



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
Initial Study – Environmental Checklist

PLN-2039
04/2019

Project Title & No. Souji Farms, Inc. Minor Use Permit ED19-108 (DRC2018-00094)

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

<input checked="" type="checkbox"/> Aesthetics	<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Public Services
<input type="checkbox"/> Agriculture & Forestry Resources	<input checked="" type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Recreation
<input checked="" type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Hydrology & Water Quality	<input type="checkbox"/> Transportation
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Land Use & Planning	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Mineral Resources	<input checked="" type="checkbox"/> Utilities & Service Systems
<input type="checkbox"/> Energy	<input type="checkbox"/> Noise	<input checked="" type="checkbox"/> Wildfire
<input type="checkbox"/> Geology & Soils	<input type="checkbox"/> Population & Housing	<input checked="" type="checkbox"/> Mandatory Findings of Significance

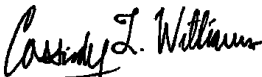
DETERMINATION: (To be completed by the Lead Agency)

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.

Cassidy Williams, SWCA
Environmental Consultants

Prepared by (Print)


Signature

3/30/2020

Date

Eric Hughes



For Xzandrea Fowler,
Environmental Coordinator

3/30/2020

Reviewed by (Print)

Signature

Date



Negative Declaration & Notice Of Determination

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

ENVIRONMENTAL DETERMINATION NO. ED Number 19-108

DATE: March 30, 2020

PROJECT/ENTITLEMENT: Souji Farms, Inc. Minor Use Permit;DRC2018-00094

APPLICANT NAME: Souji Farms, Inc.

Email: trent764@gmail.com

ADDRESS: P.O. Box 1126, Redway CA

CONTACT PERSON: Shannon Jessica

Telephone: 805-544-4011

PROPOSED USES/INTENT: A request by Souji Farms, Inc. for a Minor Use Permit (DRC2018-00094) to establish 1 acre (43,560 square feet) of outdoor cannabis cultivation canopy in hoop houses, 22,000 square feet of mixed-light (indoor) cannabis cultivation canopy, and ancillary cannabis processing. Site improvements would include a proposed 27,000-square-foot greenhouse for mixed-light cultivation and a 900-square-foot building for ancillary processing (i.e. drying, trimming, curing, and storage). The project would result in approximately 1.4 acres (62,441 square feet) of site disturbance on a 167-acre parcel, including the removal of four mature oak trees and approximately 1,533 cubic yards of cut and 1,533 cubic yards of fill, to be balanced on-site. The project site is located within the Rural Lands land use designation in the Nacimiento Sub Area of the North County Planning Area.

LOCATION: The project site accessed by an unnamed road off Nacimiento Lake Drive (Assessor's Parcel Number [APN] 080-041-036), approximately 2 miles northeast of the community of Heritage Ranch and approximately 2,000 feet south of the Monterey County border.

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

STATE CLEARINGHOUSE REVIEW: YES ☒ NO ☐

OTHER POTENTIAL PERMITTING AGENCIES: California Department of Food and Agriculture - CalCannabis, California Department of Fish and Wildlife, Regional Water Quality Control Board, California Department of Forestry and Fire Protection

ADDITIONAL INFORMATION: Additional information pertaining to this Environmental Determination may be obtained by contacting the above Lead Agency address or (805)781-1591.

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

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

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County Planning Department as ☒ *Lead Agency*
☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures and monitoring were made a condition of approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at the 'Lead Agency' address above.

Eric Hughes, (ehughes@co.slo.ca.us)

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency

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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 Souji Farms, Inc. for a Minor Use Permit (DRC2018-00094) to establish 1 acre (43,560 square feet) of outdoor cannabis cultivation canopy in hoop houses, 22,000 square feet of mixed-light (indoor) cannabis cultivation canopy, and ancillary cannabis processing. Site improvements would include a proposed 27,000-square-foot greenhouse for mixed-light cultivation and a 900-square-foot building for ancillary processing (i.e. drying, trimming, curing, and storage). The project would result in approximately 1.4 acres (62,441 square feet) of site disturbance on a 167-acre parcel, including the removal of four mature oak trees and approximately 1,533 cubic yards of cut and 1,533 cubic yards of fill, to be balanced on-site. The project site is located within the Rural Lands land use designation in the Nacimiento Sub Area of the North County Planning Area. The project site accessed by an unnamed road off Nacimiento Lake Drive (Assessor's Parcel Number [APN] 080-041-036), approximately 2 miles northeast of the community of Heritage Ranch and approximately 2,000 feet south of the Monterey County border.

The project site currently supports outdoor cannabis cultivation activities under CCM2016-00438, located within five existing hoop house structures on-site, which would be removed as a part of the project. Other existing development on-site includes an existing 1,536-square-foot barn structure with six 280-watt rooftop solar photovoltaic (PV) panels and a detached permanent restroom facility. The project site is located adjacent to Camp Roberts, a California Army National Guard base, on its east and south property boundaries and bordered by undeveloped rural lands owned by the project applicant to the north and west (Figures 1 and 2).

The project includes installation of a 6-foot-high deer fence with wooden framing to enclose the proposed project components, locking gates, and four approximately 8-foot-high downward-shielded motion sensor lights located near building entrances for security purposes. The proposed fence material may be subject to change to solid wood or chain link fencing with slats pending the review and recommendations from the County of San Luis Obispo (County) Sheriff's Department. The project is located within the Paso Robles Groundwater Basin, which is categorized as being in a state of critical overdraft. The project would result in approximately 2.36 acre-feet of water demand per year (AFY) (Wallace Group 2018). The project's water demand would be supplied by a shared off-site well that services multiple parcels currently owned by the

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applicant. The project applicant would be required to offset this new water use within the basin prior to issuance of construction permits.

Cannabis plant waste would be composted on-site within the proposed fenced area. The project includes installation of a new modular restroom facility that meets all design requirements set forth by the Americans with Disabilities Act (ADA). All domestic wastewater would be treated and disposed via the existing on-site septic system. Eighteen 280-watt solar PV panels are planned for installation on the roof of the proposed 900-square-foot processing building. The project would utilize these proposed rooftop solar PV panels and storage batteries along with existing solar panels on-site to provide and store electricity for project operations, including indoor cultivation lighting, security lighting, video surveillance, and irrigation pumping.

To prevent nuisance odors from being detected off-site, the applicant is proposing to locate the proposed cannabis cultivation and processing activities approximately 400 feet from the front property line and over 1,000 feet from the rear and side property lines to allow any odors produced to naturally dissipate before reaching the property line and/or any off-site receptors.

The project would employ up to 14 employees: six full time and eight part time. The hours of operation would be 5:00 a.m. to 6:00 p.m., 7 days a week. The outdoor cultivation area would be harvested three to four times per year and the indoor cultivation areas would be harvested four times per year.

ASSESSOR PARCEL NUMBER(S): 080-041-036

Latitude: 35° 47' 1" N

Longitude: 120° 50' 29" W

SUPERVISORIAL DISTRICT # 1

Other Public Agencies Whose Approval is Required

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

A more detailed discussion of other agency approvals and licensing requirements is provided in Exhibit C of this Initial Study.

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B. Existing Setting

Plan Area: North County **Sub:** Nacimiento **Comm:** Rural

Land Use Category: Rural Lands

Combining Designation: None

Parcel Size: 167 acres

Topography: Nearly level to moderately sloping

Vegetation: Grasses, Scattered Oaks

Existing Uses: Mixed-light cannabis cultivation, accessory structures

Surrounding Land Use Categories and Uses:

North: Rural Lands; undeveloped **East:** Public Facilities; Camp Roberts Military Base

South: Public Facilities; Camp Roberts Military Base **West:** Rural Lands; undeveloped

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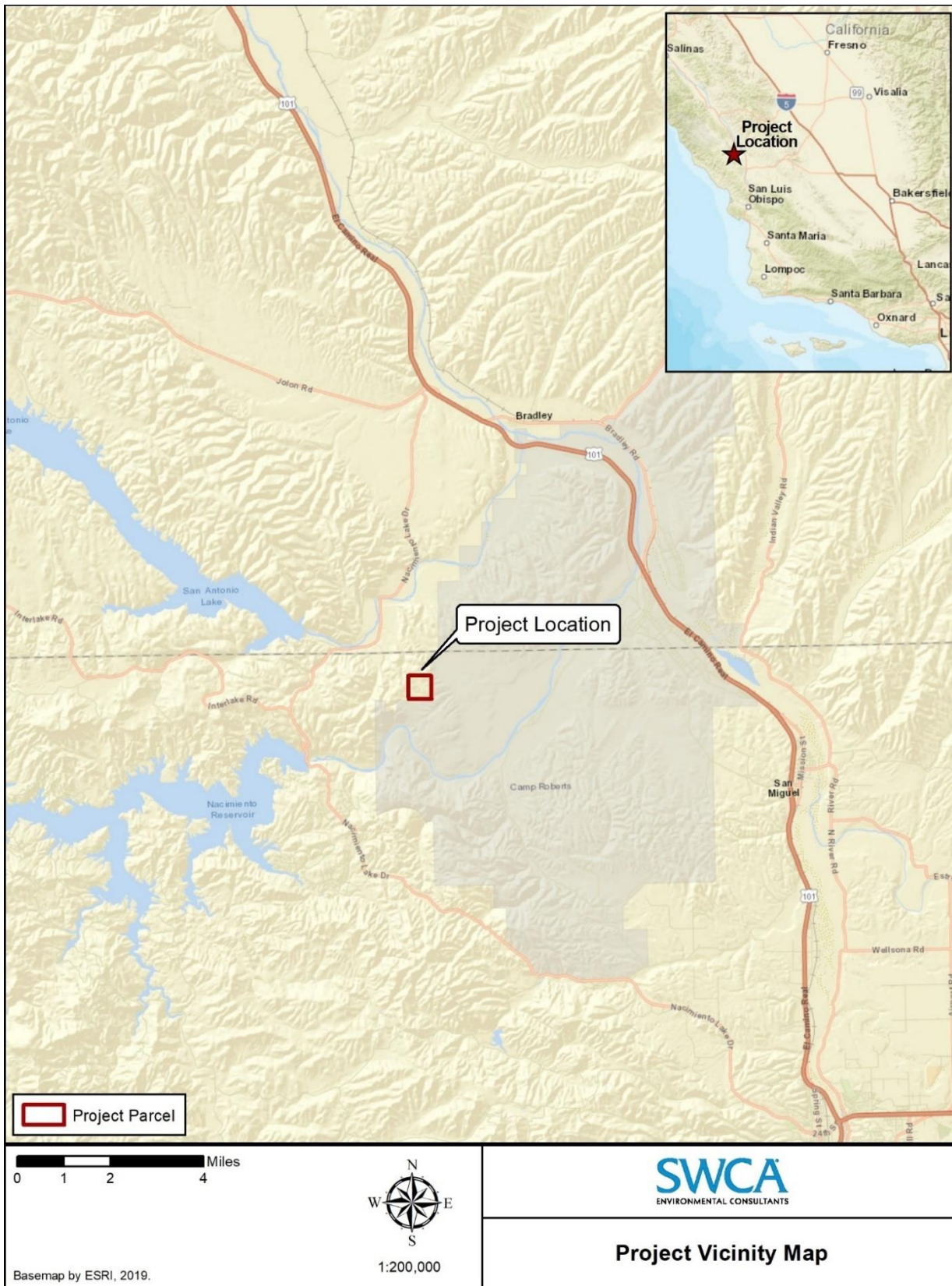


Figure 1. Project Vicinity Map

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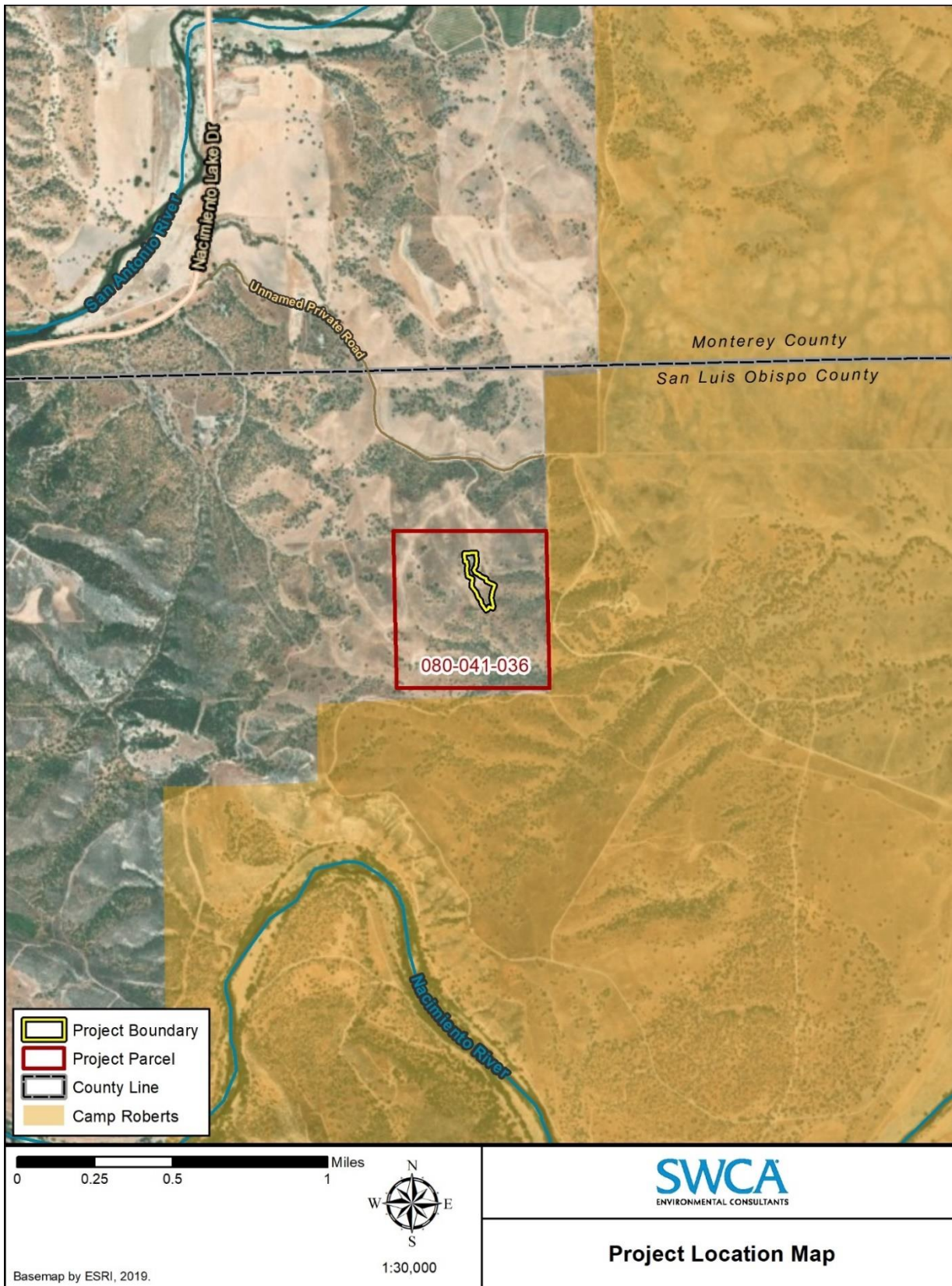


Figure 2. Project Location Map

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Figure 3. Project Site Plan

Initial Study – Environmental Checklist

C. Environmental Analysis

The Initial Study Checklist provides detailed information about the environmental impacts of the proposed project and mitigation measures to lessen the impacts.

I. AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Except as provided in Public Resources Code Section 21099, would the project:</i>				
(a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

California's Scenic Highway Program was created by the State of California (State) Legislature in 1963 with the intention of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors. The portion of Nacimiento Lake Drive from the Monterey County Line to Chimney Rock Road in San Luis Obispo County was officially designated a County Scenic Highway in 1972 through the State Scenic Highway Program. Obtaining state recognition as an officially designated County Scenic Highway follows the same requirements that apply to State Routes (California Department of Transportation [Caltrans] 2019).

The County of San Luis Obispo Inland Land Use Ordinance (LUO) establishes regulations for exterior lighting (LUO 22.10.060), height limitations for each land use category (LUO 22.10.090), scenic highway corridor standards (LUO 22.10.095), and other visual resource protection policies. These regulations are intended to help the County achieve its Strategic Growth Principles of preserving scenic natural beauty and fostering

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distinctive, attractive communities with a strong sense of place as set forth in the County of San Luis Obispo General Plan Land Use Element (LUE).

In addition to policies set forth in the LUO, the County of San Luis Obispo General Plan Conservation and Open Space Element (COSE) provides guidelines for the appropriate placement of development so that the natural landscape continues to be the dominant view in rural parts of the county and to ensure the visual character contributes to a robust sense of place in urban areas. The COSE provides a number of goals and policies to protect the visual character and identity of the county while protecting private property rights, such as the identification and protection of community separators (rural-appearing land located between separate, identifiable communities and towns), designating scenic corridors along public roads and highways throughout the county, retaining existing access to scenic vista points, and setting the standard that new development in urban and village areas shall be consistent with the local character, identify, and sense of place.

On January 16, 2019, the Office of Administrative Law (OAL) approved the California Department of Food and Agriculture (CDFA) cannabis cultivation regulations and the regulations went into effect immediately. These regulations have been set forth in Title 3, Division 8, Chapter 1 Article 4 of the California Code of Regulations (CCR) and include general environmental protection measures for cannabis cultivation projects, including standards related to aesthetic resources. 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.”

The project site is located within a rural area approximately 2 miles northeast of Heritage Ranch Village and approximately 0.5 mile (2,400 feet) south of the Monterey County border. The 167-acre project parcel is largely undeveloped with the exception of five existing hoop house structures ranging between 900 and 1,600 square feet each, an existing 1,536-square-foot barn structure, and a detached permanent restroom. The project site is accessed by an unpaved driveway through an adjacent parcel off an unnamed, privately maintained road. On-site vegetation generally consists of scattered oak trees and annual grassland. Several intermittent drainages mapped by the National Hydrography Dataset (NHD) traverse the project parcel, and dense oak woodland occurs on slopes along and above these drainages. Topography of the site ranges between nearly level to moderately sloping.

The project parcel is bordered to the east and south by Camp Roberts, a California Army National Guard base. This area of the military base is primarily used for training and is undeveloped except for unpaved roads and trails formed by use of military tanks. Surrounding land to the west and north of the project site is primarily undeveloped with a few isolated residences, corrals, and other accessory structures, and consists of grassland and scattered oak woodland.

Discussion

(a) *Have a substantial adverse effect on a scenic vista?*

For the purposes of determining significance under CEQA, a scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public.

The project site is located in a remote area accessed by an unnamed, privately maintained road off Nacimiento Lake Drive, and the existing driveway to the project site is one of the last driveways along this roadway before access terminates at the border of the Camp Roberts Military Base property. Therefore, the number of public viewers traveling along this unnamed roadway is now,

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and would continue to be, extremely limited. In addition, all proposed project components would be located a minimum of 1,000 feet from the unnamed roadway and would be well-screened by existing mature oak trees and the natural topography of the site. The project is not located within an identified scenic vista, designated visually sensitive area, scenic corridor, or an area of high scenic quality that would be seen from key public viewpoints. Therefore, the project would not have a substantial adverse effect on a scenic vista and *no impacts would occur*.

- (b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

The project is not located within the viewshed of Nacimiento Lake Drive, a County Scenic Highway, or another designated or eligible state scenic highway. Therefore, implementation of the project would not result in damage to scenic resources within the viewshed of a state scenic highway and *no impacts would occur*.

- (c) *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

The project site is located in a rural, non-urbanized area. The visual character of the project vicinity is characterized by undeveloped rural lands with scattered oak woodland, scattered rural residences and agricultural structures, and gently to moderately sloping hills. The project would not be visible from surrounding public roadways due to existing oak woodland and site topography. The access road to the site is a dead-end, privately maintained road with rare public ingress. The project would not result in a noticeable change to public views of the area and, therefore, would not result in the degradation of the existing visual character or quality of public views of the site and its surroundings; therefore, impacts would be *less than significant*.

- (d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

Due to the remote nature of the project and relative distance to the nearest urbanized area, the project is located in an area with low existing levels of light pollution (Darksitefinder.com 2019). The project includes the installation of four approximately 8-foot-high motion sensor lights throughout the project site, primarily near the entrances of buildings. Each light would be equipped with an adjustable shield and would produce 1,200 lumens when triggered (similar to a 75-watt incandescent bulb). The proposed lights are each located a minimum of 1,000 feet from the closest property line and would only be triggered in the event of a security breach on-site during nighttime hours or periods of darkness. Due to the intermittent nature, location, and shielded design of the proposed lights, the project would not result in significant night lighting that would affect nighttime views of surrounding areas. All potentially reflective materials, such as the proposed hoop house structures and rooftop solar PV panels, would be located more than 1,000 feet from the property boundaries and would be well-screened by existing vegetation and topography. Therefore, proposed exterior security lighting would not significantly affect surrounding land uses.

The project includes mixed-light cannabis cultivation within a proposed greenhouse, which includes cultivation techniques such as light deprivation and artificial light simulation. During this process, grow lights may be used in the evenings and nighttime to simulate artificial daylight. The proposed greenhouse would be constructed with materials with relatively high translucency to allow sunlight

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to be absorbed by the plants inside. Without appropriate light shielding and prevention, nighttime lighting within these structures would have the potential to affect nighttime views in the area. Mitigation measure AES-1 would require that the proposed greenhouse be equipped with a blackout system to be engaged between dusk and dawn when the grow lights are on. In addition, the project would be required to demonstrate compliance with applicable state standards set forth in the CCR associated with shielding of security lighting and lighting for mixed-light cultivation uses.

The project also includes the use of existing and proposed solar panels to supply power for on-site operations. Solar panels have the potential to create additional glare based on the reflectivity of the panels installed. Based on the distance between the existing and proposed solar panels and the nearest public roadways and limited number of panels to be used, these panels would not create substantial glare that would affect views in the area.

Therefore, upon implementation of AES-1, potential impacts associated with the creation of a new source of substantial light would be *less than significant with mitigation*.

Conclusion

The project is not located within view of a scenic vista and would not result in a substantial change to scenic resources in the area. The project would be consistent with existing policies and standards in the County LUO and COSE related to the protection of scenic resources. Measure AES-1 has been identified to reduce potential impacts associated with lighting to less than significant. Upon implementation of identified mitigation, impacts to aesthetic resources would be less than significant.

Mitigation

- AES-1 Prior to issuance of construction permits or establishment of the use, the applicant shall submit a light pollution prevention plan (LPPP) to the County of San Luis Obispo Planning and Building Department for review and approval. This plan shall include, at a minimum, the following measures to reduce potential impacts related to night lighting:
- a. All facilities employing artificial lighting techniques shall include shielding and/or blackout tarps that are engaged between the period of 1 hour before dusk and 1 hour after dawn and prevent any and all light from escaping; and
 - b. All exterior lighting shall conform to Land Use Ordinance Section 22.10.060, be located and designed to be motion-activated, and be directed downward and to the interior of the site to avoid the light source from being visible off-site. All exterior lighting shall be “warm-white” or filtered (correlated color temperature of < 3,000 Kelvin; scotopic/photopic ratio of < 1.2) to minimize blue light emissions.

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II. AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</i></p>				
(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

San Luis Obispo County supports a unique, diverse, and valuable agricultural industry that can be attributed to its Mediterranean climate, fertile soils, and groundwater supplies. Wine grapes are regularly the top grossing agricultural crop in the county, and top value agricultural products in the county also include fruit

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and nuts, vegetables, field crops, nursery products, and animals. The County of San Luis Obispo General Plan Agriculture Element includes policies, goals, objectives, and other requirements that apply to lands designated in the Agriculture land use category. In addition to the Agriculture Element, in accordance with Sections 2272 and 2279 of the California Food and Agriculture Code, the County Agricultural Commissioner releases an annual report on the condition, acreage, production, pest management, and value of agricultural products within the county.

The California Department of Conservation (CDOC) Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and current land use. For environmental review purposes under CEQA, the FMMP categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land are considered "agricultural land." Other non-agricultural designations include Urban and Built-up Land, Other Land, and Water. Based on the FMMP, soils underlying the project site are designated as Grazing Land.

Chapter 6 of the County COSE identifies resource management goals, policies, and strategies to protect agricultural soils from conversion to urban and residential uses. Important Agricultural Soils within the County are identified in Table SL-2 of the COSE and Policy SL 3.1 states that proposed conversion of agricultural lands to non-agricultural uses shall be evaluated using the applicable policies in the COSE and Agriculture Element.

Soils within the project disturbance area are described in detail below:

104. Arbuckle-Positas complex, 30 to 50 percent slopes

This very deep, well-drained soil has moderately slow to slow permeability and has an available water capacity of moderate to high. Surface runoff is rapid, and the hazard of water and wind erosion is high. The subsoil of this complex has high shrink-swell potential. Because of steep slopes and high hazard of erosion, the soil is not suited to cultivated crops. This complex is classified as Not Prime Farmland by the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) and is not listed within the Table of Important Agricultural Soils (Table SL-2) provided in the COSE.

176. Nacimiento silty clay loam, 30 to 50 percent slopes

This moderately deep, steep, well-drained soil has moderately slow permeability and has an available water capacity of low to moderate. The surface runoff is rapid, and the hazard of water and wind erosion is high. Because of the steep slopes and high erosion hazard, this soil is not suited to cultivation crops. This complex is classified as Not Prime Farmland by the NRCS and is not listed within the Table of Important Agricultural Soils (Table SL-2) provided in the COSE.

According to Public Resources Code (PRC) Section 12220(g), forest land is defined as land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, allowing for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Timberland is defined as land, other than land owned by the federal government and land designated by the State Board of Forestry and Fire Protection as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. The project site currently supports oak woodland that currently provides an aesthetic benefit to the area as well as wildlife habitat.

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Discussion

- (a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

The project site does not contain land classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance pursuant to the FMMP or the Table of Important Agricultural Soils (Table SL-2) provided in the COSE (CDOC 2016). Therefore, the project would not result in the conversion of Farmland pursuant to the FMMP to non-agricultural use and *no impacts would occur*.

- (b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

The project site is within the Rural Lands land use designation and is not adjacent to any land within the Agriculture land use designation. Neither the project site nor any of the adjacent properties are currently under a Williamson Act contract. Therefore, the project would not result in a conflict with existing zoning for agricultural use or a Williamson Act contract and *no impacts would occur*.

- (c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

The project site does not include land use designations or zoning for forest land or timberland; therefore, *no impacts would occur*.

- (d) *Result in the loss of forest land or conversion of forest land to non-forest use?*

The project site currently supports oak woodland and scattered oak trees that provide an aesthetic benefit to the area as well as wildlife habitat. The project would result in the removal of approximately four individual mature oak trees, primarily at the southern end of the proposed development site. These four oak trees are not part of a contiguous canopy and their removal would represent less than 0.5 acre of canopy, which would be approximately less than 5% of the total oak woodland canopy on-site. In addition, oak trees removed as part of the project would be subject to the County's oak tree replacement standards as described in Section IV, Biological Resources. Therefore, potential impacts associated with conversion of forest land to non-forest use would be *less than significant*.

- (e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

The project would include the removal of five existing hoop structures; construction of a new 27,000-square-foot greenhouse, 900-square-foot processing building, and modular restroom; and installation of new hoop structures and other site improvements such as fencing, extension of the existing driveway, and establishment of parking spaces on a 167-acre parcel. The project would result in temporary noise and air quality emissions during the construction phase and a marginal increase in operational traffic and odor emissions. Project operations would not have the potential to substantially affect or result in the conversion of surrounding agricultural or forest land. Therefore, potential impacts associated with other changes that could result in the conversion of Farmland or forest land would be *less than significant*.

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Conclusion

The project would not result in potentially significant impacts associated with the conversion of farmland, forest land, or timber land to non-agricultural uses or non-forest uses and would not conflict with agricultural zoning or otherwise adversely affect agricultural resources or uses. Potential impacts to agricultural resources would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

III. AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:</i>				
(a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Regulatory Agencies and Standards

San Luis Obispo County is part of the South Central Coast Air Basin (SCCAB), which also includes Santa Barbara and Ventura Counties. Air quality within the SCCAB is regulated by several jurisdictions including the U.S. Environmental Protection Agency (USEPA), California Air Resources Board (CARB), and the San Luis Obispo County Air Pollution Control District (SLOAPCD). Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. The CARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA) of 1988. The State Department of Public Health established California Ambient Air Quality Standards (CAAQS) in 1962 to define the maximum amount of a pollutant (averaged over a specified period of time) that can be present without any harmful effects on people or the environment. The CARB adopted the CAAQS developed by the State Department of Public Health in 1969, which had established CAAQS for 10 criteria pollutants: particulate matter (10

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micrometers or less in diameter [PM₁₀] and 2.5 micrometers or less in diameter [PM_{2.5}], ozone (O₃), nitrogen dioxide (NO₂), sulfate, carbon monoxide (CO), sulfur dioxide (SO₂), visibility reducing particles, lead (Pb), hydrogen sulfide (H₂S), and vinyl chloride.

The Federal Clean Air Act (FCAA) later required the USEPA to establish National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment, and also set deadlines for their attainment. The USEPA has established NAAQS for six criteria pollutants (all of which are also regulated by CAAQS): CO, lead, NO₂, ozone, PM₁₀ and PM_{2.5}, and SO₂.

California law continues to mandate compliance with the CAAQS, which are often more stringent than national standards. However, California law does not require that the CAAQS be met by specified dates as is the case with the NAAQS. Rather, it requires incremental progress toward attainment. The SLOAPCD is the agency primarily responsible for ensuring that the NAAQS and CAAQS are not exceeded and that air quality conditions within the county are maintained.

SLOAPCD Thresholds

The SLOAPCD has developed and updated their CEQA Air Quality Handbook (SLOAPCD 2012; most recently updated with a November 2017 Clarification Memorandum) to help local agencies evaluate project-specific impacts and determine if air quality mitigation measures are needed, or if potentially significant impacts could result.

The APCD has established thresholds for both short-term construction emissions and long-term operational emissions. Use of heavy equipment and earth-moving operations during project construction can generate fugitive dust and engine combustion emissions that may have substantial temporary impacts on local air quality and climate change. Combustion emissions, such as nitrogen oxides (NO_x), reactive organic gases (ROGs), greenhouse gases (GHG), and diesel particulate matter (DPM), are most significant when using large, diesel-fueled scrapers, loaders, bulldozers, haul trucks, compressors, generators, and other heavy equipment. SLOAPCD has established thresholds of significance for each of these contaminants.

Operational impacts are focused primarily on the indirect emissions (e.g., motor vehicles) associated with residential, commercial, and industrial development. Certain types of projects can also include components that generate direct emissions, such as power plants, gasoline stations, dry cleaners, and refineries (source emissions).

General screening criteria is used by the SLOAPCD to determine the type and scope of air quality assessment required for a project (Table 1-1 in the SLOAPCD's CEQA Air Quality Handbook [SLOAPCD 2012]). These criteria are based on project size in an urban setting and are designed to identify those projects with the potential to exceed the SLOAPCD's significance thresholds. A more refined analysis of air quality impacts specific to a given project is necessary for projects that exceed the screening criteria below or are within 10% of exceeding the screening criteria.

San Luis Obispo County Clean Air Plan

The SLOAPCD's San Luis Obispo County 2001 Clean Air Plan (CAP) is a comprehensive planning document intended to evaluate long-term air pollutant emissions and cumulative effects and provide guidance to the SLOAPCD and other local agencies on how to attain and maintain the State standards for ozone and PM₁₀. The CAP presents a detailed description of the sources and pollutants that impact the jurisdiction's attainment of state standards, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality.

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Sensitive Receptors

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants, such as the elderly, children, people with asthma or other respiratory illnesses, and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. Some land uses are considered more sensitive to changes in air quality than others, due to the population that occupies the uses and the activities involved. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residences. The nearest sensitive receptor is an off-site residence located approximately 0.8 mile (4,247 feet) northwest of the proposed project components.

Naturally Occurring Asbestos

Naturally Occurring Asbestos (NOA) is identified as a toxic air contaminant (TAC) by the CARB. Serpentine and other ultramafic rocks are common throughout the county and may contain NOA. If these areas are disturbed during construction, NOA-containing particles can be released into the air and have an adverse impact on local air quality and human health. Based on the SLOAPCD Naturally Occurring Asbestos Screening Map, the project site is not located in an area known to have soils containing NOA.

Developmental Burning

As of February 25, 2000, the SLOAPCD prohibits developmental burning of vegetative material within the county. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must complete the following prior to any burning: SLOAPCD approval; payment of fee to SLOAPCD based on the size of the project and issuance of a burn permit by the SLOAPCD and the local fire department authority. As a part of SLOAPCD approval, the applicant shall furnish the SLOAPCD with the study of technical feasibility (which includes costs and other constraints) at the time of application.

Discussion

(a) Conflict with or obstruct implementation of the applicable air quality plan?

In order to be considered consistent with the 2001 San Luis Obispo County CAP, a project must be consistent with the land use planning and transportation control measures and strategies outlined in the CAP (SLOAPCD 2001). Adopted land use planning strategies include, but are not limited to, planning compact communities with higher densities, providing for mixed land use, and balancing jobs and housing. The project would be generally consistent with the surrounding area's scattered small-scale rural agricultural uses. As the project does not include proposed residences or uses open to the public, land use planning strategies such as compact and mixed-use development would not generally be applicable to this project. The project would not result in a significant increase in employees and therefore would not significantly affect the local area's job/housing balance.

Adopted transportation control measures include, but are not limited to, a voluntary commute options program, local and regional transit system improvements, bikeway enhancements, and telecommuting programs. The voluntary commute options program targets employers in the county with more than 20 employees; as the project would employ up to a maximum of 14 employees, this program would generally not be applicable to the project. The project would not conflict with regional plans for transit system or bikeway improvements. Project employees would generally be performing manual tasks such as planting, harvesting, and monitoring the irrigation equipment; therefore, the project would not be a feasible candidate for participation in a telecommuting program. The project would not conflict with the land use and transportation control measures or

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strategies established in the SLOAPCD CAP; therefore, impacts related to consistency with the CAP would be *less than significant*.

- (b) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*

The county is currently designated as non-attainment for ozone and fugitive particulate matter (PM₁₀) under the CAAQS. The project would result in temporary emissions of PM₁₀ and both temporary and operational emissions of ozone precursors.

Construction Impacts

As proposed, the project would result in site disturbance of approximately 5 acres, including approximately 1,533 cubic yards of cut and 1,533 cubic yards of fill material (for a total of 3,066 total cubic yards of earthwork), to be balanced on-site. This would result in the creation of construction dust, as well as short-term vehicle emissions including NO_x and ROG. Using the screening emission rates provided in Table 2-2 of SLOAPCD's CEQA Air Quality Handbook, construction-related emissions were estimated and are shown in Table 1 below.

Table 1. Proposed Project Estimated Construction Emissions

Pollutant	Total Estimated Project Emissions	SLOAPCD Emissions Thresholds	Mitigation Required?
Reactive Organic Gases (ROG) + Nitrogen Oxide (NO _x) (combined)	348.91 lbs (0.17 tons)	137 lbs/day 2.5 tons/quarter	Yes
Diesel Particulate Matter (DPM)	15.02 lbs (0.01 tons)	7 lbs/day 0.13 tons/quarter	Yes
Fugitive Particulate Matter (PM ₁₀)	3.75 tons	2.5 tons/quarter OR disturbance of 4.0 acres or more	Yes

Construction of the project is expected to take between 4 and 8 months to complete. Construction and grading activities have the potential to exceed daily emissions thresholds for ROG, NO_x, and DPM, and the quarterly emissions threshold for Fugitive Particulate Matter (PM₁₀). Mitigation measures AQ-1 through AQ-3 have been identified to require the applicant to implement measures to reduce construction ROG, NO_x, DPM, and PM₁₀ emissions including, but not limited to, maintaining all equipment to the manufacturer's specifications, restrictions on idling, using electrical energy sources in lieu of diesel fuel when feasible, wetting of soil stockpiles, and preparing a dust and air quality plan. Upon implementation of these measures, the project's construction emissions of criteria pollutants would be reduced to a less than cumulatively considerable level.

Operational Impacts

The project would result in long-term operational emissions of criteria air pollutants associated with electricity use, employee vehicle trips, and delivery vehicle trips. The project would employ up to 14 employees: six full time and eight part time. The project includes construction of a new 27,000-square-foot greenhouse and 900-square-foot processing building, for a total of 27,900 square feet of new structures for proposed activities. Based on the size and scope of proposed operations, the project would not exceed the SLOAPCD operational threshold for ozone precursors (NO_x + ROG) for

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general light industrial uses as detailed in Table 1-1 of the SLOAPCD's CEQA Air Quality Handbook Clarification Memorandum (2017). In addition, all on-site electricity use would be sourced from on-site proposed and existing solar PV panels and battery storage, which would significantly reduce the project's emissions of air pollutants associated with energy use.

Upon implementation of measures AQ-1 through AQ-3, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment, and potential impacts would be *less than significant with mitigation*.

(c) *Expose sensitive receptors to substantial pollutant concentrations?*

The project site is bordered to the east and south by Camp Roberts, and by undeveloped rural lands on the north and west. The nearest off-site residence is located approximately 0.8 mile (4,247 feet) northwest of the proposed project area. Project construction air pollutant emissions would be temporary in nature and would naturally dissipate before reaching surrounding land uses and therefore would not substantially affect surrounding sensitive receptor locations. The project would not generate a substantial stationary source of air pollutant emissions during operation. Therefore, impacts related to exposure of sensitive receptors to substantial air pollutant concentrations would be *less than significant*.

(d) *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

The project is not located within an area identified as having the potential to contain NOA, based on the SLOAPCD's NOA map; therefore, the project would not have the potential to expose individuals to harmful NOA concentrations.

The project includes indoor and outdoor cannabis cultivation as well as the drying and storage of cannabis grown on-site. These activities often produce potentially objectionable odors during the flowering, harvesting, drying, and storage phases of the proposed operations and could disperse through the air and affect surrounding receptors.

For odor management of indoor activities, the applicant is proposing to locate these activities at the center of the 167-acre parcel and use light-duty, solar-powered fans within all structures proposed for cannabis operations to allow any odors produced to naturally dissipate before reaching the property line. For odor management of outdoor cultivation activities, the applicant is proposing to locate these activities at the center of the 167-acre parcel to allow any odors produced to naturally dissipate before reaching the property line and any off-site receptors. In addition, the project parcel is bordered to the west and north by large parcels (139 and 167 acres) that are currently undeveloped and owned by the project applicant. The nearest sensitive receptor is an off-site residence located approximately 0.8 mile (4,247 feet) northeast of the proposed project area. Based on the proximity of the nearest sensitive receptor and proposed ventilation methods, project odor emissions would not adversely affect a substantial number of people and impacts would be *less than significant*.

Conclusion

The project would be consistent with the SLOAPCD CAP and, upon implementation of mitigation measures AQ-1 and AQ-2, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment. The project would not expose sensitive receptors to substantial pollutant concentrations or result in other emissions adversely affecting a substantial number

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of people. Therefore, upon implementation of the mitigation measures identified below, the project's potential impacts associated with air quality would be less than significant.

Mitigation

- AQ-1 Prior to issuance of grading, demolition, or construction permits or site disturbance activities, whichever occurs first, the following measures shall be implemented during all site disturbance activities and shown on all applicable plans:
- a. Maintain all construction equipment in proper tune according to manufacturer's specifications;
 - b. Fuel all off-road and portable diesel-powered equipment with California Air Resources Board-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
 - c. Use diesel construction equipment meeting the California Air Resources Board's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
 - d. Use on-road heavy-duty trucks that meet the California Air Resources Board's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
 - e. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g., captive or NO_x exempt area fleets) may be eligible by proving alternative compliance;
 - f. All on- and off-road diesel equipment shall not idle for more than 5 minutes;
 - g. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;
 - h. Diesel idling within 1,000 feet of sensitive receptors is not permitted;
 - i. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
 - j. Electrify equipment when feasible;
 - k. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and
 - l. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.
- AQ-2 Prior to issuance of grading, demolition, or construction permits or site disturbance activities, whichever occurs first, the following measures shall be implemented during all site disturbance activities and shown on all applicable plans:
- a. Reduce the amount of the disturbed area where possible;
 - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the San Luis Obispo County Air Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour (mph). Reclaimed (non-potable) water should be used whenever possible;
 - c. All dirt stockpile areas should be sprayed daily or covered with tarps or other dust barriers, as needed;

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- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil-disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than 1 month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the San Luis Obispo County Air Pollution Control District;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;
- j. Wheel washers or other devices should be installed to control tracking of mud and dirt onto adjacent roadways where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- k. Streets should be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible. Roads shall be pre-wetted prior to sweeping when feasible; and
- l. The applicant shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below the SLOAPCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period, and to prevent transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the SLOAPCD Engineering & Compliance Division prior to the start of any grading, site disturbance, or demolition.

AQ-3 Prior to issuance of grading, demolition, or construction permits or site disturbance activities, whichever occurs first, the applicant shall prepare a Dust and Air Quality Plan that shall include, at a minimum, the following components:

- a. A mitigation plan for continuing dust control from the property frontage to the nearest County of San Luis Obispo-maintained road. The plan may be modified to adjust for changed conditions or to improve the effectiveness of the dust-reducing technology. The plan and all modifications to the plan are subject to review and approval by the Review Authority.
- b. Evidence of road maintenance provided by the County of San Luis Obispo, State of California, special district, homeowners association, or other organized maintenance, such as a road maintenance agreement.

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- c. An agreement, to support and not protest; the formation of an assessment district; or the creation of another funding mechanism. The consenting person(s) retains all due process rights as to any term or condition that was unknown at the time of application approval. The consenting person(s) may contest the specific proportionality.
- d. The Dust and Air Quality Plan shall be submitted to the County of San Luis Obispo Planning and Building Department for review and approval. All measures identified in the final approved Dust and Air Quality Plan shall be adhered to for the life of the project.

IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

Federal and State Endangered Species Acts

The Federal Endangered Species Act of 1973 (FESA) provides legislation to protect federally listed plant and animal species. The California Endangered Species Act of 1984 (CESA) ensures legal protection for plants listed as rare or endangered, and wildlife species formally listed as endangered or threatened, and 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, the California Department of Fish and Wildlife (CDFW) has the authority to review projects for their potential to impact special-status species and their habitats.

The Migratory Bird Treaty Act of 1918 (MBTA) protects all migratory birds, including their eggs, nests, and feathers. The MBTA was originally drafted to put an end to the commercial trade in bird feathers, popular in the latter part of the 1800s. The MBTA is enforced by the U.S. Fish and Wildlife Service (USFWS), and potential impacts to species protected under the MBTA are evaluated by the USFWS in consultation with other federal agencies and are required to be evaluated under CEQA.

Oak Woodland Ordinance

The County of San Luis Obispo Oak Woodland Ordinance was adopted in April 2017 to regulate the clear-cutting of oak woodlands. This ordinance applies to sites located outside of Urban or Village areas within the inland portions of the county (not within the Coastal Zone). "Clear-cutting" is defined as the removal of 1 acre or more of contiguous trees within an oak woodland from a site or portion of a site for any reason, including harvesting of wood, or to enable the conversion of land to other land uses. "Oak woodland" includes the following species: blue oak (*Quercus douglasii*), coast live oak (*Quercus agrifolia*), interior live oak (*Quercus wislizenii*), valley oak (*Quercus lobata*), and California black oak (*Quercus kelloggii*). The ordinance applies to clear-cutting of oak woodland only and does not apply to the removal of other species of trees, individual oak trees (except for heritage oaks), or the thinning, tree trimming, or removal of oak woodland trees that are diseased, dead, or creating a hazardous condition. Heritage oaks are any individual oak species, as defined in the Oak Woodland Ordinance, of 48 inches diameter at breast height (dbh) or greater, separated from all stands and oak woodlands by at least 500 feet. Minor Use Permit approval is required to remove any heritage oak.

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Conservation and Open Space Element

The intent of the goals, policies, and implementation strategies in the COSE is to identify and protect biological resources that are a critical component of the county's environmental, social, and economic well-being. Biological resources include major ecosystems; threatened, rare, and endangered species and their habitats; native trees and vegetation; creeks and riparian areas; wetlands; fisheries; and marine resources. Individual species, habitat areas, ecosystems, and migration patterns must be considered together in order to sustain biological resources. The COSE identifies Critical Habitat areas for sensitive species, including La Graciosa thistle (*Cirsium loncholepis*), California red legged frog (*Rana draytonii*), California tiger salamander (*Ambystoma californiense*), vernal pool fairy shrimp (*Branchinecta lynchi*), Morro Bay kangaroo rat (*Dipodomys heermanni morroensis*), Morro shoulderband snail (*Helminthoglypta walkeriana*), California condor (*Gymnogyps californianus*), and western snowy plover (*Charadrius alexandrinus nivosus*). The COSE also identifies features of particular importance to wildlife for movement corridors such as riparian corridors, shorelines of the coast and bay, and ridgelines.

The following information is based on a Biological Resources Survey Report (Ecological Assets Management, LLC [EAM] 2019a) and Botanical Resources Survey Report (EAM 2019b) prepared for the project.

California Department of Food and Agriculture Requirements

Title 3, Division 8, Chapter 1 Article 4 of the CCR includes general environmental protection measures for cannabis cultivation projects, including the following requirements associated with compliance with biological resources:

- a. Comply with Section 13149 of the Water Code as implemented by the State Water Resources Control Board (SWRCB), Regional Water Quality Control Board (RWQCB), or CDFW; and
- b. Comply with any conditions requested by the CDFW or SWRCB under Section 26060.1(b)(1) of the Business and Professions Code.

On-Site Habitats

Two natural plant communities occur within the project site: California annual grassland and blue oak woodland. On-site California annual grassland occurs in various portions of the project site and is dominated by non-native species, including wild oat (*Avena fatua*), ripgut brome (*Bromus diandrus*), soft chess (*Bromus hordeaceus*), red-stemmed filaree (*Erodium cicutarium*), and yellow star thistle (*Centaurea solstitialis*). No native shrub species were observed on-site. Blue oak woodland is characterized by dense to open occurrences of blue oak trees and occurs in portions of the ridgetop areas of the project site, and on slopes above and along the small drainages on-site. In addition, ruderal/developed habitat conditions occur along roadsides and other disturbed portions of the project site. These areas exhibited disturbed and compacted soils and were either unvegetated or contained patchy occurrences of non-native weedy plants (August 21, 2018).

Review of designated critical habitat boundaries in northern San Luis Obispo County indicate that the subject parcel is within the critical habitat for vernal pool fairy shrimp. However, no areas of ponded water or vernal pools occur within the project disturbance area.

Based on the San Joaquin kit fox (SJKF) (*Vulpes macrotis mutica*) Standard Mitigation Ratio Areas map created by the County, the project is not located in an area with a designated mitigation ratio for SJKF. However, the project parcel is bordered to the east and south by areas with a 4:1 designated mitigation ratio (requiring conservation of 4 acres for each 1 acre impacted) (County of San Luis Obispo 2007b).

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Special-Status Species

Based on a review of a California Natural Diversity Database (CNDDB) search of special-status species within the immediate and three surrounding U.S. Geological Survey (USGS) quadrangles and an evaluation of existing soils and habitat conditions of the project site, the following special-status plant and wildlife species were determined to have the potential to occur within or immediately adjacent to the project area:

Special-Status Plants

- Round-leaved filaree (*California macrophylla*)
- Dwarf calycadenia (*Calycadenia villosa*)
- Lemmon's jewelflower (*Caulanthus coulteri* var. *lemmonii*)
- San Luis Obispo Owl's clover (*Castilleja densiflora* var. *obispoensis*)
- Purple amole (*Chlorogalum purpureum* var. *purpureum*)
- Rattan's cryptantha (*Cryptantha rattanii*)
- Small-flowered gypsium-loving larkspur (*Dephinium gypsophilum* ssp. *parviflorum*)
- Koch's cord moss (*Entosthodon kochii*)
- Pale-yellow layia (*Layia heterotricha*)
- Jared's pepper-grass (*Lepidium jaredii* ssp. *jaredii*)
- California spineflower (*Mucronea californica*)
- Shining navarretia (*Navarretia nigelliformis* ssp. *radians*)
- Hooked popcorn-flower (*Plagiobothrys uncinatus*)

Special-Status Wildlife

- Cooper's hawk (*Accipiter cooperii*)
- Pallid bat (*Antrozous pallidus*)
- Golden Eagle (*Aquila chrysaetos*)
- Western burrowing owl (*Athene cunicularia*)
- Ferruginous hawk (*Buteo regalis*)
- Townsend's big-eared bat (*Corynorhinus townsendii*)
- California horned lark (*Eremophila alpestris actia*)
- Prairie falcon (*Falco mexicanus*)
- California condor (*Gymnogyps californianus*)
- Loggerhead shrike (*Lanius ludovicianus*)
- San Joaquin whipsnake (*Masticophis flagellum ruddocki*)
- Monterey dusky-footed woodrat (*Neotoma macrotis luciana*)
- Salinas pocket mouse (*Perognathus inornatus psammophilus*)

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- Coast horned lizard (*Phrynosoma blainvillii*)
- American badger (*Taxidea taxus*)
- San Joaquin kit fox (*Vulpes macrotis mutica*)

Hydrology

Several small ephemeral drainages occur on the project parcel south of proposed development and cultivation sites. These channels exhibit sinuosity, scour, and sediment deposits, and eventually drain to the Nacimiento River south of the project site.

Discussion

- (a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

Special-Status Plants

Development of the project would result in approximately 1.4 acres (61,385 square feet) of site disturbance, including grubbing, grading, construction of structures, extension of the existing driveway, and tree removal. Based on existing site conditions, the project site has potential to support 13 special-status plant species, as listed in the Setting discussion above. Three focused botanical surveys of the project site were conducted throughout April and May 2019 to determine the presence or absence of these 13 special-status plant species, as well as any other special-status species on-site that were not previously identified as potentially occurring. The surveys were timed to coincide with the spring and early summer flowering periods of all 13 species. None of the 13 potentially occurring special-status plant species or other special-status plant species were observed within or adjacent to the project site during the focused botanical surveys (EAM 2019b); therefore, no impacts to special-status plants would occur as a result of the project.

Special-Status Wildlife

Review of designated critical habitat boundaries in northern San Luis Obispo County indicate that the subject parcel is within the critical habitat for vernal pool fairy shrimp. However, no areas of ponded water or vernal pools occur within the project parcel (EAM 2019a). Therefore, the likelihood of this species occurring on-site is minor and no impacts would occur.

The project provides suitable nesting habitat for a variety of bird species that are protected by the MBTA and California Fish and Game Code, including the California horned lark and loggerhead shrike. Passerines may use the trees on-site for nesting and/or foraging. The nesting habitat would be impacted by project activities including grading, tree removal, and other vegetation removal. If the project activities are conducted between March and September, the typical nesting bird season, birds may be nesting within or adjacent to the affected area and the individuals could be directly or indirectly impacted. Direct impacts may include the loss of active nests during vegetation removal. Noise or other disturbances may also cause an individual to abandon a nest resulting in an indirect impact. Mitigation measures BIO-1 and BIO-2 have been identified to address potential impacts to nesting migratory birds protected by the MBTA; therefore, impacts to nesting birds would be *less than significant with mitigation*.

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Raptor species within the project region, including Cooper's hawk, golden eagle, ferruginous hawk, prairie falcon, and California condor, are not expected to nest within or adjacent to the project area due to an absence of suitable nesting habitat such as riparian woodland, large rocks/cliffs, and large trees. Therefore, impacts to these species would be *less than significant*.

Other species, such as the San Joaquin whipsnake, Monterey dusky-footed woodrat, Salinas pocket mouse, and coast horned lizard, would be not expected to be present within or near the project disturbance area due to the absence of suitable soils and other habitat features within the project site. Based on these species' low potential to occur on-site, potential impacts would be *less than significant*.

While no western burrowing owls were observed during the preliminary surveys of the project area, the western burrowing owl is known to occur within the general area and has identified occurrences on Camp Roberts. Suitable burrows (e.g., ground squirrel burrows) were observed in the project area and could provide nesting habitat. Protection and avoidance measures have been identified in mitigation measure BIO-2 to reduce potential impacts to western burrowing owl to *less than significant*.

While no roosting bats were observed during the preliminary surveys of the project area, large blue oak trees within and adjacent to the project site have the potential to support pallid bat and Townsend's big-eared bat, and one historic occurrence of pallid bat has been documented on Camp Roberts. Based on suitable roosting and foraging habitat within the project site, both bat species are considered to have the potential to occur on-site. Potential impacts to bat species include direct impacts (injury or mortality) associated with the use and movement of construction equipment, construction materials and debris, and proposed oak tree removal within the project site, if these species are roosting within proposed impact areas. Indirect impacts of construction activities, including destruction or modification of habitat and generation of noise, vibration, temporary lighting, and dust may cause temporary disturbance to these species, if present. Mitigation measure BIO-3 has been identified to avoid and/or reduce impacts to roosting bats.

American badger is recognized by CDFW as an SSC. The project site supports marginal grassland and woodland habitat for American badger. Potential project impacts to American badger include direct impacts (injury or mortality) associated with the use and movement of construction equipment, construction materials and debris, and vegetation and/or tree removal within the project site, if this species is present within proposed impact areas. Indirect impacts of construction activities, including destruction or modification of habitat/burrows and generation of noise, vibration, and dust may cause temporary disturbance to these species, which may cause them to leave burrows and migrate to adjacent work areas. The indirect effects of erosion and sedimentation could also impact American badger through destruction of burrows. Mitigation measure BIO-4 has been identified to avoid and/or reduce impacts to American badger.

The SJKF is listed as endangered under the FESA and as threatened under the CESA. SJKF was determined to have the potential to occur within the project site due to suitable grassland and oak woodland habitats, and presence of California ground squirrels (*Otospermophilus beecheyi*) and pocket gophers. Potential project impacts to SJKF include direct impacts (injury or mortality) associated with the use and movement of construction equipment, construction materials and debris, and vegetation and/or tree removal within the project site, if this species is present within proposed impact areas. Indirect impacts of construction activities, including destruction of burrows and generation of noise, vibration, and dust may cause temporary disturbance to these species, if

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present. Mitigation measures BIO-5 through BIO-11 have been identified to avoid and/or reduce impacts to SJKF.

Mitigation measures BIO-1 through BIO-11 have been identified to reduce potential impacts to special-status plant and wildlife species. In addition, the project would be required to comply with applicable CDFA regulations regarding compliance with CDFW policies and requests. Therefore, impacts related to loss of unique or special-status species would be *less than significant with mitigation*.

- (b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?*

Several small, ephemeral drainages occur on the project parcel just south of proposed development and cultivation sites. However, no evidence of riparian or wetland vegetation was observed onsite (EAM 2019a).

Implementation of the project would result in grading and disturbance to approximately 0.75 acre of annual grassland habitat and removal of approximately four mature blue oak trees on-site. The annual grassland on-site is comprised of primarily non-native species that are common in the region and is not considered a sensitive habitat or plant community by CDFW. Therefore, the loss of ruderal/disturbed and annual grassland on-site that do not support special-status species would be a less-than-significant impact.

Blue oak woodland, also referred to as the *Quercus douglasii* Woodland Alliance under the Manual of California Vegetation (MCV) classification, is endemic to California. Implementation of the project would result in removal of approximately four mature blue oak trees and may impact approximately 10 additional oak trees. Removal of individual oak trees within oak woodland areas would result in less than 1 acre of canopy area and therefore would not be subject to the requirements set forth in Title 22.58.040 – Clear-cutting of Oak Woodlands (Oak Woodland Ordinance). Mitigation measures BIO-11 and BIO-12 have been identified to require compensatory replacement plantings and maintenance of oak trees at a 4:1 ratio for removed trees, and a 2:1 ratio for impacted trees to reduce impacts to native blue oak trees to less than significant; therefore, impacts would be *less than significant with mitigation*.

- (c) *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

Several small ephemeral drainages occur on the project parcel just south of proposed development and cultivation sites. However, no evidence of riparian or wetland vegetation was observed on-site (EAM 2019a). In addition, the project would be required to comply with applicable CDFA regulations regarding compliance with Section 13149 of the Water Code. Therefore, the project would not have the potential to impact riparian or wetland habitats and impacts would be *less than significant*. For impacts related to sedimentation of nearby drainages, see Section X, Hydrology and Water Quality.

- (d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

Historically, SJKF inhabiting Camp Roberts were known to move long distances back and forth to larger core populations found to the southeast of the project site, east of Paso Robles between

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Shandon and the California Valley. The project site is located west of Camp Roberts and is not expected to block or restrict movement of kit fox or other wildlife due to its relatively small scale and surrounding large areas of undeveloped open spaces. The ephemeral drainages located on the project parcel do not have suitable habitat features to support resident or migratory fish populations (EAM 2019a). Therefore, impacts related to interference with the movement of resident or migratory fish or wildlife species would be *less than significant*.

- (e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

Removal of individual oak trees within oak woodland areas would result in less than 1 acre of canopy area and therefore would not be subject to the requirements set forth in Title 22.58.040 – Clear-cutting of Oak Woodlands (Oak Woodland Ordinance). Compliance with mitigation measures BIO-1 through BIO-13 identified below would ensure the project is consistent with regional plans and policies for protecting sensitive species. Prior to site disturbance, the applicant is required to retain a qualified biologist to conduct a series of nesting bird, burrowing owl, and kit fox surveys to identify the presence or absence of special-status species. In the event special-status species are identified, the biologist shall identify avoidance and minimization measures, which may include obtaining additional permits from the USFWS, the CDFW, or other agencies. Therefore, conflicts with any local policies or ordinances protecting biological resources would be *less than significant with mitigation*.

- (f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

The project is not located within an area under an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, the project would not conflict with the provisions of an adopted plan and *no impacts would occur*.

Conclusion

Upon implementation of mitigation measures BIO-1 through BIO-11 to reduce potential impacts to special-status plants, special-status wildlife, and native oak trees, potential impacts to biological resources would be less than significant.

Mitigation

- BIO-1 Site preparation, ground-disturbance, and construction activities, including tree and vegetation removal, shall be conducted outside of the migratory bird nesting season (February 1 through August 31). If such activities cannot be avoided during this period, the applicant shall retain a County of San Luis Obispo-approved qualified biologist to conduct a preconstruction nesting bird survey no sooner than 1–4 weeks prior to tree removal activities and shall verify whether migratory birds are nesting in the site. If nesting activity is detected, the following measures shall be implemented:
- The project shall be modified via the use of protective buffers, delaying construction activities, or other methods designated by the qualified biologist to avoid direct take of identified nests, eggs, and/or young protected under the Migratory Bird Treaty Act and/or California Fish and Game Code.

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- b. The qualified biologist shall monitor the nests within the vicinity of project-related disturbances and determine if construction activities are causing behavioral changes or affecting nesting activities. Monitoring results shall then be utilized to develop an appropriate buffer around the next site to minimize disturbance. Construction activities within the buffer zone shall be prohibited until the young have fledged the nest and achieved independence.
- c. The qualified biologist shall document all active nests and submit a letter report to the County of San Luis Obispo documenting project compliance with the Migratory Bird Treaty Act, California Fish and Game Code, and applicable project mitigation measures, within 14 days of survey completion.

BIO-2 Prior to initiation of construction and/or site disturbance activities, the applicant shall implement the following measure to minimize and avoid impacts to western burrowing owl habitat:

- a. No less than 14 days and no more than 30 days prior to ground-disturbing activities, a County of San Luis Obispo-approved qualified biologist shall conduct pre-activity surveys for the presence of western burrowing owl and/or active burrows within the work area and within a 500-foot buffer of the work area. Surveys shall be conducted by County of San Luis Obispo-approved qualified biologists walking straight-line transects spaced 20 feet to 60 feet, adjusting for vegetation height and density.
- b. Exclusion zones, or no-disturbance buffers, shall be established around active burrows. No project-related disturbances shall occur within 160 feet of occupied burrows during the nonbreeding season of September 1 through January 31 or within 250 feet during the breeding season of February 1 through August 31.
- c. If an active burrow is observed within 500 feet of the work area during the breeding season, construction activities shall not continue until a County of San Luis Obispo-approved qualified biologist confirms the burrow is no longer active. Proposed adjustments to the buffer shall be through consultation with the California Department of Fish and Wildlife.
- d. If an active burrow is observed within 160 feet of the work area during the non-breeding season, construction activities shall not continue until a County of San Luis Obispo-approved qualified biologist confirms the burrow is no longer active.
- e. The County of San Luis Obispo-approved qualified biologist, with prior consultation and approval from the California Department of Fish and Wildlife, may institute passive relocation through use of one-way burrow doors that will not allow owls to reenter the burrow. Immediately before the start of construction activities, the biologists shall remove all doors and excavate the burrows to ensure that no animals are present at the burrow. The excavated burrows shall then be backfilled.
- f. A County of San Luis Obispo-approved qualified biologist shall be present during the initial clearing and grading activity. If additional burrowing owl burrows are found, all work shall cease until the biologist can complete measure described above for inactive and active burrows. Once all burrows have been excavated, work on the site may resume.
- g. The County of San Luis Obispo-approved qualified biologist shall submit a report to the County of San Luis Obispo within 14 days of completing initial surveys and every 14 days

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thereafter until grading activity is complete, documenting project compliance with the Migratory Bird Treaty Act, California Fish and Game Code, and applicable project mitigation measures.

- BIO-3 Prior to and during any site disturbance and/or construction activities associated with the proposed project, the applicant shall retain a County of San Luis Obispo-approved qualified biologist to ensure the following protective measures are implemented to avoid impacts to roosting bats:
- a. Prior to commencement of tree removal associated with the project, the applicant shall schedule tree removal to occur outside of the typical bat maternity roosting and pupping season to avoid potential impacts to bats, if feasible. The typical bat maternal roosting season is defined as occurring from February 1 to August 31.
 - i. Prior to commencement of tree removal associated with construction, if tree removal must occur during the typical bat maternity roosting season (February 1 to August 31), tree removal activities will not be allowed unless a County of San Luis Obispo-approved qualified biologist has surveyed the impact area within 14 days prior to commencement of proposed construction activities and determined that no roosting bats will be adversely impacted. Roosting bat surveys will only be considered valid for 14 consecutive days before they will need to be repeated. At such time, if any evidence of bat roosting is found, the biologist will determine if any construction activities can occur during roosting and to what extent. The results of the surveys will be submitted to the County of San Luis Obispo and California Department of Fish and Wildlife, with recommendations for variable buffer zones, as needed, around individual roosting sites. Based on the results of the surveys, the following shall apply:
 1. If no bat roosting activities are detected within the proposed work area, tree-removal and noise-producing construction activities may proceed and no further mitigation is required.
 2. If bat roosting activity is confirmed during preconstruction roost surveys or at any time during the monitoring of construction activities, at a minimum, work activities shall be avoided within 100 feet of active roosts until bats have left the roosts. No trees with active bat roosts shall be removed until the bats have left the roosts or have been excluded from roosts.
 3. The County of San Luis Obispo-approved qualified biologist shall prepare a report after each survey and a copy of the report shall be provided to the County of San Luis Obispo within 14 days of completion of each survey.
- BIO-4 Prior to initiation of construction and/or site disturbance activities, a survey for American badger dens should be conducted within the construction impact footprint and surrounding accessible areas of the property within 2 weeks of any ground-disturbing activities by a County of San Luis Obispo-approved biologist. The biologist shall evaluate all dens found to determine whether they are active. In order to avoid potential impacts to adults and nursing young, no grading shall occur within 50 feet of an active badger den as determined by the County of San Luis Obispo-

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approved biologist. Construction activities occurring between July 1 and February 28 shall comply with the following measures to avoid direct take of adult and weaned juvenile badgers through the forced abandonment of dens:

- a. A County of San Luis Obispo-approved biologist shall conduct a biological survey at least 2 weeks prior to the start of construction to identify any potential badger dens. The survey shall cover the entire area proposed for development, including roadways.
- b. If dens are too long to see the end, a fiber optic scope (or other acceptable method such as using tracking medium for a consecutive 3-night period) shall be used to assess the presence of badgers.
- c. Inactive dens shall be excavated by hand with a shovel to prevent badgers from reusing them during construction.
- d. Currently active den entrances shall be partially blocked with sticks, debris, and soil for 3 to 5 days to discourage badgers from continuing to use them. Access to the den shall be incrementally blocked to a greater degree over this period. After badgers have stopped using previously active den(s) within the project disturbance site, the den(s) shall be excavated by hand with a shovel to prevent re-entry.
- e. The County of San Luis Obispo-approved biologist shall be present during the initial clearing and grading activity. If additional badger dens are found at this time, all work shall cease until the biologist completes the measures described above for inactive and active dens. Once all badger dens have been excavated, work may resume.

- BIO-5 Within 14 and 30 days prior to the onset of grading or construction activities, a County of San Luis Obispo-approved qualified biologist shall conduct presence/absence surveys of San Joaquin kit fox and/or their dens within 200 feet of the project site following the U.S. Fish and Wildlife Service's standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance (USFWS 2011). Surveys shall be conducted in areas of potentially suitable habitat no less than 14 days and no more than 30 days prior the beginning of ground disturbing activities. A copy of the surveys shall be provided to California Department of Fish and Wildlife and to the County of San Luis Obispo within 14 days of completion of the surveys.
- BIO-6 Prior to or during project activities, if dens are found, no-disturbance buffers shall be established by the County of San Luis Obispo-approved biologist in accordance with the U.S. Fish and Wildlife Service recommendations (2011). If kit fox are found occupying atypical (i.e., manmade structure) den sites, a 50-foot no-disturbance buffer should be established around the occupied den site. If potential dens are found during surveys (BIO-7), a 50-foot no-disturbance buffer should be established. If dens that are occupied or have been known to be occupied in the past, or a natal or pupping den is found during the survey, consultation with the California Department of Fish and Wildlife should occur and a 100-foot no-disturbance buffer shall be established.
- BIO-7 If San Joaquin kit fox are detected during the survey, consultation between the applicant, County of San Luis Obispo, and California Department of Fish and Wildlife shall occur immediately to discuss how to implement the project and avoid take, or if avoidance is not feasible, an Incidental Take Permit shall be acquired pursuant to California Fish and Game Code Section 2081(b).

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- BIO-8 During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited.
- BIO-9 Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a County of San Luis Obispo-approved qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e., San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the County of San Luis Obispo, as well as any related biological report(s) prepared for the project. The applicant shall notify the County of San Luis Obispo within 5 days prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employees, and other personnel involved with the construction of the project. The County of San Luis Obispo-approved qualified biologist shall prepare a summary report of the training and provide a copy of the report to the County of San Luis Obispo within 14 days of training completion.
- BIO-10 Prior to issuance of construction or grading permits, or prior to any site disturbance, whichever occurs first, finalized site plans shall clearly delineate all native trees within 50 feet of areas where soil disturbance would occur and shall indicate which trees are to be removed or impacted (disturbance within the dripline/root zone), and which trees are to remain unimpacted.
- Prior to issuance of a Business License, a County of San Luis Obispo-approved qualified biologist shall prepare an Oak Tree Replacement Plan that provides for the installation and maintenance of replacement oak trees on the project parcel and surrounding parcels owned by the applicant and shall be reviewed and approved by the County of San Luis Obispo Planning Department. Mitigation replacement plantings for each oak tree removed shall be at a 4:1 ratio (e.g., if 4 mature oak trees are removed, the applicant must plant 16 replacement juveniles), and at a 2:1 ratio for each oak tree impacted. The Oak Tree Replacement Plan shall include the following components:
- A brief narrative of the project location, description, and purpose;
 - Clearly identified parties responsible for the mitigation program and their contact information;
 - A landscape map showing and quantifying all oak tree planting areas;
 - A detailed discussion of the methods for implementing the Oak Tree Replacement Plan, including invasive species removal, sources of plant materials, and supplemental watering regimes;
 - Provisions for the collection of oak propagules from the disturbance area, replacement planting propagation, and reintroduction into the parcel;
 - Identification of locations, amounts, species, and sizes of the oak trees to be planted. For each individual of a species removed, the same species shall be planted.
 - Identification of necessary components (e.g., temporary irrigation, amendments, etc.) to ensure successful plant reestablishment;
 - A program schedule and established success criteria for a 5-year maintenance, monitoring, and reporting program that is structured to ensure the success of the mitigation plantings; and

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- i. Methods for removing nonnative species from the replanting areas.

BIO-11 Prior to any grading or grubbing, the applicant shall retain a certified arborist to identify any limbs at risk and perform all necessary trimming of oak tree limbs that could be damaged by project activities. Pruning shall be conducted as needed along the access road and construction area. All pruning shall be conducted prior to construction equipment passage to minimize the potential for inadvertent damage to tree limbs. Removal of larger lower branches shall be minimized to: (1) avoid making trees top-heavy and more susceptible to “blow-overs;” (2) reduce larger limb cuts that take longer to heal and are more susceptible to disease and infestation; (3) retain wildlife habitat values associated with the lower branches; (4) retain shade to keep summer temperatures cooler; and (5) retain the natural shape of the tree. The certified arborist shall document all pruning impacts in a report submitted to the County of San Luis Obispo.

V. CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

San Luis Obispo County possesses a rich and diverse cultural heritage and has an abundance of historic and prehistoric cultural resources dating as far back as 9,000 B.C. The County protects and manages cultural resources in accordance with the provisions detailed by CEQA and local ordinances. PRC Section 5024.1 requires that any properties that can be expected to be directly or indirectly affected by a proposed project be evaluated for California Register of Historical Resources (CRHR) eligibility. The purpose of the CRHR is to maintain listings of the state’s historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from material impairment and substantial adverse change.

As defined by CEQA, a historical resource includes:

1. A resource listed in or determined to be eligible for listing in the CRHR.
2. Any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant or significant. The architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural records of California may be considered

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to be a historical resource, provided the lead agency's determination is supported by substantial evidence.

In the event of an accidental discovery or recognition of any human remains, Title 3, Division 8, Chapter 1 Article 4 of the CCR Section 8304 (d) requires cannabis cultivation projects to immediately halt all ground-disturbing activities and implement Section 7050.5 of the Health and Safety Code. California State Health and Safety Code Section 7050.5 and LUO Section 22.10.040 (Archaeological Resources) require that in the event of accidental discovery or recognition of any human remains, no further disturbances shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to California PRC Section 5097.98.

Archaeological Setting

The project site is located in an area traditionally occupied by the Salinan/Chumash tribes and little is known of the archaeological sensitivity of this area. Potential for the presence of Native American occupancy and resources increases in close proximity to reliable water sources. The project site is within 300 feet of several ephemeral water sources.

Historical Setting

The project site is located adjacent to Camp Roberts, a 42,768-acre military base established in 1941. As one of the world's largest training sites, Camp Roberts featured the world's largest parade field (the length of 14 football fields) and hosted an Infantry Replacement Training Center and a Field Artillery Replacement Training Center. Camp Roberts was activated as a training site during World War II, the Korean War, and the Vietnam War. A peak population of 45,000 troops was reached in 1944, with thousands of soldiers quartered in huge tent cities. The detailed history of Camp Roberts is currently showcased in the Camp Roberts Historical Museum, located on the base (Camp Roberts Historical Museum 2019).

Discussion

(a) *Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?*

A Cultural Resources Survey was prepared for the project (Central Coast Archaeological Research Consultants 2018) and included a Phase I Archaeological surface survey and a records search using the National Register of Historic Places (NRHP), California Inventory of Historic Places, and Central Coast Information Center (CCIC). Based on the results of the field survey and literature searches, the project site does not contain, nor is it located near, any historic resources identified in the NRHP or CRHR. The project site does not contain a site under the Historic Site (H) combining designation and does not contain other structures of historic age (50 years or older) that could be potentially significant as a historical resource. Therefore, the project would not result in an adverse change in the significance of a historical resources and *impacts would be less than significant*.

(b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?*

A Cultural Resources Survey was prepared for the project (Central Coast Archaeological Research Consultants 2018) and included a Phase I Archaeological surface survey and a records search using the NRHP, California Inventory of Historic Places, and CCIC. One cultural resources study was documented within a 0.5-mile radius of the project site approximately 750 feet north of proposed project facilities; no cultural resources were identified, and no prehistoric or historic cultural materials were observed during the Phase I surface survey (LSA Associates 2013). Based on the

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results of the records search and surface survey, the potential for archaeological or historic resources to be present on-site are low.

In the unlikely event that resources are uncovered during grading activities, implementation of LUO 22.10.040 (Archaeological Resources) would be required. This section requires that in the event archaeological resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department must be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. This protocol would ensure full compliance with California State Health and Safety Code Section 7050.5 as well as CDFA requirements regarding accidental discovery of cultural resources. Therefore, impacts related to a substantial adverse change in the significance of archaeological resources would be *less than significant*.

(c) *Disturb any human remains, including those interred outside of dedicated cemeteries?*

Based on existing conditions and results of the Cultural Resources Survey conducted on-site, buried human remains are not expected to be present in the project area. In the event of an accidental discovery or recognition of any human remains, California State Health and Safety Code Section 7050.5 and LUO 22.10.040 (Archaeological Resources) require that no further disturbances shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. With adherence to State Health and Safety Code Section 7050.5 and County LUO, impacts related to the unanticipated disturbance of archaeological resources and human remains would be reduced to less than significant; therefore, potential impacts would be *less than significant*.

Conclusion

No archaeological or historical resources are known or expected to occur within or adjacent to the project site. In the event unanticipated archaeological resources or human remains are discovered during project construction activities, adherence with County LUO standards and State Health and Safety Code procedures would reduce potential impacts to less than significant; therefore, potential impacts to cultural resources would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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VI. ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

Local Energy Plans and Policies

The COSE establishes goals and policies that aim to reduce vehicle miles traveled (VMT), conserve water, increase energy efficiency and the use of renewable energy, and reduce GHG emissions. The COSE provides the basis and direction for the development of the County's EnergyWise Plan (EWP), which outlines in greater detail the County's strategy to reduce government and community-wide GHG emissions through a number of goals, measures, and actions, including energy efficiency and development and use of renewable energy resources.

State Building Code Requirements

The California Building Code (CBC) contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or rehabilitation of a building or other improvement to real property. The CBC includes mandatory green building standards for residential and nonresidential structures, the most recent version of which are referred to as the *2019 Building Energy Efficiency Standards*. These standards focus on four key areas: smart residential PV systems, updated thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), residential and nonresidential ventilation requirements, and non-residential lighting requirements. While the CBC has strict energy and green-building standards, U-occupancy structures (such as greenhouses used for cultivation activities) are typically not regulated by these standards.

Vehicle Fuel Economy Standards

In October 2012, the USEPA and the National Highway Traffic Safety Administration (NHTSA), on behalf of the U.S. Department of Transportation (USDOT), issued final rules to further reduce GHG emissions and improve corporate average fuel economy (CAFE) standards for light-duty vehicles for model years 2017 and beyond. NHTSA's CAFE standards have been enacted under the Energy Policy and Conservation Act since 1978. This national program requires automobile manufacturers to build a single light-duty national fleet that meets all requirements under both federal programs and the standards of California and other states.

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This program would increase fuel economy to the equivalent of 54.5 miles per gallon (mpg) limiting vehicle emissions to 163 grams of carbon dioxide (CO₂) per mile for the fleet of cars and light-duty trucks by the model year 2025.

In January 2017, USEPA Administrator Gina McCarthy signed a Final Determination to maintain the current GHG emissions standards for the model year 2022–2025 vehicles. However, on March 15, 2017, USEPA Administrator Scott Pruitt and USDOT Secretary Elaine Chao announced that the USEPA intends to reconsider the Final Determination. On April 2, 2018, USEPA Administrator Pruitt officially withdrew the January 2017 Final Determination, citing information that suggests that these current standards may be too stringent due to changes in key assumptions since the January 2017 Determination. According to the USEPA, these key assumptions include gasoline prices and overly optimistic consumer acceptance of advanced technology vehicles. The April 2nd notice is not USEPA's final agency action, and the USEPA intends to initiate rulemaking to adopt new standards. Until that rulemaking has been completed, the current standards remain in effect (USEPA 2017, 2018).

As part California's overall approach to reducing pollution from all vehicles, the CARB has established standards for clean gasoline and diesel fuels and fuel economies of new vehicles. The CARB has also implemented innovative programs to drive the development of low-carbon, renewable, and alternative fuels such as their Low Carbon Fuel Standard (LCFS) Program pursuant to California Assembly Bill (AB) 32 and the Governor's Executive Order S-01-07.

In January 2012, the CARB approved the Advanced Clean Cars Program which combines the control of GHG emissions and criteria air pollutants, as well as requirements for greater numbers of zero-emission vehicles, into a single package of standards for vehicle model years 2017 through 2025. The new rules strengthen the GHG standard for 2017 models and beyond. This will be achieved through existing technologies, the use of stronger and lighter materials, and more efficient drivetrains and engines. The program's zero-emission vehicle regulation requires a battery, fuel cell, and/or plug-in hybrid electric vehicles to account for up to 15% of California's new vehicle sales by 2025. The program also includes a clean fuels outlet regulation designed to support the commercialization of zero-emission hydrogen fuel cell vehicles planned by vehicle manufacturers by 2015 by requiring increased numbers of hydrogen fueling stations throughout the state. The number of stations will grow as vehicle manufacturers sell more fuel cell vehicles. By 2025, when the rules will be fully implemented, the statewide fleet of new cars and light trucks will emit 34% fewer global warming gases and 75% fewer smog-forming emissions than the statewide fleet in 2016 (CARB 2016).

All self-propelled off-road diesel vehicles 25 horsepower (hp) or greater used in California and most two-engine vehicles (except on-road two-engine sweepers) are subject to the CARB's Regulation for In-Use Off-Road Diesel Fueled Fleets (Off-Road regulation). This includes vehicles that are rented or leased (rental or leased fleets). The overall purpose of the Off-Road regulation is to reduce emissions of NO_x and particulate matter from off-road diesel vehicles operating within California through the implementation of standards including, but not limited to, limits on idling, reporting, and labeling of off-road vehicles; limitations on use of old engines; and performance requirements.

Energy Use in Cannabis Operations

The CDFA Code of Regulations includes renewable energy requirements for indoor mixed-light cannabis cultivation operations. Beginning in 2023, all indoor mixed-light licensees must provide evidence of carbon offsets if the licensee's average weighted GHG emission intensity is greater than the local utility provider's GHG emission intensity. As such, for cultivators within San Luis Obispo County, if a cultivator's mixed-light energy use is supplied by resources with a lesser GHG-emission intensity than Pacific Gas and Electric

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Company's (PG&E's) GHG-emission intensity (currently approximately 85%), they would be required to acquire carbon offsets to account for the difference (CCR Section 8305).

The total energy demand of a cannabis operation depends heavily on the type of cultivation activity, location of the project, and the types of equipment required. Outdoor cultivation involves minimal equipment and has relatively low energy demands, while indoor and mixed-light cultivation involves more equipment that tends to have much higher energy demands (e.g., high-intensity light fixtures, climate control systems, etc.) (County of Santa Barbara 2017). Specific energy uses in indoor grow operations include high-intensity lighting, dehumidification to remove water vapor and avoid mold formation, space heating or cooling during non-illuminated periods and drying processes, preheating of irrigation water, generation of CO₂ from fossil fuel combustion, and ventilation and air conditioning to remove waste heat. Reliance on equipment can vary widely as a result of factors such as plant spacing, layout, and the surrounding climate of a given facility.

Comparatively, non-cultivation cannabis operations, such as distribution or retail sales, tend to involve typical commercial equipment and processes that may require minor to moderate amounts of power. These non-cultivation activities are subject to the CBC and 2019 Building Energy Efficiency Standards, and therefore do not typically result in wasteful or inefficient energy use. Activities and processes related to commercial cannabis do not typically require the demand for natural gas supplies, and it is assumed that such activities would represent a nominal portion of the county's total annual natural gas demand (County of Santa Barbara 2017).

Depending on the site and type of activities, cannabis operations may range in measures that promote the conservation of energy resources. For instance, several current operators are known to engage in practices that promote energy conservation and reduce overall energy demands using high-efficiency lighting or through generation and use of solar energy. However, many other operations within the County have been observed to engage in activities that are highly inefficient and may result in the wasteful use of energy resources. Such operations may include the use of old equipment, highly inefficient light systems (e.g., incandescent bulbs), reliance on multiple diesel generators, and other similar inefficiencies (County of Santa Barbara 2017).

Discussion

- (a) *Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

During construction, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. The energy consumed during construction would be temporary in nature and would be typical of other similar construction activities in the county. Federal and state regulations in place require fuel-efficient equipment and vehicles and prohibit wasteful activities, such as diesel idling. Construction contractors, in an effort to ensure cost efficiency, would not be expected to engage in wasteful or unnecessary energy and fuel practices. Energy consumption during construction would not conflict with a state or local plan for renewable energy and would not be wasteful, unnecessary, or inefficient, and therefore would be less than significant.

During operation, all project on-site electricity use, including, but not limited to, indoor cultivation lighting, security lighting, and irrigation pumping, would be supplied by existing and proposed solar PV panels and two lithium ion storage batteries. Based on an energy demand analysis provided by the applicant, the project would result in a total electricity demand of approximately 6,368 kWh per year.

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The project site currently contains an existing 1,536-square-foot barn structure with six 280-watt rooftop solar PV panels, and a total of 18 additional 280-watt solar PV panels are planned for installation on the roof of the proposed 900-square-foot processing building. Based on the National Renewable Energy Laboratory's PVWatt's Calculator, solar PV panels at this location of this wattage would produce approximately 11,128 kWh per year, assuming an average of 14.08% of system losses (NREL 2020). Power lines from these panels would be installed underground to each of the proposed structures and excess energy generated during daylight hours would be captured and stored within two proposed 6.6 kilowatt-hour (kWh) 48 volts direct current (VDC) lithium ion batteries that would be located beneath the overhang of the proposed 900-square-foot processing building. In addition, the proposed 900-square-foot processing structure would be subject to CBC 2019 Building Energy Efficiency Standards including, but not limited to, use of low-flow plumbing fixtures, energy efficient appliances, light emitting diode (LED) lighting, insulation and building material standards, etc. Based on the proposed project's energy consumption being supplied by a renewable energy source and required compliance with applicable state building standards, on-site energy consumption would not result in a potentially significant impact and would not be wasteful, inefficient, or unnecessary.

Ongoing operation of the project would result in fuel use associated with employee motor vehicle trips and deliveries. The project would employ up to 14 employees: six full time and eight part time. All vehicles used by employees and deliveries during operation would be subject to applicable federal and state fuel economy standards. Based on adherence to applicable federal and state fuel regulations and the size and scope of proposed activities, project fuel use would not result in a potentially significant environmental impact and would not be wasteful, inefficient, or unnecessary.

Therefore, potential impacts associated with potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources and potential conflict with state or local plans regarding renewable energy or energy efficiency would be *less than significant*.

(b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

During operation, all project on-site electricity use, including, but not limited to, indoor cultivation lighting, security lighting, and irrigation pumping, would be supplied by existing and proposed solar PV panels and two lithium ion storage batteries. Therefore, the project's energy consumption would not result in a significant environmental impact and there are no project components or operations that would conflict with CDFA renewable energy standards for cannabis cultivation projects, the County EWP, or any other state or local plan for renewable energy or energy efficiency. Therefore, *no impact would occur*.

Conclusion

The project would not result in a significant energy demand during short-term construction or long-term operations and would not conflict with state or local renewable energy or energy efficiency plans. Therefore, potential impacts related to energy would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo Act) is a California state law that was developed to regulate development near active faults and mitigate the surface fault rupture potential and other hazards. The Alquist-Priolo Act identifies active earthquake fault zones and restricts the construction of habitable structures over known active or potentially active faults. San Luis Obispo County is located in a geologically complex and seismically active region. The County of San Luis Obispo General Plan Safety Element identifies three active faults that traverse through the county and are currently zoned under the Alquist-Priolo Act: the San Andreas, the Hosgri-San Simeon, and the Los Osos. The San Andreas Fault zone is located along the eastern border of San Luis Obispo County and has a length of over 600 miles. The Hosgri-San Simeon fault system generally consists of two fault zones: the Hosgri fault zone, which is mapped off the San Luis Obispo County coast, and the San Simeon fault zone, which appears to be associated with the Hosgri, and comes onshore near San Simeon Point. Lastly, the Los Osos Fault zone has been mapped generally in an east/west orientation along the northern flank of the Irish Hills.

The Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the county. The Safety Element establishes policies that require new development be located away from active and potentially active faults. The Safety Element also requires that the County enforce applicable building codes relating to seismic design of structures and require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the Uniform Building Code. Based on the CDOC Fault Activity Map of California, the project site is located approximately 1 mile northeast from the San Marcos fault, a potentially active quaternary-age fault (CDOC 2015a).

Ground shaking refers to the motion that occurs in response to local and regional earthquakes. Seismic ground shaking is influenced by the proximity of the site to an earthquake fault, the intensity of the seismic event, and the underlying soil composition. Ground shaking can endanger life and safety due to damage or collapse of structures or lifeline facilities. The CBC includes requirements that structures be designed to resist a certain minimum seismic force resulting from ground motion.

Liquefaction is the sudden loss of soil strength due to a rapid increase in soil pore water pressures resulting from ground shaking during an earthquake. Liquefaction potential increases with earthquake magnitude and ground shaking duration. Low-lying areas adjacent to creeks, rivers, beaches, and estuaries underlain by unconsolidated alluvial soil are most likely to be vulnerable to liquefaction. The CBC requires the assessment of liquefaction in the design of all structures. Based on the Safety Element Liquefaction Hazards Map, the project site is located in an area with low potential for liquefaction.

Landslides and slope instability can occur as a result of wet weather, weak soils, improper grading, improper drainage, steep slopes, adverse geologic structure, earthquakes, or a combination of these factors. Despite current codes and policies that discourage development in areas of known landslide activity or high risk of

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landslide, there is a considerable amount of development that is impacted by landslide activity in the County each year. The Safety Element identifies several policies to reduce risk from landslides and slope instability. These policies include the requirement for slope stability evaluations for development in areas of moderate or high landslide risk, and restrictions on new development in areas of known landslide activity unless development plans indicate that the hazard can be reduced to a less than significant level prior to beginning development. The project site has relatively flat topography and, based on the Safety Element Landslide Hazards Map, is located in an area with low to moderate potential for landslide risk.

Shrink/swell potential is the extent to which the soil shrinks as it dries out or swells when it gets wet. Extent of shrinking and swelling is influenced by the amount and kind of clay in the soil. Shrinking and swelling of soils can cause damage to building foundations, roads and other structures. A high shrink/swell potential indicates a hazard to maintenance of structures built in, on, or with material having this rating. Moderate and low ratings lessen the hazard accordingly. Based on the NRCS Soil Survey of San Luis Obispo County, California – Paso Robles Area, the project is located in an area with soils with a range from low to high potential for shrink swell (NRCS 2018).

Paleontological Setting

The project site is underlain by the Paso Robles Formation from the Plio-Pleistocene epoch (Diblee 2006). This formation is composed mainly of conglomerate and sandstone sediments and has been known to contain abundant invertebrate marine fossils. This formation is considered to have high paleontological sensitivity (LSA Associates 2013).

The County COSE identifies a policy for the protection of paleontological resources from the effects of development by avoiding disturbance where feasible. Where substantial subsurface disturbance is proposed in paleontologically sensitive units, Implementation Strategy CR 4.5.1 (Paleontological Studies) requires a paleontological resource assessment and mitigation plan be prepared to identify the extent and potential significance of resources that may exist within the proposed development and provide mitigation measures to reduce potential impacts to paleontological resources.

Discussion

(a) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

(a-i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

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 (CDOC 2018). The closest potentially active fault is approximately 1 mile southwest of the project site, known as the San Marcos Fault. Therefore, the project would not have the potential to result in substantial adverse effects involving rupture of a known earthquake fault and impacts would be *less than significant*.

(a-ii) *Strong seismic ground shaking?*

The closest potentially active fault is approximately 1 mile southwest of the project site, known as the San Marcos Fault and because San Luis Obispo County is located in a seismically active region, there is always a potential for seismic ground shaking. The project would be required to comply with the CBC and other applicable standards to ensure the effects of a potential seismic event would be

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minimized through compliance with current engineering practices and techniques. The project does not include unique components that would be particularly sensitive to seismic ground shaking or result in an increased risk of injury or damage as a result of ground shaking. Implementation of the project would not expose people or structures to significant increased risks associated with seismic ground shaking; therefore, impacts would be *less than significant*.

(a-iii) *Seismic-related ground failure, including liquefaction?*

Based on the Safety Element Liquefaction Hazards Map, the project site is located in an area with low potential for liquefaction. In addition, the project would be required to comply with CBC seismic requirements to address the site's potential for seismic-related ground failure, including liquefaction; therefore, the potential impacts would be *less than significant*.

(a-iv) *Landslides?*

The project site has relatively flat topography and, based on the Safety Element Landslide Hazards Map, is located in an area with low to moderate potential for landslide risk. Therefore, the project would not result in significant adverse effects associated with landslides and impacts would be *less than significant*.

(b) *Result in substantial soil erosion or the loss of topsoil?*

The project would result in the disturbance of approximately 5 acres, including removal of four mature oak trees and approximately 1,533 cubic yards of cut and 1,533 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 materials, setbacks from creeks, and siltation. In addition, the project would be subject to RWQCB requirements for preparation of a Storm Water Pollution Prevention Plan (SWPPP) (LUO Section 22.52.130), which may include the preparation of a Storm Water Control Plan to further minimize on-site sedimentation and erosion. Therefore, project impacts related to soil erosion, topographic changes, and loss of topsoil would be *less than significant*.

(c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

Landslides typically occur in areas with steep slopes or in areas containing escarpments. Based on the Landslide Hazards Map provided in the Safety Element, the project site is not located in an area with low to moderate potential for local failure or landslide.

The project would be required to comply with CBC seismic requirements to address potential seismic-related ground failure including lateral spread. Based on the Safety Element and USGS data, the project is not located in an area of historical or current land subsidence (USGS 2019). Based on the Safety Element Liquefaction Hazards Map, the project site is located in an area with low potential for liquefaction risk and the project is not located within the Geologic Sensitive Area (GSA) combining designation. Therefore, impacts related to on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse would be *less than significant*.

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- (d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

The majority of the project site proposed for development is underlain by Arbuckle-Positas complex, 30 to 50 percent slopes. The subsoil of this complex has a high shrink-swell (expansion) potential (USDA 1983). Expansive soils tend to swell with seasonal increases in moisture and shrink during the dry season as subsurface moisture decreases. Volume changes that this type of soil undergoes can result in stress and damage to slabs and foundations if precautionary measures are not incorporated into the design and construction procedures. All proposed structures would be designed and constructed to comply with CBC requirements to minimize safety hazards associated with expansive soils, including preparation of soil tests to determine the presence or absence of expansive soils on proposed building sites, and preparation of a geotechnical report to include recommendations for foundation type and design criteria and provisions to mitigate the effects of expansive soils, as necessary; therefore, impacts would be *less than significant*.

- (e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

The project would be served by the existing 1,000-gallon septic tank, including 30 feet of infiltrator (leach field) units located on-site to the east of the existing detached restroom facility. Percolation testing and soil borings were performed in 2015 to determine the suitability of the site for the existing system. The percolation rate for the designated location of the system was determined to be 2.17 minutes per inch (mpi), and soil depth to groundwater was determined to be greater than 25 feet (Above Grade Engineering 2015). This percolation rate and groundwater depth meets the minimum requirements established by the County Criteria for Onsite Wastewater Treatment Systems, which requires a minimum of 20 feet depth to groundwater in areas with 1 to 4 mpi percolation rates.

It was also determined that there was sufficient property immediately adjacent to the installed system location to serve as the identified leach field expansion area. This proposed expansion area is located beyond 100 feet of any creeks or bodies of water and is located on soils with less than 20 percent slopes. In the event that a leach field expansion is required, the site provides adequate area for expansion that would be expected to meet all Tier 1 standards of the California Onsite Wastewater Treatment Systems Policy permitting requirements. Therefore, impacts related to having soils incapable of adequately supporting the use of septic tanks or other wastewater disposal systems would be *less than significant*.

- (f) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

No known paleontological resources are known to exist in the project area and the project site does not contain any unique geologic features. The project would result in approximately 1,533 cubic yards of cut and 1,533 cubic yards of fill for the construction of a greenhouse, a drying building, and other improvements on-site. 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*.

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Conclusion

The project site is not within the GSA combining designation or an area of high risk of landslide, liquefaction, subsidence, or other unstable geologic conditions. The project would be required to comply with CBC and standard LUO requirements, which have been developed to properly safeguard against seismic and geologic hazards. Therefore, potential impacts related to geology and soils would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

VIII. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

GHGs 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 CO₂, methane (CH₄), nitrous oxide (N₂O), 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 CARB, transportation (vehicle exhaust) and electricity generation are the main sources of GHGs in the state.

In March 2012, the SLOAPCD approved thresholds for GHG emission impacts, and these thresholds have been incorporated into the CEQA Air Quality Handbook (SLOAPCD 2012). The Bright-Line Threshold of 1,150 Metric Tons CO₂/year (MT CO₂e/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 Bright Line Threshold of 1,150 MT CO₂e/yr. Projects that exceed the criteria or are within 10% of exceeding the criteria presented in Table 1-1 are required to conduct a more detailed analysis of air quality impacts.

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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, the CARB published its *Climate Change Proposed Scoping Plan*, which is the State's plan to achieve GHG reductions in California required by AB 32. The Scoping Plan included CARB-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, implementing 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 CARB to regulate sources of GHGs to meet a State goal of reducing GHG emissions to 1990 levels by 2020, 40% below 1990 levels by 2030, and 80% below 1990 levels by 2050. The initial Scoping Plan was first approved by CARB on December 11, 2008, and is updated every 5 years. The first update of the Scoping Plan was approved by the CARB 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) (County of San Luis Obispo 2011) identifies ways in which the community and County government can reduce GHG 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 California Green Building Standards (CALGreen) 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 CALGreen 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

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- 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.

Discussion

- (a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Based on the nature of the proposed project and Table 1-1 of the SLOAPCD CEQA Air Quality Handbook, the project is expected to generate less than the SLOAPCD Bright-Line Threshold of 1,150 MT CO₂e/yr of GHG emissions. The project would result in approximately 22 average daily vehicle trips (Central Coast Transportation Consulting 2018) and total energy consumption of 6,400 kW per year supplied by on-site solar panels. The project's construction-related and operational GHG emissions and energy demands would be minimal. In addition, the project would be required to comply with CDFA regulations requiring electrical power used for commercial cannabis activities meet the average electricity GHG emissions intensity of their local utility provider, when they take effect in 2023. Therefore, the project's potential direct and cumulative GHG emissions would be *less than significant*.

- (b) *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

The proposed project would be required to comply with existing State regulations, which include increased energy conservation measures, reduced potable water use, increased waste diversion, and other actions adopted to achieve the overall GHG emission reduction goals identified in SB 32 and EO S-3-05. The project would not conflict with the control measures identified in the CAP, EWP, or other state and local regulations related to GHG emissions and renewable energy. The project would be generally consistent with the property's existing land use and would be designed to comply with CALGreen Code standards. Therefore, the project would be consistent with applicable plans and programs designed to reduce GHG emissions and potential impacts would be *less than significant*.

Conclusion

The project would not generate significant GHG emissions above existing levels and would not exceed any applicable GHG thresholds, contribute considerably to cumulatively significant GHG emissions, or conflict with plans adopted to reduce GHG emissions. Therefore, potential impacts related to GHG emissions would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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IX. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Setting

The Hazardous Waste and Substances Site (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. The “Cortese List” is a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (SWRCB 2015; California Department of Toxic Substance Control [DTSC] 2019). The project would not be located in an area of known hazardous material contamination and is not on a site listed on the Cortese List.

The County has adopted general emergency plans for multiple potential natural disasters, including the Local Hazard Mitigation Plan, County Emergency Operations Plan, Earthquake Plan, Dam and Levee Failure Plan, Hazardous Materials Response Plan, County Recovery Plan, and Tsunami Response Plan.

The California Health and Safety Code provides regulations pertaining to the abatement of fire-related hazards and requires that local jurisdictions enforce the CBC, which provides standards for fire resistive building and roofing materials, and other fire-related construction methods. The County of San Luis Obispo General Plan Safety Element provides a Fire Hazard Zones Map that indicates unincorporated areas in the county within moderate, high, and very high fire hazard severity zones. The project would be located within the State Responsibility Area in a high fire hazard severity zone. Based on the California Department of Forestry and Fire Protection (CAL FIRE) referral response letter, it would take approximately 35 minutes to respond to a call regarding fire or life safety. For more information about fire-related hazards and risk assessment, see Section XX, Wildfire.

The project would be not located within an Airport Review Area and there are no active public or private landing strips within the immediate project vicinity.

Discussion

- (a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

The project does not propose the routine transport, use, or disposal of hazardous substances. Any commonly used hazardous substances within the project site (e.g., cleaners, solvents, oils, paints, etc.) would be transported, stored, and used according to regulatory requirements and existing procedures for the handling of hazardous materials. Impacts associated with the routine transport of hazardous materials would be *less than significant*.

- (b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Oils, gasoline, lubricants, fuels, and other potentially hazardous substances would be used and temporarily stored on-site during construction activities. A spill or leak of these materials under accident conditions during construction activities could create a hazard. The project site contains sensitive habitat areas and ephemeral waterways as described in Section IV, Biological Resources, which could be impacted from upsets or spills of potentially hazardous substances. Mitigation measures HAZ-1 and HAZ-2 have been identified to reduce potential impacts associated with hazards created by reasonably foreseeable upset or accident conditions during project construction by requiring immediate cleanup of any spills and location of refueling and other potentially hazardous activities within designated staging areas only. Therefore, impacts would be *less than significant with mitigation*.

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- (c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

The closest school facility is located approximately 2.8 miles southwest of the project site. The project site is not located within 0.25 mile of an existing or proposed school facility; therefore, *no impacts would occur.*

- (d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

Based on a search of the California DTSC EnviroStar database, the SWRCB Geotracker database, and California Environmental Protection Agency (CalEPA) Cortese List website, there are no hazardous waste cleanup sites within the project site. Therefore, *no impacts would occur.*

- (e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

The nearest airstrip in proximity to the project site is the Camp Roberts Airstrip, located approximately 5.3 miles northeast of the site. The project site is not located within an airport land use plan or within 2 miles of a public airport or private airstrip; therefore, *no impacts would occur.*

- (f) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

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 the Nacimiento Dam. The project would not impair implementation or physically interfere with County hazard mitigation or emergency plans; therefore, *no impacts would occur.*

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

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 and, based on the County's fire response time map, it would take 35 minutes to respond to a call regarding fire or life safety. The project would be designed to comply with all fire safety rules and regulations including the California Fire Code and PRC, which may include improvements to the existing access road to accommodate emergency vehicle access, vegetation clearing or trimming around all existing and proposed structures, and/or expansion of one of the existing water storage tanks on-site for fire protection. The County Fire Department/CAL FIRE has provided a referral response letter for the project that details required items to be completed prior to final inspection/operation of the project. Mitigation measures HAZ-3 and HAZ-4 have been identified to require ongoing management of flammable vegetation and implementation of all recommendations provided in the County Fire/CAL FIRE response letter to reduce potential impacts related to wildland and high severity fire hazards. Therefore, impacts related to exposure of people or structures to significant risk of loss, injury, or death associated with wildland fires would be *less than significant with mitigation.*

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Conclusion

Mitigation measures HAZ-1 and HAZ-2 have been recommended to reduce potential impacts associated with reasonably foreseeable upset or accident conditions during project construction. Mitigation measures HAZ-3 and HAZ-4 have been identified to require ongoing management of flammable vegetation and implementation of all recommendations provided in the County Fire/CAL FIRE response letter to reduce potential impacts related to wildland and high severity fire hazards. Upon implementation of mitigation measures detailed below, impacts related to hazards and hazardous materials would be less than significant.

Mitigation

- HAZ-1 During all construction activities, all project-related spills of hazardous materials shall be cleaned up immediately. Appropriate spill prevention and cleanup materials shall be onsite at all times during construction.
- HAZ-2 During all construction activities, the cleaning, refueling, and maintenance of equipment and vehicles shall occur only within designated staging areas. The staging areas shall conform to all Best Management Practices applicable to attaining zero discharge of stormwater runoff. At a minimum, all equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills.
- HAZ 3 Prior to building permit application, a Registered Fire Protection Engineer shall design and prepare a written analysis of all required fire suppression-related components as detailed in the County Fire/CAL FIRE referral response letter dated February 5, 2019, and provide this analysis to County Fire/CAL FIRE for review and approval.
- HAZ-4 Prior to final inspection by County Fire/CAL FIRE or initiation of business activities, the applicant shall establish a fire clearance area of 30 feet around all existing and proposed structures including greenhouses, hoop houses, barns, and fences. If any blue oak trees occur within this 30-foot clearance area, the applicant shall retain a certified arborist to perform trimming on these trees as necessary to reduce fire risk, including removal of any limbs that are within 10 feet of existing and/or proposed structures. All leaves, needles, or dead growth shall be removed from all rooftops within the project site. The applicant shall maintain all fire clearances throughout the life of the project.

X. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

The RWQCB's Water Quality Control Plan for the Central Coast Basin (Basin Plan) (RWQCB 2017) describes how the quality of surface water and groundwater in the Central Coast Region should be managed to provide the highest water quality reasonably possible. The Basin Plan outlines the beneficial uses of streams, lakes, and other water bodies for humans and other life. There are 24 categories of beneficial uses, including, but not limited to, municipal water supply, water contact recreation, non-water contact recreation, and cold freshwater habitat. Water quality objectives are then established to protect the beneficial uses of

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those water resources. The RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements to individuals, communities, or businesses whose discharges can affect water quality.

Water for urban uses in the county is obtained from either surface impoundments such as Santa Margarita Lake, Whale Rock Reservoir, and Lopez Lake, or from natural underground basins (aquifers). In October 2015, the County Board of Supervisors adopted a resolution that established the Countywide Water Conservation Program (CWWCP) in response to the declining water levels in the Nipomo Mesa sub-basin of the Santa Maria Groundwater Basin, Los Osos Groundwater Basin, and the Paso Robles Groundwater Basin (PRGWB). A key strategy of the CWWCP is to ensure that all new construction or new or expanded agriculture will be required to offset its predicted water use by reducing existing water use on other properties within the same water basin. Each of the three groundwater basin areas have specific policies that apply.

The County LUO dictates which projects are required to prepare a drainage plan, including any project that would, for example, change the runoff volume or velocity leaving any point of the site, result in an impervious surface of more than 20,000 square feet, or involve hillside development on slopes steeper than 10 percent. Preparation of a drainage plan is not required where grading is exclusively for an exempt agricultural structure, crop production, or grazing. The County LUO also dictates that an erosion and sedimentation control plan is required year-round for all construction and grading permit projects and site disturbance activities of 0.5 acre or more in geologically unstable areas, on slopes steeper than 30 percent, on highly erodible soils, or within 100 feet of any watercourse.

Per the County's Stormwater Program, the County Public Works Department is responsible for ensuring that new construction sites implement Best Management Practices (BMPs) during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must obtain coverage under the SWRCB's Construction General Permit. The Construction General Permit requires the preparation of a SWPPP to minimize on-site sedimentation and erosion. There are several types of projects that are exempt from preparing a SWPPP, including routine maintenance to existing developments, emergency construction activities, and projects exempted by the SWRCB or RWQCB. Projects that disturb less than 1 acre must implement all required elements within the site's erosion and sediment control plan as required by the County LUO.

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The County of San Luis Obispo General Plan Safety Element establishes policies to reduce flood hazards and reduce flood damage, including but not limited to prohibition of development in areas of high flood hazard potential, discouragement of single road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas. Based on the County Flood Hazard Map, the project site is not located within a 100-year flood zone.

Discussion

- (a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

The project includes approximately 1.4 acres of site disturbance on soils with high erodibility. The nearest water features include unnamed drainages located 150 feet southwest and 900 feet south of the proposed development area. Grubbing, grading, and construction activities associated with implementation of the project could have the potential to impact the water quality of nearby drainages on-site through erosion and/or sedimentation. Proposed grading and construction activities would expose large areas of soil on the areas above these on-site drainages and increase

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the likelihood of soil erosion. Mitigation measures WQ-1 through WQ-4 have been identified to require marking the limits of allowable disturbance, protocol for spills, and re-seeding of disturbed areas following construction to reduce potential impacts to water quality of ephemeral surface waters on-site.

Oils, gasoline, lubricants, fuels, and other potentially hazardous substances would be used and temporarily stored on-site during construction activities. A spill or leak of these materials under accident conditions during construction activities could have the potential to impact nearby surface water and/or groundwater resources. Implementation of mitigation measures HAZ-1 and HAZ-2 would reduce potential impacts to water quality during construction activities by requiring immediate cleanup of any spills and location of refueling and other potentially hazardous activities within designated staging areas only.

Upon implementation of WQ-1 through WQ-4, HAZ-1, and HAZ-2; preparation and implementation of a SWPPP and associated BMPs; and implementation of standard requirements to prepare drainage and erosion/sedimentation control plans, impacts related to alteration of surface water quality would be *less than significant with mitigation*.

- (b) *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

The project would attain its water supply from an existing shared well located on-site, approximately 640 feet northeast of the existing hoop structures. Based on the well completion report completed at the time of its installment in 2010, the well has a depth of 387 feet and has an estimated yield of 20+ gallons per minute.

The project is located within the PRGWB, which is categorized as being in a state of critical overdraft and is located outside the area that is categorized as being in severe decline (Spring Well Decline 1997–2013; County of San Luis Obispo 2018) and is required to offset water usage at a 1:1 ratio per LUO requirements. A water demand analysis prepared for the project (Wallace Group 2018) estimates that the total water demand for the project would be 2.36 acre-feet per year (AFY). The project would result in marginal additional water demand for the irrigation and maintenance of all oak tree replacement plantings described in Section IV, Biological Resources. Per the CWWCP, the project applicant would be required to offset this new water use at a 1:1 ratio through installation of efficient water systems and fixtures and/or participation in an approved water conservation program, as detailed in mitigation measures WQ-5 and WQ-6. Offsetting the water demand of the proposed project in accordance with the CWWCP would result in a net-neutral water demand on the groundwater basin; therefore, impacts related to available surface or ground water would be *less than significant with mitigation*.

- (c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

- (c-i) *Result in substantial erosion or siltation on- or off-site?*

The project would not result in the substantial alteration of the existing drainage pattern of the project site. The project would be required to comply with all National Pollution Discharge Elimination System (NPDES) requirements and prepare a SWPPP that incorporates BMPs during construction. Water quality protection measures would include protection of stockpiles, slopes, all disturbed areas, and access roads, as well as perimeter containment measures. Therefore, potential

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impacts associated with erosion and siltation from substantial alteration of the existing on-site drainage pattern would be *less than significant*.

- (c-ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

The project would not substantially increase the amount of impervious surface area or the rate and volume of surface runoff in a manner that could result in flooding on- or off-site. Based on the nature and size of the project, changes in surface hydrology would be negligible. Therefore, potential impacts related to increased surface runoff resulting in flooding would be *less than significant*.

- (c-iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

The project would not substantially increase the amount of impervious surface area or the rate and volume of surface runoff in a manner that could exceed the capacity of existing stormwater or drainage systems. Based on the nature and size of the project, changes in surface hydrology would be negligible. Therefore, potential impacts related to increased surface runoff exceeding stormwater capacity would be *less than significant*.

- (c-iv) *Impede or redirect flood flows?*

Based on the County Flood Hazard Map, the project site is not located within a 100-year flood zone. The project would be subject to standard County requirements for drainage, sedimentation, and erosion control for construction and operation. Therefore, *no impacts would occur*.

- (d) *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

Based on the County Flood Hazard Map and the Safety Element maps, the project site is not located within a 100-year flood zone or within an area that would be inundated if dam failure were to occur. Based on the San Luis Obispo County Tsunami Inundation Maps, the project site is not located in an area with potential for inundation by a tsunami (CDOC 2019). The project site is not located within close proximity to a standing body of water with the potential for a seiche to occur. Therefore, the project site has no potential to release pollutants due to project inundation and *no impacts would occur*.

- (e) *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

The project is located within the PRGWB, which is categorized as being in a state of critical overdraft, and is located outside the area that is categorized as being in severe decline (County of San Luis Obispo 2018) and is required to offset water usage at a 1:1 ratio per LUO requirements. The project applicant would be required to offset this new water use through installation of efficient water systems and fixtures and/or participation in an approved water conservation program, as detailed in mitigation measures WQ-5 and WQ-6. Therefore, potential impacts associated with conflict or obstruction of a water quality control plan or sustainable groundwater management plan would be *less than significant with mitigation*.

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Conclusion

Compliance with existing regulations and/or required plans in addition to implementation of mitigation measures WQ-1 through WQ-6, HAZ-1, and HAZ-2 would adequately reduce potential impacts associated with hydrology and water quality to be less than significant.

Mitigation

Implement measures HAZ-1 and HAZ-2.

WQ-1 Prior to the start of construction or site disturbance, the project site boundaries, access routes, and staging areas should be clearly flagged so that contractors are aware of the limits of allowable site access and disturbance. Equipment access should not occur during wet weather or when access would cause ruts or soil compaction due to saturated soil conditions. A County of San Luis Obispo-approved qualified biologist shall coordinate with the project contractors to install construction delineation fencing to protect unimpacted oak trees from accidental disturbance, prior to site disturbance. Prior to site disturbance, the County of San Luis Obispo-approved qualified biologist shall provide sufficient evidence to the County of San Luis Obispo that protective fencing has been installed.

WQ-2 Prior to start of construction or site disturbance, the applicant shall prepare an Erosion Control and Sedimentation Control Plan. The plan shall address both temporary and permanent measures to control erosion and reduce sedimentation. Erosion and soil protection measures shall be provided on all disturbed soil areas prior to the onset of the rainy season (October 15). Project plans shall show that sedimentation and erosion control measures must be installed per the engineer's requirements. The plan should include specific Best Management Practices to minimize impacts to adjacent native habitats (e.g., washing of equipment should occur only in designated areas where polluted water and materials can be contained for subsequent removal from the site). Washing of equipment and tools should not be allowed in any location where the tainted water could leave the work area. Best Management Practices for dust abatement shall also be included.

WQ-3 Upon completion of site disturbance activities or establishment of the use, the applicant shall apply the following native seed mix to disturbed soil areas through either direct hand seeding or hydroseeding methods:

Species	Application Rate (lbs/acres)
California brome (<i>Bromus carinatus</i>)	5
Meadow barley (<i>Hordeum brachyantherum</i>)	5
Six weeks fescue (<i>Vulpia microstachys</i>)	10
Nodding needlegrass (<i>Stipa cernua</i>)	3
Tomcat clover (<i>Trifolium wildenovii</i>)	5
Total	28

WQ-4 Prior to the start of construction activities, grading on-site should be scheduled outside of the rainy season (October 15 through April 15). If grading is proposed during the rainy season, such activities must be authorized under relevant provisions of the County of San Luis Obispo's

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Grading Ordinance and must follow an approved Erosion and Sedimentation Control Plan (BIO-15).

- WQ-5 Prior to issuance of building permits (or prior to occupancy if no building permits are required), all applicants for cannabis related activities within the Paso Robles Groundwater Basin shall provide to the County of San Luis Obispo Department of Planning and Building for review and approval a Water Conservation Plan with a package of measures that, when implemented, will achieve the water demand offset required by Land Use Ordinance Sections 22.40.050 D. 5, 22.40.060 D.5, and 22.94.025 F and Building Ordinance Section 19.07.042 (4). The Water Conservation Plan shall include the following:
- a. The quantification of water demand expressed in total acre-feet per year, consistent with the Water Management Plan required by Land Use Ordinance Sections 22.40.050 C. 1 and 22.40.060 C.1.
 - b. A program for achieving a water demand offset of the quantified water demand as required by Land Use Ordinance Sections 22.40.050.D.5, 22.40.060 D.5, and 22.94.025 F and Building Ordinance Section 19.07.042 (4). Such a program may include, but is not limited to, the following:
 - i. The permanent installation of water facilities and/or infrastructure to improve the efficient use of water on existing irrigated agricultural lands within the basin. Such improvements shall be accompanied by an audit of existing agricultural water demand prepared by an Agricultural Engineer, or other licensed engineer or qualified professional as approved by the Director of Planning and Building. Water efficiency improvements may include, but are not limited to, the following:
 1. Drip irrigation.
 2. Smart controllers. Irrigation controllers that are climatologically controlled without human intervention, that adjust irrigation based on the amount of moisture lost from soil and plant material since the previous irrigation by utilizing climate data (evapo-transpiration rates) broadcast to the controller from the California Irrigation Management Information System and other sources, and that have been tested and certified 100% for irrigation adequacy and schedule shall be installed and maintained on all irrigated and landscaped areas.
 3. Installation of float valves on water tanks to prevent tanks from overflowing.
 4. Converting from using overhead sprinklers to wind machines for frost protection. [Note: The installation of wind machines shall be included in the project description for cannabis activities and subject to environmental review.]
 5. Installation of rainwater catchment systems to reduce demand on groundwater. [Note: The installation of rainwater catchment facilities shall be included in the project description for cannabis activities and subject to environmental review.]

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- ii. Participation in an approved water conservation program within the Paso Robles Groundwater Basin that is verifiable, results in a permanent reduction of water demand equal to, or exceeding, the required water demand offset, and has been subject to environmental review.
- iii. Any combination of the above or other qualifying strategies or programs that would achieve the required water demand offset.
- c. The water demand offset documented by the Water Conservation Plan shall be verifiable and permanent, and shall not result in adverse environmental effects beyond those assessed by the California Environmental Quality Act compliance document for the proposed cannabis project.

WQ-6 At the time of quarterly monitoring inspection, the applicant shall provide to the County of San Luis Obispo Department of Planning and Building for review, evidence that the water efficiency improvements associated with the approved Water Conservation Program remain in full effect and are continuing to achieve the required water demand offset associated with the approved cannabis activities.

XI. LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

The LUO was established to guide and manage the future growth in the county in accordance with the General Plan, to regulate land use in a manner that will encourage and support orderly development and beneficial use of lands, to minimize adverse effects on the public resulting from inappropriate creation, location, use or design of buildings or land uses, and to protect and enhance significant natural, historic, archaeological, and scenic resources within the county. The LUO is the primary tool used by the County to carry out the goals, objectives, and policies of the County General Plan.

The LUE provides policies and standards for the management of growth and development in each unincorporated community and rural areas of the county and serves as a reference point and guide for future land use planning studies throughout the county. The LUE identifies strategic growth principles to define and focus the County's proactive planning approach and balance environmental, economic, and social equity concerns. Each strategic growth principle correlates with a set of policies and implementation

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strategies that define how land will be used and resources protected. The LUE also defines each of the 14 land use designations and identifies standards for land uses based on the designation they are located within. The project parcel and surrounding properties are all within the Rural Lands land use designation.

The inland LUE also contains the area plans of each of the four inland planning areas: Carrizo, North County, San Luis Obispo, and South County. The area plans establish policies and programs for land use, circulation, public facilities, services, and resources that apply “areawide,” in rural areas, and in unincorporated urban areas within each planning area. Part three of the LUE contains each of the 13 inland community and village plans, which contain goals, policies, programs, and related background information for the County’s unincorporated inland urban and village areas. The project is located within the Nacimiento Sub Area of the North County Planning Area.

Discussion

(a) *Physically divide an established community?*

The project does not propose project elements or components that would physically divide the site from surrounding areas and uses. The project would be consistent with the general level of development within the project vicinity and would not create, close, or impede any existing public or private roads, or create any other barriers to movement or accessibility within the community. Therefore, the proposed project would not physically divide an established community and *no impacts would occur*.

(b) *Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

The proposed project components are allowed uses within the property’s land use designation and would be generally consistent with the guidelines and policies for development within the applicable area plan, inland LUO, and COSE. The project has been located and designed to minimize potential environmental impacts (e.g., not visible from surrounding roadways, avoid removal of oak trees to the greatest extent feasible, etc.) and would be required to comply with applicable County plans and policies intended to reduce environmental impacts (e.g., sedimentation and erosion control requirements, LUO odor control requirements, etc.). Mitigation measures WQ-5 and WQ-6 have been identified to detail allowable methods for the project to achieve compliance with the CWWCP, therefore, the project would not conflict with policies or regulations adopted for the purpose of avoiding or mitigating environmental effects and impacts would be *less than significant with mitigation*.

Conclusion

Upon implementation of mitigation measures WQ-5 and WQ-6, the project would be consistent with all local and regional land use designations, plans, and policies adopted for the purpose of avoiding or mitigating environmental effects. The project would not result in the division of an established community. Therefore, upon implementation of the measures identified below, potential impacts related to land use and planning would be less than significant.

Mitigation

Implement mitigation measures WQ-5 and WQ-6.

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XII. MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The California Surface Mining and Reclamation Act of 1975 (SMARA) requires that the State Geologist classify land into mineral resource zones (MRZ) according to the known or inferred mineral potential of the land (PRC Sections 2710–2796).

The three MRZs used in the SMARA classification-designation process in the San Luis Obispo-Santa Barbara Production-Consumption Region are defined below (California Geological Survey 2011):

- **MRZ-1:** Areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources.
- **MRZ-2:** Areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists. This zone shall be applied to known mineral deposits or where well-developed lines of reasoning, based upon economic-geologic principles and adequate data, demonstrate that the likelihood for occurrence of significant mineral deposits is high.
- **MRZ-3:** Areas containing known or inferred aggregate resources of undetermined significance.

The County LUO provides regulations for development in delineated Energy and Extractive Resource Areas (EX) and Extractive Resource Areas (EX1). The EX combining designation is used to identify areas of the county where:

1. Mineral or petroleum extraction occurs or is proposed to occur;
2. The State Geologist has designated a mineral resource area of statewide or regional significance pursuant to PRC Sections 2710 et seq. (SMARA); and
3. Major public utility electric generation facilities exist or are proposed.

The purpose of this combining designation is to protect significant resource extraction and energy production areas identified by the County LUE from encroachment by incompatible land uses that could

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hinder resource extraction or energy production operations, or land uses that would be adversely affected by extraction or energy production.

Discussion

- (a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

The project is not located within a designated MRZ or within an Extractive Resource Area combining designation. There are no known mineral resources in the project area; therefore, *no impacts would occur.*

- (b) *Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

There are no known or mapped mineral resources in the project area (CDOC 2015b) and the likelihood of future mining of important resources within the project area is very low; therefore, *no impacts would occur.*

Conclusion

No impacts to mineral resources would occur and no mitigation measures are necessary.

Mitigation

None necessary.

XIII. NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project result in:</i>				
(a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Setting

The County of San Luis Obispo General Plan Noise Element provides a policy framework for addressing potential noise impacts in the planning process. The purpose of the Noise Element is to minimize future noise conflicts. The Noise Element identifies the major noise sources in the county (e.g., highways and freeways, primary arterial roadways and major local streets, railroad operations, aircraft and airport operations, local industrial facilities, other stationary sources) and includes goals, policies, and implementation programs to reduce future noise impacts. Among the most significant policies of the Noise Element are numerical noise standards that limit noise exposure within noise-sensitive land uses, and performance standards for new commercial and industrial uses that might adversely impact noise-sensitive land uses.

Noise sensitive uses that have been identified by the County include the following:

- Residential development, except temporary dwellings
- Schools (e.g., preschool to secondary, college and university, specialized education and training)
- Health care services (e.g., hospitals, clinics, etc.)
- Nursing and personal care
- Churches
- Public assembly and entertainment
- Libraries and museums
- Hotels and motels
- Bed and breakfast facilities
- Outdoor sports and recreation
- Offices

All sound levels referred to in the Noise Element are expressed in A-weighted decibels (dBA). A-weighting deemphasizes the very low and very high frequencies of sound in a manner similar to the human ear.

The existing ambient noise environment is characterized by occasional military training drills and demonstrations performed at Camp Roberts and marginal noise from vehicles travelling on the unnamed road off Nacimiento Lake Road. Noise-sensitive land uses typically include residences, schools, nursing homes, and parks. The nearest existing noise-sensitive land use is a rural residence located approximately 0.8 mile to the northwest of the project site. The project would not be located within an Airport Review Area and there are no active public or private landing strips within 2 miles of the project site.

Discussion

- (a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

The project includes minor grading activities, tree removal, and construction of three proposed greenhouses for indoor cannabis cultivation, one proposed 8,000-square-foot building to be used as a cannabis nursery, and one 1,536-square-foot barn for processing. These construction activities have the potential to generate short-term construction noise. All construction activities would be

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limited to the daytime hours of 7:00 a.m. to 9:00 p.m. Monday through Friday, and 8:00 a.m. to 5:00 p.m. Saturday and Sunday, in accordance with County construction noise standards (County Code Section 22.10.120.A). In addition, these activities would occur near the center of a 167-acre parcel, and all construction noises would considerably attenuate over the distance to the nearest off-site receptor (approximately 0.8 mile to the northwest).

The project proposes the use of heating, ventilation, and air conditioning systems (HVAC) including evaporative through-wall coolers, ventilation fans, and dehumidifiers within the proposed greenhouse and processing building, which would result in new sources of stationary noise during project operation. Noise associated with the use of wall- or roof-mounted HVAC equipment associated with the proposed greenhouses would be expected to generate noise levels of approximately 65 dBA at a distance of 25 feet from the source. Noise naturally attenuates (diminishes) at a rate of 6 dB per doubling of distance, so noise levels at the nearest property lines approximately 400 feet away from these proposed uses would be approximately 41 dB, which would be below the general noise level of normal conversation (Center for Disease Control and Prevention [CDC] 2018) and would be well below the maximum allowable exterior noise standards set forth in the Noise Element.

Therefore, impacts related to exposing people to noise levels that exceed the Noise Element thresholds would be *less than significant*.

(b) *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?*

The project does not propose substantial grading/earthmoving activities, pile driving, or other high impact activities that would generate substantial groundborne noise or groundborne vibration during construction. Construction equipment has the potential to generate minor groundborne noise and/or vibration, but these activities would be limited in duration and are not likely to be perceptible from adjacent areas. The project does not propose a use that would generate long-term operational groundborne noise or vibration. Therefore, impacts related to exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels would be *less than significant*.

(c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

The nearest airstrip in proximity to the project site is the Camp Roberts Airstrip, located approximately 5.3 miles northeast of the site. The project site is not located within or adjacent to an airport land use plan or within 2 miles of a public airport or private airstrip; therefore, *no impact would occur*.

Conclusion

Short-term construction activities would be limited in nature and duration and conducted during daytime periods per County LUO standards. No long-term operational noise or ground vibration would occur as a result of the project. Therefore, potential impacts related to noise would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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XIV. POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The County of San Luis Obispo General Plan Housing Element recognizes the difficulty for residents to find suitable and affordable housing within San Luis Obispo County. The Housing Element includes an analysis of vacant and underutilized land located in urban areas that is suitable for residential development and considers zoning provisions and development standards to encourage development of these areas. Consistent with State housing element laws, these areas are categorized into potential sites for very low- and low-income households, moderate-income households, and above moderate-income households.

The County's Inclusionary Housing Ordinance requires the provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions. 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.

Discussion

- (a) *Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

The project proposes cannabis activities within a rural area and would employ up to 14 employees: six full time and eight part time. 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 any housing in the area. In addition, the project would be subject to inclusionary housing fees to offset any potential increased need for housing in the area. Therefore, impacts to population and housing would be *less than significant*.

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- (b) *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The project would not displace existing housing or necessitate the construction of replacement housing elsewhere; therefore, *no impacts would occur*.

Conclusion

No impacts to population and housing would occur and no mitigation measures are necessary.

Mitigation

None necessary.

XV. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Fire protection services in unincorporated San Luis Obispo County are provided by CAL FIRE, which has been under contract with the County to provide full-service fire protection since 1930. Approximately 180 full-time state employees operate the County Fire Department, supplemented by as many as 100 state seasonal fire fighters, 300 County paid-call and reserve fire fighters, and 120 state inmate fire fighters. CAL FIRE responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and reduce their impact, coordinates regional emergency response efforts, and provides public education and

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training in local communities. CAL FIRE has 24 fire stations located throughout the county. The nearest stations to the project site are stations #33 and #34, which are located approximately 8.6 miles south and 10.4 miles west of the project site, respectively. Based on the referral response letter received from CAL FIRE for the project, the estimated time to respond to an emergency call would be approximately 35 minutes.

Police protection and emergency services in the unincorporated portions of the county are provided by the San Luis Obispo County Sheriff's Office. The Sheriff's Office Patrol Division responds to calls for service, conducts proactive law enforcement activities, and performs initial investigations of crimes. Patrol personnel are deployed from three stations throughout the county: the Coast Station in Los Osos, the North Station in Templeton, and the South Station in Oceano. The project site would be served by officers deployed from the North Station in Templeton, approximately 20 miles southeast of the project site.

San Luis Obispo County has a total of 12 school districts that currently enroll approximately 34,000 students in over 75 schools. The project is located within the San Miguel Elementary School District and the Paso Robles Joint Unified School District.

Within the County's unincorporated areas, there are currently 23 parks, three golf courses, four trails/staging areas, and eight Special Areas that include natural areas, coastal access, and historic facilities currently operated and maintained by the County. The project is not within proximity to any public parks or recreational facilities.

Public facilities fees, Quimby fees, and developer conditions are several ways the County currently funds public services. A public facility fee program (i.e., development impact fee program) has been adopted to address impacts related to public facilities (County) and schools (State Government Code 65995 et seq.). The fee amounts are assessed annually by the County based on the type of proposed development and the development's proportional impact and are collected at the time of building permit issuance. Public facility fees are used as needed to finance the construction of and/or improvements to public facilities required to serve new development, including fire protection, law enforcement, schools, parks, and roads.

Discussion

- (a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

Fire protection?

The project would be designed to comply with all fire safety rules and regulations including the California Fire Code and PRC, which may include improvements to the existing access road to accommodate emergency vehicle access, vegetation clearing or trimming around all existing and proposed structures, and/or installation of a water storage tank for fire protection. County Fire /CAL FIRE has provided a referral response letter for the project that details required items to be completed prior to final inspection/operation of the project. 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 cumulative demand on fire protection services. Therefore, impacts would be *less than significant*. Additional information regarding fire hazard impacts is discussed in Section IX, Hazards and Hazardous Materials.

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Police protection?

The applicant has prepared a Safety and Security Plan subject to review and approval by the County Sheriff's Office. 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 County Sheriff's Office. In addition, the project would be subject to public facility fees to offset the project's cumulative contribution to demand on law enforcement services. Therefore, impacts related to police services would be *less than significant*.

Schools?

As discussed in Section XIV, Population/Housing, the project would not induce population growth and would not result in the need for additional school services or facilities. However, the project would be subject to school impact fees, pursuant to California Education Code Section 17620, to help fund construction or reconstruction of school facilities. Therefore, impacts would be *less than significant*.

Parks?

As discussed in Section XIV, Population and Housing, the project would not induce a substantial increase in population growth and would not result in the need for additional parks or recreational services or facilities to serve new populations. Therefore, potential impacts would be *less than significant*.

Other public facilities?

As discussed above, the proposed project would be subject to applicable fees to offset negligible increased demands on public facilities; therefore, impacts related to other public facilities would be *less than significant*.

Conclusion

The project does not propose development that would substantially increase demands on public services and would not induce population growth that would substantially increase demands on public services. The project would be subject to payment of development impact fees to reduce the project's negligible contribution to increased demands on public services and facilities. Therefore, potential impacts related to public services would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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XVI. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The County of San Luis Obispo Parks and Recreation Element establishes goals, policies, and implementation measures for the management, renovation, and expansion of existing parks recreation facilities and the development of new parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county.

Public facilities fees, Quimby fees, and developer conditions are several ways the County currently funds public parks and recreational facilities. Public facility fees are collected upon construction of new residential units and currently provide funding for new community-serving recreation facilities. Quimby Fees are collected when new residential lots are created and can be used to expand, acquire, rehabilitate, or develop community-serving parks. Finally, a discretionary permit issued by the County may condition a project to provide land, amenities, or facilities consistent with the Parks and Recreation Element.

The County Bikeways Plan identifies and prioritizes bikeway facilities throughout the unincorporated area of the county, including bikeways, parking, connections with public transportation, educational programs, and funding. The Bikeways Plan is updated every 5 years and was last updated in 2016. The plan identifies goals, policies, and procedures geared towards realizing significant bicycle use as a key component of the transportation options for San Luis Obispo County residents. The plan also includes descriptions of bikeway design and improvement standards, an inventory of the current bicycle circulation network, and a list of current and future bikeway projects within the county.

Discussion

- (a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

The project proposes cannabis activities within a rural area and would employ up to 14 employees: six full time and eight part time. The project is not proposed in a location that would affect any existing trail, park, recreational facility, coastal access, and/or natural area. The project would not

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induce population growth or create a significant need for additional park or recreational facilities; therefore, *no impacts would occur*.

- (b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The project does not include the construction of new recreational facilities and would not result in a substantial increase in demand or use of parks and recreational facilities. Implementation of the project would not require the construction or expansion of recreational facilities; therefore, *no impacts would occur*.

Conclusion

The project would not result in the significant increase in use, construction, or expansion of parks or recreational facilities. Therefore, potential impacts related to recreation would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

XVII. TRANSPORTATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The San Luis Obispo Council of Governments (SLOCOG) holds several key roles in transportation planning within the county. As the Regional Transportation Planning Agency (RTPA), SLOCOG is responsible for conducting a comprehensive, coordinated transportation program, preparation of a Regional Transportation Plan (RTP), programming of State funds for transportation projects, and the administration

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and allocation of transportation development act funds required by State statutes. The 2019 RTP, adopted June 5, 2019, is a long-term blueprint of the county's transportation system. The plan identifies and analyzes transportation needs of the region and creates a framework for project priorities. SLOCOG represents and works with the County and Cities within the county in facilitating the development of the RTP.

In 2013, SB 743 was signed into law with the intent to “more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions” and required the Governor's Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. As a result, in December 2018, the California Natural Resources Agency certified and adopted updates to the State CEQA Guidelines. The revisions included new requirements related to the implementation of SB 743 and identified vehicle miles traveled (VMT) per capita, VMT per employee, and net VMT as new metrics for transportation analysis under CEQA (as detailed in Section 15064.3 [b]). Beginning July 1, 2020, the newly adopted VMT criteria for determining significance of transportation impacts must be implemented statewide.

The County's Framework for Planning (Inland), includes the County of San Luis Obispo General Plan LUE and Circulation Element. The framework establishes goals and strategies to meet pedestrian circulation needs by providing usable and attractive sidewalks, pathways, and trails to establish maximum access and connectivity between land use designations. Due to the remote location of the project site, there are no pedestrian, bicycle, or public transit facilities within 5 miles of the project site.

The project site is located in a rural area and is accessed by an unnamed, privately maintained road off Nacimiento Lake Drive, an arterial roadway. Based on the Heritage Ranch Village Plan, the portion of Nacimiento Lake Drive from Paso Robles to Interlake Road has been identified as needing improvements. The project is not located off this segment of Nacimiento Lake Drive, but access to the project site from Paso Robles and the south would traverse this segment. Based on the North County Area Plan, no other roads within the general vicinity have been identified as having congestion concerns or needing improvements. A project referral package was sent to the County Public Works Department and no traffic-related concerns were identified. The entrance to the unnamed, privately maintained road from which the project takes access is located in unincorporated Monterey County. A project referral package was sent to the Monterey County Department of Public Works, but no response has been received to date.

Discussion

- (a) *Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

The project site is located in a remote area accessed by an unnamed, privately maintained road off Nacimiento Lake Drive and the existing driveway to the project site is one of the last driveways along this roadway before access terminates at the border of the Camp Roberts Military Base property. The project would generate approximately 22 average daily trips and would be subject to public facility fees to offset the relative impacts on surrounding roadways. Therefore, the project would not conflict with an established measure of effectiveness for the performance of a circulation system, conflict with a congestion management program, or conflict with adopted transportation plans or policies. Potential impacts would be *less than significant*.

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- (b) *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

The County has not yet identified an appropriate model or method to estimate VMT for proposed land use development projects. Section 15064.3, Subdivision (b) states that if existing models or methods are not available to estimate the VMT for the particular project being considered, a lead agency may analyze the project's VMT qualitatively.

Construction of the project is expected to take between 4 and 8 months to complete. Vehicle trips made during the construction period would be temporary and would be eliminated once construction activities are completed. The project would employ up to 14 employees: six full time and eight part time. The project would not result in a substantial change from existing land uses and would not be open to the public. Based on the size and nature of the project, the project would not generate a significant increase in construction-related or operational VMT. Therefore, potential impacts would be *less than significant*.

- (c) *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

The proposed project and access routes have been reviewed by the Department of Public Works (David Grim 2018) and identified no concerns associated with the current access road design. The project would be required to make improvements to the existing driveway on the project property as necessary to comply with access requirements established by the County Fire/CAL FIRE. The project would not substantially change the existing roadway design and does not include geometric design features that would create new hazards or an incompatible use. Therefore, *impacts would be less than significant*.

- (d) *Result in inadequate emergency access?*

The project would be required to make improvements to the existing access approach as necessary to accommodate emergency vehicle access. No public road closures are necessary to implement these improvements. Therefore, the project would not adversely affect existing emergency access and *no impacts would occur*.

Conclusion

The project would be subject to County Public Works Department and County Fire/CAL FIRE access requirements and public facility fees. Therefore, potential impacts related to transportation would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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XVIII. TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Approved in 2014, AB 52 added tribal cultural resources to the categories of resources that must be evaluated under CEQA. Tribal cultural resources are defined as either of the following:

- 1) Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - a. Included or determined to be eligible for inclusion in the CRHR; or
 - b. Included in a local register of historical resources as defined in Subdivision (k) of California PRC Section 5020.1.
- 2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Subdivision (c) of California PRC Section 5024.1. In

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applying these criteria for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe.

Recognizing that tribes have expertise with regard to their tribal history and practices, AB 52 requires lead agencies to provide notice to tribes that are traditionally and culturally affiliated with the geographic area of a proposed project if they have requested notice of projects proposed within that area. If the tribe requests consultation within 30 days upon receipt of the notice, the lead agency must consult with the tribe regarding the potential for adverse impacts on tribal cultural resources as a result of a project. Consultation may include discussing the type of environmental review necessary, the presence and/or significance of tribal cultural resources, the level of significance of a project's impacts on the tribal cultural resources, and available project alternatives and mitigation measures recommended by the tribe to avoid or lessen potential impacts on tribal cultural resources.

In accordance with AB 52 Cultural Resources requirements, outreach to four Native American tribes has been conducted: Northern Salinan, Xolon Salinan, yak tit'vu tit'vu yak tiłhini Northern Chumash, and the Northern Chumash Tribal Council. Responses were received from the Northern Salinan and Northern Chumash Tribal Council and both indicated there were no comments or concerns regarding the proposed project.

Discussion

- (a) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*
 - (a-i) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*

The County has provided notice of the opportunity to consult with appropriate tribes per the requirements of AB 52 and received responses from the Salinan Tribe of Monterey & San Luis Obispo Counties and the Northern Chumash Tribal Council indicating they had no concerns. The project site does not contain any known tribal cultural resources that have been listed or been found eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1 (Central Coast Archaeological Research Consultants 2018).

Potential impacts associated with the inadvertent discovery of tribal cultural resources would be subject to LUO Section 22.10.040 (Archaeological Resources), which requires that in the event resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department shall be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. Therefore, impacts related to a substantial adverse change in the significance of tribal cultural resources would be *less than significant*.

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- (a-ii) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

The project site does not contain any resources determined by the County to be a potentially significant tribal cultural resource. Impacts associated with potential inadvertent discovery would be minimized through compliance with existing standards and regulations (LUO Section 22.10.040). Therefore, potential impacts would be *less than significant*.

Conclusion

No tribal cultural resources are known or expected to occur within or adjacent to the project site. In the event unanticipated sensitive resources are discovered during project activities, adherence with County LUO standards and State Health and Safety Code procedures would reduce potential impacts to less than significant; therefore, potential impacts to tribal cultural resources would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

XIX. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The County Public Works Department provides water and wastewater services for specific County Service Areas (CSAs) that are managed through issuance of water/wastewater “will serve” letters. The Public Works Department currently maintains CSAs for the communities of Nipomo, Oak Shores, Cayucos, Avila Beach, Shandon, and Santa Margarita, as well as the San Luis Obispo Country Club. Other unincorporated areas in the county rely on on-site wells and individual wastewater systems. Regulatory standards and design criteria for onsite wastewater treatment systems are provided by the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (California OWTS Policy).

Per the County’s Stormwater Program, the Public Works Department is responsible for ensuring that new construction sites implement BMPs during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must obtain coverage under the SWRCB’s Construction General Permit. PG&E is the primary electricity provider and both PG&E and Southern California Gas Company provide natural gas services for urban and rural communities within the County of San Luis Obispo.

There are three landfills in San Luis Obispo County: Cold Canyon Landfill, located near the city of San Luis Obispo; Chicago Grade Landfill, located near the community of Templeton; and Paso Robles Landfill, located east of the city of Paso Robles.

Discussion

- (a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electrical power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?*

The project would be designed to comply with all fire safety rules and regulations including the California Fire Code and PRC, which could include, but would not be limited to, installation of fire sprinkler systems, improvement of the existing driveway to an all-weather surface, installation of smoke detectors, etc. No new utility lines or emergency water storage facilities would be required to be installed to serve the project. No utility relocations are proposed. Therefore, potential impacts would be *less than significant*.

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- (b) *Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

The project would attain its water supply from an existing shared well located on-site, approximately 640 feet northeast of the existing hoop structures. Based on the well completion report completed at the time of its installment in 2010, the well has a depth of 387 feet and has an estimated yield of 20+ gallons per minute.

The project is located within the PRGWB, which is categorized as being in a state of critical overdraft and is located outside the area that is categorized as being in severe decline (Spring Well Decline 1997–2013; County of San Luis Obispo 2018X). A water demand analysis prepared for the project (Wallace Group 2018) estimates that the total water demand for the project would be 2.36 AFY. The project would result in marginal additional water demand for the irrigation and maintenance of all oak tree replacement plantings described in Section IV, Biological Resources.

Because the project's sole water source is currently designated as being in a state of critical overdraft, the project may have the potential to not have sufficient water supplies available during normal, dry, and multiple dry years. Mitigation measures WQ-5 and WQ-6 have been identified to require the project applicant implement one or a combination of actions that would result in the overall offset of project water use within the PRGWB at a 1:1 ratio, as required by the CWWCP and LUO Section 22.94.025. Through implementation of these measures, the project's water use would result in an overall net-zero increase of water use within the basin; therefore, the project's impacts associated with sufficient water supplies available during normal, dry, and multiple dry years would be *less than significant with mitigation*.

- (c) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

The project would not substantially increase demands on existing wastewater collection, treatment, and disposal facilities. The project does not include new connections to wastewater treatment facilities; therefore, *no impact would occur*.

- (d) *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Construction activities would result in the generation of minimal solid waste materials, including five existing hoop structures to be removed; no significant long-term increase in solid waste would occur. The applicant proposes to dispose of cannabis plant waste generated on the project site through on-site composting pursuant to the California Code of Regulations. Ancillary non-plant waste would be collected and hauled by the applicant to a local waste facility on an as-needed basis. The nearest waste facility to the project site is Paso Robles Landfill, which has a remaining capacity of 4,216,402 cubic yards. The project would not be served by a public solid waste service and would not result in any significant demand or other impacts on public solid waste facilities or services; therefore, impacts would be *less than significant*.

- (e) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

The project would not result in a substantial increase in waste generation during project construction or operation. Construction waste disposal would comply with federal, state, and local

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management and reduction statutes and regulations related to solid waste. Therefore, potential impacts would be *less than significant*.

Conclusion

Mitigation measures WQ-5 and WQ-6 have been identified to require that the project applicant implement one or a combination of actions that would result in the overall offset of project water use within the PRGWB at a 1:1 ratio, as required by the CWWCP and LUO Section 22.94.025. The project would not result in significant increased demands on wastewater or stormwater infrastructure and facilities. No substantial increase in solid waste generation would occur. Therefore, project impacts associated with utilities and service systems would be less than significant with mitigation.

Mitigation

Implement measures WQ-5 and WQ-6.

XX. WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>				
(a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Setting

In central California, the fire season usually extends from roughly May through October; however, recent events indicate that wildfire behavior, frequency, and duration of the fire season are changing in California. Fire Hazard Severity Zones (FHSZ) are defined by CAL FIRE based on the presence of fire-prone vegetation, climate, topography, assets at risk (e.g., high population centers), and a fire protection agency's ability to provide service to the area (CAL FIRE 2007). FHSZs throughout the county have been designated as "Very High," "High," or "Moderate." In San Luis Obispo County, most of the area that has been designated as a Very High FHSZ is located in the Santa Lucia Mountains, which extend parallel to the coast along the entire length of San Luis Obispo County. The Moderate Hazard designation does not mean the area cannot experience a damaging fire; rather, it indicates that the probability is reduced, generally because the number of days a year that the area has "fire weather" is less than in High or Very High FHSZs. The project would be located within the State Responsibility Area in a High FHSZ. Based on CAL FIRE's referral response letter, it would take approximately 35 minutes to respond to a call regarding fire or life safety.

The County Emergency Operations Plan (EOP) addresses several overall policy and coordination functions related to emergency management. The EOP includes the following components:

- Identifies the departments and agencies designated to perform response and recovery activities and specifies tasks they must accomplish;
- Outlines the integration of assistance that is available to local jurisdictions during disaster situations that generate emergency response and recovery needs beyond what the local jurisdiction can satisfy;
- Specifies the direction, control, and communications procedures and systems that will be relied upon to alert, notify, recall, and dispatch emergency response personnel; alert the public; protect residents and property; and request aid/support from other jurisdictions and/or the federal government;
- Identifies key continuity of government operations; and
- Describes the overall logistical support process for planned operations.

Topography influences wildland fire to such an extent that slope conditions can often become a critical wildland fire factor. Conditions such as speed and direction of dominant wind patterns, the length and steepness of slopes, direction of exposure, and/or overall ruggedness of terrain influence the potential intensity and behavior of wildland fires and/or the rates at which they may spread (Barros et al. 2013).

The County of San Luis Obispo General Plan Safety Element establishes goals, policies, and programs to reduce the threat to life, structures, and the environment caused by fire. Policy S-13 identifies that new development should be carefully located, with special attention given to fuel management in higher fire risk areas, and that new development in fire hazard areas should be configured to minimize the potential for added danger. Implementation strategies for this policy include identifying high risk areas, developing and implementing mitigation efforts to reduce the threat of fire, requiring fire resistant material to be used for building construction in fire hazard areas, and encouraging applicants applying for subdivisions in fire hazard areas to cluster development to allow for a wildfire protection zone.

The California Fire Code provides minimum standards for many aspects of fire prevention and suppression activities. These standards include provisions for emergency vehicle access, water supply, fire protection systems, and the use of fire-resistant building materials.

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The County has prepared an Emergency Operations Plan (EOP) to outline the emergency measures that are essential for protecting the public health and safety. These measures include, but are not limited to, public alert and notifications, emergency public information, and protective actions. The EOP also addresses policy and coordination related to emergency management.

Discussion

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

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 the Nacimiento Dam.

Implementation of the proposed project would not have a permanent impact on any adopted emergency response plans or emergency evacuation plans. Temporary construction activities and staging would not substantially alter existing circulation patterns or trips. Access to adjacent areas would be maintained throughout the duration of the project. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan. Potential impacts would be *less than significant*.

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

The average hourly wind speed in Lake Nacimiento experiences mild seasonal variation over the course of the year. The windier part of the year lasts for 3.7 months, from March 11 to July 3, with average wind speeds of more than 7.9 miles per hour (Weatherspark.com 2019). The project does not include major grading that would alter the site's slope or removal of a substantial number of trees, buildings, or other natural wind breaks or barriers. The project components would be required to be designed and constructed in accordance with the California Fire Code, which includes provision of fire suppression water tanks, installation of fire sprinklers and fire alarms, and improvements to the site access driveway to allow access of emergency fire apparatuses. In addition, based on the location of the project within a High FHSZ and long emergency response time, mitigation measures HAZ-3 and HAZ-4 have been identified to require ongoing management of flammable vegetation and implementation of all recommendations provided in the County Fire/CAL FIRE response letter to reduce potential impacts related to wildland fire hazards. Therefore, potential impacts associated with exacerbation of wildfire risks through proposed site improvements would be *less than significant with mitigation*.

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

The project would be designed to comply with all fire safety rules and regulations including the California Fire Code and PRC, which may include improvements to the existing access road to accommodate emergency vehicle access, vegetation clearing or trimming around all existing and proposed structures, and/or expansion of one of the existing water storage tanks on-site for fire protection. The project does not include installation of new overhead power lines or other infrastructure that may exacerbate fire risk. Therefore, potential impacts would be *less than significant*.

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- (d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

The project development site is located on nearly level to gently sloping land within a low landslide potential area. The project site would not include any design elements that would expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Therefore, impacts would be *less than significant*.

Conclusion

The project would result in new development located in a High FHSZ. Mitigation measures HAZ-3 and HAZ-4 have been identified to require ongoing management of flammable vegetation and implementation of all recommendations provided in the County Fire/CAL FIRE response letter to reduce potential impacts related to wildland fire hazards. The project would not substantially impair an emergency response plan, or require the installation of new infrastructure that may exacerbate fire risk or result in temporary ongoing impacts to the environment. The project would not include any design elements that would expose people or structures to significant risk as a result of runoff, post-fire instability, or drainage changes. Therefore, potential impacts associated with wildfire would be less than significant with mitigation.

Mitigation

Implement measures HAZ-3 and HAZ-4.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Does the project have the potential to substantially 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, substantially 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

Refer to setting information provided in the resource sections.

Discussion

- (a) *Does the project have the potential to substantially 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, substantially 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?*

As discussed in each resource section above, the proposed project would not result in significant impacts to biological or cultural resources and 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 upon implementation of identified mitigation measures. Therefore, impacts would be *less than significant with mitigation incorporated*.

- (b) *Does the project 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)?*

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 State 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 State CEQA Guidelines state that the discussion of cumulative impacts should reflect the severity of the impacts as well as the

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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.

Existing and Reasonably Foreseeable Cannabis Facilities

In 2016, the County estimated that there were as many as 500 unpermitted (illegal) cannabis cultivation sites within the unincorporated county. Assuming 0.5 acre per site, the canopy associated with these activities could be as high as 250 acres. County Code Enforcement officers have successfully abated 82 operations, and there are currently approximately 225 total operations under investigation to date (December 10, 2019). Unpermitted cannabis operations are expected to continue to be abated throughout the county.

Table 2 below provides a summary of the maximum possible cannabis cultivation activities that could be approved through permit applications that have been received by the County to date (December 9, 2019). Each of these proposed activities is considered a reasonably foreseeable future project for the purposes of this cumulative impact analysis. It is important to note however, that many proposed activities are subject to change during the land use permit process and a portion of these applications may be withdrawn by the applicant or denied by the County approving body. Figure 4 shows the project site along with other approved and proposed cannabis project sites within 5 miles of the proposed project site.

Table 2. Summary of Cannabis Facility Applications for Unincorporated San Luis Obispo County¹

Proposed Cannabis Cultivation Type	Total Number of Proposed Cannabis Cultivation Permits ^{1,2}	Total Proposed Canopy (acres)	Approved Activities
Indoor Cultivation and Indoor Nursery	115	89	10
Outdoor Cultivation		241	10
Total	115	330	20

¹ As of December 9, 2019.

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 proposed cannabis activities.

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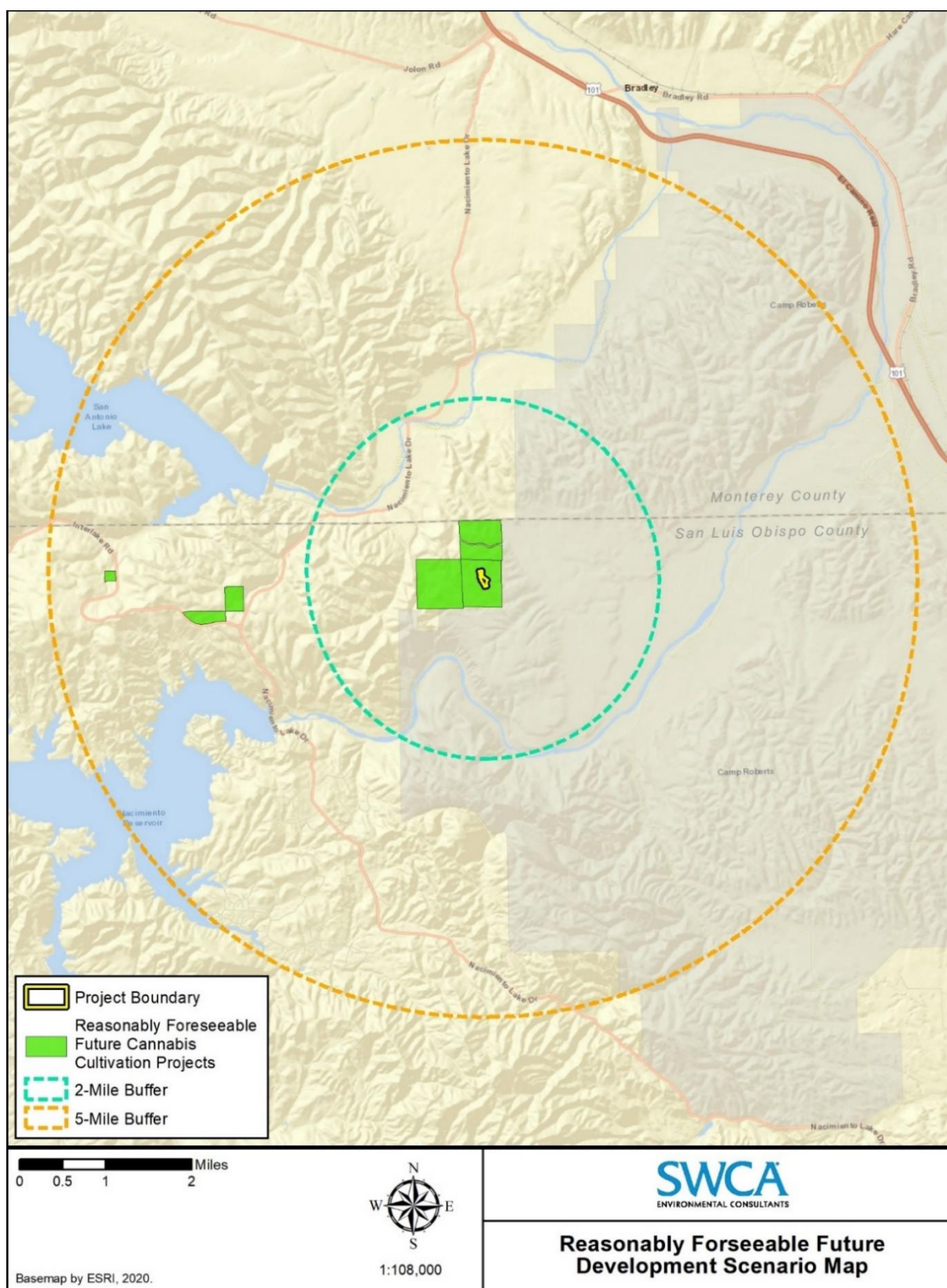


Figure 4. Reasonably Foreseeable Future Development Scenario Map

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

- All 115 applications for cultivation sites would be approved and developed;
- Each cultivation site would be developed with the maximum allowed cultivation uses:
 - 3 acres of outdoor cultivation;
 - 0.5 acres of indoor cultivation;
 - 19,000 square feet of ancillary nursery;
 - A total of six full-time employees;
 - A total of 12 average daily motor vehicle trips; and
 - All sites would be served by a well and septic leach field.

The project applicant has submitted preliminary conceptual plans for several probable future developments on parcels to the north and west of the project parcel (APNs 080-041-035 and 080-041-037) as well as the project parcel (APN 080-041-036). Potential future development may include 1 acre of outdoor cultivation and a 27,000-square-foot greenhouse for indoor cultivation on each adjacent parcel, a new 15,000-square-foot processing building on the project parcel, and establishment of new power lines to one or more of the properties (Figure 5).

Potential environmental impacts of future projects have not been conducted on a project-specific level because development plans and details have not been submitted and would be subject to change, and these future developments would have independent utility from the proposed project. Future developments within the area would undergo environmental review at the time of application for a land use permit.

Aesthetics

All proposed project components would be located at a minimum of 1,000 feet from the nearest public roadway and would be well-screened by existing mature oak trees and natural topography of the site. Probable future development of cannabis cultivation facilities and utility connections is not anticipated to result in substantial grading or tree removal that could result in visibility of the project components from public access points. Project impacts associated with lighting would be sufficiently reduced through implementation of mitigation measure AES-1. Therefore, cumulative impacts to aesthetic resources would be *less than cumulatively considerable with mitigation*.

Agriculture and Forestry Resources

Neither the project parcel nor surrounding parcels are within agriculture, forest land, or timberland zoning designations or are enrolled in a Williamson Act contract. Probable future development would likely result in removal of multiple oak trees within the area and would also be subject to the County's oak tree replacement standards as described in Section IV, Biological Resources. The project's proposed oak tree removal would not result in a cumulatively considerable impact to forest land due to the small percentage of the existing oak tree canopy that would be impacted and the limited impacts anticipated from future development. Therefore, project cumulative impacts to agriculture and forestry resources would be *less than cumulatively considerable*.

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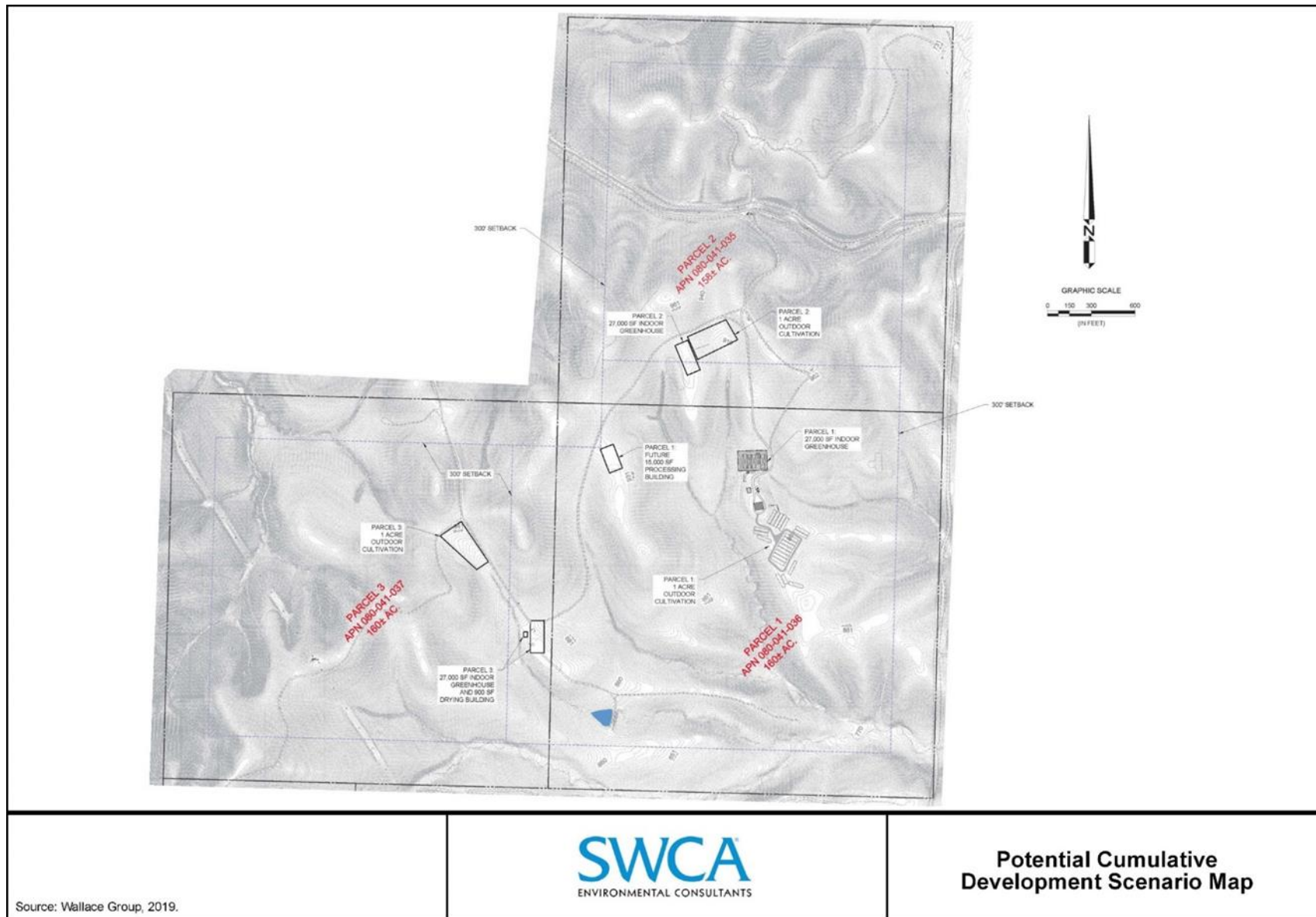


Figure 5. Potential Localized Cumulative Development Scenario Map

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Air Quality

Implementation of the proposed project would result in temporary emissions of criteria air pollutants for which the County is currently nonattainment under applicable State standards. As discussed in threshold (b) above, mitigation measures AQ-1 and AQ-2 have been identified to reduce the project's impacts associated with criteria pollutant emissions and these measures would effectively reduce potential impacts to less than cumulatively considerable. In addition, probable future development of cannabis cultivation facilities and utility connections in the project vicinity would be subject to environmental review and evaluation of their potential to contribute criteria pollutant emissions for which the county is nonattainment under applicable state standards.

The project is located in an area with two other reasonably foreseeable cannabis cultivation projects within 2 miles, and five within 5 miles (see Figure 4; as of January 13, 2020). The analysis provided in Section III, Air Quality concludes that the project's potential other emissions (such as those leading to odor) would be less than significant based on the distance of proposed odor-emitting uses from the project property lines and proposed ventilation measures to be implemented within proposed structures. All surrounding proposed cannabis development projects would be required to comply with County LUO cannabis odor control requirements including preparation of an odor control plan, minimum setback distances, and installation of sufficient ventilation controls to prevent odors from being detected off-site.

Therefore, project cumulative impacts associated with air quality would be *less than cumulatively considerable with mitigation*.

Biological Resources

Implementation of the proposed project has the potential to result in adverse impacts to special-status animals and sensitive natural communities. The proposed project could contribute to cumulative impacts to these resources when combined with impacts associated with the other planned and proposed projects described above (see Section A, Cumulative Development Scenario and Figure 4), including future development of cannabis facilities on adjacent parcels.

Potential project impacts to nesting birds protected under the MBTA, burrowing owl, roosting bats, American badger, and San Joaquin Kit Fox have been addressed through limitations on construction timing, preconstruction surveys, establishment of no-disturbance buffers, and other avoidance measures. The project's potential impacts to these species would not be cumulatively considerable as implementation of the identified avoidance measures would significantly reduce the potential for direct impacts to occur.

The project's potential impacts to blue oak trees on-site have been addressed through offset mitigation measures requiring replacement plantings for each oak tree removed at a 4:1 ratio, and a 2:1 ratio for each oak tree impacted. The project would result in the removal of four oak tree individuals, which would represent approximately less than 3% of the total oak woodland canopy on the project parcel. Based on the implementation of the compensatory mitigation identified and overall limited extent of the impact, this impact would not be cumulatively considerable.

As discussed in the thresholds above, mitigation measures BIO-1 through BIO-11 have been identified to avoid and/or reduce the project's potential adverse impacts to biological resources associated with the proposed project. Probable future development of cannabis cultivation facilities within the vicinity of the project, such as the adjacent parcels owned by the project applicant, would

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be subject to discretionary review and therefore would be evaluated for potentially significant environmental impacts, including impacts to biological resources. Impacts to biological resources from other cannabis projects in the project vicinity would likely require mitigation similar to the project, which may include, but would not be limited to, avoidance and protection of special-status plant and wildlife species and their habitats, erosion control measures and protection of riparian and wetland features, and offsetting any impacts to native tree species through replacement plantings. Therefore, the project's impacts in consideration of surrounding proposed and future cannabis projects and their potential impacts, cumulative impacts to biological resources would be *less than cumulatively considerable with mitigation*.

Cultural Resources

No prehistoric or historic cultural materials were observed during the Phase I surface survey of the project site and no previously recorded resources are located within 0.5 mile of the project site (LSA Associates 2013). Potential impacts to previously undiscovered cultural resources would be reduced through compliance with applicable County LUO standards and State Health and Safety Code procedures. Reasonably foreseeable future development of cannabis facilities in the vicinity would be subject to environmental review and applicable local and state policies for previously undiscovered cultural resources. Therefore, project cumulative impacts to cultural resources would be *less than cumulatively considerable*.

Energy

Based on an analysis of cannabis cultivation operations throughout the County, it is assumed that cannabis cultivation projects typically use an insignificant amount of natural gas. Natural gas use is typically associated with cooking appliances and space heating, and neither of these uses are expected to be needed for cultivation projects, as indoor cultivation lighting produces sufficient heat needed for indoor or mixed-light cultivation operations. Accordingly, this assessment of impacts is based on electricity use. As described in Section VI. Energy the project would result in a total electricity demand of approximately 6,368 kWh per year.

Table 3 provides a summary of the estimated worst-case scenario of total electricity demand associated with development of all 115 proposed and/or approved cannabis cultivation projects with 22,000 square feet (0.5 acre) of mixed-light (indoor) cannabis cultivation based on the County of Santa Barbara Cannabis Energy Conservation Plan Electricity Use Calculation Form.

Table 3 indicates that electricity demand in San Luis Obispo County could increase by as much as 35% if all 115 cultivation projects are developed with 22,000 square feet of mixed-light cultivation and are approved. 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). Table 4 shows the percent increase in the projected 2030 demand for these bundled sources of electricity throughout PG&E's service area, assuming all 115 cultivation projects are developed with 22,000 square feet of mixed-light cultivation and approved.

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Table 3. Projected Demand for Electricity From Approved and Reasonably Foreseeable Cannabis Cultivation Projects

Proposed Land Use	Total Electricity Demand From Proposed 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 Proposed Cannabis Cultivation (Gigawatt Hours/Year)	Percent Increase Over 2018 Electricity Demand
Mixed-light (indoor) Cultivation	620,400,000	620			
Total:	620,400,000	620	1,765.9	2,385	35%

¹ Source: CalEEMOD 2016 v.3.2. Assumes 115 cultivation projects with 0.5 acre of mixed-light cannabis canopy.

² Source: California Energy Commission 2019.

Table 4. Projected Demand for Electricity From Approved and Reasonably Foreseeable Cannabis Cultivation Projects Compared with Projected PG&E 2030 Available Service Load

Source	Demand
Increased Electricity Consumption In San Luis Obispo County With 115 Cannabis Cultivation Projects ¹ (Gigawatt Hours/Year)	620
Projected PG&E 2030 Bundled Service Load ² (GWh)	33,784
Percent Increase in 2030 Demand With Cannabis Cultivation	1.8%

¹ Source: CalEEMOD 2016 v.3.2. Assumes 115 cultivation projects with 3.5 acres of cannabis canopy.

² Source: PG&E 2018, Integrated Resource Plan.

The project is one of approximately 115 cannabis cultivation project applications that have been applied for in San Luis Obispo County, 11 of which have been approved to date. The County Planning and Building Department has developed a methodology for evaluating potential energy use impacts of cannabis cultivation projects that utilizes the County of Santa Barbara Cannabis Energy Conservation Plan Electricity Use Calculation Form to estimate total energy use and GHG emissions through the California Emissions Estimator Model (CalEEMod). For all projects that would result in greater than 20% of general commercial uses of the same size and/or would result in GHG emissions that meet or exceed the SLOAPCD Brightline Threshold, standard mitigation measures are identified to reduce the project's environmental impact from wasteful and inefficient energy use to less than significant through a preparation of an Energy Conservation Plan prepared by a certified energy analyst, which would include measures such as enrollment in PG&E's renewable energy programs, structure retrofitting, use of renewable energy sources, and other strategies or programs that effectively reduce energy use and/or increase the project utilization ratio of GHG-free energy sources.

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As described in the threshold discussions above, the project would rely solely on solar energy collected and stored on-site to support project electricity needs. Fuel use associated with construction and operational vehicle trips would be subject to applicable federal and state standards and would not result in a cumulatively considerable environmental impact. Therefore, project cumulative impacts associated with energy would be *less than cumulatively considerable*.

Greenhouse Gas Emissions

As discussed in Section VIII, Greenhouse Gas Emissions, the project would not result in a substantial amount of new daily vehicle trips (Central Coast Transportation Consulting 2018) and the proposed cultivation and processing facilities would be supplied by electricity generated from onsite solar PV panels.

Future development of cannabis cultivation facilities on the surrounding parcels may have the potential to require installation of new PG&E electricity infrastructure to supply future proposed cultivation and processing energy needs. If this is the case, these projects, along with all other reasonably foreseeable cannabis cultivation projects within the county, would be subject to discretionary review by County staff. Indoor and mixed-light cultivation projects that are determined to have the potential to result in potentially significant impacts associated with GHG emissions would be required to implement standard mitigation measures to reduce these potential impacts, including but not limited to, preparation of an Energy Conservation Plan and/or requiring enrollment in a clean energy program.

Therefore, based on the project's marginal level of projected GHG emissions and discretionary review of other cultivation projects' GHG emissions impacts, the project's environmental impacts associated with GHG emissions would be *less than cumulatively considerable*.

Hazards and Hazardous Materials

As discussed in Section IX, Hazards and Hazardous Materials, the project site contains sensitive habitat areas and ephemeral waterways as described in Section IV, Biological Resources, which could be impacted from upsets or spills of potentially hazardous substances. Mitigation measures HAZ-1 and HAZ-2 have been identified to reduce potential impacts associated with hazards created by reasonably foreseeable upset or accident conditions during project construction by requiring immediate cleanup of any spills and location of refueling and other potentially hazardous activities within designated staging areas only.

The project is located within the Very High FHSZ and is located on a parcel with moderately dense native vegetation and limited access. Mitigation measures HAZ-3 and HAZ-4 have been identified to require ongoing management of flammable vegetation and implementation of all recommendations provided in the County Fire/CAL FIRE response letter to reduce potential impacts related to wildland and high severity fire hazards.

Probable future development of cannabis cultivation facilities within the vicinity of the project, such as the adjacent parcels owned by the project applicant, would be subject to discretionary review and therefore would be evaluated for potentially significant environmental impacts, including impacts associated with hazards and hazardous materials. Impacts associated with hazards and hazardous materials from other cannabis projects in the project vicinity would likely require mitigation similar to the project, which may include, but would not be limited to, implementation of hazardous material spill response plans, staging and refueling location limitations, and vegetation

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management. Based on the project-specific mitigation measures identified above, and the discretionary environmental review of probable future cannabis projects within the vicinity, project impacts associated with hazards and hazardous materials would be *less than cumulatively considerable*.

Hydrology and Water Quality

As discussed in Section X, Hydrology and Water Quality, compliance with existing regulations and/or required plans in addition to implementation of mitigation measures WQ-1 through WQ-8, HAZ-1, and HAZ-2 would adequately reduce potential impacts associated with hydrology and water quality to be less than significant.

All proposed cannabis cultivation projects located in the county would be subject to standard County requirements for drainage, sedimentation, and erosion control for construction and operation. All potentially hazardous materials (e.g., pesticides, fertilizers, etc.) proposed to be utilized for these projects would be required to comply with the applicable County Department of Environmental Health storage, refilling, and dispensing standards. All cannabis cultivation projects within the county would also be required to comply with applicable riparian, wetland, and other waterway setbacks established by the RWQCB.

The project is located within the PRGWB, which is categorized as being in a state of critical overdraft and is located outside the area that is categorized as being in severe decline (Spring Well Decline 1997–2013; County of San Luis Obispo 2018). As indicated in Table 5, 33 applications for cannabis cultivation projects located within the PRGWB have been submitted to date (December 9, 2019).

Table 5. Estimated Water Demand from Reasonably Foreseeable Cannabis Cultivation in PRGWB

Bulletin 118 Groundwater Basin¹	Number of Reasonably Foreseeable Cultivation Projects	Total Estimated Water Demand From Cannabis Cultivation (AF/Year)³	Total Basin Storage Capacity (AF)
Paso Robles Groundwater Basin	33 ²	190.09	Approximately 400,000

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.

The project's proposed water use within a groundwater basin that is currently in critical overdraft would contribute to the overall cumulative impact of other proposed cannabis cultivation projects water use within the PRGWB. Mitigation measures WQ-5 and WQ-6 would require the project applicant to offset the project's proposed water use at a 1:1 ratio within the PRGWB. All proposed cannabis cultivation projects located within the PRGWB would also be subject to discretionary review and would be required to offset proposed water use at least a 1:1 ratio in compliance with the CWWCP. Proposed projects located in areas designated as being in severe decline would be required to offset proposed water use at a 2:1 ratio. Through water demand offsets and compliance with the CWWCP, cumulative impacts associated with substantially decreasing groundwater supplies and/or interfering substantially with groundwater recharge would be reduced.

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Therefore, based on recommended mitigation measures and compliance with existing policies and programs, project's individual impacts associated with hydrology and water quality would be *less than cumulatively considerable with mitigation*.

Public Services

The project and surrounding reasonably foreseeable future development would be subject to adopted public facility (County) and school (State Government Code 65995 et seq.) fee programs to offset impacts to public services. 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 public services impacts would be *less than cumulatively considerable*.

Transportation

As discussed in Section XVII, Transportation, the project would not result in a conflict with a plan or policy addressing the circulation system, increase hazards due to a geometric design feature, or result in inadequate emergency access. Surrounding reasonably foreseeable future cannabis cultivation projects would be subject to discretionary review and potential impacts associated with these thresholds would be analyzed and required to be reduced on a case by case basis. Therefore, the project's potential impacts associated with these thresholds would be less than cumulatively considerable.

The County Department of Public Works has derived trip generation rates for cannabis cultivation activities through the trip generation rates published by the Institute of Traffic Engineers. Table 6 provides an estimate of total average daily trips (ADT) and PM peak hour trips associated with buildout of the 115 currently proposed cannabis cultivation projects.

Table 6. Cumulative Average Daily Trips From Cannabis Cultivation

Use	Unit	ADT per Unit	Total Proposed Cannabis Cultivation Area	Total ADT	PM Peak Hour Trips
Cultivation, Indoor (includes greenhouses, plant processing, drying, curing, etc.)	1,000 sf	0.27	2,530,000 sf	690	10.3
Cultivation, Outdoor (includes hoop house)	Acres	2.00	345 acres	683	68.3
Seasonal Employees*	Employee	2.00	460 employees	460	460
Total				1,833	538.6

* Seasonal Trips are adjusted based on the annual frequency.

The County has not yet identified an appropriate model or method to estimate VMT for proposed land use development projects. State CEQA Guidelines Section 15064.3(b) states that if existing models or methods are not available to estimate the VMT for the particular project being considered, a lead agency may analyze the project's VMT qualitatively.

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The most recent estimate of total VMT for the county is from 2013, at which time total VMT per day was estimated to be 7,862,000 VMT. Assuming a 1% annual growth in VMT during the intervening 6 years, the current daily total is estimated to be around 8,333,720 VMT. Accordingly, the VMT associated with proposed cannabis cultivation projects throughout the county is estimated to result in a very marginal increase in the total county VMT. The marginal 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. 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 would be *less than cumulatively considerable*.

Other Impact Issue Areas

Based on the project's less-than-significant impacts and the discretionary review of all surrounding reasonable foreseeable future cannabis cultivation projects, the project's potential impacts associated with the following issue areas would also be less than cumulatively considerable:

- Geology and Soils;
- Land Use Planning;
- Mineral Resources;
- Noise;
- Recreation;
- Tribal Cultural Resources;
- Utilities and Service Systems; and
- Wildfire.

- (c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Environmental impacts that may have an adverse effect on human beings, either directly or indirectly, are analyzed in each environmental resource section above. In addition, implementation of mitigation measures GEO-1 and HAZ-1 would reduce potential adverse effects on human beings to less than significant; therefore, impacts would be *less than significant with mitigation*.

Conclusion

Potential impacts would be less than significant with mitigation incorporated.

Mitigation

Implement measures AES-1, AQ-1, AQ-2, BIO-1 through BIO-11, HAZ-1 through HAZ-4, and WQ-1 through WQ-6.

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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
<input checked="" type="checkbox"/>	County Public Works Department	In File**
<input checked="" type="checkbox"/>	County Building Division	In File**
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	In File**
<input checked="" type="checkbox"/>	County Sheriff's Department	None
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	None
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Fish and Wildlife	None
<input checked="" type="checkbox"/>	CA Department of Forestry (CAL FIRE)	In File**
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Services District	Not Applicable
<input checked="" type="checkbox"/>	Other Northern Chumash Tribal Council	In File**
<input checked="" type="checkbox"/>	Other Salinan Tribe of Monterey & San Luis Obispo Counties	In File**

** "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.

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

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

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Central Coast Archaeological Research Consultants. 2018. Cultural Resources Survey of the Sanders Cultivation Project, Nacimiento Lake Drive, Paso Robles, San Luis Obispo County, California. September 2018.

Central Coast Transportation Consulting. 2018. Nacimiento Lake Drive Cannabis Cultivation Facility Trip Generation. October 9.

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Exhibit B – Developer’s Statement

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

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

Aesthetics

- AES-1 Prior to issuance of construction permits or establishment of the use, the applicant shall submit a light pollution prevention plan (LPPP) to the County of San Luis Obispo Planning and Building Department for review and approval. This plan shall include, at a minimum, the following measures to reduce potential impacts related to night lighting:
- a. All facilities employing artificial lighting techniques shall include shielding and/or blackout tarps that are engaged between the period of 1 hour before dusk and 1 hour after dawn and prevent any and all light from escaping; and
 - b. All exterior lighting shall conform to Land Use Ordinance Section 22.10.060, be located and designed to be motion-activated, and be directed downward and to the interior of the site to avoid the light source from being visible off-site. All exterior lighting shall be “warm-white” or filtered (correlated color temperature of < 3,000 Kelvin; scotopic/photopic ratio of < 1.2) to minimize blue light emissions.

Air Quality

- AQ-1 Prior to issuance of grading, demolition, or construction permits or site disturbance activities, whichever occurs first, the following measures shall be implemented during all site disturbance activities and shown on all applicable plans:
- a. Maintain all construction equipment in proper tune according to manufacturer’s specifications;
 - b. Fuel all off-road and portable diesel-powered equipment with California Air Resources Board-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
 - c. Use diesel construction equipment meeting the California Air Resources Board’s Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
 - d. Use on-road heavy-duty trucks that meet the California Air Resources Board’s 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;

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- e. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g., captive or NO_x exempt area fleets) may be eligible by proving alternative compliance;
- f. All on- and off-road diesel equipment shall not idle for more than 5 minutes;
- g. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;
- h. Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- i. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- j. Electrify equipment when feasible;
- k. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and
- l. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.

AQ-2 Prior to issuance of grading, demolition, or construction permits or site disturbance activities, whichever occurs first, the following measures shall be implemented during all site disturbance activities and shown on all applicable plans:

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the San Luis Obispo County Air Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour (mph). Reclaimed (non-potable) water should be used whenever possible;
- c. All dirt stockpile areas should be sprayed daily or covered with tarps or other dust barriers, as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil-disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than 1 month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the San Luis Obispo County Air Pollution Control District;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;

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- j. Wheel washers or other devices should be installed to control tracking of mud and dirt onto adjacent roadways where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- k. Streets should be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible. Roads shall be pre-wetted prior to sweeping when feasible; and
- l. The applicant shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below the SLOAPCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period, and to prevent transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the SLOAPCD Engineering & Compliance Division prior to the start of any grading, site disturbance, or demolition.

AQ-3 Prior to issuance of grading, demolition, or construction permits or site disturbance activities, whichever occurs first, the applicant shall prepare a Dust and Air Quality Plan that shall include, at a minimum, the following components:

- a. A mitigation plan for continuing dust control from the property frontage to the nearest County of San Luis Obispo-maintained road. The plan may be modified to adjust for changed conditions or to improve the effectiveness of the dust-reducing technology. The plan and all modifications to the plan are subject to review and approval by the Review Authority.
- b. Evidence of road maintenance provided by the County of San Luis Obispo, State of California, special district, homeowners association, or other organized maintenance, such as a road maintenance agreement.
- c. An agreement, to support and not protest; the formation of an assessment district; or the creation of another funding mechanism. The consenting person(s) retains all due process rights as to any term or condition that was unknown at the time of application approval. The consenting person(s) may contest the specific proportionality.
- d. The Dust and Air Quality Plan shall be submitted to the County of San Luis Obispo Planning and Building Department for review and approval. All measures identified in the final approved Dust and Air Quality Plan shall be adhered to for the life of the project.

Biological Resources

BIO-1 Site preparation, ground-disturbance, and construction activities, including tree and vegetation removal, shall be conducted outside of the migratory bird nesting season (February 1 through August 31). If such activities cannot be avoided during this period, the applicant shall retain a County of San Luis Obispo-approved qualified biologist to conduct a preconstruction nesting bird survey no sooner than 1–4 weeks prior to tree removal activities and shall verify whether migratory birds are nesting in the site. If nesting activity is detected, the following measures shall be implemented:

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- a. The project shall be modified via the use of protective buffers, delaying construction activities, or other methods designated by the qualified biologist to avoid direct take of identified nests, eggs, and/or young protected under the Migratory Bird Treaty Act and/or California Fish and Game Code.
- b. The qualified biologist shall monitor the nests within the vicinity of project-related disturbances and determine if construction activities are causing behavioral changes or affecting nesting activities. Monitoring results shall then be utilized to develop an appropriate buffer around the next site to minimize disturbance. Construction activities within the buffer zone shall be prohibited until the young have fledged the nest and achieved independence.
- c. The qualified biologist shall document all active nests and submit a letter report to the County of San Luis Obispo documenting project compliance with the Migratory Bird Treaty Act, California Fish and Game Code, and applicable project mitigation measures, within 14 days of survey completion.

BIO-2 Prior to initiation of construction and/or site disturbance activities, the applicant shall implement the following measure to minimize and avoid impacts to western burrowing owl habitat:

- a. No less than 14 days and no more than 30 days prior to ground-disturbing activities, a County of San Luis Obispo-approved qualified biologist shall conduct pre-activity surveys for the presence of western burrowing owl and/or active burrows within the work area and within a 500-foot buffer of the work area. Surveys shall be conducted by County of San Luis Obispo-approved qualified biologists walking straight-line transects spaced 20 feet to 60 feet, adjusting for vegetation height and density.
- b. Exclusion zones, or no-disturbance buffers, shall be established around active burrows. No project-related disturbances shall occur within 160 feet of occupied burrows during the nonbreeding season of September 1 through January 31 or within 250 feet during the breeding season of February 1 through August 31.
- c. If an active burrow is observed within 500 feet of the work area during the breeding season, construction activities shall not continue until a County of San Luis Obispo-approved qualified biologist confirms the burrow is no longer active. Proposed adjustments to the buffer shall be through consultation with the California Department of Fish and Wildlife.
- d. If an active burrow is observed within 160 feet of the work area during the non-breeding season, construction activities shall not continue until a County of San Luis Obispo-approved qualified biologist confirms the burrow is no longer active.
- e. The County of San Luis Obispo-approved qualified biologist, with prior consultation and approval from the California Department of Fish and Wildlife, may institute passive relocation through use of one-way burrow doors that will not allow owls to reenter the burrow. Immediately before the start of construction activities, the biologists shall remove all doors and excavate the burrows to ensure that no animals are present at the burrow. The excavated burrows shall then be backfilled.
- f. A County of San Luis Obispo-approved qualified biologist shall be present during the initial clearing and grading activity. If additional burrowing owl burrows are found, all work shall cease until the biologist can complete measure described above for inactive

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and active burrows. Once all burrows have been excavated, work on the site may resume.

- g. The County of San Luis Obispo-approved qualified biologist shall submit a report to the County of San Luis Obispo within 14 days of completing initial surveys and every 14 days thereafter until grading activity is complete, documenting project compliance with the Migratory Bird Treaty Act, California Fish and Game Code, and applicable project mitigation measures.

BIO-3 Prior to and during any site disturbance and/or construction activities associated with the proposed project, the applicant shall retain a County of San Luis Obispo-approved qualified biologist to ensure the following protective measures are implemented to avoid impacts to roosting bats:

- a. Prior to commencement of tree removal associated with the project, the applicant shall schedule tree removal to occur outside of the typical bat maternity roosting and pupping season to avoid potential impacts to bats, if feasible. The typical bat maternal roosting season is defined as occurring from February 1 to August 31.
 - i. Prior to commencement of tree removal associated with construction, if tree removal must occur during the typical bat maternity roosting season (February 1 to August 31), tree removal activities will not be allowed unless a County of San Luis Obispo-approved qualified biologist has surveyed the impact area within 14 days prior to commencement of proposed construction activities and determined that no roosting bats will be adversely impacted. Roosting bat surveys will only be considered valid for 14 consecutive days before they will need to be repeated. At such time, if any evidence of bat roosting is found, the biologist will determine if any construction activities can occur during roosting and to what extent. The results of the surveys will be submitted to the County of San Luis Obispo and California Department of Fish and Wildlife, with recommendations for variable buffer zones, as needed, around individual roosting sites. Based on the results of the surveys, the following shall apply:
 - 1. If no bat roosting activities are detected within the proposed work area, tree-removal and noise-producing construction activities may proceed and no further mitigation is required.
 - 2. If bat roosting activity is confirmed during preconstruction roost surveys or at any time during the monitoring of construction activities, at a minimum, work activities shall be avoided within 100 feet of active roosts until bats have left the roosts. No trees with active bat roosts shall be removed until the bats have left the roosts or have been excluded from roosts.
 - 3. The County of San Luis Obispo-approved qualified biologist shall prepare a report after each survey and a copy of the report shall be provided to the County of San Luis Obispo within 14 days of completion of each survey.

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- BIO-4 Prior to initiation of construction and/or site disturbance activities, a survey for American badger dens should be conducted within the construction impact footprint and surrounding accessible areas of the property within 2 weeks of any ground-disturbing activities by a County of San Luis Obispo-approved biologist. The biologist shall evaluate all dens found to determine whether they are active. In order to avoid potential impacts to adults and nursing young, no grading shall occur within 50 feet of an active badger den as determined by the County of San Luis Obispo-approved biologist. Construction activities occurring between July 1 and February 28 shall comply with the following measures to avoid direct take of adult and weaned juvenile badgers through the forced abandonment of dens:
- A County of San Luis Obispo-approved biologist shall conduct a biological survey at least 2 weeks prior to the start of construction to identify any potential badger dens. The survey shall cover the entire area proposed for development, including roadways.
 - If dens are too long to see the end, a fiber optic scope (or other acceptable method such as using tracking medium for a consecutive 3-night period) shall be used to assess the presence of badgers.
 - Inactive dens shall be excavated by hand with a shovel to prevent badgers from reusing them during construction.
 - Currently active den entrances shall be partially blocked with sticks, debris, and soil for 3 to 5 days to discourage badgers from continuing to use them. Access to the den shall be incrementally blocked to a greater degree over this period. After badgers have stopped using previously active den(s) within the project disturbance site, the den(s) shall be excavated by hand with a shovel to prevent re-entry.
 - The County of San Luis Obispo-approved biologist shall be present during the initial clearing and grading activity. If additional badger dens are found at this time, all work shall cease until the biologist completes the measures described above for inactive and active dens. Once all badger dens have been excavated, work may resume.
- BIO-5 Within 14 and 30 days prior to the onset of grading or construction activities, a County of San Luis Obispo-approved qualified biologist shall conduct presence/absence surveys of San Joaquin kit fox and/or their dens within 200 feet of the project site following the U.S. Fish and Wildlife Service's standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance (USFWS 2011). Surveys shall be conducted in areas of potentially suitable habitat no less than 14 days and no more than 30 days prior the beginning of ground disturbing activities. A copy of the surveys shall be provided to California Department of Fish and Wildlife and to the County of San Luis Obispo within 14 days of completion of the surveys.
- BIO-6 Prior to or during project activities, if dens are found, no-disturbance buffers shall be established by the County of San Luis Obispo-approved biologist in accordance with the U.S. Fish and Wildlife Service recommendations (2011). If kit fox are found occupying atypical (i.e., manmade structure) den sites, a 50-foot no-disturbance buffer should be established around the occupied den site. If potential dens are found during surveys (BIO-7), a 50-foot no-disturbance buffer should be established. If dens that are occupied or have been known to be occupied in the past, or a natal or pupping den is found during the survey, consultation with the California Department of Fish and Wildlife should occur and a 100-foot no-disturbance buffer shall be established.

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- BIO-7 If San Joaquin kit fox are detected during the survey, consultation between the applicant, County of San Luis Obispo, and California Department of Fish and Wildlife shall occur immediately to discuss how to implement the project and avoid take, or if avoidance is not feasible, an Incidental Take Permit shall be acquired pursuant to California Fish and Game Code Section 2081(b).
- BIO-8 During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited.
- BIO-9 Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a County of San Luis Obispo-approved qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e., San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the County of San Luis Obispo, as well as any related biological report(s) prepared for the project. The applicant shall notify the County of San Luis Obispo within 5 days prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employees, and other personnel involved with the construction of the project. The County of San Luis Obispo-approved qualified biologist shall prepare a summary report of the training and provide a copy of the report to the County of San Luis Obispo within 14 days of training completion.
- BIO-10 Prior to issuance of construction or grading permits, or prior to any site disturbance, whichever occurs first, finalized site plans shall clearly delineate all native trees within 50 feet of areas where soil disturbance would occur and shall indicate which trees are to be removed or impacted (disturbance within the dripline/root zone), and which trees are to remain unimpacted.
- Prior to issuance of a Business License, a County of San Luis Obispo-approved qualified biologist shall prepare an Oak Tree Replacement Plan that provides for the installation and maintenance of replacement oak trees on the project parcel and surrounding parcels owned by the applicant and shall be reviewed and approved by the County of San Luis Obispo Planning Department. Mitigation replacement plantings for each oak tree removed shall be at a 4:1 ratio (e.g., if 4 mature oak trees are removed, the applicant must plant 16 replacement juveniles), and at a 2:1 ratio for each oak tree impacted. The Oak Tree Replacement Plan shall include the following components:
- A brief narrative of the project location, description, and purpose;
 - Clearly identified parties responsible for the mitigation program and their contact information;
 - A landscape map showing and quantifying all oak tree planting areas;
 - A detailed discussion of the methods for implementing the Oak Tree Replacement Plan, including invasive species removal, sources of plant materials, and supplemental watering regimes;
 - Provisions for the collection of oak propagules from the disturbance area, replacement planting propagation, and reintroduction into the parcel;
 - Identification of locations, amounts, species, and sizes of the oak trees to be planted. For each individual of a species removed, the same species shall be planted.

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- g. Identification of necessary components (e.g., temporary irrigation, amendments, etc.) to ensure successful plant reestablishment;
 - h. A program schedule and established success criteria for a 5-year maintenance, monitoring, and reporting program that is structured to ensure the success of the mitigation plantings; and
 - i. Methods for removing nonnative species from the replanting areas.
- BIO-11 Prior to any grading or grubbing, the applicant shall retain a certified arborist to identify any limbs at risk and perform all necessary trimming of oak tree limbs that could be damaged by project activities. Pruning shall be conducted as needed along the access road and construction area. All pruning shall be conducted prior to construction equipment passage to minimize the potential for inadvertent damage to tree limbs. Removal of larger lower branches shall be minimized to: (1) avoid making trees top-heavy and more susceptible to “blow-overs;” (2) reduce larger limb cuts that take longer to heal and are more susceptible to disease and infestation; (3) retain wildlife habitat values associated with the lower branches; (4) retain shade to keep summer temperatures cooler; and (5) retain the natural shape of the tree. The certified arborist shall document all pruning impacts in a report submitted to the County of San Luis Obispo.

Hazards and Hazardous Materials

- HAZ-1 During all construction activities, all project-related spills of hazardous materials shall be cleaned up immediately. Appropriate spill prevention and cleanup materials shall be onsite at all times during construction.
- HAZ-2 During all construction activities, the cleaning, refueling, and maintenance of equipment and vehicles shall occur only within designated staging areas. The staging areas shall conform to all Best Management Practices applicable to attaining zero discharge of stormwater runoff. At a minimum, all equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills.
- HAZ-3 Prior to building permit application, a Registered Fire Protection Engineer shall design and prepare a written analysis of all required fire suppression-related components as detailed in the County Fire/CAL FIRE referral response letter dated February 5, 2019, and provide this analysis to County Fire/CAL FIRE for review and approval.
- HAZ-4 Prior to final inspection by County Fire/CAL FIRE or initiation of business activities, the applicant shall establish a fire clearance area of 30 feet around all existing and proposed structures including greenhouses, hoop houses, barns, and fences. If any blue oak trees occur within this 30-foot clearance area, the applicant shall retain a certified arborist to perform trimming on these trees as necessary to reduce fire risk, including removal of any limbs that are within 10 feet of existing and/or proposed structures. All leaves, needles, or dead growth shall be removed from all rooftops within the project site. The applicant shall maintain all fire clearances throughout the life of the project.

Hydrology and Water Quality

- WQ-1 Prior to the start of construction or site disturbance, the project site boundaries, access routes, and staging areas should be clearly flagged so that contractors are aware of the limits of allowable site access and disturbance. Equipment access should not occur during wet weather

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or when access would cause ruts or soil compaction due to saturated soil conditions. A County of San Luis Obispo-approved qualified biologist shall coordinate with the project contractors to install construction delineation fencing to protect unimpacted oak trees from accidental disturbance, prior to site disturbance. Prior to site disturbance, the County of San Luis Obispo-approved qualified biologist shall provide sufficient evidence to the County of San Luis Obispo that protective fencing has been installed.

WQ-2 Prior to start of construction or site disturbance, the applicant shall prepare an Erosion Control and Sedimentation Control Plan. The plan shall address both temporary and permanent measures to control erosion and reduce sedimentation. Erosion and soil protection measures shall be provided on all disturbed soil areas prior to the onset of the rainy season (October 15). Project plans shall show that sedimentation and erosion control measures must be installed per the engineer's requirements. The plan should include specific Best Management Practices to minimize impacts to adjacent native habitats (e.g., washing of equipment should occur only in designated areas where polluted water and materials can be contained for subsequent removal from the site). Washing of equipment and tools should not be allowed in any location where the tainted water could leave the work area. Best Management Practices for dust abatement shall also be included.

WQ-3 Upon completion of site disturbance activities or establishment of the use, the applicant shall apply the following native seed mix to disturbed soil areas through either direct hand seeding or hydroseeding methods:

Species	Application Rate (lbs/acres)
California brome (<i>Bromus carinatus</i>)	5
Meadow barley (<i>Hordeum brachyantherum</i>)	5
Six weeks fescue (<i>Vulpia microstachys</i>)	10
Nodding needlegrass (<i>Stipa cernua</i>)	3
Tomcat clover (<i>Trifolium wildenovii</i>)	5
Total	28

WQ-4 Prior to the start of construction activities, grading on-site should be scheduled outside of the rainy season (October 15 through April 15). If grading is proposed during the rainy season, such activities must be authorized under relevant provisions of the County of San Luis Obispo's Grading Ordinance and must follow an approved Erosion and Sedimentation Control Plan (BIO-15).

WQ-5 Prior to issuance of building permits (or prior to occupancy if no building permits are required), all applicants for cannabis related activities within the Paso Robles Groundwater Basin shall provide to the County of San Luis Obispo Department of Planning and Building for review and approval a Water Conservation Plan with a package of measures that, when implemented, will achieve the water demand offset required by Land Use Ordinance Sections 22.40.050 D, 5, 22.40.060 D.5, and 22.94.025 F and Building Ordinance Section 19.07.042 (4). The Water Conservation Plan shall include the following:

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- a. The quantification of water demand expressed in total acre-feet per year, consistent with the Water Management Plan required by Land Use Ordinance Sections 22.40.050 C. 1 and 22.40.060 C.1.
- b. A program for achieving a water demand offset of the quantified water demand as required by Land Use Ordinance Sections 22.40.050.D.5, 22.40.060 D.5, and 22.94.025 F and Building Ordinance Section 19.07.042 (4). Such a program may include, but is not limited to, the following:
 - i. The permanent installation of water facilities and/or infrastructure to improve the efficient use of water on existing irrigated agricultural lands within the basin. Such improvements shall be accompanied by an audit of existing agricultural water demand prepared by an Agricultural Engineer, or other licensed engineer or qualified professional as approved by the Director of Planning and Building. Water efficiency improvements may include, but are not limited to, the following:
 - 1. Drip irrigation.
 - 2. Smart controllers. Irrigation controllers that are climatologically controlled without human intervention, that adjust irrigation based on the amount of moisture lost from soil and plant material since the previous irrigation by utilizing climate data (evapo-transpiration rates) broadcast to the controller from the California Irrigation Management Information System and other sources, and that have been tested and certified 100% for irrigation adequacy and schedule shall be installed and maintained on all irrigated and landscaped areas.
 - 3. Installation of float valves on water tanks to prevent tanks from overflowing.
 - 4. Converting from using overhead sprinklers to wind machines for frost protection. [Note: The installation of wind machines shall be included in the project description for cannabis activities and subject to environmental review.]
 - 5. Installation of rainwater catchment systems to reduce demand on groundwater. [Note: The installation of rainwater catchment facilities shall be included in the project description for cannabis activities and subject to environmental review.]
 - ii. Participation in an approved water conservation program within the Paso Robles Groundwater Basin that is verifiable, results in a permanent reduction of water demand equal to, or exceeding, the required water demand offset, and has been subject to environmental review.
 - iii. Any combination of the above or other qualifying strategies or programs that would achieve the required water demand offset.
- c. The water demand offset documented by the Water Conservation Plan shall be verifiable and permanent, and shall not result in adverse environmental effects beyond those assessed by the California Environmental Quality Act compliance document for the proposed cannabis project.

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- WQ-6 At the time of quarterly monitoring inspection, the applicant shall provide to the County of San Luis Obispo Department of Planning and Building for review, evidence that the water efficiency improvements associated with the approved Water Conservation Program remain in full effect and are continuing to achieve the required water demand offset associated with the approved cannabis activities.

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Exhibit C – Other Agency Approvals That May Be Required

California Department of Food and Agriculture (CDFA), CalCannabis Cultivation Licensing Division

The 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, generator use, energy restrictions, lighting requirements, requirements to conduct Envirostor database searches, and water supply requirements.

California Code of Regulations

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.

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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

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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 RWQCB program for water quality protection.

California Department of Fish and Wildlife (CDFW)

Lake or Streambed Alteration. 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)

The 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.

DEVELOPER'S STATEMENT & MITIGATION MONITORING/REPORTING PROGRAM

Souji Farms, Inc.

ED19-108 (DRC2018-00094)

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

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

Aesthetics

- AES-1 Prior to issuance of construction permits or establishment of the use, the applicant shall submit a light pollution prevention plan (LPPP) to the County of San Luis Obispo Planning and Building Department for review and approval. This plan shall include, at a minimum, the following measures to reduce potential impacts related to night lighting:
- a. All facilities employing artificial lighting techniques shall include shielding and/or blackout tarps that are engaged between the period of 1 hour before dusk and 1 hour after dawn and prevent any and all light from escaping; and
 - b. All exterior lighting shall conform to Land Use Ordinance Section 22.10.060, be located and designed to be motion-activated, and be directed downward and to the interior of the site to avoid the light source from being visible off-site. All exterior lighting shall be "warm-white" or filtered (correlated color temperature of < 3,000 Kelvin; scotopic/photopic ratio of < 1.2) to minimize blue light emissions.

Air Quality

- AQ-1 Prior to issuance of grading, demolition, or construction permits or site disturbance activities, whichever occurs first, the following measures shall be implemented during all site disturbance activities and shown on all applicable plans:
- a. Maintain all construction equipment in proper tune according to manufacturer's specifications;
 - b. Fuel all off-road and portable diesel-powered equipment with California Air Resources Board-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
 - c. Use diesel construction equipment meeting the California Air Resources Board's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;

- d. Use on-road heavy-duty trucks that meet the California Air Resources Board's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- e. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g., captive or NOx exempt area fleets) may be eligible by proving alternative compliance;
- f. All on- and off-road diesel equipment shall not idle for more than 5 minutes;
- g. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;
- h. Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- i. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- j. Electrify equipment when feasible;
- k. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and
- l. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.

AQ-2

Prior to issuance of grading, demolition, or construction permits or site disturbance activities, whichever occurs first, the following measures shall be implemented during all site disturbance activities and shown on all applicable plans:

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the San Luis Obispo County Air Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour (mph). Reclaimed (non-potable) water should be used whenever possible;
- c. All dirt stockpile areas should be sprayed daily or covered with tarps or other dust barriers, as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil-disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than 1 month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the San Luis Obispo County Air Pollution Control District;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;

- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;
- j. Wheel washers or other devices should be installed to control tracking of mud and dirt onto adjacent roadways where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- k. Streets should be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible. Roads shall be pre-wetted prior to sweeping when feasible; and
- l. The applicant shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below the SLOAPCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period, and to prevent transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the SLOAPCD Engineering & Compliance Division prior to the start of any grading, site disturbance, or demolition.

AQ-3

Prior to issuance of grading, demolition, or construction permits or site disturbance activities, whichever occurs first, the applicant shall prepare a Dust and Air Quality Plan that shall include, at a minimum, the following components:

- a. A mitigation plan for continuing dust control from the property frontage to the nearest County of San Luis Obispo-maintained road. The plan may be modified to adjust for changed conditions or to improve the effectiveness of the dust-reducing technology. The plan and all modifications to the plan are subject to review and approval by the Review Authority.
- b. Evidence of road maintenance provided by the County of San Luis Obispo, State of California, special district, homeowners association, or other organized maintenance, such as a road maintenance agreement.
- c. An agreement, to support and not protest; the formation of an assessment district; or the creation of another funding mechanism. The consenting person(s) retains all due process rights as to any term or condition that was unknown at the time of application approval. The consenting person(s) may contest the specific proportionality.
- d. The Dust and Air Quality Plan shall be submitted to the County of San Luis Obispo Planning and Building Department for review and approval. All measures identified in the final approved Dust and Air Quality Plan shall be adhered to for the life of the project.

Biological Resources

BIO-1

Site preparation, ground-disturbance, and construction activities, including tree and vegetation removal, shall be conducted outside of the migratory bird nesting season (February 1 through August 31). If such activities cannot be avoided during this period, the applicant shall retain a County of San Luis Obispo-approved qualified biologist to conduct a preconstruction nesting bird survey no sooner than 1–4 weeks prior to tree removal activities and shall verify whether migratory birds are nesting in the site. If nesting activity is detected, the following measures shall be implemented:

- a. The project shall be modified via the use of protective buffers, delaying construction activities, or other methods designated by the qualified biologist to avoid direct take of identified nests, eggs, and/or young protected under the Migratory Bird Treaty Act and/or California Fish and Game Code.
- b. The qualified biologist shall monitor the nests within the vicinity of project-related disturbances and determine if construction activities are causing behavioral changes or affecting nesting activities. Monitoring results shall then be utilized to develop an appropriate buffer around the next site to minimize disturbance. Construction activities within the buffer zone shall be prohibited until the young have fledged the nest and achieved independence.
- c. The qualified biologist shall document all active nests and submit a letter report to the County of San Luis Obispo documenting project compliance with the Migratory Bird Treaty Act, California Fish and Game Code, and applicable project mitigation measures, within 14 days of survey completion.

BIO-2

Prior to initiation of construction and/or site disturbance activities, the applicant shall implement the following measure to minimize and avoid impacts to western burrowing owl habitat:

- a. No less than 14 days and no more than 30 days prior to ground-disturbing activities, a County of San Luis Obispo-approved qualified biologist shall conduct pre-activity surveys for the presence of western burrowing owl and/or active burrows within the work area and within a 500-foot buffer of the work area. Surveys shall be conducted by County of San Luis Obispo-approved qualified biologists walking straight-line transects spaced 20 feet to 60 feet, adjusting for vegetation height and density.
- b. Exclusion zones, or no-disturbance buffers, shall be established around active burrows. No project-related disturbances shall occur within 160 feet of occupied burrows during the nonbreeding season of September 1 through January 31 or within 250 feet during the breeding season of February 1 through August 31.
- c. If an active burrow is observed within 500 feet of the work area during the breeding season, construction activities shall not continue until a County of San Luis Obispo-approved qualified biologist confirms the burrow is no longer active. Proposed adjustments to the buffer shall be through consultation with the California Department of Fish and Wildlife.
- d. If an active burrow is observed within 160 feet of the work area during the non-breeding season, construction activities shall not continue until a County of San Luis Obispo-approved qualified biologist confirms the burrow is no longer active.
- e. The County of San Luis Obispo-approved qualified biologist, with prior consultation and approval from the California Department of Fish and Wildlife, may institute passive relocation through use of one-way burrow doors that will not allow owls to reenter the burrow. Immediately before the start of construction activities, the biologists shall remove all doors and excavate the burrows to ensure that no animals are present at the burrow. The excavated burrows shall then be backfilled.
- f. A County of San Luis Obispo-approved qualified biologist shall be present during the initial clearing and grading activity. If additional burrowing owl burrows are found, all work shall cease until the biologist can complete measure described

above for inactive and active burrows. Once all burrows have been excavated, work on the site may resume.

- g. The County of San Luis Obispo-approved qualified biologist shall submit a report to the County of San Luis Obispo within 14 days of completing initial surveys and every 14 days thereafter until grading activity is complete, documenting project compliance with the Migratory Bird Treaty Act, California Fish and Game Code, and applicable project mitigation measures.

BIO-3 Prior to and during any site disturbance and/or construction activities associated with the proposed project, the applicant shall retain a County of San Luis Obispo-approved qualified biologist to ensure the following protective measures are implemented to avoid impacts to roosting bats:

- a. Prior to commencement of tree removal associated with the project, the applicant shall schedule tree removal to occur outside of the typical bat maternity roosting and pupping season to avoid potential impacts to bats, if feasible. The typical bat maternal roosting season is defined as occurring from February 1 to August 31.
 - i. Prior to commencement of tree removal associated with construction, if tree removal must occur during the typical bat maternity roosting season (February 1 to August 31), tree removal activities will not be allowed unless a County of San Luis Obispo-approved qualified biologist has surveyed the impact area within 14 days prior to commencement of proposed construction activities and determined that no roosting bats will be adversely impacted. Roosting bat surveys will only be considered valid for 14 consecutive days before they will need to be repeated. At such time, if any evidence of bat roosting is found, the biologist will determine if any construction activities can occur during roosting and to what extent. The results of the surveys will be submitted to the County of San Luis Obispo and California Department of Fish and Wildlife, with recommendations for variable buffer zones, as needed, around individual roosting sites. Based on the results of the surveys, the following shall apply:
 - 1. If no bat roosting activities are detected within the proposed work area, tree-removal and noise-producing construction activities may proceed and no further mitigation is required.

If bat roosting activity is confirmed during preconstruction roost surveys or at any time during the monitoring of construction activities, at a minimum, work activities shall be avoided within 100 feet of active roosts until bats have left the roosts. No trees with active bat roosts shall be removed until the bats have left the roosts or have been excluded from roosts.
 - b. The County of San Luis Obispo-approved qualified biologist shall prepare a report after each survey and a copy of the report shall be provided to the County of San Luis Obispo within 14 days of completion of each survey.

BIO-4 Prior to initiation of construction and/or site disturbance activities, a survey for American badger dens should be conducted within the construction impact footprint and surrounding accessible areas of the property within 2 weeks of any ground-disturbing activities by a County of San Luis Obispo-approved biologist. The biologist shall evaluate all dens found to determine whether they are active. In order to avoid potential impacts

to adults and nursing young, no grading shall occur within 50 feet of an active badger den as determined by the County of San Luis Obispo-approved biologist. Construction activities occurring between July 1 and February 28 shall comply with the following measures to avoid direct take of adult and weaned juvenile badgers through the forced abandonment of dens:

- a. A County of San Luis Obispo-approved biologist shall conduct a biological survey at least 2 weeks prior to the start of construction to identify any potential badger dens. The survey shall cover the entire area proposed for development, including roadways.
- b. If dens are too long to see the end, a fiber optic scope (or other acceptable method such as using tracking medium for a consecutive 3-night period) shall be used to assess the presence of badgers.
- c. Inactive dens shall be excavated by hand with a shovel to prevent badgers from reusing them during construction.
- d. Currently active den entrances shall be partially blocked with sticks, debris, and soil for 3 to 5 days to discourage badgers from continuing to use them. Access to the den shall be incrementally blocked to a greater degree over this period. After badgers have stopped using previously active den(s) within the project disturbance site, the den(s) shall be excavated by hand with a shovel to prevent re-entry.
- e. The County of San Luis Obispo-approved biologist shall be present during the initial clearing and grading activity. If additional badger dens are found at this time, all work shall cease until the biologist completes the measures described above for inactive and active dens. Once all badger dens have been excavated, work may resume.

BIO-5 Within 14 and 30 days prior to the onset of grading or construction activities, a County of San Luis Obispo-approved qualified biologist shall conduct presence/absence surveys of San Joaquin kit fox and/or their dens within 200 feet of the project site following the U.S. Fish and Wildlife Service's standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance (USFWS 2011). Surveys shall be conducted in areas of potentially suitable habitat no less than 14 days and no more than 30 days prior the beginning of ground disturbing activities. A copy of the surveys shall be provided to California Department of Fish and Wildlife and to the County of San Luis Obispo within 14 days of completion of the surveys.

BIO-6 Prior to or during project activities, if dens are found, no-disturbance buffers shall be established by the County of San Luis Obispo-approved biologist in accordance with the U.S. Fish and Wildlife Service recommendations (2011). If kit fox are found occupying atypical (i.e., manmade structure) den sites, a 50-foot no-disturbance buffer should be established around the occupied den site. If potential dens are found during surveys (BIO-7), a 50-foot no-disturbance buffer should be established. If dens that are occupied or have been known to be occupied in the past, or a natal or pupping den is found during the survey, consultation with the California Department of Fish and Wildlife should occur and a 100-foot no-disturbance buffer shall be established.

BIO-7 If San Joaquin kit fox are detected during the survey, consultation between the applicant, County of San Luis Obispo, and California Department of Fish and Wildlife shall occur immediately to discuss how to implement the project and avoid take, or if avoidance is

not feasible, an Incidental Take Permit shall be acquired pursuant to California Fish and Game Code Section 2081(b).

- BIO-8 During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited.
- BIO-9 Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a County of San Luis Obispo-approved qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e., San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the County of San Luis Obispo, as well as any related biological report(s) prepared for the project. The applicant shall notify the County of San Luis Obispo within 5 days prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employees, and other personnel involved with the construction of the project. The County of San Luis Obispo-approved qualified biologist shall prepare a summary report of the training and provide a copy of the report to the County of San Luis Obispo within 14 days of training completion.
- BIO-10 Prior to issuance of construction or grading permits, or prior to any site disturbance, whichever occurs first, finalized site plans shall clearly delineate all native trees within 50 feet of areas where soil disturbance would occur and shall indicate which trees are to be removed or impacted (disturbance within the dripline/root zone), and which trees are to remain unimpacted.
- Prior to issuance of a Business License, a County of San Luis Obispo-approved qualified biologist shall prepare an Oak Tree Replacement Plan that provides for the installation and maintenance of replacement oak trees on the project parcel and surrounding parcels owned by the applicant and shall be reviewed and approved by the County of San Luis Obispo Planning Department. Mitigation replacement plantings for each oak tree removed shall be at a 4:1 ratio (e.g., if 4 mature oak trees are removed, the applicant must plant 16 replacement juveniles), and at a 2:1 ratio for each oak tree impacted. The Oak Tree Replacement Plan shall include the following components:
- a. A brief narrative of the project location, description, and purpose;
 - b. Clearly identified parties responsible for the mitigation program and their contact information;
 - c. A landscape map showing and quantifying all oak tree planting areas;
 - d. A detailed discussion of the methods for implementing the Oak Tree Replacement Plan, including invasive species removal, sources of plant materials, and supplemental watering regimes;
 - e. Provisions for the collection of oak propagules from the disturbance area, replacement planting propagation, and reintroduction into the parcel;
 - f. Identification of locations, amounts, species, and sizes of the oak trees to be planted. For each individual of a species removed, the same species shall be planted.
 - g. Identification of necessary components (e.g., temporary irrigation, amendments, etc.) to ensure successful plant reestablishment;

- h. A program schedule and established success criteria for a 5-year maintenance, monitoring, and reporting program that is structured to ensure the success of the mitigation plantings; and
 - i. Methods for removing nonnative species from the replanting areas.
- BIO-11 Prior to any grading or grubbing, the applicant shall retain a certified arborist to identify any limbs at risk and perform all necessary trimming of oak tree limbs that could be damaged by project activities. Pruning shall be conducted as needed along the access road and construction area. All pruning shall be conducted prior to construction equipment passage to minimize the potential for inadvertent damage to tree limbs. Removal of larger lower branches shall be minimized to: (1) avoid making trees top-heavy and more susceptible to "blow-overs;" (2) reduce larger limb cuts that take longer to heal and are more susceptible to disease and infestation; (3) retain wildlife habitat values associated with the lower branches; (4) retain shade to keep summer temperatures cooler; and (5) retain the natural shape of the tree. The certified arborist shall document all pruning impacts in a report submitted to the County of San Luis Obispo.

Hazards and Hazardous Materials

- HAZ-1 During all construction activities, all project-related spills of hazardous materials shall be cleaned up immediately. Appropriate spill prevention and cleanup materials shall be onsite at all times during construction.
- HAZ-2 During all construction activities, the cleaning, refueling, and maintenance of equipment and vehicles shall occur only within designated staging areas. The staging areas shall conform to all Best Management Practices applicable to attaining zero discharge of stormwater runoff. At a minimum, all equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills.
- HAZ 3 Prior to building permit application, a Registered Fire Protection Engineer shall design and prepare a written analysis of all required fire suppression-related components as detailed in the County Fire/CAL FIRE referral response letter dated February 5, 2019, and provide this analysis to County Fire/CAL FIRE for review and approval.
- HAZ-4 Prior to final inspection by County Fire/CAL FIRE or initiation of business activities, the applicant shall establish a fire clearance area of 30 feet around all existing and proposed structures including greenhouses, hoop houses, barns, and fences. If any blue oak trees occur within this 30-foot clearance area, the applicant shall retain a certified arborist to perform trimming on these trees as necessary to reduce fire risk, including removal of any limbs that are within 10 feet of existing and/or proposed structures. All leaves, needles, or dead growth shall be removed from all rooftops within the project site. The applicant shall maintain all fire clearances throughout the life of the project.

Hydrology and Water Quality

- WQ-1 Prior to the start of construction or site disturbance, the project site boundaries, access routes, and staging areas should be clearly flagged so that contractors are aware of the limits of allowable site access and disturbance. Equipment access should not occur during wet weather or when access would cause ruts or soil compaction due to saturated soil conditions. A County of San Luis Obispo-approved qualified biologist shall coordinate with the project contractors to install construction delineation fencing to protect unimpacted oak trees from accidental disturbance, prior to site disturbance. Prior to site

disturbance, the County of San Luis Obispo-approved qualified biologist shall provide sufficient evidence to the County of San Luis Obispo that protective fencing has been installed.

WQ-2 Prior to start of construction or site disturbance, the applicant shall prepare an Erosion Control and Sedimentation Control Plan. The plan shall address both temporary and permanent measures to control erosion and reduce sedimentation. Erosion and soil protection measures shall be provided on all disturbed soil areas prior to the onset of the rainy season (October 15). Project plans shall show that sedimentation and erosion control measures must be installed per the engineer's requirements. The plan should include specific Best Management Practices to minimize impacts to adjacent native habitats (e.g., washing of equipment should occur only in designated areas where polluted water and materials can be contained for subsequent removal from the site). Washing of equipment and tools should not be allowed in any location where the tainted water could leave the work area. Best Management Practices for dust abatement shall also be included.

WQ-3 Upon completion of site disturbance activities or establishment of the use, the applicant shall apply the following native seed mix to disturbed soil areas through either direct hand seeding or hydroseeding methods:

Species	Application Rate (lbs/acres)
California brome (<i>Bromus carinatus</i>)	5
Meadow barley (<i>Hordeum brachyantherum</i>)	5
Six weeks fescue (<i>Vulpia microstachys</i>)	10
Nodding needlegrass (<i>Stipa cernua</i>)	3
Tomcat clover (<i>Trifolium wildenovii</i>)	5
Total	28

WQ-4 Prior to the start of construction activities, grading on-site should be scheduled outside of the rainy season (October 15 through April 15). If grading is proposed during the rainy season, such activities must be authorized under relevant provisions of the County of San Luis Obispo's Grading Ordinance and must follow an approved Erosion and Sedimentation Control Plan (BIO-15).

WQ-5 Prior to issuance of building permits (or prior to occupancy if no building permits are required), all applicants for cannabis related activities within the Paso Robles Groundwater Basin shall provide to the County of San Luis Obispo Department of Planning and Building for review and approval a Water Conservation Plan with a package of measures that, when implemented, will achieve the water demand offset required by Land Use Ordinance Sections 22.40.050 D. 5, 22.40.060 D.5, and 22.94.025 F and Building Ordinance Section 19.07.042 (4). The Water Conservation Plan shall include the following:

- a. The quantification of water demand expressed in total acre-feet per year, consistent with the Water Management Plan required by Land Use Ordinance Sections 22.40.050 C. 1 and 22.40.060 C.1.
- b. A program for achieving a water demand offset of the quantified water demand as required by Land Use Ordinance Sections 22.40.050.D.5, 22.40.060 D.5, and 22.94.025 F and Building Ordinance Section 19.07.042 (4). Such a program may include, but is not limited to, the following:

- i. The permanent installation of water facilities and/or infrastructure to improve the efficient use of water on existing irrigated agricultural lands within the basin. Such improvements shall be accompanied by an audit of existing agricultural water demand prepared by an Agricultural Engineer, or other licensed engineer or qualified professional as approved by the Director of Planning and Building. Water efficiency improvements may include, but are not limited to, the following:
 - 1. Drip irrigation.
 - 2. Smart controllers. Irrigation controllers that are climatologically controlled without human intervention, that adjust irrigation based on the amount of moisture lost from soil and plant material since the previous irrigation by utilizing climate data (evapo-transpiration rates) broadcast to the controller from the California Irrigation Management Information System and other sources, and that have been tested and certified 100% for irrigation adequacy and schedule shall be installed and maintained on all irrigated and landscaped areas.
 - 3. Installation of float valves on water tanks to prevent tanks from overflowing.
 - 4. Converting from using overhead sprinklers to wind machines for frost protection. [Note: The installation of wind machines shall be included in the project description for cannabis activities and subject to environmental review.]
 - 5. Installation of rainwater catchment systems to reduce demand on groundwater. [Note: The installation of rainwater catchment facilities shall be included in the project description for cannabis activities and subject to environmental review.]
- ii. Participation in an approved water conservation program within the Paso Robles Groundwater Basin that is verifiable, results in a permanent reduction of water demand equal to, or exceeding, the required water demand offset, and has been subject to environmental review.
- iii. Any combination of the above or other qualifying strategies or programs that would achieve the required water demand offset.
- c. The water demand offset documented by the Water Conservation Plan shall be verifiable and permanent, and shall not result in adverse environmental effects beyond those assessed by the California Environmental Quality Act compliance document for the proposed cannabis project.

WQ-6

At the time of quarterly monitoring inspection, the applicant shall provide to the County of San Luis Obispo Department of Planning and Building for review, evidence that the water efficiency improvements associated with the approved Water Conservation Program remain in full effect and are continuing to achieve the required water demand offset associated with the approved cannabis activities.



Trent Sanders

3/13/20

Signature of Owner(s)

Name (Print)

Date

Signature of Owner(s)

Name (Print)

Date