Negative Declaration & Notice Of Determination

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

ENVIRONMENTAL DETERMINATION NO. ED19-106 **DATE:** September 9, 2019

PROJECT/ENTITLEMENT: Shandon Acres Associates Minor Use Permit (DRC2018-00043)

APPLICANT NAME: Shandon Acres Associates, LLC **Email:** jessica@kirk-consulting.net
ADDRESS: 212 Marine Street, Santa Monica, CA 90405
CONTACT PERSON: Jessica Edmonson, Kirk Consulting **Telephone:** 805-461-5765

PROPOSED USES/INTENT: Request by Shandon Acres Associates, LLC for a Minor Use Permit (DRC2018-00043) to establish 3 acres of outdoor cannabis cultivation, 6,000 square feet of mixed-light (indoor) cannabis cultivation, 6,000 square feet of mixed-light (indoor) ancillary cannabis nursery, and processing activities on a portion of a 71-acre parcel. The outdoor cultivation would occur within an existing fenced area that would be expanded from 2.5 acres to 3.4 acres. The proposed outdoor cultivation area would be located a minimum of 300 feet from the property lines of the site or public right-of-way. The proposed nursery and indoor cultivation activities would occur within four new 3,000-square-foot greenhouses, and processing activities (drying and curing) would occur within nine new 160-square-foot shipping containers. The project would result in approximately 3.05 acres of site disturbance, including 52 cubic yards of cut and 52 cubic yards of fill to be balanced on site. The project site currently supports 22,500 square feet of outdoor cannabis cultivation and nursery activities. Other development onsite includes a single-family residence, several accessory structures, water tanks, fencing, animal pens, and a driveway. A modification from the parking standards is requested to reduce the required number of parking spaces onsite.

LOCATION: The project is located at 4000 Truesdale Road, Shandon in the North Shandon-Carrizo sub area of the North County Planning Area.

LEAD AGENCY: **County of San Luis Obispo**

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

STATE CLEARINGHOUSE REVIEW: YES ☒ **NO** ☐

OTHER POTENTIAL PERMITTING AGENCIES: CA Department Fish & Wildlife, CA. Department of Food and AG, and Regional Water Quality Control Board

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

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

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

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County_____ 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		County of San Luis Obispo
Signature	**Project Manager Name**	**Date**	**Public Agency**

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: Request by Shandon Acres Associates, LLC for a Minor Use Permit (DRC2018-00043) to establish 3 acres of outdoor cannabis cultivation, 6,000 square feet of mixed-light (indoor) cannabis cultivation, 6,000 square feet of mixed-light (indoor) ancillary cannabis nursery, and processing activities on a portion of a 71-acre parcel. The outdoor cultivation would occur directly in the ground beneath a 12-foot-tall 3-acre shade cloth structure within an existing fenced area that would be expanded from 2.5 acres to 3.4 acres. The proposed nursery and indoor cultivation activities would occur within four new 3,000-square-foot greenhouses and processing activities (drying and curing) would occur within nine new 160-square-foot shipping containers. The indoor cultivation areas would be harvested four times per year and the outdoor cultivation area would be harvested once per year, between October and November. The project would result in approximately 3.05 acres of site disturbance, including 52 cubic yards of cut and 52 cubic yards of fill to be balanced on site.

The project site currently supports outdoor cannabis cultivation and nursery activities under CCM2016-00149 issued to Shandon Acres Associates LLC. Since 2016, the applicant has cultivated 22,500 square feet of cannabis under a 12-foot-tall shade cloth structure enclosed by a 7-foot tall chain link fence with plastic slats. The total fenced area is 2.5 acres.

Other development onsite includes a single-family residence, several accessory structures, water tanks, fencing, animal pens, and a driveway. The project would utilize an existing grid-tied 13.0-kilowatt solar photovoltaic system (solar PV) and would require an aboveground connection to an existing Pacific Gas and Electric Company (PG&E) power line and pole located adjacent to the cultivation area for power supply. Surrounding land uses include active agriculture and scattered rural residential dwellings to the east; agricultural accessory structures and proposed farmworker housing to the south; undeveloped land to the west; and active agriculture to the north (Figure 2).

To prevent nuisance odors from being detected offsite, the proposed outdoor cultivation area would be located a minimum of 300 feet from the property lines of the site or public right-of-way in accordance with County of San Luis Obispo (County) Land Use Ordinance (LUO) 22.40.050.D.3.b. In addition, each of the proposed greenhouses would be equipped with a vapor system that releases Ecosorb CNB 100 to mix with and neutralize cannabis nuisance odors before drifting offsite, in accordance with LUO 22.40.050.D.8. Ecosorb CNB 100 is an odor-neutralizing agent designed specifically for the treatment and control of cannabis odors and consists of a blend of plant oils, food grade surfactant, and purified water (OMI Industries 2017). All nine proposed storage containers would be equipped with small vapor collection systems where interior air would

be treated with Ecosorb CNB 100 before being released. Lastly, the project will be required to participate in an ongoing cannabis monitoring program. Once implemented by the County, the project site will be inspected four times per year to ensure ongoing compliance with conditions of approval, including those relating to odor management. In the event of a verified nuisance complaint, the County may pursue remedial action that may include the reduction or cessation of operations until a revised operations plan is reviewed and approved by the Department of Planning and Building, abatement of the violation pursuant to Land Use Ordinance Section 22.40.130 and permit revocation pursuant to Land Use Ordinance Sections 22.40.110 and 120.

Cannabis plant waste would be composted onsite at a designated compost area. Irrigation water for cannabis cultivation activities would be supplied by an existing onsite well and treated through an existing Reverse Osmosis (R.O.) system.

The project facilities would operate 7 days a week between 6:00 a.m. and 3:00 p.m. and would employ up to six full-time employees. During harvest of the outdoor cultivation area between the months of October and early November, 10–20 additional seasonal employees would be required to facilitate harvest and processing activities onsite for a 6-week period. Based on the Trip Generation Evaluation prepared by Orosz Engineering Group (OEG 2018), the project would result in 21 average daily trips including two afternoon peak hour trips. Ten designated parking spaces are proposed onsite, with room for additional vehicles within the project area.

A modification from the parking standards is requested to reduce the required number of parking spaces onsite. The project site is located within the Agriculture land use designation at 4000 Truesdale Road, approximately 3.5 miles south of the unincorporated community of Shandon in the North Shandon-Carrizo sub area of the North County Planning Area (Figure 1).

ASSESSOR PARCEL NUMBER(S): 037-291-035

Latitude: 35 degrees 35' 45" N Longitude: 120 degrees 20' 37" 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
Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities, Order No. WQ-2017-0023-DWQ (General Order)	Regional Water Quality Control Board (RWQCB)
Safety Plan Approval and Final Inspection	California Department of Forestry (CalFire)

B. EXISTING SETTING

PLAN AREA: North County **SUB**: Shandon-Carrizo(North) **COMM:** Rural

LAND USE CATEGORY: Agriculture

COMB. DESIGNATION: Flood Hazard

PARCEL SIZE: 71 acres

TOPOGRAPHY: Nearly level to moderately sloping

VEGETATION: Grasses, Scattered Oaks, Urban-built up

EXISTING USES: Single-family residence(s), accessory structures, cannabis cultivation

SURROUNDING LAND USE CATEGORIES AND USES:

North: Agriculture; agricultural uses	*East:* Agriculture; agricultural uses, single-family residence
South: Agriculture; agricultural uses, proposed worker housing units	*West:* Agriculture; grazing, undeveloped, single-family residence

Figure 1. Project Vicinity Map.

Figure 2. Project Location Map.

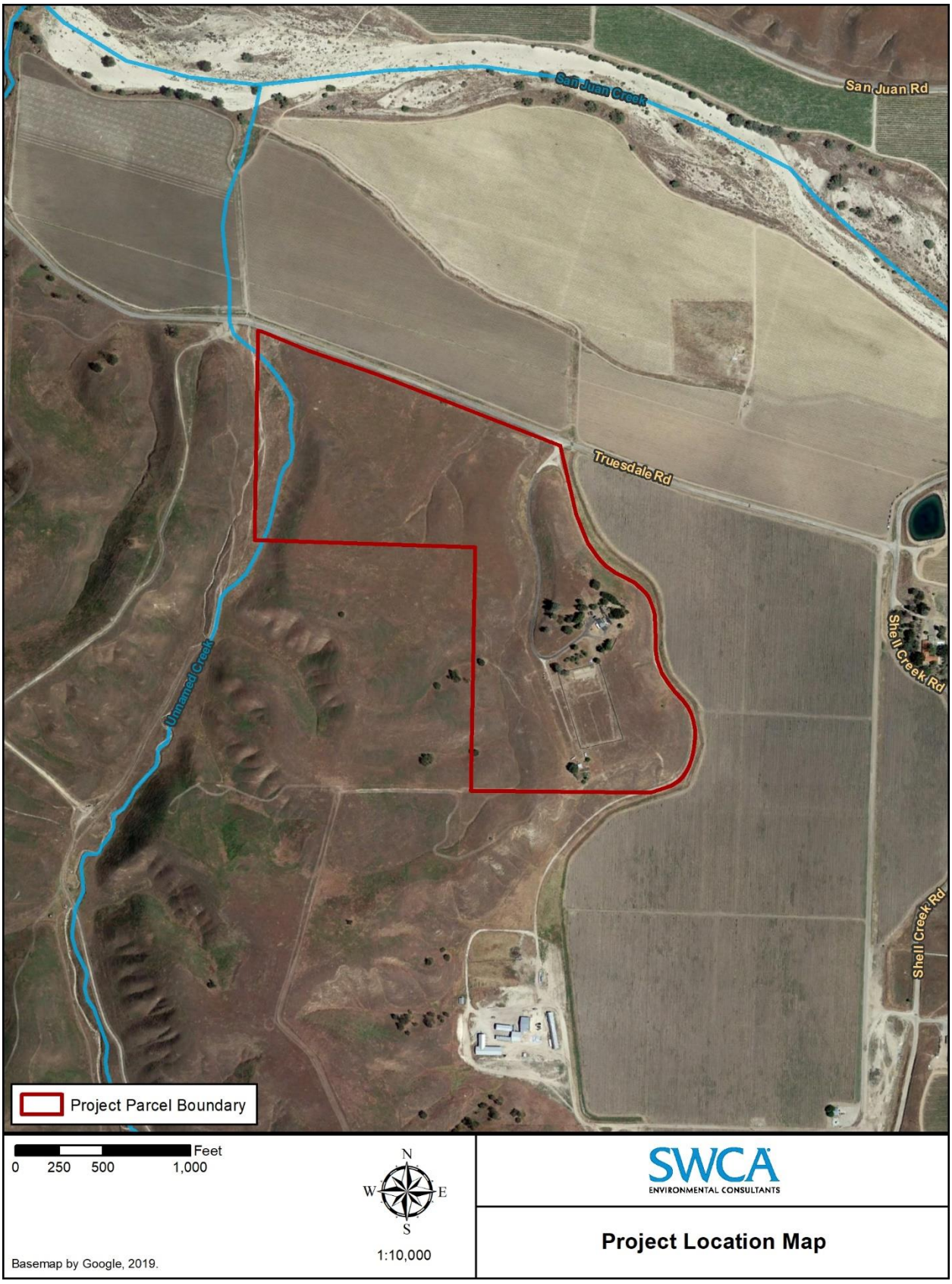
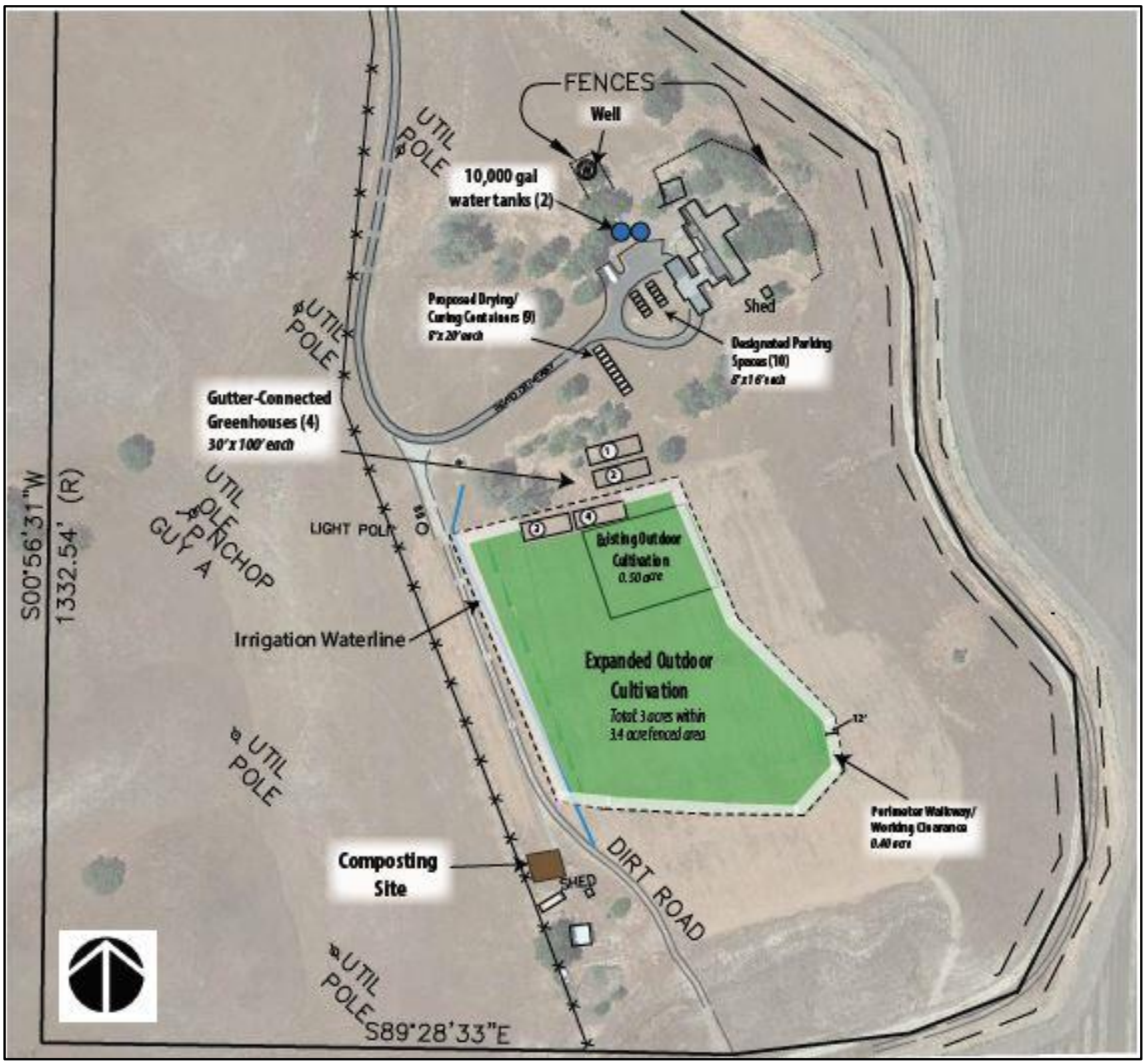


Figure 3. Site Plan Detail.



C. ENVIRONMENTAL ANALYSIS

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

COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST

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

Aesthetics

Setting. The project site is located within a rural area approximately 3.5 miles south of the unincorporated community of Shandon. The 71-acre parcel is developed with a single-family residence, several open-walled metal shade structures, two sheds, several seatrain containers, two 10,000-gallon water tanks, and approximately 1 acre of existing cannabis cultivation located within a hoop house structure and a cloth shade structure approximately 12 feet in height enclosed by a chain-link fence with plastic slats approximately 7 feet in height. The project site is accessed by Truesdale Road, a collector street that experiences a relatively high number of viewers (500 to 5,000 average daily trips) and would serve as the primary public key viewing location of the project site. Onsite vegetation generally consists of grassland, scattered oak trees, and ruderal vegetation. The project parcel is generally surrounded by agricultural land uses including vineyards and grazing, as well as scattered single-family residences.

The project site is located in a very rural portion of San Luis Obispo County with minimal development and little light pollution. According to DarkSiteFinder and lightpollutionmap.info, the project site is located in one of the least light-polluted areas of the county, with a Bortle classification of 2 (average dark sky) and an artificial brightness level of 17.2 µcd/m^2 (a measure of luminance in units of micro candelas per square meter. A higher number indicates higher luminance. By comparison, downtown Atascadero has a brightness level of 541 µcd/m^2).

Impact.

a) The project site is located in a rural area accessed by an unpaved driveway off Truesdale Road, which serves as the primary public key viewing area of the project site. Truesdale Road is not an officially designated or eligible state or county scenic road. The project site and existing shade structure are located on a small plateau and are partially visible to viewers traveling west along Truesdale Road. The proposed development areas are generally screened from viewers travelling along Truesdale Road by existing development, vegetation, and topography. The existing chain-link fence with brown plastic slats 7 feet in height is visible to viewers travelling west along Truesdale Road but is generally not noticeable due to its dark earth-tone colored materials and distance from the road. This fence line would be partially extended in the easterly direction bringing it within closer proximity to viewers travelling west along Truesdale Road. In addition, the horizontal expansion of the existing 12-foot-tall cloth shade structure would also be partially visible from Truesdale Road as well. These additional structural components partially visible from Truesdale Road would be located at a distance from the main viewshed and these components would be constructed with dark and/or earth-toned materials which would be visually compatible with the surrounding landscape. Therefore, impacts associated with the creation of a significant aesthetically incompatible site open to public view would be *less than significant*.

b) The project is not located within a designated scenic vista and would therefore not result in impacts to scenic views. Impacts related to introduction of a use within a scenic view open to public view would be *less than significant.*

c) The visual character of the project vicinity is characterized by agricultural land uses including row crops and grazing with scattered rural residences and oak trees. The proposed cannabis cultivation operation would be largely screened by existing development, topography, and existing vegetation. The proposed uses would be similar in nature to agricultural land uses and project components visible from public viewpoints would be generally consistent with the visual character of the area. Short-term construction-related effects would include the presence of increased construction equipment and materials, disturbance, stockpiles, and dust. These impacts would be limited in duration and nature and would be located at a distance from viewers travelling along Truesdale Road. Therefore, impacts related to changing the visual character of the surrounding area would be *less than significant.*

d) The project includes mixed-light cultivation and nursery within proposed greenhouses, 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. Without appropriate light shielding and prevention, potentially significant impacts created by nighttime lighting could occur. Mitigation measure AES-1 would require that each greenhouse be equipped with a blackout system to be engaged between dusk and dawn when the grow lights are on, in order to prevent night lighting from being visible from surrounding public roads. Therefore, impacts relating to nighttime lightning and glare would be *less than significant with mitigation*.

e) The project site does not contain any unique geological or physical features. Based on the Biological Resources Assessment prepared by Kevin Merk Associates, LLC (KMA), the oak trees located within the immediate vicinity of the disturbance area were planted somewhat recently and do not meet the County's criteria to be considered Heritage oaks (KMA 2019). No tree removal or significant grading that would alter the site topography is proposed. Therefore, *no impacts would occur*.

Mitigation/Conclusion. Upon implementation of mitigation measure AES-1 requiring the use of blackout tarps in each greenhouse during nighttime hours when lighting is in use, as detailed in Exhibit B – Mitigation Summary Table, impacts related to aesthetic resources would be less than significant.

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

Agricultural Resources

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

Land Use Category: Agriculture

Historic/Existing Commercial Crops: Grazing

State Classification: Not Prime Farmland

In Agricultural Preserve? Yes

FMMP Classification: Grazing Land

Under Williamson Act contract? Yes

Based on the U.S. Department of Agriculture (USDA) National Resources Conservation Service (NRCS) Web Soil Survey, the soil types and characteristics on the project property include:

100. Balcom loam, 50-75% slopes

This well-drained soil has high runoff potential and a moderate permeability above the bedrock and underlays a southeastern portion of the subject property. The major use for this soil is livestock grazing. Management considerations consist of paying special attention to the excessive slope, limited available water capacity, and water erosion. This soil is classified as Not Prime Farmland by the NRCS. This soil has a CA Storie Index Rating of Grade 5 – Very Poor and not listed within the Table of Important Agricultural Soils (Table SL-2) provided in the Conservation and Open Space Element.

159. Sorrento loam, 0-2% slopes

This well-drained soil has low runoff potential and moderately slow permeability and underlays edges of the project site on the south and east sides and a portion of the site driveway approach. The major uses include vineyards and orchards, irrigated crops, dry-farmed crops, and livestock grazing. Management considerations consist of fencing livestock out of gullies and off streambanks to reduce the hazard of erosion. This soil is classified as Prime Farmland if Irrigated by the NRCS. This soil has a CA Storie Index Rating of Grade 1 – Excellent and is listed as Prime Farmland within the Table of Important Agricultural Soils (Table SL-2) provided in the Conservation and Open Space Element.

302. Arbuckle sandy loam, 9-15% slopes

This well-drained soil has medium runoff and moderately slow permeability and underlays the majority of the subject property. The major uses include vineyards and orchards, irrigated crops, dry-farmed crops, and livestock grazing. The main management consideration includes paying special attention to slope. This soil is classified as Not Prime Farmland Importance by the NRCS. This soil has a CA Storie Index Rating of Grade 1 – Excellent and is not listed within the Table of Important Agricultural Soils (Table SL-2) provided in the Conservation and Open Space Element.

Impact.

a) The proposed area of disturbance is underlain by Balcom loam, 50-75% slopes and Arbuckle sandy loam, 9-15% slopes, neither of which are classified as Prime Farmland by the NRCS or the Conservation and Open Space Element. Therefore, the project would not result the conversion of prime agricultural land, and impacts would be *less than significant*.

b) The project site is classified as Grazing Land by the California Farmland Mapping and Monitoring Program (FMMP) (California Department of Conservation [DOC] 2016). Therefore, the project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses and impacts would be *less than significant*.

c) The project includes establishment of 3 acres of outdoor cannabis cultivation, construction of four 3,000-square-foot greenhouses for indoor cannabis cultivation and cannabis nursery uses, and installation of nine 160-square-foot storage containers for processing of the cannabis grown onsite. The subject property currently supports grazing on 40 acres of the 71-acre parcel. The project has been designed to minimize impacts to onsite agricultural uses by locating proposed structures and cannabis cultivation activities in areas not currently used for grazing. The project site is generally surrounded by active agricultural operations including vineyards and undeveloped grazing lands. Temporary noise and dust as a result of construction activities could have the potential to adversely affect any proximate agricultural uses and resources. These effects would not significantly affect any nearby agricultural operations due to the limited scope and temporary nature of the proposed construction activities. Implementation of the project would not result in the conversion of surrounding properties to non-agricultural uses or impair the agricultural use of other property; therefore, impacts would be *less than significant*.

d) The subject property is located within the Agriculture land use designation and currently supports grazing on 40 acres of the 71-acre parcel. The property is located in the Shandon Agricultural Preserve No. 1 established on July 19, 1971, under Resolution No. 71-319. Cannabis cultivation activities are considered a compatible use on Williamson Act contracted land and would not directly result in the removal of qualifying agricultural uses (rangeland or irrigated agriculture). Therefore, impacts related to conflict with existing zoning and the Williamson Act are considered *less than significant.*

Mitigation/Conclusion. No significant impacts to agricultural resources would occur. No mitigation measures are necessary. The project was referred to the Agriculture Department for ordinance and policy consistency. Their referral response letter of May 23, 2018 recommends approval of the project with conditions. Their recommendations comments will be incorporated into the recommended conditions.

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

Air Quality

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

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

The passage of Assembly Bill (AB) 32, the California Global Warming Solutions Act (2006), recognized the need to reduce GHG emissions and set the GHG emissions reduction goal for the State of California

into law. The law requires that by 2020, state emissions must be reduced to 1990 levels. This is to be accomplished by reducing GHG emissions from significant sources via regulation, market mechanisms, and other actions. Subsequent legislation (e.g., Senate Bill [SB] 97-Greenhouse Gas Emissions bill) directed the California Air Resources Board (CARB) to develop statewide thresholds.

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

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

For most projects, the Bright-Line Threshold of 1,150 metric tons of carbon dioxide equivalent per year (MT CO_2e/yr) will be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO_2e/yr was adopted for stationary source (industrial) projects.

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

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.

Impact.

a) **Construction Emissions**

As proposed, the project will result in approximately 3.05 acres of site disturbance, including 52 cubic yards of cut and 52 cubic yards of fill to be balanced on site. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. By applying the screening emission rates for construction activities contained in Table 2-2 of the 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	APCD Emissions Threshold	Mitigation Required?
Reactive Organic Gases (ROG) + Nitrogen Oxide (NO_x) (combined)	11.8 lbs	137 lbs/day	No
Diesel Particulate Matter (DPM)	0.51 lbs	7 lbs/day	No

Fugitive Particulate Matter (PM_{10})	2.12 tons	2.5 tons/quarter	No

Daily emissions would not exceed SLOAPCD's significance thresholds for Reactive Organic Gases (ROG) + Nitrogen Oxide (NO_x), Diesel Particulate Matter (DPM), or Fugitive Particulate Matter (PM_{10}). In addition, the project would be subject to the SLOAPCD's standard mitigation measures for construction equipment emissions, including location of staging and queuing areas beyond 1,000 feet of sensitive receptors, portable equipment registration, and maintenance of all construction equipment according to manufacturer's specifications.

Operation-Related Emissions

From an operational standpoint, based on the size and scope of proposed operations, the project would not exceed operational thresholds for general light industry in Table 1-1 of the SLOAPCD's CEQA Air Quality Handbook (2012). The applicant may be required to apply for a permit through the SLOAPCD to ensure compliance with the SLOAPCD's rules and regulations in regard to emissions of the odor-neutralizing agent proposed for use on the greenhouses and drying containers.

The project would not result in the exceedance of federal, state, or SLOAPCD ambient air quality standards; therefore, impacts would be *less than significant*.

b) The project site is generally surrounded by agricultural land uses, including vineyards and grazing lands. The nearest offsite residence is located approximately 1,500 feet east of the proposed development area. An 18-unit farmworker housing development is proposed on the parcel directly south of the project site (DRC2018-00001). If this proposed development completes construction prior to initiation of site development for the proposed cannabis operations, the project would be within 1,000 feet of sensitive receptors and would therefore be subject to construction equipment and fugitive dust mitigation measures required by SLOAPCD and detailed in mitigation measures AQ-1 and AQ-2. Therefore, impacts related to exposure of sensitive receptors to substantial air pollutant concentrations would be *less than significant with mitigation.*

c) The project includes indoor and outdoor cannabis cultivation as well as drying and processing of cannabis grown onsite. These activities often produce potentially objectionable odors during the flowering, harvest, drying, and processing phases of the proposed operations and could disperse through the air and be detected by surrounding receptors.

Odor management of the outdoor cultivation area includes location of the cultivation area at a minimum of 300 feet from each property line, as required by LUO 22.40.50.D.3. This cultivation area could produce objectionable odors once a year and has been determined to be located and designed in a manner that prevents all cannabis nuisance odors from being detected offsite, in accordance with LUO 22.40.50.D.8.

Proposed indoor cannabis cultivation and nursery areas would occur within four 3,000-square-foot greenhouses. In accordance with LUO 22.40.050.D.8, each greenhouse would be equipped with a 50-cubic-feet-per-minute (CFM) Vapor System that releases Ecosorb CNB 100 to prevent cannabis nuisance odors from being detected offsite. Ecosorb CNB 100 is an odor neutralizer designed specifically for the control of cannabis odors and consists of a blend of plant oils, food grade surfactant, and purified water (OMI Industries 2017). The product is not considered to cause long-term adverse effects in the environment (Occupational Safety and Health Administration [OSHA] 2017).

Proposed drying, curing, and storage of cannabis produced onsite would occur within nine storage containers. All nine proposed storage containers would be equipped with small vapor collection systems where interior air would be treated with Ecosorb CNB 100 before being released.

Project design features and compliance with ordinance provisions would ensure that impact related to objectionable odors would be less than significant. Implementation of applicant-proposed features would reduce the potential for dispersal of objectionable odors. The project would also be conditioned to participate in an ongoing compliance monitoring program through which compliance with the odor management standards of LUO Section 22.40.050 would be assessed and verified. Therefore, impacts related to objectionable odors would be *less than significant.*

d) The project would be located in the Shandon-Carrizo sub-area of the North County planning area and would be consistent with the area's historic rural and agricultural development. Therefore, the project would be consistent with the general level of development anticipated and projected in SLOAPCD's Clean Air Plan; therefore, impacts related to consistency with SLOAPCD's Clean Air Plan would be *less than significant.*

e) The project includes indoor and outdoor cannabis cultivation, drying, and processing of cannabis grown onsite. The project would result in 23 average daily vehicle trips and a total energy usage of 178,706 kilowatt-hours per year. Energy would be supplied by onsite solar panels and by PG&E. The project would not result in cumulatively considerable energy demand, generation of substantial new traffic, or significant intensification of land use that would generate substantial additional mobile or stationary emissions; therefore, impacts related to a cumulatively considerable net increase of a criteria pollutant would be *less than significant.*

f-g) Based on the size of the proposed project and the comparable general light industry land use category, the project is expected to generate less than the SLOAPCD's Bright-Line Threshold of 1,150 MT CO_2e/yr of GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provides guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as global climate change, is not "cumulatively considerable," no mitigation is required. Therefore, potential impacts related to generation of GHGs that may have a significant impact on the environment or conflict with an applicable plan would be *less than significant*.

Mitigation/Conclusion. Upon implementation of measure AQ-1 detailed in Exhibit B – Mitigation Summary Table, impacts to air quality would be less than significant.

4. BIOLOGICAL RESOURCES *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Result in a loss of unique or special status species* or their habitats?	☐	☒	☐	☐
b) Reduce the extent, diversity or quality of native or other important vegetation?	☐	☒	☐	☐
c) Impact wetland or riparian habitat?	☐	☐	☒	☐

4. BIOLOGICAL RESOURCES *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) Interfere with the movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?	☐	☐	☒	☐
e) Conflict with any regional plans or policies to protect sensitive species, or regulations of the California Department of Fish & Wildlife or U.S. Fish & Wildlife Service?	☐	☒	☐	☐
f) Other: _____	☐	☐	☐	☒

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

Biological Resources

Setting. The project site is located on the south side of Truesdale Road within a predominately agricultural area with scattered rural residential development. The topography of the area is characterized by moderately sloping hillsides and elevations range between 1,130 and 1,200 feet above sea level.

According to the Soil Survey for San Luis Obispo County and the NRCS Web Soil Survey, soils in the project area consist of Balcom loam, 50-75% slopes, and Arbuckle sandy loam, 9-15% slopes (see Section 2, Agricultural Resources, for detailed descriptions).

The project site is moderately developed with 0.5 acre of cannabis cultivation within a 2.5-acre fenced area, a single-family residence, and various accessory structures. The dominant natural communities within the project site are annual grassland, scattered oak trees, and ruderal/disturbed habitats. The closest mapped NHD body of water to the project site is an unnamed creek located 0.3 mile west of the proposed development area.

Impact. The following discussion is informed by the Biological Resources Assessment for 4000 Truesdale Road, Shandon provided by the applicant (KMA 2019) and the referral letter received by the California Department of Fish and Wildlife (CDFW).

a) **Special-Status Plants**

Based on an archival search and review of the California Natural Diversity Data Base (CNDDB), 36 special-status plants were identified as having the potential to occur on or near the project site including Lemmon's jewelflower (*Caulanthus lemmonii*) and shining navarretia *(Navarretia nigelliformis ssp. Radians*) which were identified in the CDFW referral response letter. The other four species identified in the CDFW referral response letter were identified as not having potential to occur within the immediate project vicinity due to the geographic extent of known populations (nearest occurrence over five miles away) and lack of suitable habitat on-site. A habitat suitability analysis was prepared, and a site evaluation was conducted in May 2018 during which all rare plants would have been in identifiable condition. Field surveys were conducted in February, May, October, and December 2018, and no special-status plant species were observed on-site. Based on the lack of suitable habitat and no observation of special-status plants during their respective bloom periods, no special-status plant species are expected to occur onsite and therefore no impacts to special-status plant species would occur.

Special-Status Wildlife

Based on a 5-mile radius search of the CNDDB, twenty-four wildlife species were identified has having the potential to occur within the project vicinity, including the seven species identified in the CDFW referral response letter. Due to existing uses and site conditions, the property was determined to lack suitable habitat for most special-status birds within the project vicinity, including Swainson's Hawk (*Buteo swainsoni*) and prairie falcon (*Falco mexicanus*). Reptiles and amphibians within the project vicinity were also identified as not expected to occur due to lack of suitable habitat, including the silvery legless lizard (*Anniella pulchra*) and California glossy snake (*Arizona elegans occidentalis*).

Based on the habitat suitability analysis prepared and field surveys conducted in February, May, October, and December 2018, the following special-status wildlife species were determined to have potential to occur within the project site (Table 2):

Table 2. Sensitive Wildlife Species with Potential to Occur Onsite

Species Name	Federal/State Legal Status
Pallid bat (*Antrozous pallidus*)	Species of Special Concern
Townsend's big-eared bat (*Corynorhinus townsendii*)	Species of Special Concern, State Candidate Threatened
California horned lark (*Eremophila alpestris actia*)	Watch List
Loggerhead shrike (*Lanius ludovicianus*)	Species of Special Concern
American badger (*Taxidea taxus*)	Species of Special Concern
San Joaquin Kit Fox (*Vulpes macrotis mutica*)	Federally Endangered, State Threatened

Pallid Bat and Townsend's Big-Eared Bat

Pallid bat and Townsend's big-eared bat are recognized by CDFW as Species of Special Concern (SSC). While no roosting bats were observed during the preliminary surveys of the project area, the existing structures and mature blue oak trees within and adjacent to the project site have the potential to support roosting pallid bat and Townsend's big-eared bat. Based on suitable roosting and foraging habitat within the project site and existing uses on the property, both bat species are considered to have low potential to roost onsite. The project does not propose trimming or removal of existing structures or oak trees onsite; therefore, the project would not result in direct loss of roosting habitat. However, the project would result in temporary noise and dust disturbance associated with construction, and the loss of foraging habitat for these species within the project development site. Measure BIO-2 has been identified to avoid impacts to pallid bat and Townsend's big-eared bat if found roosting within or adjacent to the project site, therefore; impacts would be *less than significant with mitigation.*

Horned Lark, Loggerhead Shrike, and Other Nesting Birds

The project provides suitable nesting habitat for a variety of bird species that are protected by the U.S. Migratory Bird Treaty Act (MBTA) and California Fish and Game Code, including the California horned lark and the loggerhead shrike. Passerines may use the trees onsite for nesting and/or foraging. The nesting habitat, if present onsite, could be impacted by project activities including grading, construction activities, site disturbance, and 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 indirectly impacted. Noise or other disturbances may cause an individual to abandon a nest resulting in an indirect impact. Mitigation measure BIO-3 has been

identified in Exhibit B – Mitigation Summary Table to address potential impacts to nesting migratory birds protected by the MBTA; therefore, impacts would be *less than significant with mitigation*.

American Badger

American badger is recognized by CDFW as an SSC. The project site supports marginal habitat for American badger, and suitable small mammal prey base were observed onsite. 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 measures BIO-1 and BIO-4 have been identified in Exhibit B – Mitigation Summary Table to avoid and/or reduce impacts to American badger.

San Joaquin Kit Fox

San Joaquin kit fox (SJKF) is listed as a federally endangered and a state threatened species. The CNDDB contains recorded occurrences of SJKF throughout the area that are mostly over 10 years old. Still, it is possible that SJKF could move back into the area and potentially utilize the site as migration, foraging, and denning habitat. Maintaining the movement corridor from the Carrizo Plain to Camp Roberts is an important component to the recovery strategy for the species, especially in northern San Luis Obispo County and southern Monterey County.

Several potential SJKF den sites as defined by the U.S. Fish and Wildlife Service (USFWS) were observed on the property. The USFWS defines a potential den as any subterranean hole within the species' range that has entrances of appropriate dimensions (typically greater than 4 inches in diameter) for which available evidence is insufficient to conclude that it is being used or has been used by a kit fox. Pocket gopher and ground squirrel holes were present on the site. Pocket gophers do not provide potential den sites for SJKF, but ground squirrel holes could potentially be used by SJKF. Both species are a suitable prey base.

Potentially significant impacts to local populations of kit fox would be reduced to less than significant through implementation of mitigation measures BIO-1 and BIO-5 through BIO-11 which would require preconstruction surveys, the permanent protection of compensatory mitigation acreage, and avoidance measures if determined present on-site.

Habitat loss resulting from agricultural, urban, and industrial development is the primary threat to San Joaquin kit fox. Based on the San Joaquin kit fox Standard Mitigation Ratio Areas map created by San Luis Obispo County, the project would be located in an area where the County has identified a kit fox mitigation ratio of 3:1 (where three acres of conserved habitat is required for each acre impacted). For projects on parcels greater than 40 acres in size, a San Joaquin kit fox habitat evaluation is required to determine the required mitigation ratio. The ratio determined by the evaluation is then multiplied by the total area of habitat disturbance from project activities to determine the mitigation acreage.

In this case, the project parcel is 71.47 acres. A San Joaquin Kit Fox Evaluation was prepared in February, 2018 by KMA Associates. The KMA assessment concluded that the habitat present on the project site scored 71 out of a possible 100 points (100 points is assigned to the highest quality habitat) which corresponds to a mitigation ratio of 3:1. The kit fox evaluation was reviewed by CDFW (letter of August 24, 2018) who concluded that the project would impact 3.0 acres of kit fox habitat and confirmed that the required mitigation

ratio should be 3:1. Accordingly, Mitigation Measure BIO-5 would require the project to provide 9.0 acres of compensatory mitigation for the 3.0 acres that would be impacted by this project.

Together, implementation of mitigation measures BIO-1 and Bio-5 through BIO-11 would reduce project-related impacts to SJKF below a significance threshold pursuant to CEQA; therefore, impacts to SJKF would be *less than significant with mitigation.*

b) The project would result in removal and disturbance of approximately 3.05 acres of annual grassland, ruderal/disturbed, and agricultural habitats. These habitats are not considered sensitive plant communities by the CDFW unless they support special-status plants or wildlife. Focused botanical surveys conducted on the property confirmed special-status plants are not present within onsite annual grassland areas and no distinctive nests, burrows, or other signs of special-status wildlife were observed onsite or within the immediate area.

c) The project could potentially impact several landscape trees located onsite. The proposed greenhouses would be located in an area of planted trees including several planted oak trees. While tree trimming or removal is not currently proposed, encroachment of development and/or other project activities into the oak tree critical root zone could result in impacts to oak trees within the project area. Mitigation measures BIO-12 and BIO-13 have been identified to avoid impacts to oak trees that would result from implementation of the project where feasible and require oak tree replacement plantings pursuant to the County land use ordinance if applicable. Therefore, impacts related to native or important vegetation would be *less than significant with mitigation*.

d) The closest mapped NHD body of water to the project site is an unnamed creek located 0.3 mile west of the required driveway imrpovement area. No wetlands or riparian habitats are within or directly adjacent to proposed disturbance areas; therefore, impacts related to wetlands or ripartian habitat would be *less than significant*.

e) The proposed project is adjacent to existing development and is generally surrounded by grassland and agricultural crops. Based on the relative size of proposed development and surrounding large areas of undeveloped open spaces, the project would not block any wildlife corridors or inhibit wildlife movement in the project vicinity. Therefore, impacts related to interference with the movement of resident or migratory fish or wildlife species would be *less than significant*.

f) Compliance with mitigation measures BIO-1 through BIO-13 would ensure the project is consistent with regional plans and policies for protecting sensitive species; therefore, impacts would be *less than significant with mitigation.*

Mitigation/Conclusion. Upon implementation of the mitigation measures to reduce potential impacts to special-status wildlife and native oak trees listed in Exhibit B – Mitigation Summary Table, potential impacts to biological resources would be less than significant.

5. CULTURAL RESOURCES *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Disturb archaeological resources?	☐	☐	☒	☐
b) Disturb historical resources?	☐	☐	☒	☐
c) Disturb paleontological resources?	☐	☐	☒	☐

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

Cultural Resources

Setting.

Archaeological Setting

The project site is located in an area traditionally occupied by the Salinan/Chumash tribes. Potential for the presence of Native American occupancy and resources increases in close proximity to reliable water sources. An unnamed creek courses through the northwestern portion of the project parcel, and the project site is located approximately 0.3 mile south of San Juan Creek, a blue line tributary to the Estrella River. In accordance with AB 52 Cultural Resources requirements, outreach to four Native American tribes has been conducted: Northern Salinan, Xolon Salinan, yak titᵛu titᵛu Northern Chumash, and the Northern Chumash Tribal Council. Responses were received from the Northern Chumash Tribal Council and Salinan Tribe of Monterey and San Luis Obispo Counties, and both indicated there were no concerns regarding the proposed project.

Historic Setting

In the historic era, the Spanish replaced the aboriginal settlements within the Shandon area and Mexican land use continued into nineteenth century ranching (Heritage Discoveries, Inc. 2018).

Paleontological Setting

Based on a search of the National Geologic Map Database, the project site is underlain by older alluvial gravel surficial sediments and vaguely bedded sandstone of the Paso Robles formation (Diblee 2006). Known fossil localities in this region within old alluvium deposits include a mammoth skull in San Miguel; therefore, the paleontological sensitivity of this rock unit is considered high. Known fossil localities in this region within Plio-Pleistocene Paso Robles Formation include large mammals in many locations near Paso Robles and Creston; therefore, paleontological sensitivity of this formation is high as well (County of San Luis Obispo 2003).

Impact.

a,b,d) An Archaeological Surface Survey was prepared for the project site (Heritage Discoveries, Inc. 2018) and included a Phase I Archaeological surface survey and a records search using the Central Coast Information Center (CCIC) at the University of California, Santa Barbara. The records search results indicated no archaeological sites had been recorded within the study area and two previous Phase 1 surveys with negative results have taken place nearby. No prehistoric or historic-era cultural resources were found during the Phase 1 survey. Based on the results of the records search and surface survey, the potential for archaeological, historic, or tribal cultural resources to be located onsite are considered 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 cease, and the County Planning and Building Department must be notified of the discovery. If the discovery includes human remains, the County Coroner shall also be notified. Therefore, impacts related to disturbance of archaeological, historic, or tribal cultural resources would be *less than significant*.

c) The project would result in approximately 52 cubic yards of cut and 52 cubic yards of fill for the installation of the proposed greenhouse structures. This excavation would only disturb topsoil onsite up to 1 foot in depth. The project does not propose large cuts into hillsides or deep grading that would be likely to reach the underlying bedrock/geological formation; therefore, the project has very low potential to disturb any paleontological resources onsite and impacts would be *less than significant*.

Mitigation/Conclusion. No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary.

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

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

Geology and Soils

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

Topography: Nearly level to gently rolling

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low to moderate

Liquefaction Potential: Low to moderate

Nearby potentially active faults?: No Distance? Not applicable

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

Shrink/Swell potential of soil: Low

Other notable geologic features? None

Impact.

a) According to the County's Land Use View parcel information viewer, the project site is not located in an area with a high potential for landslides or liquefaction. Due to the prevalence of available groundwater onsite, the potential for land subsidence is very low. All proposed structures would be designed and constructed in compliance with California Building Code requirements to minimize safety hazards associated with unstable earth conditions. Therefore, impacts associated with unstable earth conditions would be *less than significant*.

b) The project site is not located within an Alquist-Priolo Fault Hazard Zone, and there are no mapped active faults crossing or adjacent to the site (DOC 2018). The closest potentially active fault is approximately 4 miles northeast of the project site, known as the Red Hills Fault. The potential for surface ground rupture to occur within the site is very low, and potential impacts related to location within known fault zones would be *less than significant*.

c) The project would result in approximately 3.05 acres of site disturbance to include52 cubic yards of cut and 52 cubic yards of fill to be balanced on-site. During grading activities, there would be a potential for erosion and sedimentation to occur onsite. A sedimentation and erosion control plan is required for all construction and grading projects (LUO 22.52.120) prior to building permit issuance and/or operation to minimize potential impacts and includes requirements for specific erosion control materials, setbacks from creeks, and siltation. In addition, the project would be subject to Regional Water Quality Control Board (RWQCB) requirements for preparation of a Storm Water Pollution Prevention Plan (SWPPP) (LUO 22.52.130), which may include the preparation of a Storm Water Control Plan to further minimize onsite sedimentation and erosion. Upon implementation of these requirements, the project's potential to result in significant soil erosion, topographic changes, or loss of topsoil would be negligible; therefore, impacts would be *less than significant*.

d) Based on the County of San Luis Obispo Soil Survey of the Inland Carrizo Plain Area (2003), the soils onsite do not have shrink swell potential that would result in a building limitation; therefore, impacts related to expansive soils would be *less than significant*.

e) The project is consistent with relevant policies of the County Safety Element relating to geologic and seismic hazards, as detailed below:

- ***Policy S-18:*** *Locate new development away from active and potentially active faults and enforce applicable regulations of the Alquist-Priolo Earthquake Fault Zoning Act pertaining to fault zones to avoid development on active faults.*
- ***Policy S-19:*** *The County will enforce applicable building codes related to seismic design of structures to reduce potential for loss of life and reduce property damage.*
- ***Policy S-20:*** *The County will require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the Uniform Building Code.*
- ***Policy S-21:*** *The County will avoid development in areas of known slope instability or high landslide risk when possible and encourage that developments on sloping ground use design and construction techniques appropriate for those areas.*

The project is consistent with the goals and policies of the County's Safety Element relating to geologic and seismic hazards; therefore, impacts would be *less than significant.*

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

Mitigation/Conclusion. There is no evidence that measures above what will already be required by ordinance or codes are needed.

7. HAZARDS, WILDFIRE, & HAZARDOUS MATERIALS - ***Will the project:***	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on, or adjacent to, a site which is included on a list of hazardous material/waste sites compiled pursuant to Gov't Code 65962.5 ("Cortese List"), and result in an adverse public health condition?	☐	☐	☒	☐
e) If within the Airport Review designation, or near a private airstrip, result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
f) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☒	☐
g) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones:				

7. HAZARDS, WILDFIRE, & HAZARDOUS MATERIALS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
i. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
ii. Due to slope, prevailing winds and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
iii. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
iv. Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				
h) Other: _____	☐	☐	☐	☒

Hazards, Hazardous Materials, Wildfire

Setting. The project is not located in an area of known hazardous material contamination and is not on a site listed on the "Cortese List" (which is a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5) (State Water Resources Control Board [SWRCB] 2015; California Department of Toxic Substance Control [DTSC] 2019). The project is not within a designated Airport Review area and is located adjacent to an active private air strip.

Fire Hazard Severity Zones (FHSZ) are defined by the California Department of Forestry and Fire Protection (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." The project is within a "High" FHSZ and is within a State Responsibility Area. Based on the County's response time map, it would take approximately 10 minutes or more for emergency personnel to respond to a call regarding fire or life safety.

Impact.

a) The project does not propose the routine use or transport of hazardous materials, nor the generation of hazardous wastes; therefore, *no impacts would occur.*

b) Oils, gasoline, lubricants, fuels, and other potentially hazardous substances would be used and temporarily stored onsite during construction activities. A spill or leak of these materials under accident conditions during construction activities could create a hazard to the surrounding environment. The project site contains sensitive habitat areas for several special-status wildlife species as described in Section 4, Biological Resources, that could be impacted from upsets or spills of potentially hazardous substances. Mitigation measures HAZ-1 and HAZ-2 have been recommended to reduce potential impacts associated with upset or accident conditions during project construction.

During operation, the project would store five 55-gallon drums of Ecosorb CNB 100 onsite, a non-toxic odor-neutralizing agent. The product is not considered to cause long-term adverse effects in the environment through typical use in vapor phase, however, release of this agent in liquid phase into the environment is to be avoided (Occupational Safety and Health Administration [OSHA] 2017). In the event of accident or upset conditions, large spills or other releases of this product could result in a potential hazard to the surrounding environment. Mitigation measure HAZ-3 has been identified to reduce potential impacts associated with upset or accident conditions associated with Ecosorb CNB 100 during project operation; therefore, impacts would be *less than significant with mitigation*.

c) The closest school in proximity to the project site is approximately 4 miles north. The project site is not located within 0.25 mile of an existing or proposed school; therefore, *no impacts would occur.*

d) Based on the DTSC's Envirostor and the SWRCB's GeoTracker, the proposed project site is not listed on the Cortese List, which is a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. There is a Leaking Underground Storage Tank (LUST) site located on the parcel to the south of the project site; however, this case has been completed and closed as of July 31, 2013 (SWRCB 2019). Therefore, any impacts associated with being located on or adjacent to a site included on the Cortese List would be *less than significant.*

e) The project is not located within a designated Airport Review Area and there are no active private landing strips within the vicinity; however, it should be noted that one of the adjacent agricultural roads was formerly used as an agricultural landing strip and this landing strip is no longer in use. Therefore, impacts associated with proximity to an airport or airstrip would be *less than significant.*

f) The project is not located within the "Very High" Fire Hazard Severity Zone and is located within a State Responsibility Area. Based on the County's fire response time map, it would take 5–10 minutes for emergency crews to respond to a call regarding fire for life safety. The project would be required to comply with all applicable fire safety rules and regulations including the California Fire Code and Public Resources Code prior to issuance of building permits. The project was reviewed by County Fire/California Department of Forestry and Fire Protection (CAL FIRE) and a referral response letter was received detailing all requirements for the applicant to comply with County Fire/CAL FIRE standards. Upon completion of County Fire/CAL FIRE requirements and approval of all necessary building permits with the necessary fire suppression measures implemented, impacts related to the exposure of people or structures to a significant risk of loss from wildfire would be *less than significant.*

g.i) The project does not require any road closures and would be designed to accommodate emergency vehicle access as necessary; therefore, the project would not result in the impairment of the implementation of or physically interfere with local or County hazard mitigation or emergency plans and *no impacts would occur.*

g.ii) The proposed project components would be located on nearly level to slightly sloping land. Average wind speeds in the Shandon area are highest from mid-March to mid-July with an

average of 7 miles per hour and prevailing winds primarily come from the west during this season. From October to May, prevailing winds primarily come from the north (Weather Spark 2019). Proposed structures would be designed and constructed in accordance with the California Fire Code and no major grading or removal of natural wind barriers are proposed. Therefore, the project would not exacerbate fire risks due to slope, prevailing winds, or other factors and impacts would be *less than significant.*

g.iii) The proposed project would require a new power line connection to the existing Pacific Gas and Electric (PG&E) power line and pole located adjacent to the proposed cultivation area. This new power connection would serve the proposed greenhouses and would be required to be installed in compliance with all applicable California Public Utilities Commission and California Fire Code standards. Improvements would be made to the existing access driveway off of Truesdale road, which would be required to be designed and constructed in compliance with County Public Works and CAL FIRE regulations to ensure emergency vehicles would have adequate access to the site during an emergency. Therefore, project impacts would be less than significant.

g.iv) The project site is located on nearly level to gently sloping land within a low to moderate landslide potential area. The nearest slopes with high landslide potential are located 0.3 mile to the east of the project area, and there are unmapped drainage features that course through the project parcel. While onsite soils have a range in susceptibility to soil damage, such as increased wind or water erosion, overall potential for soil damage to occur from a wildfire is low (NRCS 2017). Based on the project site's generally flat topography, lack of major drainage courses or riparian vegetation, and low potential for soil damage, the potential for downstream flooding or landslides as a result of post-fire slope instability are low. Therefore, impacts related to exposure of people and structures to downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes would be less than significant.

Mitigation/Conclusion. The proposed project would result in the storage and use of an odor-neutralizing agent and is located within the Hire Fire Hazard Severity Zone. Mitigation measures HAZ-1 through HAZ-3 have been identified to mitigate potential impacts associated with reasonably foreseeable accident and upset conditions and fire hazards, as detailed in Exhibit B – Mitigation Summary Table. Upon implementation of these measures, impacts related to hazards and hazardous materials would be less than significant.

8. NOISE *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Expose people to noise levels that exceed the County Noise Element thresholds?	☐	☐	☒	☐
b) Generate permanent increases in the ambient noise levels in the project vicinity?	☐	☐	☒	☐
c) Cause a temporary or periodic increase in ambient noise in the project vicinity?	☐	☐	☒	☐
d) Expose people to severe noise or vibration?	☐	☐	☒	☐

8. NOISE *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) If located within the Airport Review designation or adjacent to a private airstrip, expose people residing or working in the project area to severe noise levels?	☐	☐	☒	☐
f) Other: _____	☐	☐	☐	☒

Noise

Setting. The existing ambient noise environment is characterized by intermittent vehicle noise from Truesdale Road and various agricultural activities surrounding the project site. 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 1,450 feet to the east; in addition agricultural farmworker housing is proposed, but not yet constructed, on the parcel directly south of the project site.

Impact.

a) The proposed project does not include any features that would generate a permanent or consistent source of stationary noise during operation. The project would generate approximately 23 average daily trips, which is consistent with surrounding rural residential and agricultural land uses in the area. The project includes approximately 104 cubic yards of grading, construction of four greenhouses, and installation of nine storage containers for drying and curing of cannabis products grown onsite. Construction-related noise would be temporary in nature and 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. on Saturday or Sunday, in accordance with County construction noise exception standards (LUO 22.10.120.A); therefore, impacts related to exceedance of County Noise Element thresholds would be *less than significant.*

b) The proposed project does not include any features that would generate a permanent or consistent source of mobile or stationary operational noise. The project would result in generation of 23 average daily trips, which is generally consistent with surrounding rural residential and agricultural uses in the area. Therefore, impacts related to generation of permanent increases in ambient noise levels would be *less than significant*.

c,d) Project construction activities would generate short-term construction noise. Noise generated during the construction period would be temporary in nature and 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. on Saturday or Sunday, in accordance with County construction noise exception standards (LUO 22.10.120.A). Due to its limited duration and compliance with construction time limits set out in the LUO, project construction would not conflict with surrounding uses or nearby noise-sensitive receptors. The project does not propose pile driving or other high impact activities that would generate substantial groundborne noise or groundborne vibration during construction. After completion of the construction period, the project would not generate loud noises or conflict with surrounding uses; therefore, impacts related to temporary increases in ambient noise and exposure of people to severe noise or vibration would be *less than significant.*

e) The project is not located within a designated Airport Review Area and there are no active private landing strips within the vicinity; however, it should be noted that one of the adjacent agricultural roads was formerly used as an agricultural landing strip and this landing strip is no longer in use. Therefore, impacts associated with proximity to an airport or airstrip would be *less than significant.*

Mitigation/Conclusion. No significant long-term change in noise levels would occur. Short-term construction-related noise would be limited in nature and duration and would only occur during appropriate daytime hours. Therefore, potential noise impacts would be *less than significant* and no mitigation is required.

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

Population/Housing

Setting In its efforts to provide for affordable housing, the County currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county. The County's Inclusionary Housing Ordinance requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions.

Impact.

a-c) The project proposes cannabis activities within a rural area and would employ up to 26 people, six full-time and up to 20 seasonal employees. The small number of full time employees and the seasonal nature of proposed cannabis activities would not generate the need for new or additional housing. 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 housing and population would be *less than significant*.

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

10. PUBLIC SERVICES/UTILITIES/ENERGY *Would the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Have an effect upon, or result in the need for new or altered public services in any of the following areas:				
i) Fire Protection?	☐	☐	☒	☐
ii) Police protection (e.g., Sheriff, CHP)?	☐	☐	☒	☐
iii) Schools?	☐	☐	☒	☐
iv) Roads?	☐	☐	☒	☐
v)Solid Wastes?	☐	☐	☒	☐
vi) Other public facilities?	☐	☐	☐	☒
b) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
c) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒
g) Other: _____	☐	☐	☐	☒

Public Services/Utilities/Energy

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

Police: County Sheriff Location: Community of Templeton (Approximately 20 miles to the west)

Fire: CAL FIRE/County Fire Hazard Severity: High Response Time: 5-10 minutes
Location: Station 31 Shandon (Approximately 6 miles to the north)

School District: Shandon Joint Unified School District.

Fire protection for Shandon is provided by the County, who contracts with CAL FIRE. Year-round fire protection is provided by Fire Station 31 on Centre Street, which takes action as the first responder in emergency situations, including medical emergencies, within a 400-square-mile area. Fire Station 31 is staffed with four firefighters assigned to a Type 3 wildland fire apparatus and a Type 1 apparatus during winter months.

The County Fire/CAL FIRE Emergency Command Center (ECC) handles emergency response and dispatch to Shandon. Ambulance service to the community is provided by a private ambulance company that is stationed in Paso Robles. The nearest hospital is Twin Cities Hospital, approximately 26 miles away in Templeton.

Law enforcement for Shandon is provided by the County Sheriff's North Station in Templeton. The North Station's area of responsibility covers 1,400 square miles, extending from the top of Cuesta Grade to the Monterey County line and from the Los Padres Mountain Range east to the Kern County line. In 2011, the personnel ratio was one deputy for every 1,140 people. Based on information provided by the Sheriff's Office, an adequate level of law enforcement service is approximately one deputy for every 750 people. The Sheriff's Office measures levels of service based on its response time to the location of a call. In 2011, the response times to Shandon were longer than desired by the Sheriff's Office; therefore, the Sheriff's Office is evaluating the potential of locating a resident deputy in Shandon (County of San Luis Obispo 2012).

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.). Fees are assessed annually by the County based on the type of proposed development and proportional impact and collected at the time of building permit issuance. Fees are used as needed to finance the construction of and/or improvements to facilities required to the serve new development.

Pacific Gas & Electric Company (PG&E) is the primary electricity provider for urban and rural communities within San Luis Obispo County. Approximately 33% of electricity provided by PG&E is sourced from renewable resources and an additional 45% is sourced from greenhouse gas-free resources, for a total of approximately 80% of PG&E electricity delivered coming from greenhouse gas-free resources (PG&E 2017). The California Department of Food and Agriculture 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 greenhouse gas emission intensity is greater than the local utility provider's greenhouse gas 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 greenhouse gas-emission intensity than PG&E's greenhouse gas-emission intensity (currently approximately 80%), they would be required to acquire carbon offsets to account for the difference (California Code of Regulations § 8305).

Impact. The project includes development of commercial cannabis cultivation facilities, including outdoor and indoor cultivation, nursery cultivation, and processing.

a)

i. The project would be required to comply with all fire safety rules and regulations including the California Fire Code and Public Resources Code prior to issuance of building permits. The project was reviewed by County Fire/CAL FIRE and a referral response letter was received detailing requirements for the applicant to implement into the project to comply with County Fire/CAL FIRE standards. Based on the limited amount of development proposed, the project would not result in a need for new or altered fire protection services. In addition, the project would be subject to development impact fees to offset the project's contribution to demand for fire protection services. Therefore, impacts would be *less than significant.* Additional information regarding fire hazard impacts is discussed in Section 7, Hazards and Hazardous Materials.

ii. The applicant has prepared a Security Plan subject to the review and approval of the County Sheriff's Department. The project would be required to adhere to the security measures and protocols in the Security Plan as well as with any additional recommendation or requirements provided by the County Sheriff's Office. In addition, the project would be subject to development impact fees to offset the project's contribution to demand on law enforcement services. Therefore, impacts related to police services would be less than significant.

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

iv. Based on the traffic report prepared for the project (OEG 2018), the project would result in 23 average daily trips including two trips during the p.m. peak hour. Trips generated from the project would be consistent with surrounding residential and agricultural land uses. The traffic report has been reviewed by the County Public Works Department, and no further comments regarding traffic outside of recommended conditions of approval were provided. In addition, the project would be subject to public facilities fees to offset the increased traffic on surrounding roadways. Therefore, impacts to roads would be less than significant.

v. The applicant proposes to dispose of plant waste through onsite composting pursuant to the California Code of Regulations. Cannabis-containing waste would be securely stored prior to appropriately regulated disposal offsite. Ancillary non-plant waste would be collected adjacent to the existing residence onsite and hauled offsite to the nearest waste facility. The project's contributing waste load is considered negligible and would not result in a significant increase of demand on local waste disposal facilities; therefore, impacts would be less than significant.

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

b) The proposed project would use approximately 178,706 kilowatt hours per year (kWh/yr) to operate grow lights, heater units, circulation fans, odor abatement systems, and the reverse osmosis system. This annual energy use is roughly the equivalent of the amount of energy used by 18 average residences (U.S. EIA 2018). The project would utilize electricity supplies from the existing grid-tied 13.0 KW solar photovoltaic unit located on-site and would be supplemented by PG&E via the existing power line and pole located adjacent to the cultivation area. The onsite solar system is estimated to generate between 21,000 kWh and 23,000 kWh per year (NREL 2019). Through use of on-site solar panels and connection to PG&E service lines, the project would overall have a lower greenhouse gas-emission intensity than the local utility provider and therefore would exceed CDFA renewable energy standards to be in effect in 2023. In addition, no additional energy would be needed for drying and processing of cannabis products as those activities would occur during daylight hours and proposed structures for processing would not employ lighting or climate control systems. Therefore, the project would not result in wasteful, inefficient, or unnecessary consumption of energy resources and impacts would be *less than significant.*

c) As described in threshold b, above, the project would have a lower greenhouse gas-emission intensity than the local utility provider and therefore would exceed CDFA renewable energy standards that would be in effect in 2023. In addition, the project's proposed energy sources and proposed composting practices are consistent with the County's Conservation and Open Space Element energy goals of increasing use of renewable energy sources and diversion of waste from landfills. Therefore, the project has been found to be generally consistent with state and local plans related to renewable energy or energy efficiency and *no impacts would occur.*

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

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

Recreation

Setting. The project would be located within a privately-owned parcel that would support the cultivation of cannabis and would not be open to the general public. The County's Parks and Recreation Element does not identify potential trail corridors within the vicinity of the proposed project. The County's Parks and Recreation Element does not show that a potential trail goes through the proposed project.

Impact.

a,b) The project proposes cannabis activities within a rural area and would employ up to 26 people, six full-time and 20 seasonal employees. The small number of full-time employees and the seasonal nature of proposed cannabis activities would not increase the demand on existing or planned recreational facilities in the County. 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 induce population growth or create a significant need for additional park or recreational facilities; therefore, *no impacts would occur.*

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

12. TRANSPORTATION/ CIRCULATION *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase vehicle trips to local or areawide circulation system?	☐	☐	☒	☐
b) Reduce existing "Level of Service" on public roadway(s)?	☐	☐	☒	☐
c) Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?	☐	☐	☒	☐
d) Provide for adequate emergency access?	☐	☐	☒	☐
e) Conflict with an established measure of effectiveness for the performance of the circulation system considering all modes of transportation (e.g. LOS, mass transit, etc.)?	☐	☐	☒	☐

12. TRANSPORTATION/ CIRCULATION *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
f) Conflict with an applicable congestion management program?	☐	☐	☒	☐
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐
h) Result in a change in air traffic patterns that may result in substantial safety risks?	☐	☐	☐	☒
i) Other: _____	☐	☐	☐	☒

Transportation

Setting. The project site is located in a rural agricultural area and is accessed by Truesdale Road, a collector road owned and maintained by the County. Based on the Shandon Community Plan and County Circulation Element, no improvements are currently identified as necessary or planned along Truesdale Road. A project referral package was sent to the County Public Works Department and no traffic-related concerns beyond conditions of approval were identified.

Impact.

a,b) The project is estimated to generate approximately 23 vehicle trips per day, including two trips during the p.m. peak hour (OEG 2018). Projected trip generation from the project would be generally consistent with surrounding rural residential and agricultural land uses and would not have a significant impact on area roadway operations. In addition, the project would be subject to public facilities fees which would offset relative impacts to surrounding roadways. Therefore, impacts related to increased vehicle trips on local circulation systems and Level of Service on public roadways would be *less than significant*.

c) The project site is currently accessed via a driveway off Truesdale Road and existing sight distance was determined to be adequate. The project would not require use of slow-moving vehicles or create an access issue on Truesdale Road. Based on the proposed project, County Public Improvement Standards, and the referral response received from the County Public Works Department, the existing driveway approach does not meet the current design standards for rural driveways. The project would be conditioned to require the applicant to reconstruct the approach to meet appropriate safety and design standards; therefore, impacts related to creation of unsafe conditions on public roadways would be *less than significant.*

d) The applicant would be required to demonstrate that onsite circulation facilities have been designed and constructed to conform with County Fire/CAL FIRE standards and specifications back to the nearest public roadway (Truesdale Road). Compliance with County Fire/CAL FIRE standards and specifications for onsite circulation would ensure adequate emergency access is provided within the site; therefore, impacts would be *less than significant.*

e-g) The project includes establishment of indoor and outdoor cannabis cultivation, nursery, and processing of cannabis products grown onsite. The project would generate similar traffic levels as rural residences and agricultural uses in the area and would be subject to public facility road 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.*

h) The project includes establishment of indoor and outdoor cannabis cultivation, nursery, and processing of cannabis products grown onsite. The project would have no effect on air traffic patterns; therefore *no impacts would occur*.

Mitigation/Conclusion. The project would be subject to County Public Works Department and County Fire/CAL FIRE access requirements and public facility road fees. The project will be conditioned to reconstruct the project site access driveway to meet County standards; therefore, potential impacts related to transportation and circulation would be less than significant.

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

Wastewater

Setting. Regulations and guidelines on proper wastewater system design and criteria are found within the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (California OWTS Policy) and the California Plumbing Code (CPC). These regulations include specific requirements for both onsite and community wastewater systems and are applied to all new wastewater systems.

The California OWTS Policy includes the option for public agencies in California to prepare and implement a Local Agency Management Program (LAMP), subject to approval by the Central Coast RWQCB. Once adopted, the LAMP will ensure local agency approval and permitting of onsite wastewater treatment systems protective of groundwater quality and public health and will incorporate updated standards applicable to onsite wastewater treatment systems. At this time, the California OWTS Policy standards supersede County Codes in Title 19. Until the County's LAMP is approved, the County permitting authority is limited to OWTS that meet Tier 1 requirements, as defined by the California OWTS Policy and summarized in the County's Updated Criteria Policy Document BLD-2028 (2018). All other onsite wastewater disposal systems, including all seepage pit systems, must be approved and permitted through the Central Coast RWQCB.

For onsite wastewater treatment (septic) systems, there are several key factors to consider for a system to operate successfully, including the following:

- Sufficient land area to meet the criteria as currently established in Tier 1 Standards of the California OWTS Policy; depending on rainfall amount and percolation rate, required parcel size minimums would range from 1 acre to 2.5 acres;
- The soil's ability to percolate or "filter" effluent before reaching groundwater supplies (30 to 120 minutes per inch is ideal);
- The soil's depth (there needs to be adequate separation from the bottom of a leach line to bedrock [at least 10 feet] or high groundwater [5 feet to 50 feet depending on percolation rates]);
- The soil's slope on which the system is placed (surface areas that are too steep create potential for daylighting of effluent);
- Potential for surface flooding (e.g., within 100-year flood hazard area);
- Distance from existing or proposed wells (between 100 and 250 feet depending on circumstances); and
- Distance from creeks and water bodies (100-foot minimum).

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

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

Impact.

a,b) Full-time project employees would utilize the existing individual septic system associated with the onsite residence. If an expansion of the existing system is deemed necessary in the future, the 71-acre project parcel would provide adequate space for siting of the expanded treatment system. Based on the project site's soil characteristics, several constraints including steep slopes and slow percolation may limit the siting of the wastewater system. As a result, percolation testing would be required by a qualified professional to determine an appropriate location for any future onsite wastewater treatment systems.

During the annual 6-week fall harvest season, portable restroom facilities would be brought onsite to accommodate the additional effluent from the 10–20 additional seasonal employees working onsite during that timeframe. Therefore, impacts related to violation of discharge regulations or alteration of surface or groundwater quality would be *less than significant.*

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

Mitigation/Conclusion. No new or expanded wastewater treatment system is proposed. Based on the above discussion and information provided, if a new or expanded system is needed the system would be required to meet the CPC/California OWTS Policy Tier 1 Criteria. Therefore, based on the project

compliance with these regulations, potential wastewater associated impacts are considered less than significant.

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

Water

Setting. The project is located within the Estrella River watershed. The Estrella River watershed consists of approximately 177,631 acres of land and flows into the Salinas River to the Pacific Ocean. The project site is underlain by the Paso Robles Groundwater Basin (PRGWB). Based on the County's Land Use Viewer tool, the project development site is not located within the 100-year flood zone of any surrounding bodies of water.

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

Offset clearance is obtained by the purchase of water use offset credits through a County-approved conservation program for the particular groundwater basin. If the average water use reported in the previous four quarterly water use reports is greater than the water use offset credits associated with the permitted use(s), the permittee will be required to either: 1) identify specific measures (and a timeframe for implementation) to reduce the metered water demand to be equal to, or less than, the water use offset credits associated with the project; or 2) purchase additional water use offset credits from the approved water conservation program for the particular groundwater basin to offset the increased use documented by the water use reports. The project is not located within an Area of Severe Decline. Therefore, the water use offset is 1:1 and will be achieved by the purchase of offset credits, as discussed below under Water Quantity.

Drainage Characteristics

The topography of the project is nearly level to moderately sloping The closest creek from the proposed development is approximately 0.15 mile away and there are drainage features that course throught the project parcel. As described in the NRCS Soil Survey, the soil surface is considered to have moderate erodibility.

Projects involving more than 1 acre of disturbance are subject to preparing a SWPPP to minimize onsite sedimentation and erosion. When work is done in the rainy season, the County's LUO requires that temporary erosion and sedimentation measures be installed.

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

Within the 100-year Flood Hazard designation? No

Closest creek? Unnamed creek Distance? Approximately 700 feet

Soil drainage characteristics: Well drained

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

SEDIMENTATION AND EROSION – Soil type, area of disturbance, and slopes are key aspects to analyzing potential sedimentation and erosion issues. The project's soil types and descriptions are listed in the Setting discussion of Section 2, Agricultural Resources. As described in the NRCS Soil Survey, the project's soil erodibility is as follows:

Soil erodibility: Low

A sedimentation and erosion control plan is required for all construction and grading projects (LUO 22.52.120) to minimize these impacts. When required, the plan is prepared by a civil engineer to

address both temporary and long-term sedimentation and erosion impacts. Projects involving more than 1 acre of disturbance are subject to the preparation of a SWPPP, which focuses on controlling stormwater runoff. The RWQCB is the local extension who monitors this program.

Impact – Water Quality/Hydrology

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

- Approximately 3.05 acres of site disturbance are proposed, including the movement of approximately 52 cubic yards of cut and fill material to be balanced on-site;
- The project would be subject to standard County requirements for drainage, sedimentation, and erosion control for construction and permanent use;
- The project would be required to prepare a SWPPP, which would be implemented during construction;
- The project development area is not within a 100-year Flood Hazard designation;
- The project development area is located more than 100 feet from the closest creek or surface water body;
- Stockpiles would be properly managed during construction to avoid material loss due to erosion;
- The project is subject to the County's Plumbing Code (Chapter 7 of the Building and Construction Ordinance [Title 19]) and CPC/California OWTS Policy Tier 1 Criteria for its wastewater requirements, where wastewater impacts to the groundwater basin would be less than significant;
- All hazardous materials and/or wastes would be properly stored onsite, which includes secondary containment should spills or leaks occur.

The project proposes to establish new cultivation sites and associated facilities in an area that is generally elevated and entirely outside of the 100-year Flood Hazard designation. The nearest streams include unnamed drainages located 0.3 mile west of the proposed development area. The project would be required to comply with all National Pollution Discharge Elimination System (NPDES) requirements and prepare a SWPPP that incorporates Best Management Practices (BMPs) during construction. Water quality protection measures would include protection of stockpiles, protection of slopes, protection of all disturbed areas, protection of access roads, and perimeter containment measures. Therefore, impacts related to violation of water quality standards, quality of groundwater, stormwater system capacity, amount of runoff, sedimentation/erosion, and location of activities within the flood zone would be *less than significant.*

Water Quantity

h) The project would attain its water supply from an existing well located onsite that utilizes an H_2O Engineering Reverse Osmosis (R.O.) filtration system. Reverse osmosis requires regular backwashing of the membrane filter to maintain proper operation. For the R.O. system utilized onsite, for every 10 gallons of water produced from the treatment unit, 1 gallon of water is lost as backwash water (Wallace Group 2018).

The project is located within the PRGWB in an area that is categorized as being in severe decline and is required to offset water usage at a 1:1 ratio per ordinance requirements. A water management plan was prepared for the project (Wallace Group 2018) and determined the project's total water demand to be approximately 3.02 acre-feet-per-year (AFY). The project's total water demand is detailed in Table 4 below.

Table 4. Project Estimated Annual Water Demand

Use	Rate	Duration	Gross Demand (gallons/year)	Gross Demand (AFY)
130,680 square feet Outdoor cultivation	0.03 gal/sf/day	150 days	588,060	1.80
6,000 square feet Indoor cultivation	0.1 gal/sf/day	260 days	156,000	0.48
6,000 square feet Indoor nursery	0.1 gal/sf/day	260 days	156,000	0.48
Backwash water from R.O. system	1 gal ww/10 gal irrigation water	N/A	90,006	0.28
			Total Water Demand	**3.04**

Source: Wallace Group 2018.

Per the CWWCP, the project applicant would be required to offset this new water use at a 1:1 ratio through the purchase of water offset credits before any construction permits could be issued. Offsetting the water demand of the proposed project would result in a net-neutral water demand on the groundwater basin; therefore, impacts related to available surface or groundwater would be *less than significant*.

i) The project would attain its water supply from an existing well located onsite and would not require connection or service by a community water provider; therefore, *no impacts would occur.*

j) The project site is located approximately 43 miles inland of the Pacific Ocean and therefore would not be impacted if a tsunami event were to occur. The project site is not adjacent to or in close proximity to a large standing body of water that could experience a seiche. Based on the County Safety Element Dam Inundation Map, the project site is not located in an area that would become inundated in the event of dam failure. As described in Section 6, Geology and Soils, the potential for landslides in the project vicinity is low to moderate and the project is not located in close proximity to blue line creeks or steep slopes that would be conducive to the formation of mudflows in nearby existing channels. Therefore, impacts related to risks involving flooding, or inundation by dam failure, seiche, tsunami, or mudflow are *less than significant.*

Mitigation/Conclusion. As specified above for water quality, existing regulations and/or required plans would adequately address surface water quality impacts during construction and permanent use of the project. No additional measures above what are required or proposed are needed to protect water quality.

Based on the proposed amount of water to be used and the water source, the project would be required by existing ordinance to offset their water demand at a 1:1 ratio by purchasing credits for a one-time fee through a County-approved Water Conservation Program for the basin. Assuming a total annual water demand of 3.04 AFY (Wallace Group 2018), the on-time offset fee is estimated to be $43,911 (2,714 gallons per day x $16.18 per gallon). Offsetting the water demand of the proposed project would result in a net-neutral water impact which would ensure potential impacts to water would be less than significant. Therefore, no further mitigation measures are required.

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

Land Use

Setting. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County LUO, Shandon Community Plan, CWWCP, SLOAPCD CEQA Handbook, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., County Fire/CAL FIRE for Fire Code, SLOAPCD for Clean Air Plan, etc.).

Impact.

a,c) The project could result in potentially significant impacts associated with aesthetic resources, air quality, sensitive biological resources, and hazards and hazardous materials as described in the sections above. Upon implementation of the mitigation measures identified in Exhibit B – Mitigation Summary Table, the project would be consistent with policies detailed in the County LUO and the Shandon Community Plan adopted to avoid and/or mitigate for impacts to aesthetics, air quality, and biological resources. Therefore, the project would be consistent with land use policies adopted to address environmental effects upon implementation of mitigation measures identified in Exhibit B – Mitigation Summary Table, and impacts would be *less than significant with mitigation.*

b) The project is not within or adjacent to a Habitat Conservation Plan area. Therefore, impacts related to consistency with habitat conservation plans or adopted agency environmental plans would be *not applicable.*

d) The project is surrounded by primarily agricultural land uses, with several scattered rural residences scattered throughout the project vicinity. As discussed in Section 1, Aesthetics, Section 3.0, Air Quality, and Section 8, Noise, the project is not expected to result in impacts related to visual resources, air quality, or noise that would impact surrounding land uses. Therefore, the project would not conflict or be incompatible with surrounding land uses and impacts would be *less than significant.*

Mitigation/Conclusion. Upon implementation of measures identified in Exhibit B – Mitigation Summary Table, the project would be consistent with applicable land use and environmental policies.

16. MANDATORY FINDINGS OF SIGNIFICANCE

Will the project:

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

Discussion/Conclusion.

a) 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. Additionally, compliance with mitigation measures BIO-1 through BIO-12 would mitigate potential direct and indirect impacts to native trees, special-status species, and nesting birds. Therefore, impacts would be *less than significant with mitigation.*

b) The potential cumulative impacts of the proposed project have been analyzed within the discussion of each environmental resource area above. Cumulative impacts associated with the proposed project would be *less than significant*.

c) 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 AQ-1, AQ-2, and HAZ-1 through HAZ-3 would further reduce potential adverse effects on human beings; therefore, impacts would be *less than significant with mitigation*.

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

Exhibit A - Initial Study References and Agency Contacts

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

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

☒ Project File for the Subject Application

County documents

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

Other documents

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

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

California Department of Conservation (DOC). 2010. Fault Activity Map of California.

_____. 2016. California Important Farmland Finder. Available at <https://maps.conservation.ca.gov/DLRP/CIFF/>

California Geological Survey (CGS). 2015. CGS Information Warehouse: Mineral Land Classification. Available at https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc Accessed on January 29, 2019.

County of San Luis Obispo. 2003. Nacimiento Water Project Environmental Impact Report. December 2003.

_____. 2012. Shandon Community Plan. April 3, 2012.

_____. 2015. Rules of Procedure to Implement the California Land Conservation Act of 1965. Adopted June 1972, revised March 2015.

DarkSiteFinder. 2006. DarkSiteFinder Map. Available at <https://darksitefinder.com/maps/world.html#5/37.143/-108.765> Accessed June 3, 2019.

Diblee, T.W., Jr. 2006. Geologic Map of the Camatta Canyon Quadrangle. National Geologic Map Database.

Heritage Discoveries, Inc. 2018. An Archaeological Surface Survey at 4000 Truesdale Road, Shandon, San Luis Obispo County, California. May 5, 2018.

Kevin Merk and Associates, LLC (KMA). 2019. Updated Biological Resources Assessment for 4000 Truesdale Road, Shandon. February 12, 2019.

Lightpollutionmap.info. 2019. Lightpollutionmap. Available at <https://www.lightpollutionmap.info/#zoom=14&lat=4209865&lon=13401482&layers=0BFFFFTFFFF>. Accessed June 3, 2019.

National Renewable Energy Laboratory (NREL). 2017. PVWatts Calculator. Available at https://pvwatts.nrel.gov/pvwatts.php. Accessed June 2019.

Natural Resources Conservation Service (NRCS). 2017. Web Soil Survey. Available at https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx Accessed January 2019.

Occupational Safety and Health Administration (OSHA). 2017. Ecosorb CNB 100 Safety Data Sheet.

OMI Industries. 2017. Ecosorb CND 100 Technical Data Sheet. January 27, 2017.

Orosz Engineering Group, Inc. (OEG). 2018. Trip Generation Evaluation – DRC2018-00043 Shandon Acres Associates, LLC MUP.

Pacific Gas and Electric (PG&E). 2019. Delivering Low-Emission Energy. Webpage. Available at <https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page>

San Luis Obispo Air Pollution Control District (SLOAPCD). CEQA Air Quality Handbook. April 2012.

State Water Resources Control Board (SWRCB). 2015. GeoTracker. Available at <http://geotracker.waterboards.ca.gov/> Accessed January 2019.

U.S. Department of Agriculture. 2003. Soil Survey of San Luis Obispo County, California, Carrizo Plain Area.

U.S. Energy Information Administration (U.S. EIA). 2018. Frequently Asked Questions, How much electricity does an American home use? October 26, 2018. Available at https://www.eia.gov/tools/faqs/faq.php?id=97&t=3 Accessed June 2019.

Wallace Group. 2018. Revised: Water Use Estimates for Shandon Acres (4000 Truesdale Road, Shandon, CA) Cannabis Cultivation Operation. September 14th, 2018.

Weather Spark. 2019. Average Weather in Shandon, California, United States. Available at https://weatherspark.com/y/1289/Average-Weather-in-Shandon-California-United-States-Year-Round Accessed June 2019

Exhibit B - Mitigation Summary Table

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

AES-1 Prior to issuance of construction permits or establishment of the use, the applicant shall submit a light pollution prevention plan to the County Planning and Building Department for approval. This plan shall include, at a minimum, the following measures to reduce potential impact to night lighting:

a. Prevent all interior lighting from being detected outside the facilities between the period of 1 hour before dusk and 1 hour after dawn; and

b. 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.

AQ-1 Prior to issuance of a construction permit, the standard mitigation measures for reducing nitrogen oxides, reactive organic gases, and diesel particulate matter emissions from construction equipment are listed below and shall be printed on construction plans and shall be adhered to during project construction:

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 that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g., captive or nitrogen oxides 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. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the 5-minute idling limit;

g. Diesel idling shall be avoided to the greatest extent feasible throughout the duration of construction activities. No idling in excess of 5 minutes shall be permitted as described above;

h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors whenever possible;

i. Electrify equipment when feasible;

j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,

k. Use alternatively fueled construction equipment onsite where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.

AQ-2 Prior to issuance of a construction permit, the following measures would apply to the project if the proposed farmworker's housing project located south of the project site (DRC2018-00001) is completed prior to the completion of the proposed project's site disturbance activities. These measures shall be printed on construction plans prior to issuance of a construction permit, and shall be adhered to during project construction.

a. Reduce the amount of disturbed area where possible;

b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible;

c. All dirt stock pile areas shall be sprayed daily as needed;

d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall 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 shall 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 shall be stabilized using approved chemicals 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 shall be completed as soon as possible. In addition, building pads shall 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 miles per hour on any unpaved surface at the construction site;

i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall 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. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;

k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible;

l. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and

m. The contractor or builder 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 20% opacity, and to prevent transport of dust offsite. 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 San Luis Obispo

County Air Pollution Control District Compliance Division prior to the start of any grading, earthwork or demolition.

BIO-1 Prior to issuance of grading or construction permits, or prior to site disturbance activities, the applicant shall provide evidence that they have retained a County-qualified biologist.

BIO-2 Site preparation, ground disturbance, and construction activities including any tree trimming and/or vegetation removal shall be conducted outside of the typical bat maternity roosting and pupping season (from February 1st to August 31st), if feasible. If site disturbance activities are to occur within this season, the applicant shall retain a County-qualified biologist to conduct a preconstruction survey within 14 days prior to commencement of proposed site disturbance activities. If any roosting bats are found during preconstruction surveys, no work activities shall occur within 100 feet of active roosts until bats have left the roosts. The County-qualified biologist shall prepare a report after each survey and a copy of the report shall be provided to the County within 14 days of completion of each survey. If no bat roosting activities are detected within the proposed work area, site disturbance and noise-producing construction activities may proceed and no further mitigation is required.

BIO-3 Site preparation, ground disturbance, and construction activities including any tree trimming 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, a County-approved qualified biologist shall 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 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-4 At least 2 weeks prior to initiation of construction or site disturbance activities, a County-qualified biologist shall conduct a survey for American badger dens within the impact footprint and surrounding accessible areas of the property. The biologist shall evaluate all dens found to determine whether or not 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-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-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 re-using them during construction.

d. Currently active den entrances shall be partially blocked with sticks, debris, and soil for 3–5 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-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 Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County Department of Planning and Building (County) that satisfactorily demonstrates one or a combination of the following San Joaquin kit fox mitigation measure options has been implemented to offset the project's calculated compensatory impacts:

a. Habitat Set Aside: Provide for the protection in perpetuity, through acquisition of fee or a conservation easement, of 9.0 acres of suitable habitat in the kit fox corridor area (e.g., within the San Luis Obispo kit fox habitat area northwest of Highway 58), either on-site or off-site, and provide for a nonwasting endowment to provide for management and monitoring of the property in perpetuity. Lands conserved shall be subject to the review and approval of the CDFW and the County.

b. In-Lieu Fee: Deposit funds into an approved in-lie fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area located primarily within San Luis Obispo County and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Funds would be provided to The Nature Conservancy pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between CDFW and TNC to preserve SJKF habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the CEQA. Total fees determined by the CDFW calculated based on the current cost-per-unit is $2,500 per acre of mitigation. This fee must be paid after CDFW provides written notification about mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

c. Conservation Bank Credit: Purchase 9.0 credits in a CDFW-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Credits can be purchased through the CDFW approved conservation bank, the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve SJKF habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the CEQA. This fee is calculated based on the current cost-per-credit of $2,500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. The actual cost may increase

depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

BIO-6 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-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, and any related biological report(s) prepared for the project. The applicant shall notify the County 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-approved qualified biologist shall prepare a summary report of the training and provide a copy of the report to the County within 14 days of training completion.

BIO-7 Between 14 and 30 days prior to the onset of grading, construction, or other site disturbance activities, a County-approved qualified biologist shall conduct presence/absence surveys of San Joaquin kit fox and/or their dens within 200 feet of the project disturbance 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. A copy of the survey methods and results shall be provided to California Department of Fish and Wildlife and to the County within 14 days of completion of the surveys.

BIO-8 The County-approved qualified biologist shall conduct weekly site visits during the site disturbance activities that proceed longer than 14 days, for the purpose of monitoring compliance with required mitigation measure BIO-9 below. When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.

BIO-9 Prior to or during project activities, if dens are found, no-disturbance buffers shall be established by the County-approved biologist in accordance with U.S. Fish and Wildlife Service 2011 recommendations.

a. If kit fox are found occupying atypical (i.e., manmade structure) den sites, a 50-foot no-disturbance buffer shall be established around the occupied den site. If potential dens are found during surveys (per mitigation measure BIO-6), a 50-foot no-disturbance buffer shall be established.

b. If dens found are occupied or have been known to be occupied in the past, consultation with California Department of Fish and Wildlife shall occur and a 100-foot no-disturbance buffer shall be established.

c. If a natal kit fox pupping den is found during surveys, a 150-foot no-disturbance buffer shall be established and consultation with California Department of Fish and Wildlife shall occur.

All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed. If kit foxes or potential dens are found onsite, daily monitoring during ground-disturbing activities shall be conducted by a County-qualified biologist and the biologist shall submit weekly monitoring reports to the County.

BIO-10 If San Joaquin kit fox are detected during the survey, consultation between the applicant, County, 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). If a potential den is encountered during construction, work shall stop until such time the California Department of Fish and Wildlife or the County determines it is appropriate to resume work.

BIO-11 During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited.

BIO-12 Prior to the commencement of site grading or other site disturbance activities, the applicant shall coordinate with the project contractors to facilitate the avoidance of development within oak tree critical root zones to the maximum extent feasible. For development encroachment into an oak tree's critical root zone, trimming over 25% of the canopy, or for road improvements under a tree's canopy, a 2:1 mitigation ratio shall be implemented (two trees planted for each tree impacted).

BIO-13 In the event oak trees are impacted and mitigation plantings are implemented, a County-qualified botanist or biologist shall conduct an annual monitoring report for the following 7 years to document the success of the establishment of the mitigation plantings and determine compliance with all conditions of approval. These annual reports shall be submitted to the County Planning and Building Department for review.

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 For the life of the project, in the event accidental release and/or spill of Ecosorb CNB 100 occurs, the applicant shall ensure all onsite employees take the following measures immediately:

a. Stop leak if safe to do so, use of gloves and safety glasses is recommended;
b. Ventilate the spillage area;
c. Avoid release into the environment by preventing liquid from entering sewers, watercourses, underground, or low areas;
d. Take up liquid spill into absorbent material;
e. Dispose of materials or solid residues at an authorized site.

DATE: 6/11/2019
REVISED: 6/18/2019

DEVELOPER'S STATEMENT & MITIGATION MONITORING/REPORTING PROGRAM FOR SHANDON ACRES ASSOCIATES ED19-106 (DRC2018-00043)

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

MM AES-1 **Prior to issuance of construction permits or establishment of the use,** the applicant shall submit a light pollution prevention plan to the County Planning and Building Department for approval. This plan shall include, at a minimum, the following measures to reduce potential impact to night lighting:

a. Prevent all interior lighting from being detected outside the facilities between the period of 1 hour before dusk and 1 hour after dawn; and

b. 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.

AIR QUALITY

MM AQ-1 **Prior to issuance of a construction permit**, the standard mitigation measures for reducing nitrogen oxides, reactive organic gases, and diesel particulate matter emissions from construction equipment are listed below and shall be printed on construction plans and shall be adhered to during project construction:

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 that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g., captive or nitrogen oxides 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. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the 5-minute idling limit;

g. Diesel idling shall be avoided to the greatest extent feasible throughout the duration of construction activities. No idling in excess of 5 minutes shall be permitted as described above;

h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors whenever possible;

i. Electrify equipment when feasible;

j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,

k. Use alternatively fueled construction equipment onsite where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.

MM AQ-2 **Prior to issuance of a construction permit,** the following measures would apply to the project if the proposed farmworker's housing project located south of the project site (DRC2018-00001) is completed prior to the completion of the proposed project's site disturbance activities. These measures shall be printed on construction plans prior to issuance of a construction permit, and shall be adhered to during project construction.

a. Reduce the amount of disturbed area where possible;

b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible;

c. All dirt stock pile areas shall be sprayed daily as needed;

d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall 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 shall 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 shall be stabilized using approved chemicals 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 shall be completed as soon as possible. In addition, building pads shall 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 miles per hour on any unpaved surface at the construction site;

i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall 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. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;

k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible;

l. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and

m. The contractor or builder 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 20% opacity, and to prevent transport of dust offsite. 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 San Luis Obispo County Air Pollution Control District Compliance Division prior to the start of any grading, earthwork or demolition.

BIOLOGICAL RESOURCES

MM BIO-1 **Prior to issuance of grading or construction permits**, or prior to site disturbance activities, the applicant shall provide evidence that they have retained a County-qualified biologist.

MM BIO-2 Site preparation, ground disturbance, and construction activities including any tree trimming and/or vegetation removal shall be conducted outside of the typical bat maternity roosting and pupping season (from February 1st to August 31st), if feasible. If site disturbance activities are to occur within this season, the applicant shall retain a County-qualified biologist to conduct a preconstruction survey within 14 days prior to commencement of proposed site disturbance activities. If any roosting bats are found during preconstruction surveys, no work activities shall occur within 100 feet of active roosts until bats have left the roosts. The County-qualified biologist shall prepare a report after each survey and a copy of the report shall be provided to the County within 14 days of completion of each survey. If no bat roosting activities are detected within the proposed work area, site disturbance and noise-producing construction activities may proceed and no further mitigation is required.

MM BIO-3 Site preparation, ground disturbance, and construction activities including any tree trimming 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, a County-approved qualified biologist shall 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 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.

MM BIO-4 **At least 2 weeks prior to initiation of construction or site disturbance activities,** a County-qualified biologist shall conduct a survey for American badger dens within the impact footprint and surrounding accessible areas of the property. The biologist shall evaluate all dens found to determine whether or not 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-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-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 re-using them during construction.

d. Currently active den entrances shall be partially blocked with sticks, debris, and soil for 3–5 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-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.

MM BIO-5 Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County Department of Planning and Building (County) that satisfactorily demonstrates one or a combination of the following San Joaquin kit fox mitigation measure options has been implemented to offset the project's calculated compensatory impacts:

a. Habitat Set Aside: Provide for the protection in perpetuity, through acquisition of fee or a conservation easement, of 9.0 acres of suitable habitat in the kit fox corridor area (e.g., within the San Luis Obispo kit fox habitat area northwest of Highway 58), either on-site or off-site, and provide for a nonwasting

endowment to provide for management and monitoring of the property in perpetuity. Lands conserved shall be subject to the review and approval of the CDFW and the County.

b. In-Lieu Fee: Deposit funds into an approved in-lie fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area located primarily within San Luis Obispo County and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Funds would be provided to The Nature Conservancy pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between CDFW and TNC to preserve SJKF habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the CEQA. Total fees determined by the CDFW calculated based on the current cost-per-unit is $2,500 per acre of mitigation. This fee must be paid after CDFW provides written notification about mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

c. Conservation Bank Credit: Purchase 9.0 credits in a CDFW-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Credits can be purchased through the CDFW approved conservation bank, the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve SJKF habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the CEQA. This fee is calculated based on the current cost-per-credit of $2,500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. The actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

MM BIO-6 **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-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, and any related biological report(s) prepared for the project. The applicant shall notify the County 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-approved qualified biologist shall prepare a summary report of the training and provide a copy of the report to the County within 14 days of training completion.

MM BIO-7 Between 14 and 30 days prior to the onset of grading, construction, or other site disturbance activities, a County-approved qualified biologist shall conduct presence/absence surveys of San Joaquin kit fox and/or their dens within 200 feet of the project disturbance 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. A copy of the survey methods and results shall be

provided to California Department of Fish and Wildlife and to the County within 14 days of completion of the surveys.

MM BIO-8 The County-approved qualified biologist shall conduct weekly site visits during the site disturbance activities that proceed longer than 14 days, for the purpose of monitoring compliance with required mitigation measure BIO-9 below. When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.

MM BIO-9 **Prior to or during project activities,** if dens are found, no-disturbance buffers shall be established by the County-approved biologist in accordance with U.S. Fish and Wildlife Service 2011 recommendations.

a. If kit fox are found occupying atypical (i.e., manmade structure) den sites, a 50-foot no-disturbance buffer shall be established around the occupied den site. If potential dens are found during surveys (per mitigation measure BIO-6), a 50-foot no-disturbance buffer shall be established.

b. If dens found are occupied or have been known to be occupied in the past, consultation with California Department of Fish and Wildlife shall occur and a 100-foot no-disturbance buffer shall be established.

c. If a natal kit fox pupping den is found during surveys, a 150-foot no-disturbance buffer shall be established and consultation with California Department of Fish and Wildlife shall occur.

All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed. If kit foxes or potential dens are found onsite, daily monitoring during ground-disturbing activities shall be conducted by a County-qualified biologist and the biologist shall submit weekly monitoring reports to the County.

MM BIO-10 If San Joaquin kit fox are detected during the survey, consultation between the applicant, County, 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). If a potential den is encountered during construction, work shall stop until such time the California Department of Fish and Wildlife or the County determines it is appropriate to resume work.

MM BIO-11 **During the site disturbance and/or construction phase,** grading and construction activities after dusk shall be prohibited.

MM BIO-12 **Prior to the commencement of site grading or other site disturbance activities,** the applicant shall coordinate with the project contractors to facilitate the avoidance of development within oak tree critical root zones to the maximum extent feasible. For development encroachment into an oak tree's critical root zone, trimming over 25% of the canopy, or for road improvements under a tree's canopy, a 2:1 mitigation ratio shall be implemented (two trees planted for each tree impacted).

MM BIO-13 In the event oak trees are impacted and mitigation plantings are implemented, a County-qualified botanist or biologist shall conduct an annual monitoring report for the following 7 years to document the success of the establishment of the mitigation plantings and determine compliance with all conditions of approval. These annual reports shall be submitted to the County Planning and Building Department for review.

HAZARDOUS MATERIALS

MM 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.

MM 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.

MM HAZ-3 **For the life of the project,** in the event accidental release and/or spill of Ecosorb CNB 100 occurs, the applicant shall ensure all onsite employees take the following measures immediately:

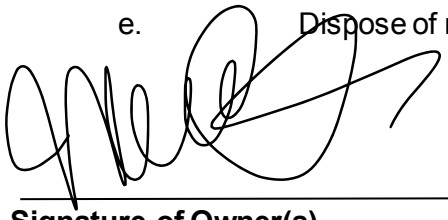
a. Stop leak if safe to do so, use of gloves and safety glasses is recommended;

b. Ventilate the spillage area;

c. Avoid release into the environment by preventing liquid from entering sewers, watercourses, underground, or low areas;

d. Take up liquid spill into absorbent material;

e. Dispose of materials or solid residues at an authorized site.



Michael keegan 7/3/19

Signature of Owner(s) **Name (Print)** **Date**

Signature of Owner(s) **Name (Print)** **Date**

Cassidy Williams

From: Michael Stoker <mstoker@co.slo.ca.us>
Sent: Thursday, August 29, 2019 9:01 AM
To: Cassidy Williams
Subject: Re: [EXT]Shandon Acres Associates MUP

EXTERNAL: This email originated from outside SWCA. Please use caution when replying.

Cassidy,

Please find buildings recommendations for DRC2018-00043 below. Please let me know if you have any questions.

In regards to this preliminary review, a building permit is required. The drawings specify the work to be completed consists of three 1 acre outdoor cannabis cultivation sites and 3,000 sq/ft indoor cultivation with self-supporting nursery. A California State licensed design professional (Architect/Engineer) shall prepare plans in compliance with current codes adopted by the County of San Luis Obispo (Current version of the California Building Standards Codes and Title 19 of the SLO County Codes at time of permit submittal).

While a thorough plan review will be conducted at the time of the building permit application, the following items are noted to assist design review;

1. A California licensed Architect or Engineer is required to submit the plans for this project per BPC 5536.1.
2. A pre application meeting will be needed prior to submitting for a building permit to answer any questions and / or discuss code related issues.
3. Separate building permits will be required for the separate structure/building located on the site (i.e, green house, site lighting, water storage tank and solid fencing 6'-6" or open wire fencing 8').
4. Please specify the buildings Occupancy Group and Type of Construction on the cover sheet of the plans to coordinate with the California Building Code.
5. Provide a reference on the cover sheet of the plans to the applicable codes.
6. The greenhouses will need to comply with the requirements of CBC Appendix C.
7. Provide plans which clearly show the structural design to verify compliance with the 2016 California Building Code and referenced standards. The plans and supporting calculations will need to be prepared by a California Licensed Design Professional (Architect or Engineer) justifying the structural design.
8. Provide isometric / single line drawings for the electrical, plumbing, and mechanical elements to verify compliance with the current versions of the California Electrical, Plumbing, and Mechanical Codes.
9. The building(s) will need to be provided with fire sprinklers and an alarm system under a separate permit. At the time of the permit application provide plans and calculations showing the design of the

system.

If there is any processing on the site the following items will be applicable as it would change the buildings "Occupancy Group":

1. Please specify the buildings Occupancy Group and Type of Construction on the cover sheet of the plans to coordinate with the California Building Code.
2. Provide an allowable area analysis on the plans to verify compliance with CBC Chapter 5, including Table 503 and sections 504, 506, and 508. Also, provide information stating is the building is using the separated, non-separated, or accessory occupancy method or combination of each per CBC Chapter 5.
3. Any fire resistive walls or ceilings due to occupancy separations will need to be detailed on the plans to comply with the requirements of with CBC, including Chapter 5, 6 and 7. The specific details for the wall construction on the plans will need to reference an approved UL listing or gypsum manual listing.
4. Provide an occupant load and exiting analysis on the plans to verify compliance with CBC, including Chapter 10 for the processing containers, security trailer.
5. The accessibility elements throughout will need to be shown, detailed, and / or noted on the plans to verify compliance with CBC Chapter 11B. (i.e. accessible parking, path of travel, restroom design, access to work areas, etc.)
6. Provide a plumbing fixture analysis on the plans to verify the number of fixtures provided is sufficient for the proposed use and complies with CPC Chapter 4 and Table A and Table 422.

Thanks

County Of San Luis Obispo
Planning & Building
Michael Stoker, CASp
Building Division Supervisor
(p) 805-781-1543
mstoker@co.slo.ca.us

From: Cassidy Williams <Cassidy.Williams@swca.com>
Sent: Wednesday, August 28, 2019 12:30 PM
To: Michael Stoker <mstoker@co.slo.ca.us>
Cc: Eric Hughes <ehughes@co.slo.ca.us>
Subject: [EXT]Shandon Acres Associates MUP

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Hello Mike,

I am currently preparing the staff report for the Shandon Acres Associates project located at 4000 Truesdale Road, Shandon (DRC2018-00043) and I noticed we haven't received a referral response letter from the Building Division that I am aware of. We received a referral response from Anne Gillespie, whose letter included "Building Division Stormwater Comments" but have yet to receive a response letter detailing building permit requirements for the project. I've attached the updated project description and site plans for your review. If you could take a look and provide a response letter within the next week that would be appreciated. Please let me know if you need any additional information.

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF AGRICULTURE / WEIGHTS & MEASURES
Martin Settevendemie, Agricultural Commissioner / Sealer of Weights & Measures

DATE: **May 23, 2018**

TO: **Brandi Cummings, Project Manager**

FROM: **Lynda L. Auchinachie, Agriculture Department**

SUBJECT: **Shandon Acres Associates Minor Use Permit DRC2018-00043 (2037)**

The applicant is requesting a minor use permit to allow for three one-acre outdoor cannabis cultivation sites within a four-acre footprint, a total of 12,000 square feet of indoor cultivation and nursery uses, and establishment of four 1,600 square foot storage containers for post-harvest drying and trimming. The 71-acre project site is located within the Agriculture land use category and is under Williamson Act Contract. Compliance with Williamson Act requirements have not been verified.

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

- Williamson Act contract requirements shall be maintained.
- Cannabis cultivation grading activities shall be consistent with the conservation practices and standards contained in the USDA Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG). Practices shall not adversely affect slope stability or groundwater recharge and shall prevent off-site drainage and erosion and sedimentation impacts. Erosion and sedimentation control activities shall adhere to the standards in Section 22.52.150C of the Land Use Ordinance.
- Prior to commencing permitted cultivation activities, the applicant shall consult with the Department of Agriculture regarding potential licensing and/or permitting requirements and to determine if an Operator Identification Number (OIN) is needed. An OIN must be obtained prior to any pesticides being used in conjunction with the commercial cultivation of cannabis; “pesticide” is a broad term, which includes insecticides, herbicides, fungicides, rodenticides, etc., as well as organically approved pesticides.
- Throughout the life of the project, best management water conservation practices shall be maintained.

- Parking area should maximize the use of pervious and semi pervious surfaces to promote groundwater recharge, minimize erosion and sedimentation, and protect farmland for agricultural use.

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

If you have questions, please call 781-5914.

CAL FIRE
San Luis Obispo
County Fire Department

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

Scott M. Jalbert, Unit Chief

RECEIVED
11 FEB 2019
PLANNING & BUILDING

February 5, 2019

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

Subject: DRC2018-00043 (Shandon Acres Associates, LLC)
4000 Truesdale Road near Shandon, CA.

Ms. Cummings,

CAL FIRE/San Luis Obispo County Fire Department has recently reviewed the New Project Referral information and the Supplemental Development Statement (Kirk Consulting) for the proposed Minor Use Permit to allow for 3 one acre outdoor cannabis cultivation sites. The request also includes 4 separate 3,000 square foot greenhouses connected via a gutter system and 4 shipping containers utilized for drying and curing operations.

The project site is located upon lands classified as State Responsibility Area (SRA) for purposes of wildland firefighting. This specific geographic area has a ***"High"*** Fire Hazard Severity Zone rating.

Special Concerns:
The cumulative effects of commercial development and/or special event type programs within areas such as this continues to place challenges upon CAL FIRE/County Fire's ability to provide effective and efficient emergency services within rural areas.

The nearest CAL FIRE/County Fire station (#51-Shandon) is located at 501 W. Centre Street near Shandon, CA. This station has an approximate 6-mile vehicular travel distance and 10-minute response time to the proposed project site. A minimum of 2 fulltime firefighters are on duty at this station at all times.

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

- A Registered Fire Protection Engineer (F.P.E.) is required to design and approve of the required commercial fire sprinkler system(s), water storage system, underground piping, proposed fire hydrants and fire pump. A comprehensive written technical analysis of all fire suppression system related components is required and must be provided to CAL FIRE/County Fire prior to building permit application.

- **The proposed propagation to be conducted within the greenhouse structure(s), triggers the requirement to install a properly designed commercial fire sprinkler system throughout all four structures.** This is based upon the likelihood that propagation activities taking place within these greenhouses, changes their occupancy classification to a higher hazard.

- If the proposed storage containers are determined to be classified as habitable space, they will be reviewed and conditioned as such.

- ***VEHICULAR ACCESS*** – The existing driveway must be improved to provide a minimum edge to edge all-weather driving surface of no less than 20-feet wide. All portions exceeding a 12% grade must be paved.

- ***WATER STORAGE*** - "Poly" and or plastic style water storage tanks shall not be allowed. Multiple or "daisy chained" tanks are not allowed to be utilized to provide water held in storage dedicated to fire suppression purposes. The Registered Fire Protection Engineer shall determine the amount of water required to be held in storage dedicated to fire suppression purposes. Existing water storage tanks located onsite, will not satisfy relevant code(s) for the current proposal.

- ***FIRE PUMP/HYDRANTS*** – If supported by the Registered Fire Protection Engineer, non-pressurized fire hydrants shall be allowed. Fire hydrants shall be placed in compliance with relative code(s) and must provide (2) 2-1/2 inch male connections and (1) 4-inch male connection. All connections must be National Standard threads.

- ***ALARMS/DETECTION*** – The required fire sprinkler system(s) shall be monitored in accordance with all relative standards set forth within N.F.P.A. 72 and 13. A properly designed and installed heat/smoke detection system may be required within certain structures. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels, and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically monitored for integrity and to ensure valves are locked in the open position. Monitoring shall be provided by a central station listed by Underwriters Laboratories for receiving fire alarms.

- ***OCCUPANCY CLASSIFICATION*** – An occupancy classification change to any existing structure located onsite shall require the installation of an appropriately designed and installed commercial fire sprinkler system.

- ***EMERGENCY ACCESS*** – A Knox Corporation key switch shall be installed on all electric vehicular gates and rapid entry Knox boxes shall be attached to commercial structures (where required and agreed upon). The Knox boxes shall be located where approved by County Fire.

- ***ADDRESSING*** – Address numbers and placement shall meet current commercial standards. The minimum address numbering size of 8-inch tall numbers with a ½ inch stroke shall be placed at the entrance to the proposed project. Numbering shall contrast to their background. Building identification may be required due to the size of the proposed project. Proper signage shall be required onsite in order to properly identify access and egress routes.

CAL FIRE/County Fire strongly recommends an onsite consultation to discuss the specific requirements set forth within this Fire Safety Plan.

The proposed project will require final inspection(s) prior to occupancy and/or business operations being conducted. Please contact this office at (805)593-3490 to schedule the final inspections once all requirements have been satisfied.

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

Sincerely,

Clinton K Bullard
Fire Inspector

C: Shandon Acres LLC, Applicant
Kirk Consulting, Agent

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

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

August 24, 2018

Lisa Bugrova
Kirk Consulting
8830 Morro Road
Atascadero, California 93422

Subject: San Joaquin Kit Fox Mitigation
Shandon Acres Associates, LLC Minor Use Permit (DRC2018-00043 SHANDON ACRES ASSOCIATES, LLC) (Project)

Dear Ms. Bugrova:

The Department of Fish and Wildlife (CDFW) assists the County of San Luis Obispo (County) and project applicants in mitigating project impacts to San Joaquin kit fox and kit fox habitat. CDFW and the County apply a habitat evaluation method which considers the functions and values of kit fox habitat affected at each project site. The Kit Fox Habitat Evaluation, which was completed for your Project, Shandon Acres Associates, LLC Minor Use Permit, on February 15, 2018, by Kevin Merk of Kevin Merk Associates, LLC and revised by Benessa Galvan of CDFW on July 5, 2018, will impact **3.0** acres of kit fox habitat. Your Project earned a score of **76** on the evaluation; which requires that all impacts be mitigated at a ratio of three (3) acres conserved for each acre impacted **(3:1).** Total compensatory mitigation required for your Project is **9.0** acres, based on three (3) times **3.0** acres impacted.

This letter identifies the options for satisfying this mitigation obligation. The mitigation options identified below apply to ***the proposed Project only;*** should your Project change, your mitigation obligation may also change, and a reevaluation of your mitigation measures would be required.

1. *Provide for the protection in perpetuity, through acquisition of fee or a conservation easement, of* **9.0** *acres of suitable habitat in the kit fox corridor area (e.g., within the San Luis Obispo County kit fox habitat area northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands conserved shall be subject to the review and approval of the CDFW and the County.*

Should you choose this mitigation alternative, please be advised that all aspects of this program must be in place prior to issuance of County permit and initiation of any ground-disturbing activities.

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

If you elect to meet mitigation requirements by way of option two (2) above, you can do so by providing funds, in the amount determined by CDFW through the evaluation described above, to The Nature Conservancy (TNC), at the first address listed below, pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established through an agreement between the CDFW and TNC to preserve San Joaquin kit fox habitat and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). A copy of the agreement between the CDFW and TNC is enclosed with this letter. CDFW has determined that your fee, which is payable to TNC, would total **$22,500.** This fee is calculated based on the current cost-per-unit, $2,500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee would need to be paid prior to issuance of City permit and initiation of any ground disturbing activities.

3. *Purchase* **9.0** *credits in an approved conservation bank, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.*

If you elect to meet mitigation requirements by way of option three (3) above, you can do so by purchasing credits, in the amount determined by the CDFW through the evaluation described above, from the Palo Prieto Conservation Bank (Bank), at the third address listed below. The Bank was established through an agreement between the CDFW and the Grant Family Trust to preserve San Joaquin kit fox habitat and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with CEQA. Purchase of credits would need to be completed prior to issuance of a County permit and initiation of any ground-disturbing activities.

Should you have questions regarding your mitigation alternatives, please contact Benessa Galvan of CDFW at (559) 243-4014 extension 244. Should you have questions regarding the status of your application with the County, please contact Cassidy Williams at SWCA at (805) 543-7095.

Sincerely,

for Julie A. Vance
Regional Manager

cc: Leslie Jordan
The Nature Conservancy
201 Mission Street, Fourth Floor
San Francisco, California 94105

The Nature Conservancy
Attention: Legal Department
201 Mission Street, Fourth Floor
San Francisco, California 94105

Palo Prieto Conservation Bank
c/o Althouse and Meade
1602 Spring Street
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Shandon Acres Associates, LLC
212 Marine Street
Santa Monica, California 90405

ec: Brandi Cumming
County of San Luis Obispo
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Cassidy Williams
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Benessa Galvan
Department of Fish and Wildlife

COUNTY OF SAN LUIS OBISPO
Department of Public Works
John Diodati, *Interim Director*

REFERRAL

Date: April 18, 2018

To: Brandi Cummings, Project Planner

From: Glenn Marshall, Development Services

Subject: Public Works Comments on DRC2018-00043 Shandon Acres Associates, LLC MUP, Truesdale Rd., Shandon, APN 037-291-035

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

PUBLIC WORKS REQUESTS THAT AN INFORMATION HOLD BE PLACED ON THIS PROJECT UNTIL THE APPLICANT PROVIDES THE FOLLOWING DOCUMENTS FOR PUBLIC WORKS REVIEW AND COMMENT:

1. Please have the applicant provide a Traffic Engineers Report addressing, at a minimum:
   a. Project trip generation rate for each proposed use. If possible reference similar projects to substantiate results.
   b. Evaluate potential trip generation impacts to Truesdale Road, a narrow rural County maintained roadway, and provide mitigation recommendation, if required.

2. Additional analysis may be required based on the information provided by your traffic engineer.

Public Works Comments:

A. The proposed parcel is within the 100-year flood zone. The applicant should be prepared to determine the 100-year base flood elevation and comply with County requirements for flood hazard.

B. This project is not a regulated project as it appears to not meet the applicability criteria for Storm Water Management (it creates or replaces less than 2500 sf of impervious area). Therefore, no Storm Water Control Plan is required.

Recommended Project Conditions of Approval:

Access

1. **At the time of application for construction permits,** the applicant shall submit an application, fee, damage bond, and plans to the Department of Public Works to secure an Encroachment Permit to

reconstruct the project access driveway in accordance with County Public Improvement Standard B-1e high-speed rural road driveway, and A-5 sight distance standards.

2. **Prior to occupancy or final inspection**, all work in the public right-of-way must be constructed or reconstructed to the satisfaction of the County Public Works Inspector and in accordance with County Public Improvement Standards; the project conditions of approval, including any related land use permit conditions; and the approved improvement plans.

3. **At the time of application for construction permits,** the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with Cal Fire standards and specifications back to the nearest public maintained roadway.

4. **On-going condition of approval (valid for the life of the project)**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage; landscaping; agricultural operations; etc. without a valid Encroachment Permit issued by the Department of Public Works.

Drainage

5. **At the time of application for construction permits,** the applicant shall submit complete drainage plans for review and approval in accordance with Section 22.52.110 (Drainage) or 23.05.040 (Drainage) of the Land Use Ordinance.

6. **At the time of application for construction permits**, the applicant shall show the 100-year flood hazard boundary on the project plans.

7. **At the time of application for construction permits**, the applicant shall submit evidence to the Department of Public Works that all new structures comply with County flood hazard construction standards, Section 22.14.060.

8. **At the time of application for construction permits,** the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.

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COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
MARVIN A. ROSE, *INTERIM DIRECTOR*

Date: 04/19/2018
To: Brandi Cummings
From: Ann Gillespie, Stormwater Program Manager

Subject: Referral Comments, DRC2018-00043 Shandon Acres Associates, LLC.

Thank you for the opportunity to provide information on the proposed project. Based on the information provided in the referral package, the applicant should be made aware of the following conditions and requirements that may impact the proposed project.

Recommended Project Conditions of Approval:

1. **At the time of application for construction permits**, the applicant must account for the total area of disturbance associated with construction and indicate the limits of disturbance on the plans. Projects that disturb greater than 1.0 acre for construction related activities must enroll in the General Permit for Stormwater Discharges Associated with Construction (Order 2009-0009-DWQ).

Building Division Stormwater Comments:

1. This project is located outside of the County of San Luis Obispo Municipal Stormwater Management Area (MS4 Coverage Area). Compliance with the Central Coast Post-Construction Requirements (Resolution R3-2013-00032) and submission of a Stormwater Control Plan are not required.

2. The area of disturbance for construction purposes on the submitted plans must include all of the following:
    a. Utility improvement areas (installation of water lines or water supply tanks),
    b. New roadways, driveways or turnouts. Include road upgrades that change the grade, line, surface, or drainage capacity of existing roads.
    c. Limits of all grading for permanent structures (dry storage containers, water tanks, roads, buildings, or greenhouses). Greenhouses have associated electrical, mechanical, foundation, and plumbing details.

3. The area of disturbance associated with construction does not need to include the following areas:
    a. Temporary hoophouses or crop protection canopies. (Hoophouses have no associated electrical, mechanical, foundation or plumbing details.)
    b. Outdoor growing areas where cannabis will be planted if the disturbance is limited to disking, harrowing, terracing and leveling and soil preparation for the purpose of planting.