

OLD CREEK RANCH PTP
SUPPLEMENTAL DEVELOPMENT STATEMENT
CANNABIS MINOR USE PERMIT
12520 SANTA RITA RD, CAYUCOS, CA 93430
Revised PROJECT DESCRIPTION April 28, 2020

Property Owner:	Old Creek Ranch PTP
Registration Holder:	Terez-Maria Blanchard
Parcel Size:	+/- 400 Acres total
APNs:	APN (046-131-047/ 046-131-046)
Address:	12520 Santa Rita Rd., CAYUCOS CA 93430
Land Use Designation:	AG
Williamson Act:	Yes
Water:	On-Site Well
Domestic Sewer:	On-Site Septic System
Existing Uses:	Avocado Orchard, Citrus Orchard, Cattle, Sheep, Cannabis Cultivation, Private Residence
Access:	Santa Rita Road, Paved County Maintained Road

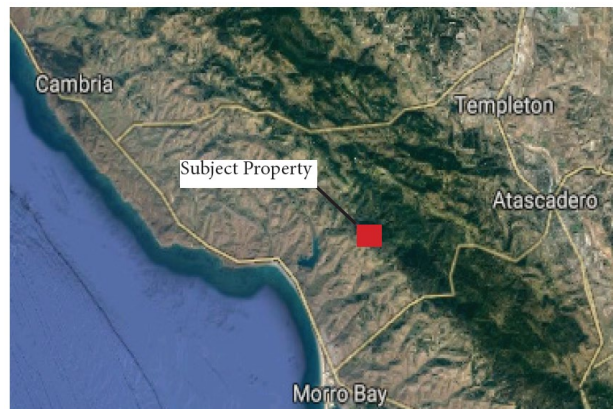
Proposed Project: Cannabis Cultivation Minor Use Permit

A request by Old Creek Ranch PTP for a Minor Use permit to authorize the cultivation of up to three acres of cannabis canopy for cultivation under approved Registration (CCM2016-00008). No site disturbance is proposed as part of this project.

The proposed project is located at 12520 Santa Rita Road, Cayucos, CA 93430. The project site is 6 miles South of California State Highway 46, 7 miles East of California State Highway 1, 30 miles West of California State Highway 101, and 12 miles North of California State Highway 41. The site is within the Agricultural land use category, and in the North County, Adelaida Sub planning area. The property is enrolled in the County's Williamson Act Program.

The surrounding area is sparsely developed with very low densities and larger parcel sizes (40+ acres). The area's topography consists of sloping vegetated hillsides. Vegetation coverage is moderately dense in areas of the site, consisting of native oak trees and coastal chaparral. The crop area will utilize existing planted areas consisting of underperforming avocado trees.

Figure 1: Location



Old Creek Ranch PTP owns and operates a +/- 400-acre organic farm consisting of 800 citrus trees and 1,500 avocado trees. The ranch consists of two existing parcels; APN 046-131-046 and 046-131-047. The cannabis cultivation activities are proposed on a 3-acre area of APN 046-131-047, which is approximately 227 acres in size.

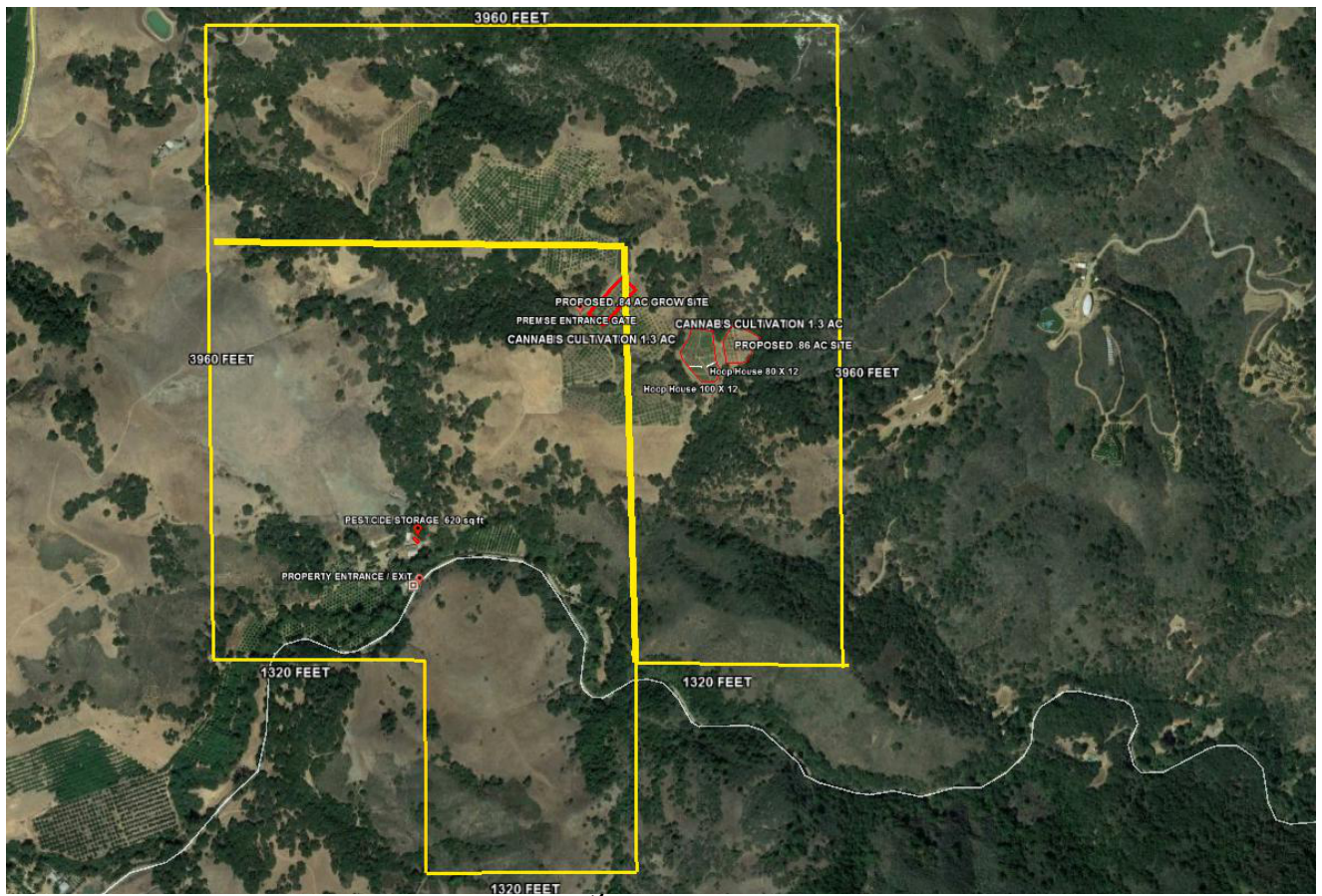
Cannabis cultivation activities will occur within a 3-acre area that has historically been planted with irrigated avocados, with a total canopy area of 130,680 SF. These particular avocado blocks have underperformed over time and a portion of the area was transitioned to cannabis cultivation in 2016, in accordance with CCM2016-00008.

The owners are proposing to expand the existing cannabis grow area by removing underperforming avocado trees in order to utilize the area for outdoor cannabis cultivation activities of up to three acres of canopy consisting of fabric pots on the ground with above ground irrigation. No lighting will be used. Plants will be planted in fabric pots in the natural grade. The cannabis operation will be conducted according to the existing and long-established organic farming practices on the property.

CANNABIS GROW 1.3 ACRES PROPOSED .84 ACRE & .86 ACRE



OVERALL SITE PLAN



Access

The existing commercial agricultural site is in operation and has direct access from Santa Rita Road. Santa Rita Road is a County-maintained road and is paved to the site. Transition of three acres of the approximately 400-acre orchard to cannabis will not result in any change in use or access modifications.

Site Operational Plan**Security**

The well-established rural avocado, citrus, and cannabis farm is located on Santa Rita Road in a remote location, not visible from public roadways. The existing farm property is fully fenced with electrified 6' deer proof fencing. In addition, the cannabis operation will be enclosed by a separate, electrified 6' secure fence surrounding each cultivation area. Current and proposed security operations include presence of trained dogs who continually roam the property and provide ample protection against any potential criminal intrusion. Electrified fencing and presence of security dogs have historically proved effective in protecting the valuable avocado and citrus crops, as well as the currently registered and operational cannabis cultivation. These measures have been reviewed by the County Sheriff and determined adequate. Cameras are being proposed in the site. This existing Security Plan will be presented to the local Sheriff as part of the business license process in order to meet the security needs for ongoing cannabis operations and ensure compliance with State and local security controls.

Odor Management

Odor from the cannabis use areas is naturally mitigated by the distance to the nearest residence being more than 1,000 feet away, vegetated and varied topography surrounding the site, and ongoing agricultural uses. Title 22.40.050.D.8 requires sufficient ventilation controls for all indoor cannabis

Signage

There will be signage on the locked fenced area as to the crop, copy of the State and Local Licenses. No Trespassing signage as well.

Parking/Access

The agricultural operation will be managed by existing onsite ranch staff who utilize existing parking areas on the ranch. Access to the site is via an existing gated driveway.

Staffing/Employee Safety

The proposed operations are agricultural in nature and conducted according to controls in place for the industry as well as long standing organic farming practices. Current avocado, citrus, and cannabis farming activities are staffed by three full time staff who typically work 8-3:30, 5 to 6 days a week.

Additional staff may be required during harvest. Supplies necessary for the cannabis cultivation such as annual fertilizer delivery will be delivered in coordination with existing organic avocado and citrus farm operations and no additional deliveries will be necessary. The cannabis cultivation is a crop change only and will be managed according to the site's longstanding recognized organic farming practices.

Neighborhood Compatibility

Cannabis cultivation is consistent with previous and current agricultural use of the property and surrounding area. The area proposed for cultivation is currently planted with cannabis or avocados. The avocado trees underperformed in this area which is why the area was chosen for cannabis cultivation. The cultivation area is not visible from any viewpoint nor is the crop change considered an incompatible use with the existing agricultural use on the site.

Traffic

The project is a crop change from avocados to cannabis on 3 acres of the approximately 400-acre ranch. The cannabis cultivation will be managed by 3 existing ranch staff who currently travel to the site each day. The cannabis crop will be managed in concert with the existing avocado and citrus trees and will not result in any change in traffic or use intensity. No change in existing traffic will occur.

Wastewater and Green Waste

The project site will employ organic farming practiced consistent with previous agricultural operations on the property. Cultivation and nursery operations will not produce any wastewater as all water is used within the planting environment. All green waste consisting of dead/or stripped of flower plants and soil will be composted onsite within the proposed use areas for onsite reuse. The existing septic on the ranch is appropriately sized for the current uses on the site and the crop change will not result in any use intensity.

Storage and Hazard Response Plan

In accordance with Land Use Ordinance Section 22.40.050.C.4, this section represents the project's compliance with a storage and hazard response plan. There will be no hazardous chemicals, pesticides, or fertilizer used for the project. Cannabis cultivation will follow organic farming methods consistent with current organic agricultural operations onsite and according to organic practices in place for the industry. Organic fertilizer will be delivered with the same annual product delivery for the citrus and avocado orchard and will not result in any new use.

Setbacks

Land Use Ordinance Section 22.40.050(D)(3)(b) requires outdoor cannabis cultivation sites to be setback 300 foot from all non-contiguously owned property lines and public rights of way. The nearest setback to a non-contiguously owned property line is to the eastern side of the cultivation area at a setback of approximately 630 feet. Other setbacks are over 1,400 feet from adjacent properties.

The nearest sensitive receptors (schools, parks, libraries, licensed recovery facilities, et. al) are located well outside the 1000-foot setback required by 22.40. D.1. The Agriculture-zoned parcel well exceeds the minimum site area requirement of 25 acres for up to 3 acres of outdoor cannabis cultivation. Further, the proposed cultivation is over 2,000 feet from the nearest offsite residences.

Air Quality

The project is located on an existing agricultural site with paved access to the property. No grading is proposed and no dust effects are anticipated.

Access, Screening and Fencing

The site is accessed from Santa Rita Road which continues beyond the site. Natural topography and vegetation provide ample screening of the cultivation area, that is located well into the sloping property and is not visible from offsite. The entire property is currently fenced with 6' electrified deer fence. The cannabis will be surrounded by a secondary secure 6' electric fence in accordance with Ordinance 22.40.050 D.6-Screening and Fencing. The fence will fully enclose the site to prevent easy access and is considered solid and durable. The ranch operations are regularly monitored and serviced by existing ranch staff who will ensure the fencing is secure at all times.



Water Management Plan

Three existing wells provide water for the entire property and provide a total of +/- 80 GPM. Historical and current irrigation practices cover 1,500 avocado trees and 800 citrus trees by irrigation in blocks or sets that require 35 GPM from 3 booster systems to operate mini sprinklers onto the trees at 10 gal/hr. This water use equals +/- 180 gal/week/tree (100 trees/acre) or 2,571 gallons per day per acre. The 3 acre cannabis crop will be harvested annually and result in water use for only a portion of the year, as defined in the Cannabis Supplement Form.

The Central Coast RWQCB Cannabis Development Team uses an application rate of 0.03 gallons per square foot of canopy per day for outdoor cannabis plants, or +/-1,307 gallons per day per acre. Cannabis use areas will be established as replacement for existing avocado or citrus trees and result in a water neutral use factor.

Energy Use

Ordinance 22.40.050D.7. Renewable Energy states that all sites engaging in **artificial light or mixed-light indoor** cannabis cultivation shall comply with State regulations regarding energy requirements. This is an outdoor cultivation operation.

The outdoor cannabis activities will not trigger supplemental electric demands. No lighting or other power needs are necessary for the agricultural crop change. The site is served by PG&E electrical service, which is adequate for the proposed operations such as water well service to the crop.

Other Resource Considerations:

Visibility

The property is an existing approximately 400-acre avocado and citrus ranch with approximately 1 acre currently in cannabis cultivation. The cannabis cultivation area is not visible from any public roadway or offsite residence due to existing topography, vegetation, and the significant setbacks from any public viewpoint. See viewshed analysis below.

Figure 4: Viewshed



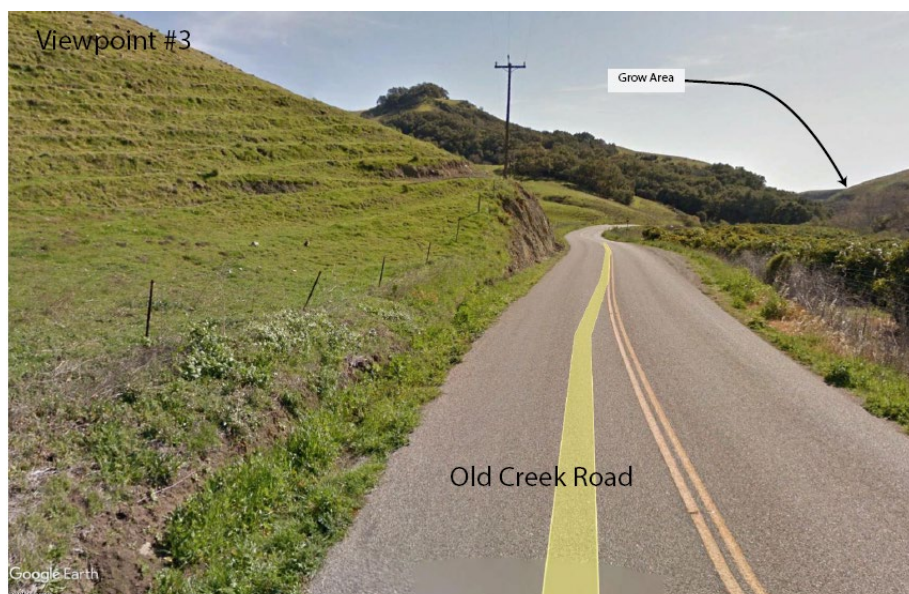
Viewpoint #1 below defines general location of project for reference. Actual location is approximately 0.35 miles from this location. The project area is not visible from Santa Rita Road due to existing dense vegetation and steep topography.



Viewpoint #2 below defines general location of project for reference. Actual location is approximately 1.3 miles from this intersection. The orchard is not visible from Cottontail Creek Road/Old Creek Road due to intervening topography.



Viewpoint #3 defines general location of project for reference. Actual location is approximately 0.90 miles from this intersection. The orchard is not visible from Old Creek Road due to intervening topography and vegetation.



Biology

A reconnaissance level biological survey was conducted by Althouse and Meade, Inc. (October 2018). The Study Area consists of approximately three acres that have been used for agricultural cultivation for several decades and approximately 0.1 acre of anthropogenic habitat at the entrance of the property. Work done to convert the avocado orchard to cannabis cultivation will include the removal of individual avocado trees within the Study Area, followed by soil tilling. One special status plant and two special status animal species have potential to occur in the Study Area. The Study Area is surrounded by coast live oak trees and potentially jurisdictional drainage features. The following sections provide mitigation information and recommendations designed to reduce potential effects of the Project to a less than significant level.

Special status plants

Special status plants were not detected in the Study Area during our September 2018 site survey, however there is low potential for Cambria morning glory to occur. An appropriately timed spring botanical survey of the Study Area should be conducted if Project development extends beyond the existing cultivation area. The survey should cover the blooming periods for special status species with potential to occur, which is provided in Attachment D, Table 1.

Nesting birds

Migratory non-game native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take (as defined therein) of all native birds and their active nests, including raptors and other migratory non-game birds (as listed under the Federal MBTA).

- BR-1.** Within one week of ground disturbance or avocado tree removal/trimming activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. If surveys do not locate nesting birds, construction activities may commence. If nesting birds are located, no construction activities shall occur within a distance specified by a qualified biologist, until chicks are fledged, or the nest fails. Buffer radius shall be specified according to special status rank of the nesting bird, intensity of construction activity or impact (i.e. high decibel levels or heavy ground disturbance) and where local, state, and federal regulations apply. A preconstruction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements. A map of the Project site and nest locations shall be included with the report. The qualified biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.

Special status reptiles and amphibians

Western pond turtle and California red-legged frog were not detected in the Study Area during our September 2018 site surveys but are known to occur in Old Creek. There is a very low likelihood of either of these aquatic species to be present in the grow area, over 1,600 feet from Old Creek. The proposed container upgrade is located about 100 feet from Old Creek, in a bare dirt area with sheds, barns, and materials storage. The work at this location will likely involve moving an existing steel container and upgrading the foundation, then replacing it. Pond turtles and red-legged frogs are unlikely to be present in this area.

To reduce potential impacts to sensitive reptile species to a less than significant level, the following measure is recommended.

- BR-2.** A qualified biologist shall conduct a preconstruction survey immediately prior to initial ground disturbance (i.e. the morning of the commencement of disturbance). If any special status reptiles or amphibians are found in the area of disturbance, the biologist shall move the animal(s) to an appropriate location outside the area of disturbance. If federal or state listed animals are observed, all work shall cease and California Fish and Wildlife and/or U.S. Fish and Wildlife Service shall be consulted as appropriate. Federal or state listed animals shall not be captured, harmed, or relocated without prior approval from the appropriate agency.

Jurisdictional drainages

The California Department of Fish and Wildlife (CDFW) regulates activities that affect well-defined bed, bank, or channel of streams and drainages under Fish and Game Code 1600. Two potentially jurisdictional drainage features located on the Property surround the Study Area and are considered Freshwater Forested/Shrub Wetland, classified as PFOA (Palustrine (P), Forested (FO), Temporary Flooded (A)) according to the National Wetlands Inventory (NWI 2005). Though proposed site plans do not include work within these features, the applicant must notify CDFW by applying online for a Self-Certification. No permits are required under Clean Water Act section 404 or 401.

Runoff from irrigation and stormwater surface flows should be managed with appropriate erosion control best management practices to avoid sediment transport offsite.

Archaeology

The cultivation activities are proposed entirely within an existing decades old active avocado orchard and on disturbed/developed land. Avocado trees will be removed to make room for expansion of the existing cannabis cultivation. A Phase I archaeological surface survey and records review was conducted by Heritage Discoveries, Inc. (September 2018) and they produced negative results for the presence of cultural resources. No further cultural resource studies are recommended to be required for this project. See report attached.

Geology

Although portions of the property are mapped as being within a Geologic Study Area, no grading or building will occur.

Williamson Act

The property is in a Williamson Act contract. The project will convert 3 acres of the 400-acre orchard from avocados to cannabis. Avocado and citrus farming activities will continue and will not be impacted by the proposed conversion of 3 acres to cannabis cultivation area, concentrated in an area of historically under-performing avocado trees.

Accessibility

The project is a crop change and will not include construction of any occupied buildings. Existing ranch staff will tend to the cannabis crop in conjunction with the avocado and citrus orchard. **Additional staff may be used** during cannabis harvest period. The ranch is equipped with a permanent ADA bathroom. Portable ADA bathrooms will be available if required during harvest.

Parking Modification Request

The proposed project is a crop change from avocados to cannabis. The operation will be staffed by existing ranch staff and additional staff during the cannabis harvest who park in the existing ranch complex at the base of the property. This area provides ample room for the required staff and does not require any modification expansion to support the cannabis activity. The characteristics of the use are a crop change only and do not necessitate any change to the existing available parking area on the site.

The above description provides adequate findings in accordance with Chapter 22.18.020.H:

- The characteristics of a use, the site, or its immediate vicinity do not necessitate the number of parking spaces, types of design, or improvements required by this Chapter; and
- Reduced parking or an alternative to the parking design standards of this Chapter will be adequate to accommodate on the site all parking needs generated by the use, or that additional parking is necessary because of specific features of the use, site, or site vicinity; and
- No traffic safety problems will result from the proposed modification of parking standards.

