
Carrizo Plain Groundwater Basin	13	585.01	75.84	Total storage estimated to be 400,000 AF	No Level of Severity
Pozo Valley Groundwater Basin	1	129.00	7.28	The total storage capacity is estimated at 2,000 AF	No Level of Severity
Atascadero Basin	6	190.55	35.85	Safe Yield estimated to be 16,400 AFY	No Level of Severity
San Luis Obispo Valley	1	11.93	7.28	The total storage capacity is estimated at 10,000 – 22,000 AF	No Level of Severity
Huasna Valley	2	50.21	12.99	No estimate of storage of safe yield	No Level of Severity
Total:	**23**	**966.69**	**139.24**	--	--

The cumulative impact of water demand associated with cannabis cultivation is expected to be less than cumulatively considerable because:

- Water demand associated with the 48 cannabis cultivation within basins that have been assigned a Level of Severity III by the County's Resource Management System will be offset by a ratio of at least 1:1;
- Water demand associated with cannabis cultivation within groundwater basins without an assigned Level of Severity for water supply are not in a state of overdraft and are expected to meet the estimated demand from urban, rural and agricultural demand for at least 15 years. As shown in Table 8, the marginal demand associated with cannabis cultivation is insignificant in relation to the available storage capacities of these basins;
- Water demand for areas outside of designated groundwater basins will not (by definition) adversely impact groundwater basins.

Noise

Noise associated with project construction and operation is considered less than significant. Therefore, when considered with the potential impacts of other reasonably foreseeable cannabis cultivation projects in the unincorporated county, the contribution of the subject project to potential noise impacts is considered less than cumulatively considerable.

Population and Housing

The most recent projection of regional growth for San Luis Obispo County is the 2050 Regional Growth Forecast (RGF) for San Luis Obispo County prepared and adopted by the San Luis Obispo Council of Governments (SLOCOG) in 2017. Using the Medium Scenario, the total County population, housing and employment for both incorporated and unincorporated areas is projected to increase at an average annual rate of 0.50 percent per year. Between 2015 and 2050 the County's population is projected to increase by 44,000, or about 1,260 residents per year. Within the unincorporated area, the population is expected to increase by about 19,500 residents, or

about 557 per year. Employment is expected to increase by about 6,441, or about 184 per year.

Cannabis cultivation activities typically employ 6 – 8 full-time workers and up to 12 workers during the harvest. The 2050 employment forecast does not account for employment in the cannabis industry, because of the formerly illegal status of the industry. However, assuming 115 cultivation projects, total employment associated with cannabis cultivation could result in as many as 920 workers. It is most likely that these workers will be sourced from the existing workforce in San Luis Obispo County. If all 920 workers are new residents to the County, it would represent a 2% increase in the projected growth in population between 2015 and 2050. The small increase in projected population is not expected to result in an increased demand for housing throughout the county. Therefore, when considered with the potential impacts of other reasonably foreseeable cannabis cultivation projects in the unincorporated county, the contribution of the subject project to impacts related to housing and population is considered less than cumulatively considerable.

Public Services
Public facility (County) and school (State Government Code 65995 et seq.) fee programs have been adopted to address this impact, and will reduce the cumulative impacts to less-than-significant levels.

Transportation
The Department of Public Works has derived trip generation rates for cannabis cultivation from traffic reports and through the trip generation rates published by the Institute of Traffic Engineers. Table 9 provides an estimate of total ADT and vehicle miles traveled associated with buildout of the 115 approved and active cannabis cultivation projects.

Table 9 – Cumulative Average Daily Trips From Cannabis Cultivation

Use	Unit	ADT	Cannabis Cultivation	Total ADT	PM Peak Hour Trips	Vehicle Miles Travelled
Cultivation, Indoor (includes greenhouses, plant processing, drying, curing, etc.)	1,000SF*	0.27	2,530,000 sq.ft.	690	10.3	19,320
Cultivation, Outdoor (includes hoop house)	Acres*	2.00	345 acres	683	68.3	19,126
Seasonal Employees**	Employee	2.00	460 employees	460	460	12,880
Total:				**1,833**	**538.6**	**51,326**

Notes:
* Units based on gross square feet, acres, and employees.
** Seasonal Trips are adjusted based on the annual frequency.

The most recent estimate of total vehicle miles travelled (VMT) for the County is from 2013 at which time total VMT per day was estimated to be 7,862,000. Assuming a 1% annual growth in VMT during the intervening six years, the current VMT is estimated to be about 8,333,720. Accordingly, the 51,326 VMT associated with cannabis cultivation will result in an increase about 0.61 percent in the total county VMT. The small increase in VMT is not expected to result in a reduction of the level of service on county streets and intersections. Moreover, each project will be required to mitigate the project-specific impacts to the transportation network. Such mitigation may include, but is not limited to, the installation of roadway and intersection improvements necessary to serve the project and the payment of applicable road improvement fees to the City of San Luis Obispo. Therefore, when considered with the potential impacts of other reasonably foreseeable cannabis cultivation projects in the unincorporated county, the contribution of the subject project to roadway impacts is considered less than cumulatively considerable.

c) The proposed project would not create environmental impacts that would cause substantial adverse effects on human beings, either directly or indirectly. The project would result in some ground disturbance and vegetation removal, as well as the construction of several new buildings. Adverse project effects would generally be limited to establishment of new facilities for cannabis cultivation and minimized through identified mitigation measures and standards. Potential impacts would be *less than significant*.

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

Exhibit A - Initial Study References and Agency Contacts

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

Contacted	Agency	Response
☒	County Public Works Department	**In file**
☐	County Environmental Health Services	**Not Applicable**
☒	County Agricultural Commissioner's Office	**In File**
☐	County Airport Manager	**Not Applicable**
☐	Airport Land Use Commission	**Not Applicable**
☐	Air Pollution Control District	**Not Applicable**
☒	County Sheriff's Department	**None**
☒	Regional Water Quality Control Board	**None**
☐	CA Coastal Commission	**Not Applicable**
☒	CA Department of Fish and Wildlife	**In file**
☒	CA Department of Forestry (Cal Fire)	**Not Applicable**
☒	CA Department of Transportation	**In file**
☐	Community Services District	**Not Applicable**
☒	Other Department of Building	**In file**
☐	Other Santa Margarita Advisory Council	**None**

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

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

☒ Project File for the Subject Application

County documents

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

Other documents

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

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

California Department of Conservation (DOC). 2015. The California Geologic Survey (CGS) Information Warehouse. <https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=help> Accessed on: March 15, 2019.

California Department of Conservation (DOC). 2016. Farmland Mapping and Monitoring Program. <http://maps.conservation.ca.gov/dlrp/ciftimeseries/> Accessed on: March 15, 2019.

California Department of Fish and Wildlife (CDFW) 2018a. Minor Use Permit (DRC2018-00034, Green Gold Collective) *Project Referral: Outdoor Cannabis Cultivation Project*. July 5, 2018.

California Department of Fish and Wildlife (CDFW) 2018b. Biogeographic Information and Observation System (BIOS 5.74.07) Essential Connectivity Areas-CEHC (ds620) <https://www.wildlife.ca.gov/data/BIOS> Accessed on: March 15, 2019.

California Department of Forestry and Fire Protection (CAL FIRE) 2018. Referral Response for DRC2018-00034 – Green Gold Organic Collective – Property at 3334 Mt. Lowe Road, San Luis Obispo, CA. April 13, 2018.

California Department of Toxic Substance Control (DTSC). 2019. Envirostor. <https://www.envirostor.dtsc.ca.gov/public/> Accessed on: March 15, 2019.

California Department of Transportation (Caltrans). 2018. Green Gold Cannabis Cultivation Project (DRC2018-00034) memo. October 31, 2018.

California Environmental Protection Agency (CalEPA). 2019. Cortese List Data Resources. <https://calepa.ca.gov/sitecleanup/corteselist/> Accessed on: March 15, 2019.

California State Water Resources Control Board (SWRCB). 2019. GeoTracker. <https://geotracker.waterboards.ca.gov/> Accessed on: March 15, 2019.

Central Coast Archaeologist Research Consultants (CCARC). 2018. Cultural Resources Survey of the Mt. Lowe. Cannabis Cultivation Project, 3033 Mt. Lowe Road, San Luis Obispo, CA. June 2018.

Central Coast Transportation Consulting (CCTC). Cannabis Cultivation Trip Generation. August, 2019.

Central Coast Transportation Consulting (CCTC). 2018b. Mt. Lowe Road/ US 101 Sight Distance. October 16, 2018.

County of San Luis Obispo (County). 2019. Land Use View <https://gis.slocounty.ca.gov/sites/luview.htm> Accessed on: March 15, 2019.

County of San Luis Obispo (County). 2011. General Plan: Framework for Planning (Inland).

Ecological Assets Management, LLC. (EAM). 2019. Biological Resources Survey Report: Green Gold Organic Collective, Mt. Lowe Cannabis Cultivation. March 8, 2019.

Federal Emergency Management Agency (FEMA). 2019. FEMA Flood Map Service Center <https://msc.fema.gov/portal/home> Accessed on: March 15, 2019.

Filipponi and Thompson Drilling, February 23, 2011 well pump test

Natural Resource Conservation Service (NRCS). 2019. Web Soil Survey. <https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx> Accessed on: March 15, 2019.

San Luis Obispo County Air Pollution District (APCD). 2012. CEQA Air Quality Handbook.

San Luis Obispo County Air Pollution District (APCD). 2017. Clarification Memorandum for the CEQA

Air Quality Handbook.

Wallace Group. 2018. Water Use Evaluation for Proposed Cannabis Cultivation (3033 Mt. Lowe Road, San Luis Obispo, CA). March 16, 2018.

Well completion report, March 11, 2002

Exhibit B - Mitigation Summary Table

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

BIOLOGICAL RESOURCES

BIO-1 **Coast Live Oaks. Prior to initiation of construction/grading activities**, protective fencing (i.e., t-posts and yellow rope or high visibility construction fencing) shall be installed along the canopy/dripline of adjacent (within 25 feet) coast live oak trees to be avoided during all construction activities. In the event the critical root system and/or limbs of oak trees are impacted during project implementation, the Applicant shall provide mitigation per the County of San Luis Obispo's guidelines (i.e., 2:1 for oak trees impacted). This shall include development of an Oak Tree Replacement Plan and establishment of an oak tree planting site that shall be protected in perpetuity.

BIO-2 **Migratory Birds. One week prior to ground disturbing activities.** Site preparation, ground-disturbance, and construction activities should be conducted outside of the migratory bird nesting season (March 1 through September 15). If such activities are required during this period, the applicant shall retain a qualified biologist to conduct a preconstruction nesting bird survey one week before ground disturbing activities to verify that migratory birds are not nesting within the project site or immediate vicinity. If no nesting activity is observed, project activities can proceed. If nesting activity is detected, the following measures shall be implemented:

a. If active nest sites of bird species protected under the MBTA and/or California Fish and Game Code Section 3503 are observed within the project area, then the project should be modified and/or delayed as necessary to avoid direct and indirect impacts of the identified nests, eggs, and/or young. Potential project modifications may include establishing a 50-foot “no activity” buffer around the nest site as determined by the project biologist. Construction activities should not occur in the buffer until the project biologist has determined that the nesting activity has ceased.

b. If active raptor nest sites are observed within the vicinity of project related disturbances, a 250-foot “no activity” buffer shall be established around the nests. A qualified biologist should monitor all nests to determine if construction activities are causing behavioral changes or affecting nesting activities. If monitoring results determine that construction activities are disturbing or affecting nesting activities, the qualified biologist shall increase the “no activity” buffer to a distance that reduces disturbances. Construction activities in the buffer zone should be prohibited until the young have fledged the nest and achieved independence.

c. If active nest sites of special-status bird species are identified, no work shall begin until an appropriate “no activity” buffer is determined in consultation with CDFW and/or the USFWS.

TRANSPORTATION/CIRCULATION

TR-1 **At the time of application for construction permits,** the applicant shall submit an access plan that requires deliveries to occur outside of the PM peak period from 3:00 p.m. to 6 p.m. A summary sheet describing this restriction shall be provided to all contractors and employees involved in large vehicle trips to the site. During harvest season, or any other time when more than two employees are traveling to the site during a single hour, the applicant shall organize a shuttle to the project site from an officially designated parking area to limit the number of vehicles entering the site. An officially designated parking area may include a parking lot, park-n-ride, etc., but does not include the unsanctioned parking area located at the intersection of Highway 101 N and Mt. Lowe Road.

California Department of Food and Agriculture (CDFA), CalCannabis Cultivation Licensing Division. CDFA has jurisdiction over the issuance of licenses to cultivate, propagate and process commercial cannabis in California and issues licenses to outdoor, indoor, and mixed-light cannabis cultivators, cannabis nurseries and cannabis processor facilities, where the local jurisdiction authorizes these activities. (Bus. & Prof. Code, § 26012, subd. (a)(2).) All commercial cannabis cultivation within the California requires a cultivation license from CDFA.

The project is also subject to the CDFA's regulations for cannabis cultivation pursuant to the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA), including environmental protection measures related to aesthetics, cultural resources, pesticide use and handling, use of generators, energy restrictions, lighting requirements, requirements to conduct Envirostor database searches, and water supply requirements.

State law also sets forth application requirements, site requirements and general environmental protection measures for cannabis cultivation in Title 3, Division 8, Chapter 1 Article 4 of the California Code of Regulations. These measures include (but are not limited to) the following:

Section 8102 – Annual State License Application Requirements

(p) For all cultivator license types except Processor, evidence of enrollment in an order or waiver of waste discharge requirements with the State Water Resources Control Board or the appropriate Regional Water Quality Control Board. Acceptable documentation for evidence of enrollment can be a Notice of Applicability letter. Acceptable documentation for a Processor that enrollment is not necessary can be a Notice of Non-Applicability;

(q) Evidence that the applicant has conducted a hazardous materials record search of the EnviroStor database for the proposed premises. If hazardous sites were encountered, the applicant shall provide documentation of protocols implemented to protect employee health and safety;

(s) For indoor and mixed-light license types, the application shall identify all power sources for cultivation activities, including but not limited to, illumination, heating, cooling, and ventilation;

(v) Identification of all of the following applicable water sources used for cultivation activities and the applicable supplemental information for each source pursuant to section 8107;

(w) A copy of any final lake or streambed alteration agreement issued by the California Department of Fish and Wildlife, pursuant to sections 1602 or 1617 of the Fish and Game Code, or written verification from the California Department of Fish and Wildlife that a lake and streambed alteration agreement is not required;

(dd) If applicable, the applicant shall provide evidence that the proposed premises is not located in whole or in part in a watershed or other geographic area that the State Water Resources Control Board or the Department of Fish and Wildlife has determined to be significantly adversely impacted by cannabis cultivation pursuant to section 8216.

Section 8106 – Cultivation Plan Requirements

(a) The cultivation plan for each Specialty Cottage, Specialty, Small, and Medium licenses shall include all of the following:

(3) A pest management plan.

Section 8108 -- Cannabis Waste Management Plans

Section 8216 – License Issuance in an Impacted Watershed

If the State Water Resources Control Board or the Department of Fish and Wildlife notifies the department in writing that cannabis cultivation is causing significant adverse impacts on the environment in a watershed or other geographic area pursuant to section 26069, subdivision (c)(1), of the Business and Professions Code, the department shall not issue new licenses or increase the total number of plant identifiers within that watershed or area while the moratorium is in effect.

Section 8304 – General Environmental Protection Measures

(a) Compliance with section 13149 of the Water Code as implemented by the State Water Resources Control Board, Regional Water Quality Control Boards, or California Department of Fish and Wildlife;

(b) Compliance with any conditions requested by the California Department of Fish and Wildlife or the State Water Resources Control Board under section 26060.1(b)(1) of the Business and Professions Code;

(c) All outdoor lighting used for security purposes shall be shielded and downward facing;

(d) Immediately halt cultivation activities and implement section 7050.5 of the Health and Safety Code if human remains are discovered;

(e) Requirements for generators pursuant to section 8306 of this chapter;

(f) Compliance with pesticide laws and regulations pursuant to section 8307 of this chapter;

(g) Mixed-light license types of all tiers and sizes shall ensure that lights used for cultivation are shielded from sunset to sunrise to avoid nighttime glare.

Section 8305 – Renewable Energy Requirements

Beginning January 1, 2023, all indoor, tier 2 mixed-light license types of all sizes, and nurseries using indoor or tier 2 mixed-light techniques, shall ensure that electrical power used for commercial cannabis activity meets the average electricity greenhouse gas emissions intensity required by their local utility provider pursuant to the California Renewables Portfolio Standard Program, division 1, part 1, chapter 2.3, article 16 (commencing with section 399.11) of the Public Utilities Code.

Section 8306 -- Generator Requirements

Section 8307 – Pesticide Use Requirements

(a) Licensees shall comply with all pesticide laws and regulations enforced by the Department of Pesticide Regulation.

Section 8308 – Cannabis Waste Management

Bureau of Cannabis Control

The retail sale of cannabis and/or cannabis products requires a state license from the Bureau of Cannabis Control.

The project may also be subject to other permitting requirements of the State and federal governments, as described below.

State Water Resources Control Board (SWRCB). The project may require issuance of a water rights permit for the diversion of surface water or proof of enrollment in, or an exemption from, either the SWRCB or Regional Water Quality Control Board program for water quality protection.

California Department of Fish and Wildlife (CDFW)

Lake or Streambed Alternation. Pursuant to Division 2, Chapter 6, §§1600-1602 of the California Fish and Game Code, CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake, which supports fish or wildlife. CDFW defines a "stream" (including creeks and rivers) as "a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having surface or subsurface flow that supports or has supported riparian vegetation." CDFW's definition of "lake" includes "natural lakes or man-made reservoirs." CDFW jurisdiction within altered or artificial waterways is based upon the value of those waterways to fish and wildlife.

If CDFW determines that a project may adversely affect existing fish and wildlife resources, a Lake or Streambed Alteration Agreement (SAA) is required. A SAA lists the CDFW conditions of approval relative to the proposed project, and serves as an agreement between an applicant and CDFW for a term of not more than 5 years for the performance of activities subject to this section.

California Endangered Species Act (CESA). The CESA ensures legal protection for plants listed as rare or endangered, and wildlife species formally listed as endangered or threatened. The state also maintains a list of California Species of Special Concern (SSC). SSC status is assigned to species that have limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, CDFW is empowered to review projects for their potential to impact special-status species and their habitats. Under the CESA, CDFW reserves the right to request the replacement of lost habitat that is considered important to the continued existence of CESA protected species.

Federal Endangered Species Act (FESA). FESA provides legislation to protect federally listed plant and animal species. Impacts to listed species resulting from the implementation of a project would require the responsible agency or individual to formally consult with the US Fish and Wildlife Service (USFWS) to determine the extent of impact to a particular species. If the USFWS determines that impacts to a federally listed species would likely occur, alternatives and measures to avoid or reduce impacts must be identified.

DATE: January 23, 2020

DEVELOPER'S STATEMENT & MITIGATION MONITORING PROGRAM FOR GREEN GOLD ORGANICS COLLECTIVE CONDITIONAL USE PERMIT (DRC2018-00034)

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 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, is responsible to verify compliance with these COAs.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

BIOLOGICAL RESOURCES (BIO)

BIO-1 Coast Live Oaks. Prior to initiation of construction/grading activities, protective fencing (i.e., t-posts and yellow rope or high visibility construction fencing) shall be installed along the canopy/dripline of adjacent (within 25 feet) coast live oak trees to be avoided during all construction activities. In the event the critical root system and/or limbs of oak trees are impacted during project implementation, the Applicant shall provide mitigation per the County of San Luis Obispo's guidelines (i.e., 2:1 for oak trees impacted). This shall include development of an Oak Tree Replacement Plan and establishment of an oak tree planting site that shall be protected in perpetuity.

Monitoring: Required prior to the onset of construction activities and during construction. Compliance will be verified by the County Department of Planning and Building.

BIO-2 Migratory Birds. One week prior to ground disturbing activities. Site preparation, ground-disturbance, and construction activities should be conducted outside of the migratory bird nesting season (March 1 through September 15). If such activities are required during this period, the applicant shall retain a qualified biologist to conduct a preconstruction nesting bird survey one week before ground disturbing activities to verify that migratory birds are not nesting within the project site or immediate vicinity. If no nesting activity is observed, project activities can proceed. If nesting activity is detected, the following measures shall be implemented:

a. If active nest sites of bird species protected under the MBTA and/or California Fish and Game Code Section 3503 are observed within the project area, then the project should be modified and/or delayed as necessary to avoid direct and indirect impacts of the identified nests, eggs, and/or young. Potential project modifications may include establishing a 50-foot "no activity" buffer around the nest site as determined by the project biologist. Construction activities should not occur in the buffer until the project biologist has determined that the nesting activity has ceased.

b. If active raptor nest sites are observed within the vicinity of project related disturbances, a 250-foot "no activity" buffer shall be established around the nests. A qualified biologist should monitor all nests to determine if construction activities are causing behavioral changes or affecting nesting activities. If monitoring results determine that construction activities are disturbing or affecting nesting activities, the qualified biologist shall increase the "no activity" buffer to a distance that reduces disturbances. Construction activities in the buffer zone should be prohibited until the young have fledged the nest and achieved independence.

c. If active nest sites of special-status bird species are identified, no work shall begin until an appropriate "no activity" buffer is determined in consultation with CDFW and/or the USFWS.

Monitoring: Required one week prior to ground disturbing activities if such activities are conducted during the migratory bird nesting season (March 1 through September 15).. Compliance will be verified by the County Department of Planning and Building.

TRANSPORTATION/CIRCULATION (TR)

TR-1 **At the time of application for construction permits,** the applicant shall submit an access plan that requires deliveries to occur outside of the PM peak period from 3:00 p.m. to 6 p.m. A summary sheet describing this restriction shall be provided to all contractors and employees involved in large vehicle trips to the site. During harvest season, or any other time when more than two employees are traveling to the site during a single hour, the applicant shall organize a shuttle to the project site from an officially designated parking area to limit the number of vehicles entering the site. An officially designated parking area may include a parking lot, park-n-ride, etc., but does not include the unsanctioned parking area located at the intersection of Highway 101 N and Mt. Lowe Road.

Monitoring: Access plan to be submitted at the time of application for construction permits. Implementation required ongoing and for the life of the project. Compliance will be verified by the County Department of Planning and Building during quarterly monitoring inspections.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

DocuSigned by: Levi Seligman CC20F5E7E9E045E...	Levi Seligman	1/24/2020
Signature of Applicant	**Name (Print)**	**Date**