



# 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.** ED19-225

**DATE:** June 1, 2020

**PROJECT/ENTITLEMENT:** AG Harvest, Inc. Minor Use Permit (DRC2018-00156)

**APPLICANT NAME:** Anna Gabriel **Email:** rreilly@garingtaylor.com

**ADDRESS:** 141 South Elm Street, Arroyo Grande, CA 90420

**CONTACT PERSON:** Ronald Reilly, Garing Taylor & Assoc., Inc. **Telephone:** 805-461-5765

**PROPOSED USES/INTENT:** Request from AG Harvest, Inc. for a Minor Use Permit (MUP) (DRC2018-00156) to authorize the cultivation of cannabis consisting of up to 29,232 square feet of outdoor canopy. Uses ancillary to cultivation proposed under this MUP include 640 square feet of processing activities. Project development would include partial relocation of an existing outdoor cultivation area to allow for a 100-foot setback and the installation of two 320-square foot trailers for ancillary processing activities. The two processing trailers would be placed on new concrete pads. Within the cultivation area are one 2,500- gallon and one 500-gallon fertigation tank. Existing development on site includes two single-family residences, a barn, several sheds, and an existing 29,232-square foot outdoor cannabis cultivation operation. The Plan proposes to minimize outdoor cultivation odors by planting perennial trees and shrubs along the southern property line. Seven spaces are proposed and would be surfaced with either gravel or material compliant with County and California Building Code standards.

**LOCATION:** The project is located at 6135 Huasna Townsite Road, Arroyo Grande (Assessor Parcel Number 085-012-019) in the Huasna-Lopez Sub-Area, South 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.

Cassidy McSurdy (cmcsurdy@co.slo.ca.us)

County of San Luis Obispo

**Signature**

**Project Manager Name**

**Date**

**Public Agency**



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

PLN-2039  
 04/2019

**Project Title & No. AG Harvest, Inc. Minor Use Permit ED19-225 (DRC2018-00156)**

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

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

**DETERMINATION: (To be completed by the Lead Agency)**

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

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

Mindy Fogg \_\_\_\_\_  
 Prepared by (Print) Signature *M Fogg* Date \_\_\_\_\_

David Moran \_\_\_\_\_  
 Reviewed by (Print) Signature *David Moran* For Steve McMasters, Principal Environmental Specialist Date May 29, 2020

## Initial Study – Environmental Checklist

### Project Environmental Analysis

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

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

### A. Project

**DESCRIPTION:** The project is a request from AG Harvest, Inc. for a Minor Use Permit (MUP) (DRC2018-00156) to authorize the cultivation of cannabis consisting of up to 29,232 square feet of outdoor canopy. Uses ancillary to cultivation proposed under this MUP include 640 square feet of processing activities such as trimming, drying, curing, storage, and packaging. Project development would include partial relocation of an existing outdoor cultivation area and installation of two 320-square foot trailers for ancillary processing activities.

The project site is in the Agriculture land use category on a 10-acre parcel located at 6135 Huasna Townsite Road, Arroyo Grande (Assessor Parcel Number 085-012-019) in the Huasna-Lopez Sub-Area, South County Planning Area approximately ten miles southeast of the City of Arroyo Grande.

The site supports an existing 29,232-square foot outdoor cannabis cultivation operation per Cooperative/Collective registration CCM2016-00315 under Urgency Ordinance 3334. In addition to the existing outdoor cultivation, existing development on site includes two single-family residences, a barn and several sheds. The project site's regional location is shown in Figure 1, and an aerial is shown in Figure 2, and the existing development/baseline condition is shown in Figure 3.

Proposed cannabis operations would encompass less than one acre of the ten-acre site. As shown in Figure 4 and summarized in Table 1 below, the project would include 29,323 square feet of outdoor cultivation that would be partially relocated from its existing location near the northern property line to allow for a 100-foot setback. Plants would be cultivated in potting soil placed in geo-textile fabric pots known as "Smart Pots." They would be placed in rows throughout the designated cultivation area to allow employee access to the plants. Within the cultivation area are one 2,500-gallon and one 500-gallon fertigation tank, both of which would be filled with water and plant nutrients to allow for plant fertilization. The two processing trailers would be placed on new concrete pads and would have heating, ventilation, air conditioning, and odor abatement (carbon filter) equipment. The operation would continue to utilize an existing 10,000-gallon steel water tank at the east end of the property that provides water to the residences and cultivation area. The project would employ three full-time people and up to

## Initial Study – Environmental Checklist

five seasonal employees. It would potentially operate seven days per week, between the hours of 7:00 AM and 8:00 PM. Details regarding proposed operations and routine maintenance are provided in Attachment 1, Operations Plan.

**Table 1 – Project Components**

Project Component	Structure Size	Count	Footprint (sf)	Canopy (sf)
Outdoor Cultivation (to be relocated)	n/a	1	29,232	29,232
New Processing Trailers	320 sf (10' x 32')	2	640	n/a
<b>Total</b>			<b>29,872</b>	<b>29,232</b>
Parking area with seven parking spaces				
Two existing fertigation tanks 2,550-gallon and 500-gallon				
One existing 10,000-gallon water tank				

Access to the site would be directly from Huasna Townsite Road. The cannabis operation would utilize an existing driveway on site. Earthwork for project development would be negligible. The property is surrounded by existing fencing. The cannabis operations would be enclosed within a 7-foot tall secure chain-link fence with mesh screen.

The project site currently has four existing outdoor motion activated lights. One light is located at the front gate, one is near the compost area, and the other two lights are along the northern driveway. Once activated, these lights remain on for a period less than five minutes. The lights are shielded downward in a manner that is consistent with the County's requirements for outside lighting.

Water is provided to the project site by an existing offsite groundwater well for which the property owner has a legal easement. Based on the pump test conducted by Arroyo Water Well Supply (April 5, 2017), the well operates sufficiently to serve the proposed use. The projected water demand for the operation is 1.05 acre-feet per year. The expected energy usage would be 2,500 kilowatt-hours (kWh) per year, or less than a single-family dwelling. Electrical upgrades are required to provide power to the processing trailers and proposed security cameras.

The project site has a fenced composting area for green waste and cannabis waste. Additionally, there is a soil compost area located within the fenced cultivation area. Solid waste and recycling would be serviced by South County Sanitary. The site has an existing outdoor restroom that is detached from the residence and would be used by employees. The restroom is connected to a permitted septic system, which was replaced in 1993.

An Odor Management Plan was prepared for the project. The Plan proposes to minimize outdoor cultivation odors by planting perennial trees and shrubs such as pepper trees, jasmine, and wild roses along the southern property line since prevailing winds are directed toward the south. Indoor processing odors would be managed by ensuring that trailers are sealed and carbon filters are properly installed.

The County's parking requirements are set forth in County Land Use Ordinance (LUO) Section 22.18.050.C.1. The proposed processing activities are considered a New Agricultural Processing land use, which requires one parking space per 1,000 square feet of floor area. The proposed processing trailers

## Initial Study – Environmental Checklist

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would total 640 square feet of floor area. Therefore, the parking requirement for the use is one space. Seven spaces are proposed and would be surfaced with either gravel or material compliant with County and California Building Code standards.

### **Ordinance Modifications:**

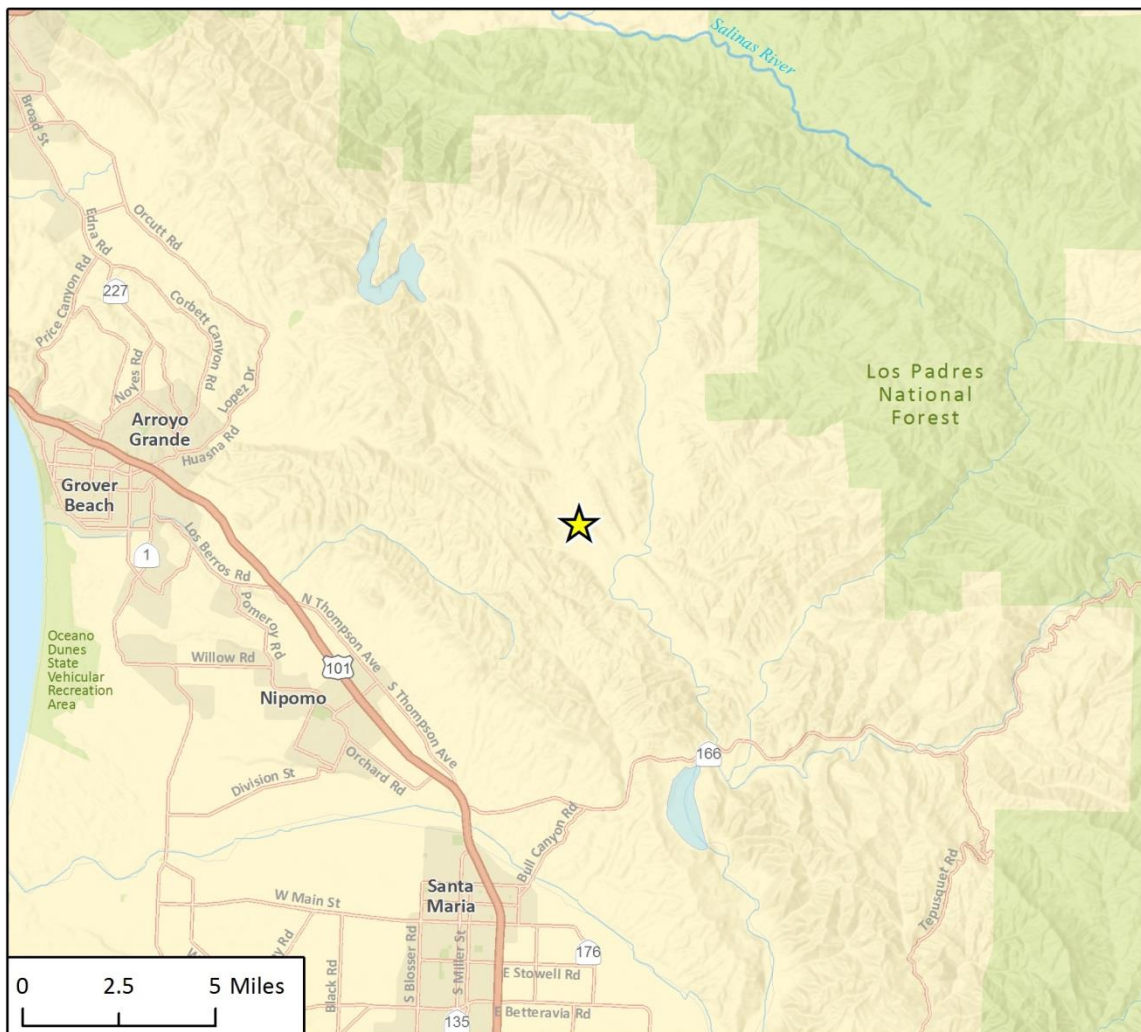
The project request includes a modification from the setback provisions set forth in Section 22.40.050.D.3.b of the LUO, which establishes a minimum 300-foot setback from the property line for outdoor cultivation. As described in Sections 22.40.050.D.3.e and 22.40.050.E.7, the setback may be modified with a Use Permit if specific conditions of the site and/or vicinity make the required setback unnecessary or ineffective; and if the modification of the setback will not allow nuisance odor emissions from being detected offsite. The requested modification is for a reduced setback from 300 feet to 100 feet from the northern and southern property lines.

Specific conditions of the site and vicinity make the required 300-foot setback for outdoor cultivation infeasible because the property is 389 feet between the northern and southern borders. As such, 300-foot cultivation setbacks cannot be accommodated. The existing cultivation is being relocated in order to provide a 100-foot setback from the northern property line. Potential nuisance odors associated with the outdoor cultivation will be managed by applying the mitigation outlined in the project's Odor Management Plan.



# Initial Study – Environmental Checklist

Figure 1 –Regional Location



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★ Project Location

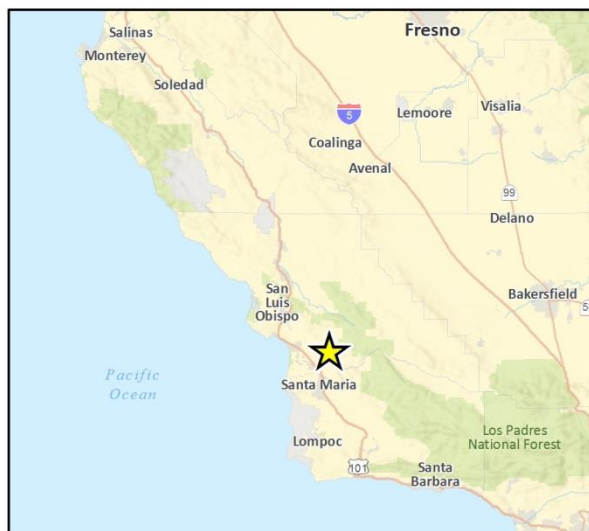


Fig. 1 Regional Location

# Initial Study – Environmental Checklist

Figure 2 –Project Location



Imagery provided by Esri and its licensors © 2019.

Fig 2 Project Location



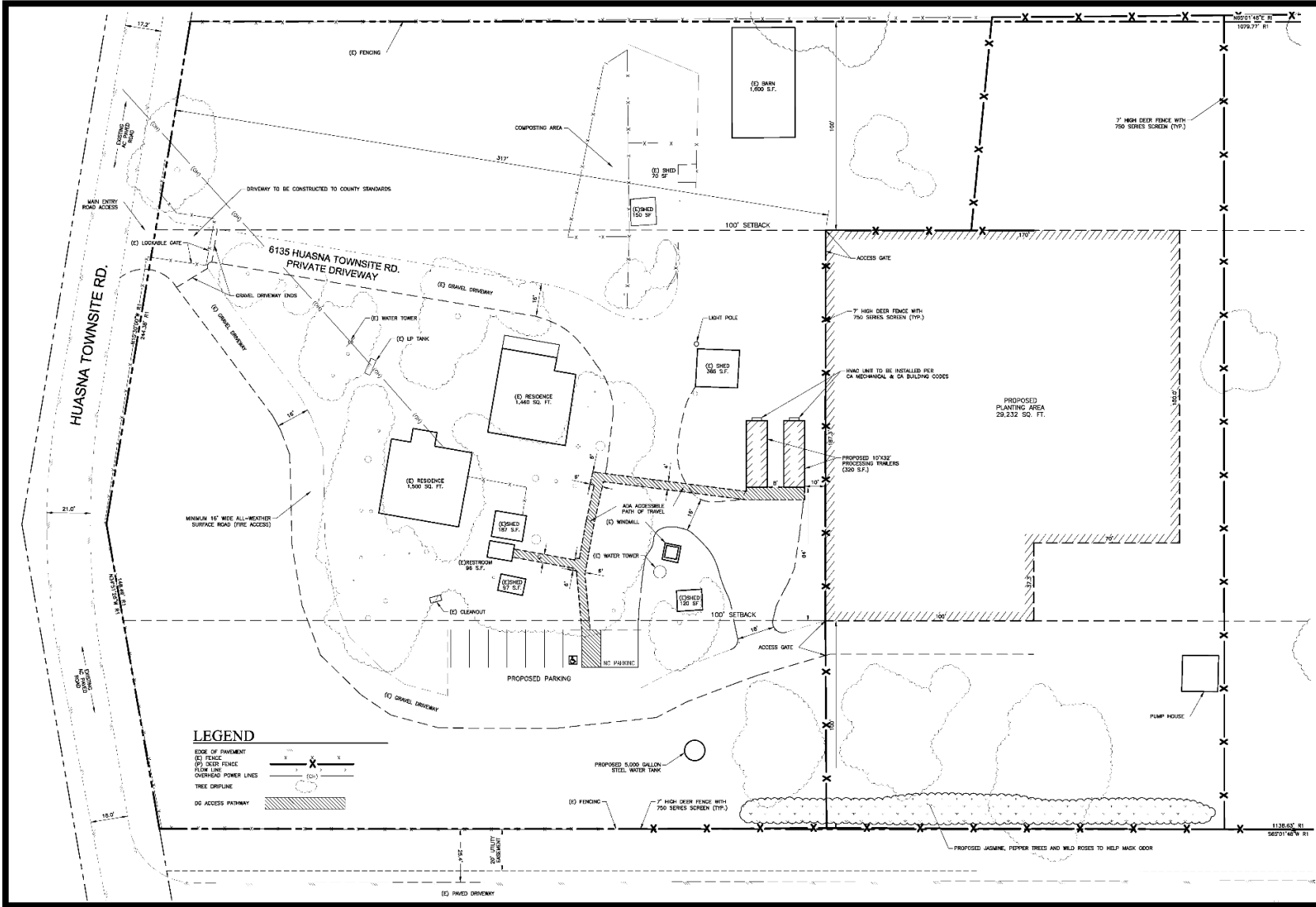
# Initial Study – Environmental Checklist

Figure 3 – Existing Development/Baseline Condition



# Initial Study - Environmental Checklist

Figure 4 –Site Plan



## Initial Study – Environmental Checklist

**ASSESSOR PARCEL NUMBER(S):** 085-012-019

**Latitude:** 35.10421 ° N

**Longitude:** 120.38661 ° W

**SUPERVISORIAL DISTRICT #** 4

### Other Public Agencies Whose Approval is Required

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

### B. Existing Setting

**Plan Area:** South County      **Sub:** Huasna-Lopez      **Comm:**

**Land Use Category:** Agriculture

**Combining Designation:** None

**Parcel Size:** 10 acres

**Topography:** Nearly level to to moderately sloping

**Vegetation:** Grasses;Scattered Oaks; Ruderal/Disturbed

**Existing Uses:** Single-family residence(s) ;accessory structures ;cannabis

**Surrounding Land Use Categories and Uses:**

**North:** Agriculture;

**East:** Agriculture;

**South:** Agriculture;

**West:** Agriculture;

### C. Environmental Analysis

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



## Initial Study – Environmental Checklist

### I. AESTHETICS

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

#### Setting

The site is located along Huasna Townsite Road, and is accessed on the western portion of the property. The site is currently utilized for cannabis cultivation, with nearly level to moderately sloping topography. The project would be located in a predominantly rural and agricultural area. Two existing residences, a barn, and a shed are located in the western portion of the property. The site is characterized primarily by annual grassland with oak trees scattered throughout the property. The project site is not located in a designated scenic area. Table VR-2 of the Conservation and Open Space Element provides a list of Suggested Scenic Corridors; none of the roadways in the vicinity of the project site are listed on Table VR-2.

#### Discussion

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

The project is not located in a designated scenic view open to the public. Impacts would be less than significant.



## Initial Study – Environmental Checklist

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

The project site is not visible from a Designated State Scenic Highway. Impacts would be less than significant.

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

The project would be located in a predominantly rural and agricultural area. The existing outdoor cultivation site would be partially relocated from its existing location near the northern property line to the interior of the site. In addition, the project includes one 2,500-gallon and one 500-gallon fertigation tanks, both of which are located near the proposed planting area. The operation would continue to utilize an existing 10,000-gallon steel water tank at the east end of the property that provides water to the residences and cultivation area. Two 320-square foot processing trailers would be located directly west of the cultivation area. The proposed processing trailers would be set back from Huasna Townsite Road, such that they would only be partially visible and would be obscured by intervening structures and vegetation. In compliance with LUO Section 22.40.050.D.6, cannabis plants associated with cultivation shall not be easily visible from offsite. The proposed outdoor cultivation area would be enclosed in seven-foot chain link fencing with mesh screening to minimize visibility. Project design would ensure the project would be compatible with adjacent uses and surrounding visual character (agricultural and rural residential). Impacts would be less than significant.

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

The project site currently has four existing outdoor motion-activated lights. Security lighting fixtures would not exceed 1,000 total lumens and would be directed downwards to reduce spillover. Lighting at the project access gate would be downward directed and consistent with other entry gate lighting in the vicinity of the site and consistent with LUO Section 22.10.060 B through F. As such, impacts from new lighting would be less than significant. No sources of glare are proposed; therefore, no daytime impacts related to glare would result from the project.

### *Conclusion*

Project design combined with regulatory compliance would ensure that any visual impacts are less than significant. No mitigation measures are necessary.

### *Sources*

See Exhibit A.

## Initial Study – Environmental Checklist

### II. AGRICULTURE AND FORESTRY RESOURCES

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

#### Setting

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

Land Use Category: Agriculture

## Initial Study – Environmental Checklist

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State Classification: Grazing Land, Other Land

Historic/Existing Commercial Crops: Cannabis

In Agricultural Preserve? No

Under Williamson Act contract? No

The site is nearly level to moderately sloping, with an average slope of 18 percent. Table SL-2 of the Conservation/Open Space Element lists the important agricultural soils of San Luis Obispo County. Soils on the project site and total acreages are shown here in Table 2 and then described in detail below.

**Table 2 – Classifications and Acreages of Soils On Site**

Soil	Classification
Pismo-Tierra Complex (9 to 15 percent slopes)	N/A
Briones-Tierra complex (15 to 50 percent slopes)	N/A

The project site does not contain soils listed as important farmland in the County's Conservation/Open Space Element. The Department of Conservation Farmland and Monitoring Program classifies the soils on site as grazing land and other land. Based on Natural Resources Conservation Service Soil classifications, the soil type(s) and characteristics on the site include:

Pismo-Tierra Complex (9 to 15 percent slopes)

Present on hills and mountains at elevations of 20 to 700 feet. The parent material of this soil is residuum weathered from sandstone. The natural drainage class is somewhat excessively drained. This soil has very high runoff risk and no frequency of flooding. This soil is not classified as prime farmland.

Briones-Tierra Complex (15 to 50 percent slopes)

Present on terraces, mountains, and hills at elevations of 300 to 2,000 feet. The parent material of this soil is residuum weathered from sandstone. The natural drainage class is somewhat excessively drained. This soil has low runoff risk and no frequency of flooding. This soil is not classified as prime farmland.

### Discussion

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

The Department of Conservation Farmland and Monitoring Program classifies the soils on site as grazing land and other land. There is no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance located on the project site. There would be no impact.

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

As discussed in the Setting, the project site is not under Williamson Act Contract or in an Agricultural Preserve. As such, the project would not conflict with existing zoning. Impacts would be less than significant.

## Initial Study – Environmental Checklist

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

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

The project site does not contain forest land or timberland. Impacts would be less than significant.

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

The project site is in a predominantly agricultural and rural area with cannabis cultivation activities occurring on the property. The project site does not contain prime soils, Farmland, or forest land. The site is surrounded by Farmland of Local Potential as designated by the Department of Conservation Farmland and Monitoring Program. As such, the project would not alter the existing environment such that it could result in the conversion of agricultural land or forest land. Impacts to agricultural resources would be less than significant.

### *Conclusion*

The project site does not contain Farmland or forest land. In addition, the project would not conflict with existing zoning. No mitigation measures are necessary.

### *Sources*

See Exhibit A.



## Initial Study – Environmental Checklist

### III. AIR QUALITY

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

#### Setting

The project site is located in the South Central Coast Air Basin (SCCAB) under the jurisdiction of the San Luis Obispo County Air Pollution Control District (APCD). The APCD is in non-attainment for the 24-hour state standard for particulate matter (PM<sub>10</sub>) and the eight-hour state standard for ozone (O<sub>3</sub>) (APCD 2015). The APCD adopted the 2001 Clean Air Plan in 2002, which sets forth strategies for achieving and maintaining Federal and State air pollution standards. The APCD identifies significant impacts related to consistency with the 2001 Clean Air Plan by determining whether a project would exceed the population projections used in the Clean Air Plan for the same area, whether the vehicle trips and vehicle miles traveled generated by the project would exceed the rate of population growth for the same area, and whether applicable land use management strategies and transportation control measures from the Clean Air Plan have been included in the project to the maximum extent feasible.

Thresholds of Significance for Construction Activities. The APCD’s CEQA Handbook establishes thresholds of significance for construction activities (Table 3). According to the Handbook, a project with grading in excess of 4.0 acres and/or a project that will move 1,200 cubic yards of earth per day can exceed the construction threshold for respirable particulate matter (PM<sub>10</sub>). In addition, a project with the potential to generate 137 pounds per day of ozone precursors (ROG + NOx) or diesel particulates in excess of 7 pounds per day can result in a significant impact.

## Initial Study – Environmental Checklist

**Table 3 – Thresholds of Significance for Construction**

Pollutant	Threshold <sup>1</sup>		
	Daily	Quarterly Tier 1	Quarterly Tier 2
ROG+NO <sub>x</sub> (combined)	137 lbs	2.5 tons	6.3 tons
Diesel Particulate Matter	7 lbs	0.13 tons	0.32 tons
Fugitive Particulate Matter (PM <sub>10</sub> ), Dust <sup>2</sup>		2.5 tons	
Greenhouse Gases (CO <sub>2</sub> , CH <sub>4</sub> , N <sub>2</sub> O, HFC, CFC, F6S)	Amortized and Combined with Operational Emissions		

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

Notes:

1. Daily and quarterly emission thresholds are based on the California Health & Safety Code and the California Air Resources Board Carl Moyer Guidelines.
2. Any project with a grading area greater than 4.0 acres of worked area can exceed the 2.5-ton PM<sub>10</sub> quarterly threshold.

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

The APCD has also estimated the number of vehicular round trips on an unpaved roadway necessary to exceed the 25 lbs/day threshold of significance for the emission of particulate matter (PM<sub>10</sub>). According to the APCD estimates, an unpaved roadway of one mile in length carrying 6.0 round trips would likely exceed the 25 lbs/day PM<sub>10</sub> threshold.

The nearest sensitive receptor is a single-family residence located approximately 430 feet south of the proposed cultivation site.

### Discussion

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

From an operational standpoint, based on Table 1-1 of the CEQA Air Quality Handbook (2012), the project would not exceed operational thresholds triggering mitigation.

The applicable air quality plan is the APCD Clean Air Plan (APCD 2001). The plan projects air quality emissions and standard attainment goals based on growth rates in population and vehicle travel in San Luis Obispo County. The project would not conflict with or obstruct the Clean Air Plan because it does not include additional development growth or urban sprawl, nor would it result in a long-term increase in vehicle miles traveled. Impacts would be less than significant.

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

Construction related impacts. Based on the project description, the project would result in the disturbance of less than three acres and would require no cut and fill. No construction activities would be required and no earth moving would be necessary. Accordingly, the project would move less than 1,200 cubic yards/day of material and would disturb less than 4.0 acres of area, and as such, would be below the thresholds triggering construction-related mitigation. Therefore, construction related impacts are less than significant.

Operational impacts. According to trip generation rates for cannabis activities applied by the Department of Public Works, the project is expected to generate two (2) average daily motor vehicle trips. According to the 2012 APCD CEQA Handbook, a project that generates less than 99 average daily motor vehicle trips will generate emissions that fall below the threshold of significance for ozone precursors and greenhouse gas emissions.

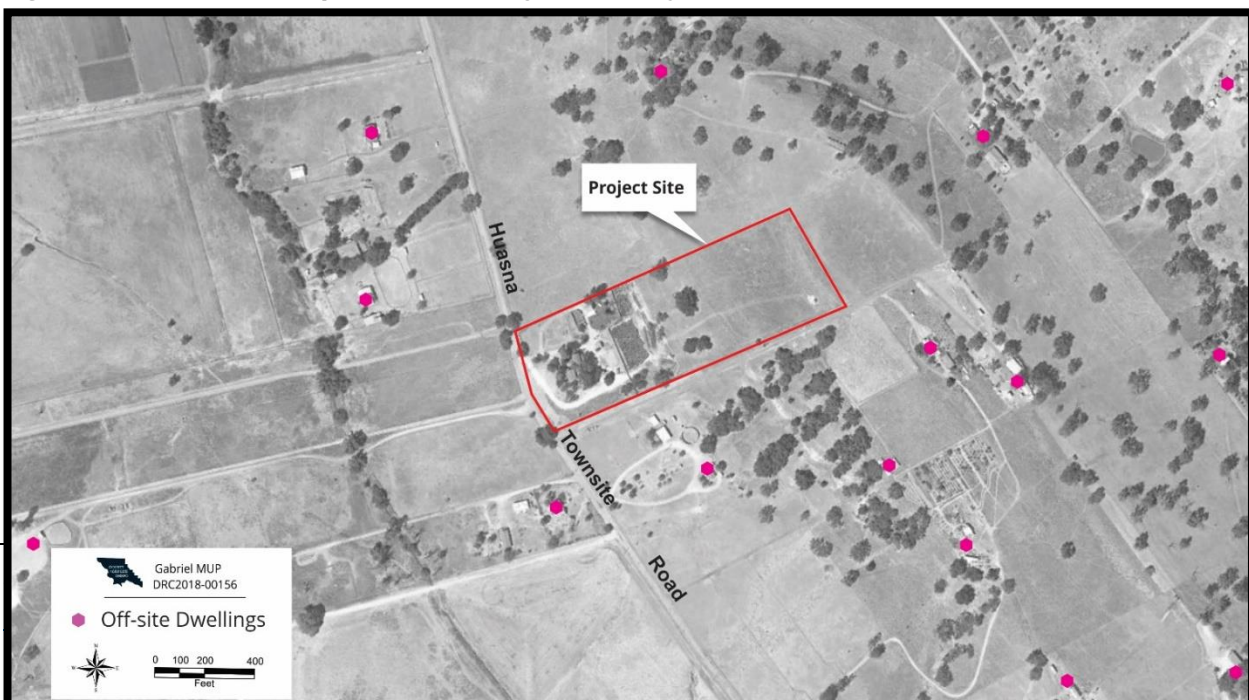
LUO Section 22.40.050.D.4 states that cannabis cultivation sites located on an unpaved road shall incorporate measures to mitigate the air pollution (i.e. dust) effects created by the use. Motor vehicle access to the project site is provided from Huasna Townsite Road which is a paved, county maintained roadway. Therefore, the provisions of LUO 22.40.050.D.4 do not apply.

Overall, impacts related to exceedance of federal, state, or SLOAPCD ambient air quality standards due to operational activities would be less than significant and less than cumulatively considerable.

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

Sensitive receptors are people or other organisms that may have a significantly increased sensitivity to exposure to air pollution by virtue of their age and health (e.g. schools, day care centers, hospitals, nursing homes), regulatory status (e.g. federal or state listing as a sensitive or endangered species), or proximity to the source. The nearest sensitive receptor includes a single-family residence, located approximately 430 feet south of the project site (see Figure 5 below). The project would require minimal site disturbance and no grading. Therefore, impacts to sensitive receptors would be less than significant.

**Figure 5 - Sensitive Receptors in the Project Vicinity**



## Initial Study – Environmental Checklist

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

The project includes outdoor cannabis cultivation which can produce potentially objectionable odors during flowering, harvest, drying, and processing. These odors could disperse through the air and be sensed by surrounding receptors. Accordingly, Section 22.40.050 of the LUO mandates the following:

*All cannabis cultivation shall be sited and/or operated in a manner that prevents cannabis nuisance odors from being detected offsite. All structures utilized for indoor cannabis cultivation shall be equipped and/or maintained with sufficient ventilation controls (e.g. carbon scrubbers) to eliminate nuisance odor emissions from being detected offsite.*

The project is located in an area designated for agricultural uses. Surrounding land uses include ranches on parcels that vary in size from nine acres to over 250 acres; parcels adjacent to the project site to the south are just under ten acres. The predominant land use on surrounding properties is ranching and small-scale agricultural activities that include grazing and orchards (Figure 2).

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

Exposure to unpleasant odors may affect an individual's quality of life. As discussed above, odors are not considered an air pollutant under federal or state air quality laws.

The Project incorporates the following features to address odors:

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

### *Conclusion*

Project design combined with regulatory compliance would ensure that any impacts are less than significant. Therefore, no mitigation measures are necessary.



## Initial Study – Environmental Checklist

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### *Sources*

See Exhibit A.

## Initial Study – Environmental Checklist

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### IV. BIOLOGICAL RESOURCES

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

## Initial Study – Environmental Checklist

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### *Setting*

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

On-site Vegetation: Non-native grasses, herbaceous and weedy species, scattered trees

Name and distance from blue line creek(s): Huasna Creek, located approximately 980 feet east of the proposed cultivation site

Habitat(s): Disturbed, annual brome grassland

Site's tree canopy coverage: Approximately 20%

A Biological Resources Assessment (BRA) dated December 2018, was prepared by Terra Verde Environmental Consulting, LLC for the proposed project. The study examined the portion of the project site where the project footprint would be located. The BRA included a California Natural Diversity Database (CNDDDB) records search, and a field survey conducted on November 30, 2018. Habitat types on site include: 1) disturbed and 2) grassland. Huasna Creek is located approximately 980 feet east of the proposed cultivation site.

No special status plant species were observed during the field survey. However, the timing of the survey was not conducive to the detection of annual species that bloom in spring and/or summer. Based on the CNDDDB records search and known habitat requirements, the BRA determined that the following special-status plant species have the potential to occur on-site:

- Cambria Morning-glory (*Calystegia subacaulis* subsp. *episcopalis*)
- San Luis Obispo Owl's-clover (*Castilleja densiflora* subsp. *opispoensis*)
- Panicle Tarplant (*Deinandra paniculata*)

Although suitable to marginally suitable habitat is present on site for these special status plant species, the BRA determined that none of these species are expected to occur on site.

No special status wildlife species were detected during the field surveys (Terra Verde Environmental Consulting, LLC 2018). Based on the CNDDDB records search, the following special status animal species were identified as having some potential to occur on site based on the presence of suitable habitat:

- California red-legged frog (*Rana draytonii*)
- Northern California legless lizard (*Anniella pulchra*)
- Golden eagle (*Aquila chrysaetos*)
- Oak titmouse (*Baeolophus inornatus*)
- Other nesting birds

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Figure 6 –Habitat Types



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### Discussion

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

Although suitable to marginally suitable habitat is present on site for special status plant species, the BRA determined that none of the potentially occurring species are expected to occur on site. As such, impacts would be less than significant regarding special status plant species.

California red-legged frog (*Rana draytonii*) is not expected to occur on site due to the lack of nearby water. As such, this species would not be impacted by project implementation.

Oak trees having downed woody debris and leaf litter within the southern portion of the project area and surrounding areas may contain suitable habitat for northern California legless lizard (*Anniella pulchra*). As designed, no direct or indirect impacts to this species are expected to occur as a result of project-related activities. Therefore, impacts would be less than significant.

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

No riparian habitat or sensitive natural communities are present on site. The nearest creek to the project site is Huasna Creek, located approximately 980 feet west of the proposed cultivation footprint.

No impact would occur.

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

No wetlands were observed within the project site. There would be no impact.

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

Suitable foraging and nesting habitat is present for migratory birds throughout the property. Although no migratory birds were identified during the survey, the potential cannot be completely ruled out due to the movement of these species. Further, although no tree trimming or removal would be required, the project may directly or indirectly affect sensitive and nesting bird species through habitat loss (e.g., removal of annual grassland habitat) or project-related disturbances during construction that may deter nesting or cause nests to fail. Preconstruction surveys for sensitive and nesting birds would be required to ensure impacts remain less than significant (see mitigation measure BIO-1).

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

Individual valley oak trees are present throughout the property, including adjacent to existing disturbed areas and the proposed cultivation area. No oak tree removals and/or trimming are



## Initial Study – Environmental Checklist

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proposed. Therefore, no direct or indirect impacts are expected within the exiting disturbed areas or the proposed new expansion area.

Under the California Code California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis Cultivation, Chapter 1. Cannabis Cultivation Program, there are additional regulations pertaining to biological resources that must be adhered to prior to obtaining a State license for cultivation. Such regulations include:

- §8102(w) – requirement to obtain CDFW clearance regarding any lake or streambed alteration
- §8102(dd) and §8216 – evidence that the premises is not located in an impacted watershed
- §8304 – provisions related to the Water Code; and minimization of lighting impacts

Compliance with the California Code would further reduce the severity of potential impacts.” Impacts would be less than significant.

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

There are no habitat conservation plans that apply to the project site. The project would not conflict with the provisions of any applicable habitat or natural community conservation plans and there would be no impact.

### Conclusion

Potential impacts to biological resources are considered less than significant with incorporation of the mitigation measure that requires avoidance measures for nesting birds. This mitigation measure is included as MM BIO-1. Incorporation of the following mitigation measure would reduce potential impacts to a less than significant level.

### Mitigation

**MM BIO-1 Pre-construction Survey for Sensitive and Nesting Birds.** If work is planned to occur between February 1 and September 15, a qualified biologist shall survey the proposed expansion area for nesting birds within one week prior to activity beginning on site. If nesting birds are located on or near the proposed cultivation area, they shall be avoided until they have successfully fledged or the nest is no longer deemed active. A non-disturbance buffer of 250 feet will be placed around non-listed, passerine species, and a 500-foot buffer will be implemented for raptor species. All activity will remain outside of that buffer until a qualified biologist has determined that the young have fledged or that proposed construction activities would not cause adverse impacts to the nest, adults, eggs, or young. If special-status avian species are identified, no work will begin until an appropriate buffer is determined in consultation with the California Department of Fish and Wildlife and/or the US Fish and Wildlife Service.

### Sources

See Exhibit A.

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### V. CULTURAL RESOURCES

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

#### Setting

The project site is located in an area historically occupied by the Obispeno Chumash and Salinan. No historic structures are present on site.

Central Coast Archaeological Research Consultants (CCARC) conducted and prepared a Cultural Resources Survey dated December 2018, which included a literature and records search, as well as a field inspection of the site. The literature and records search was conducted in October 2018 at the Central Coast Information Center (CCIC), University of California, Santa Barbara. The search did not reveal any listed properties or any archaeological sites within the study area or within a 0.25-mile radius of the project site. No cultural resources were identified during a field inspection conducted by CCARC in December 2018.

#### Discussion

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

No historic resources are located on site. Therefore, the project would not cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5. There would be no impact.

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

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

No cultural resources were identified during the field inspection. In addition, human remains are not expected to occur on site. However, per County LUO Section 22.10.040, if during any grading and excavation, buried or isolated cultural materials are unearthed, work in the area shall halt until they can be examined by a qualified archaeologist and appropriate recommendations made. Therefore, the project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5 or disturb human remains. Potential impacts would be less than significant.

## Initial Study – Environmental Checklist

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### Conclusion

Compliance with County regulations would ensure impacts to cultural resources/human remains would be less than significant. No mitigation measures are necessary.

### Sources

See Exhibit A.

## VI. ENERGY

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

### Setting

The project would be served by an existing electrical service, Pacific Gas & Electric (PG&E). PG&E currently serves the two existing single-family residences.

### Discussion

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

The project proposes outdoor cultivation and ancillary uses. Electrical upgrades would be required to provide power to the processing trailers and proposed security cameras. Approximately 2,500 kilowatt-hours per year would be needed for the well, security cameras, and equipment in the drying units. The project is not expected to result in wasteful, inefficient or unnecessary consumption of energy resources because:

- The project consists of outdoor cultivation, only, and will not significantly increase energy use associated with the project site.
- The project will be conditioned to meter electricity used for cannabis activities and to provide the Department of Planning and Building with quarterly energy usage monitoring reports based on those meter readings. Ongoing monitoring will ensure that project energy consumption remains consistent with the energy use estimate provided in the application.

Potential impacts related wasteful or inefficient energy usage would be less than significant.

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

In 2011, the County adopted the Energy Wise Plan to serve as the climate action plan for the County. The Plan identifies energy conservation, transportation, land use, water use, and solid waste strategies to reduce community-wide GHG emissions. The project is consistent with County-wide GHG emissions reductions strategies associated with:

- Encouraging the use of energy efficient equipment in new development;
- Reducing methane emissions associated with solid waste through recycling and composting of green waste;
- The promotion of water conservation to reduce emissions associated with potable water use;
- Use of Best Management Practices in cultivation. These BMPs address water conservation, solid waste recycling, greenwaste composting, and the use of equipment that meets current energy conservation standards.
- Increasing opportunities for sequestration;

### *Conclusion*

Potential impacts related to energy would be less than significant. Thus, no mitigation measures are necessary.

### *Sources*

See Exhibit A.

## Initial Study – Environmental Checklist

### VII. GEOLOGY AND SOILS

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



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

### Setting

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

Topography: Nearly level to moderately sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low to Moderate

Liquefaction Potential: Low

Nearby potentially active faults?: None

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

Shrink/Swell potential of soil: Low

Other notable geologic features?: None

The project site is not located within the Geologic Study Area designation and is not within a high liquefaction area. Soils on site include Pismo-Tierra complex and Briones-Tierra complex. The site's potential for landslide hazards are considered low to moderate. The project site is not located in an Alquist Priolo Fault Zone, and no active fault lines cross the project site (California Geologic Survey 2018).

**DRAINAGE** – The project site is not located within a 100-year flood hazard area. Grading and drainage plans may be required for all construction and grading projects in accordance with LUO Sections 22.52.110 and 120. When required, these plans must be prepared by a civil engineer to address both temporary and long-term grading and drainage impacts.

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

### Discussion

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

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

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

The project site is not located in an Alquist Priolo Fault Zone, and no active fault lines cross the project site (California Geologic Survey 2018). Therefore, the project site would not be susceptible to rupture of a known earthquake fault or strong seismic ground shaking. All habitable structures are subject to compliance with relevant provisions of the California Building Code and may be informed by a soils engineering analysis as determined by the Building Division. The project site does not present any dangers associated with seismic activity, ground failure or liquefaction that cannot be addressed through the application of appropriate building codes. Impacts would be less than significant.

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

The project site is located in an area of low liquefaction potential. Impacts would be less than significant.

(a-iv) *Landslides?*

The site's potential for landslides is considered low to moderate. Further, the outdoor cultivation site would be located on relatively level ground. Impacts related to landslides would be less than significant.

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

The project proposes minimal site disturbance and no grading. Impacts would be less than significant.

## Initial Study – Environmental Checklist

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

As discussed in the setting, the project site consists of gentle to steep slopes where the existing cultivation area is located. The soils associated with the project site are described in Section II Agriculture. According to the NRCS, these soils do not present significant constraints that would result in hazards associated with landslides, liquefaction, lateral spreading or other hazards off site. As discussed in the setting, the project site is not located in an area subject to unstable geologic conditions. Compliance with relevant provisions of the California Building Code will ensure potential impacts associated with site landslide, lateral spreading, subsidence, liquefaction or collapse will be less than significant.

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

The soils associated with the project site are described in Section II Agriculture. None of the soils are considered expansive as defined by Table 18-1-B of the Uniform Building Code.

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

According to the NRCS Web Soil Survey, soils of the project site do not present significant limitations for the use of septic leach fields.

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

There are no unique geologic features on site. No paleontological resources are known to exist in the area. The record search and field survey conducted as part of the Cultural Resources Survey did not identify any prehistoric materials located on the project site (Central Coast Archaeological Resource Consultants 2018). Therefore, significant impacts are not anticipated.

### Conclusion

Compliance with ordinance requirements will ensure that potential impacts associated with geology and soils are less than significant. Therefore, no mitigation measures are necessary.

### Sources

See Exhibit A.

## Initial Study – Environmental Checklist

### VIII. GREENHOUSE GAS EMISSIONS

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

#### Setting

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

In 2006, the State of California passed the Global Warming Solutions Act of 2006, commonly referred to as Assembly Bill (AB) 32, which set the GHG emissions reduction goal for the State into law. The law requires that by 2020, State emissions must be reduced to 1990 levels by reducing GHG emissions from significant sources via regulation, market mechanisms, and other actions. Senate Bill (SB) 32, passed in 2016, set a statewide GHG reduction target of 40 percent below 1990 levels by 2030.

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

- Qualitative GHG Reduction Strategies (e.g. Climate Action Plans): A qualitative threshold that is consistent with AB 32 Scoping Plan measures and goals; or,
- Bright-Line Threshold: Numerical value to determine the significance of a project’s annual GHG emissions; or,
- 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 CO<sub>2</sub>/year (MT CO<sub>2</sub>e/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<sub>2</sub>e/year was adopted for stationary source (industrial) projects.

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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 California Air Resources Board (or other regulatory agencies) and will be “regulated” either by California Air Resources Board, 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.

### *Discussion*

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

No land use for cannabis cultivation/operations exists in the CEQA Air Quality Handbook, so for the purpose of estimating operational GHG emissions, this project may be considered an Industrial Project (sub-category: General Light Industry). Using the GHG threshold information described in the Setting section, the project is expected to generate less than the Bright-Line Threshold stationary source (industrial) projects of 10,000 MT CO<sub>2</sub>e/year. Therefore, the project’s potential direct and cumulative GHG emissions are found to be less than significant and would not be a cumulatively considerable contribution to GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provides guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as global climate change, is not “cumulatively considerable,” no mitigation is required. Because this project’s emissions fall under the threshold, no mitigation is required. Impacts would be less than significant.

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

In 2011, the County adopted the Energy Wise Plan to serve as the climate action plan for the County. The Plan identifies energy conservation, transportation, land use, water use, and solid waste strategies to reduce community-wide GHG emissions. The project is consistent with County-wide GHG emissions reductions strategies associated with:

- Encouraging the use of energy efficient equipment in new development;
- Reducing methane emissions associated with solid waste through recycling and composting of green waste;
- The promotion of water conservation to reduce emissions associated with potable water use;



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- The use of Best Management Practices to minimize the use of water, promote recycling and composting;
- Increasing opportunities for sequestration;

Since the project would not have a significant impact related GHG emissions, it would not conflict with any plans, policies or regulations adopted for the purpose of reducing emissions. Impacts would be less than significant.

### *Conclusion*

Impacts would be less than significant. No mitigation measures are necessary.

### *Sources*

See Exhibit A.

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### IX. HAZARDS AND HAZARDOUS MATERIALS

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

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### *Setting*

To comply with Government Code section 65962.5 (known as the “Cortese List”) the project applicant consulted the following databases/lists to determine if the project site contains hazardous waste or substances:

- List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database
- List of Leaking Underground Storage Tank Sites by County and Fiscal Year from Water Board GeoTracker database
- List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit
- List of “active” CDO and CAO from Water Board
- List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC

The database consultation concluded that the project site is not located in an area of known hazardous material contamination.

According to CalFire’s San Luis Obispo County Fire Hazard Severity Zone map, the project site is within a state responsibility area and within a “high” severity risk area for fire. The closest fire station to the project site is San Luis Obispo County Fire Station 20, which is approximately 7.2 miles from the site.

The project is not within the Airport Review area; and no schools are located within a quarter-mile of the project site.

### *Discussion*

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

Construction activities: No structures are proposed for construction. Impacts would be less than significant.

Operational activities: The project does not propose the routine use of hazardous materials and would not generate hazardous wastes. Project operations would involve the intermittent use of small amounts fertilizer and pesticides that are not expected to be acutely hazardous. The project will be conditioned to conduct all cannabis activities in compliance with the approved Operations Plan, as well as all required County permits, State licenses, County ordinance, and State law and regulation. In accordance with LUO Section 22.40.050 D. 3. all applications for cannabis cultivation must include a list of all pesticides, fertilizers and any other hazardous materials expected to be used, along with a storage and hazardous response plan. Operational impacts would be less than significant.

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

There are no schools within one-quarter mile of the project site. The nearest school is Central Coast New Tech High School, located approximately 6.8 miles southwest of the project site. Impacts would be less than significant.

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

As discussed in the Setting above, the project site is not found on the 'Cortese List' (which is a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5). No impact would occur.

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

The project is not located in an Airport Review area and would therefore not expose workers to aviation-related hazards. No impact would occur.

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

No adopted emergency response or evacuation plans pertain to the project site. Therefore, no impacts are anticipated.

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

The project is located in a State Responsibility Area and is in a High Fire Severity Zone. The project has been reviewed by CalFire / San Luis Obispo County Fire Department. Per the letter from Fire Captain Dell Wells dated September 27, 2018, specific concerns with this project include its rural location. The County would apply standard conditions as recommended by Captain Wells to ensure that potential impacts related to wildfire hazards are less than significant. General requirements would include:

- All Fire Department connections / Fire connections, water supply and required access roads shall be installed prior to any structural construction.
- A Fire Safety Plan shall be prepared per CalFire approval and maintained on site. This Plan will include fire prevention actions, fire suppression actions, emergency reporting, and evacuation plans.
- The grade for all roads and driveways shall not exceed 16 percent. Design criteria shall be in accordance with the County Public Works Road Improvement Standards. Roads that are at grades of 12-16 percent shall be on non-skid asphalt or concrete surface.
- All roads shall:
  - Be able to support Fire Apparatus (40,000 pounds)
  - Provide vertical clearance of 13 feet 6 inches

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- Maintain a 10-foot fuel reduction zone on both sides
- The access road shall be a minimum of 16 feet in width and turnouts may be required
- Turnarounds must be provided if a driveway exceeds 150 feet in length and shall be within 50 feet of the structure.
- A Knox Corporation key switch shall be installed on all electric gates and rapid entry
- Vegetation clearance shall include 100 feet of dry vegetation clearance around the building or up to the property line
- The Registered Fire Protection engineer shall determine the amount of water required to be held in storage, and shall be approved by CalFire
- Standard addressing and directional signage requirements will apply to the project
- Fire hydrants shall be required
- All electrical wiring will meet the requirements of the California Electrical Code and California Fire Code
- A Fire Safety Plan will shall be required
- Prior to occupancy or final inspection, whichever occurs first, the applicant shall obtain final inspection and approval from CalFire for all required fire/life safety measures

With the standard conditions, the project would not expose people or structures to risk of loss, injury or death involving wildland fires.

### *Conclusion*

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

### *Sources*

See Exhibit A.



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### X. HYDROLOGY AND WATER QUALITY

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

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### *Setting*

The project is not located within an impacted water basin. The project proposes to use an offsite groundwater well as its water source, for which the property owner has a legal easement.

The topography of the site is nearly level to moderately sloping, with the project footprint sited on nearly level areas. The closest creek from the proposed development is the Huasna Creek, located approximately 980 feet east of the proposed cultivation site. As described in the NRCS Soil Survey, the soil surface is considered to have moderately high erodibility.

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

Within the 100-year Flood Hazard designation? No

Closest creek? Huasna Creek Distance? Approximately 980 feet east of the proposed cultivation site

Soil drainage characteristics: Somewhat excessively drained

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

**SEDIMENTATION AND EROSION** – Soil type, area of disturbance, and slopes are key aspects to analyzing potential sedimentation and erosion issues. The project’s soil types and descriptions are listed in the previous Agricultural Resources section under “Setting.” As described in the NRCS Soil Survey, the project’s soil erodibility is as follows:

Soil erodibility: Moderately high

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

**WATER DEMAND** -- LUO Section 22.40.050 C.1. requires all applications for cannabis cultivation to include a detailed water management plan that discusses the proposed water supply, conservation measures and any water offset requirements. In addition, Section 22.40.050 D. 5. requires that a cultivation project located within a groundwater basin with a Level of Severity III (LOS III) provide an estimate of water demand prepared by a licensed professional or other expert, and a description of how the new water demand will be offset.

The project site is not located within an LOS III groundwater basin.

### *Discussion*

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

With regards to project impacts on water quality, the following conditions apply:

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- No grading is proposed;
- The project would be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- The project footprint is not on highly-erodible soils, or on moderate to steep slopes;
- The project is more than 100 feet from the closest creek (Huasna) or surface water body;
- All hazardous materials and/or wastes would be properly stored on site, which include secondary containment should spills or leaks occur.

These conditions and County standards would reduce the project's water quality impacts to less than significant.

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

The project would use approximately 1.05 acre-feet per year (AFY) of water.

Water is supplied by an existing agricultural well located offsite, producing 10 gallons per minute (Arroyo Water Well Supply 2017). In addition, one 2,500-gallon and one 500-gallon fertigation tanks would be utilized for the storage of irrigation water. The well pump test and water quality analyses from 2017 conclude that the wells produce sufficient water to meet the project's water demand. The project would not substantially decrease groundwater supplies. Further, the project would not result in the addition of impervious surfaces that would interfere substantially with groundwater recharge. Impacts to water supply would be less than significant.

- (c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
- (c-i) *Result in substantial erosion or siltation on- or off-site?*
- (c-ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*
- (c-iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*
- (c-iv) *Impede or redirect flood flows?*

The project footprint would be located approximately 980 feet from Huasna Creek. Further, the project would only incrementally increase impervious surfaces through the placement of two 320-square foot processing trailers. As such, potential impacts regarding erosion and runoff are not anticipated. Therefore, impacts to the existing drainage pattern of the site would be less than significant.

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

The proposed project is not located within the 100-year floodplain. The project site is located in Zone X, an area of minimal flood hazard (Federal Emergency Management Agency 2012). The project would, therefore, not expose people to risks from flooding, nor would it impede or redirect flood flows. The project site is not located in a dam inundation area and is not subject to flooding risks

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from dam failure. The project site is located inland from the coast and is not subject to tsunami hazards, nor is it located near any impounded bodies of water that could present hazards from seiches. No impacts would occur.

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

The proposed project involves cultivation and ancillary uses within two 320-square foot processing trailers; therefore, impervious surfaces would be minimal. While the project would use groundwater, it would not affect any impacted groundwater basins. The project will be conditioned to comply with relevant provisions of the Central Coast Regional Water Quality Control Board Basin Plan. Therefore, potential impacts related to water quality and groundwater management would be less than significant.

### *Conclusion*

Adherence to existing regulations would adequately address surface water quality impacts during construction and operation of the project. Based on compliance with existing regulations and requirements, potential water and hydrology impacts would be less than significant, and no mitigation measures are necessary.

### *Sources*

See Exhibit A.

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## XI. LAND USE AND PLANNING

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

### Setting

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

- 1) LUO Chapter 22.98 – South County Planning Area
- 2) LUO Chapter 22.98 – Huasna-Lopez Sub-Area

Under the County’s Cannabis Activities Ordinance (Ordinance 3358), Cannabis Cultivation is allowed within the Agricultural land use category with a minimum parcel size of ten acres. The purpose of the Agricultural land use category is to recognize and retain commercial agriculture as a desirable land use and as a major segment of the county’s economic base. The Agriculture land use allows for the production of agricultural related crops.

### Discussion

(a) *Physically divide an established community?*

The project site is primarily undeveloped, with two existing single-family residences and existing accessory structures in an agricultural and rural area. It is not located near an established community and the operation’s proposed footprint would not create any barriers. Impacts would be less than significant.

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

The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County LUO, General Plan, etc.). Referrals were sent to outside agencies to review for policy consistency (e.g., CalFire for Fire Code, California Fish and Wildlife for the Fish and Game Code, etc.). The project was found to be consistent all such plans, policies, and regulations (refer also to Exhibit A on reference documents used).

The project would be required to adhere to all regulations and development standards as listed in the County LUO Chapter 22.98. This includes the receipt of all necessary permits, submittal of plans, adherence to application requirements, and limitations on use and cultivation.

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The project is not within or adjacent to a Habitat Conservation Plan area. Since the project proposes cultivation and ancillary uses, it is consistent and compatible with the surrounding rural lands. Impacts would be less than significant.

### *Conclusion*

No inconsistencies were identified and therefore no additional measures above what will already be required were determined necessary.

### *Sources*

See Exhibit A.



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### XII. MINERAL RESOURCES

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

#### Discussion

- (a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*
- (b) *Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

The San Luis Obispo County Mineral Designation Maps indicate the site is not located in a Mining Disclosure Zone or Energy/Extractive Area. Therefore, the project would not result in the preclusion of mineral resource availability. There would be no impact.

#### Conclusion

The project site is not located within an area of known mineral resources. There would be no impact.

#### Sources

See Exhibit A.

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### XIII. NOISE

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

#### Setting

The project is not within close proximity of loud noise sources other than road noise from Huasna Townsite Road, as the project site and surrounding area consist of scattered rural residential homes on agricultural lands. The nearest sensitive receptor to the project site includes a single-family residence to the south, located approximately 430 feet away from the proposed outdoor cultivation site. The Noise Element of the County’s General Plan includes projections for future noise levels from known stationary and vehicle-generated noise sources. Based on the Noise Element’s projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area.

The project is subject to the County’s standards for exterior noise provided in LUO Section 22.10.120 (Table 4). Section 22.10.120 B. sets forth standards that apply to sensitive land uses that include (but are not limited to) residences.

**Table 4 - Maximum Allowed Exterior Noise Level Standards**

Sound Levels	Daytime	Nighttime <sup>1</sup>
	7 a.m. to 10 p.m.	10 pm. To 7 a.m.
Hourly Equivalent Sound Level (Leq, dB)	50	45
Maximum Level, dB	70	65

1. Applies only to uses that operate or are occupied during nighttime hours.

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### Discussion

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

Construction Impacts: Construction activities would consist of the installation of two processing trailers. Accordingly, construction related noise is expected to be minimal. Moreover, construction-related noise impacts would be temporary and localized. County regulations (County Code Section 22.10.120.A) limit the hours of construction to daytime hours between 7:00 AM and 9:00 PM weekdays, and from 8:00 AM to 5:00 PM on weekends. Construction impacts would be less than significant.

Operational Impacts: The project is not expected to generate loud noises or conflict with the surrounding uses. The project includes the use of HVAC equipment for the proposed processing trailers that generate noise levels of approximately 62 dBA at the source. The project is located within an agricultural and rural area and based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area. Noise generated by vehicular traffic on Huasna Townsite Road would be comparable to background noise levels generated by existing vehicular traffic.

Noise resulting from the use of wall- or roof-mounted HVAC and odor mitigation equipment would be expected to generate noise levels of approximately 62 dBA at the source. Noise attenuates (diminishes) at a rate of six dB per doubling of distance. Therefore, project related noise sources producing 62 dB will be perceived to produce about 29 dB at the nearest property line, assuming a distance of 150 feet. The resulting noise is anticipated to be below the maximum allowable nighttime level (65 dB) and below the nighttime hourly equivalent noise level (45dB).

Operation of the project would not expose people to significant increased noise levels in the long term. Operational impacts would be less than significant.

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

No groundborne vibrations or noises would be generated by the project and, therefore, no impacts are expected.

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

The project is not located within an Airport Review designation. Therefore, aviation-related noise impacts are not applicable.

### Conclusion

No significant noise impacts are anticipated, and no mitigation measures are necessary

### Sources

See Exhibit A.

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### XIV. POPULATION AND HOUSING

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

#### Setting

In its efforts to provide for affordable housing, the County currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the County. The County's Inclusionary Housing Ordinance requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions. As of 2018, per the Department of Finance's Population and Housing estimates, the County of San Luis Obispo contains approximately 280,101 persons, and approximately 121,661 total housing units (Department of Finance 2018).

#### Discussion

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

The proposed project would not result in the construction of any housing. The project is expected to employ five full-time employees and up to five people during harvest periods. This increase in employment would not result in a substantial increase in employment in the County. Therefore, the project would not result in a need for a significant amount of new housing, and impacts would be less than significant.

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

The project site includes two existing single-family residences that would remain on site and would not be used for cannabis activities. Therefore, the project would not displace existing housing and impacts would be less than significant.

#### Conclusion

The project would not result in a need for a significant amount of new housing and would not displace existing housing. The project would be conditioned to provide payment of the housing impact fee for

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commercial projects. No significant population/housing impacts are anticipated, and no mitigation measures are necessary.

*Sources*

See Exhibit A.

### XV. PUBLIC SERVICES

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

*Setting*

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

Police: County Sheriff

    Location: Oceano (Approximately 13 miles to the west)

Fire: CalFire (formerly CDF) Hazard Severity: High Response Time: 30 minutes

    Location: Approximately 7.2 miles to the southwest

School District: Lucia Mar Unified School District

*Discussion*

(a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental*

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*impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

### *Fire protection?*

The California Department of Forestry and Fire Protection (CalFire) provides mutual and automatic aid supporting the County of San Luis Obispo. The nearest CalFire station (Station 20) is located 7.2 miles to the southwest at 450 Pioneer Street.

The referral response from CalFire dated September 27, 2018, provides the general project requirements that are necessary for the project to meet CalFire standards. The project will meet all standards as part of the Minor Use permit process. Therefore, the project would not induce the need for new fire protection facilities of which could cause significant environmental impacts.

### *Police protection?*

The project site is in the existing service range for the County Sheriff Department. A Security Plan has been prepared by the applicant in accordance with San Luis Obispo County Code 22.40.040 – 22.40.130 and the San Luis Obispo County Sheriff's Office Requirements. The Security Plan sets forth specific security measures and protocols for perimeter security, facility access, lighting, video surveillance, alarm systems, and fire security. The Security Plan is subject to review and approval by the San Luis Obispo County Sheriff's Office prior to issuance of a County business license. The project would be required to adhere to the security measures and protocols in the Security Plan as well as with any additional recommendation or requirements provided by the San Luis Obispo County Sheriff's Office. Therefore, the project would not induce the need for new police protection facilities of which could cause significant environmental impacts. Therefore, this impact would be insignificant.

### *Schools?*

### *Parks?*

As discussed in Section XIV, Population and Housing, the project does not include the construction of any habitable structures and would not increase population. As such, the project would not generate new demand for schools or parks of which could cause significant environmental impacts. Therefore, impacts would be less than significant.

### *Other public facilities?*

No other public facilities would be impacted by the project.

### *Conclusion*

Regarding cumulative effects, public facility (County) and school (State Government Code 65995 et seq.) fee programs have been adopted to address the project's contribution to cumulative impacts and will reduce potential cumulative impacts to less than significant levels. No significant public service impacts are anticipated, and no mitigation measures are necessary.



## Initial Study – Environmental Checklist

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### Sources

See Exhibit A.

## XVI. RECREATION

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

### Setting

The County's Parks and Recreation Element does not show a potential trail on or near the proposed project site. The project is not proposed in a location that will affect any trail, park, recreational resource, coastal access, and/or Natural Area.

### Discussion

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

The proposed project is not a residential project or large-scale employer and would not result in a significant population increase. Construction and operation of the proposed project would not have any adverse effects on existing or planned recreational opportunities in the County. Impacts would be less than significant.

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

The project does not include recreational facilities. In addition, the project would not induce population, thereby requiring the constriction or expansion of recreational facilities elsewhere. Impacts would be less than significant.

### Conclusion

No significant recreation impacts are anticipated, and no mitigation measures are necessary.

## Initial Study – Environmental Checklist

### Sources

See Exhibit A.

## XVII. TRANSPORTATION

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

### Discussion

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

The project would not involve construction or operational activities that would adversely affect public transit, bikeways, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities. No impact would occur.

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

**Construction:** The project includes installation of two 320-square foot processing trailers for the proposed ancillary uses. Project construction would temporarily add trips to County roadways in the project vicinity through the duration of construction activities. This minimal level of trip generation would not have an adverse effect on traffic operations or increase congestion on area roadways in the long-term. Therefore, potential impacts related to construction would be less than significant.

**Operation:** Once operational, the project is expected to result in two average daily trips (ADT), with no AM or PM peak hour trips (Marshall 2018). Project employees would carpool to the project site to

## Initial Study – Environmental Checklist

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minimize trips and parking needs. As such, operational trip generation would be minimal and impacts would be less than significant.

The County of San Luis Obispo has not yet identified an appropriate model or method to estimate vehicle miles traveled for proposed land use development projects. Section 15064.3, subdivision (b) states that if existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively. While the County's program is still in development, the estimated new vehicle trips generated by the proposed project fall below the suggested screening threshold of 110 trips/day identified in the State guidance (Technical Advisory on Evaluating Transportation Impacts in CEQA; Office of Planning & Research, December 2018), and would be assumed to be insignificant.

Based on the nature and location of the project, the project would not generate a significant increase in construction-related or operational traffic trips or vehicle miles traveled. The project would not substantially change existing land uses and would not result in the need for additional new or expanded transportation facilities. The project would be subject to standard development impact fees to offset the relative impacts on surrounding roadways. Therefore, potential impacts would be *less than significant*.

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

The project does not propose any features or incompatible uses that would delay, disrupt, or result in unsafe conditions. Impacts would be less than significant.

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

The existing grade and widths of the access roads and driveways are permissible per CalFire standards. Therefore, the project would not result in inadequate emergency access. Impacts would be less than significant.

### *Conclusion*

The project would not conflict with applicable transportation plans or significantly increase vehicle trips to the circulation system. Therefore, the project's transportation impacts would be less than significant, and no mitigation measures are necessary.

### *Sources*

See Exhibit A.

## Initial Study – Environmental Checklist

### XVIII. TRIBAL CULTURAL RESOURCES

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

#### Setting

The project site is located in an area historically occupied by the Obispeno Chumash and Salinan.

In order to meet AB 52 Cultural Resources requirements, outreach to Native American tribes groups was conducted (Salinan, Xolon Salinan, Yak Tityu Tityu Northern Chumash, and the Northern Chumash Tribal Council). No comments were received.

## Initial Study – Environmental Checklist

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### Discussion

- (a) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*
- (a-i) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*
- (a-ii) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

As discussed in the Cultural Resources section, Central Coast Archaeological Resource Consultants conducted records searches covering the project area. The Cultural Resources Survey did not reveal any listed cultural resources within the study area. No comments were received from Native American tribal groups.

No tribal cultural resources have been identified in the project boundary and the County has satisfied the requirements of AB 52 for the project. Therefore, the proposed project would not result in a substantial adverse change to a tribal cultural resource. Impacts would be less than significant.

### Conclusion

Per County LUO Section 22.10.040, if during any future grading and excavation, buried or isolated cultural materials are unearthed, the Department of Building and Planning shall be notified, work in the area shall halt until these materials can be examined by a qualified archaeologist, and appropriate recommendations made. No significant impacts to cultural resources are expected to occur, and no additional mitigation measures are necessary.

### Sources

See Exhibit A.

## Initial Study – Environmental Checklist

### XIX. UTILITIES AND SERVICE SYSTEMS

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project:</i>				
(a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### *Discussion*

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

The project would use on-site wastewater disposal systems and would not result in the construction or expansion of water or wastewater treatment facilities. Further, the project does not propose the construction or expansion of stormwater drainage, electric power, natural gas, or telecommunications facilities. Impacts would be less than significant.



## Initial Study – Environmental Checklist

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

As discussed in Section X, Hydrology and Water Quality, the project would use approximately 1.05 AFY. Water is provided to the project site by an existing offsite groundwater well for which the property owner has a legal easement; the well has served the property and is currently used for the existing cannabis cultivation and the existing residences. The well pump test and water quality analysis from 2017 conclude that the well produces sufficient water to meet the project's water demand. In addition, the project site is not located near an impacted groundwater basin. Impacts to water supply would be less than significant.

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

Not applicable. The project will be served by an on-site septic system.

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

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

The nearest landfill to the site is the Santa Maria Transfer Station, located approximately eight miles to the southwest. Cannabis green-waste consisting of leaves, stalks, stems, root balls, and compromised cannabis flowers would be composted on site in a designated 1,200-square foot area. In addition, soil would be stockpiled and composted after each growing season. Solid and recycling waste would be stored in receptacles located within the fenced cultivation area and would be emptied into trash bins on a weekly basis. The waste would be disposed of offsite by an approved hauler at the operator's expense. Since operation of the project is not expected to generate a substantial amount of solid waste, impacts are considered insignificant.

### *Conclusion*

Potential impacts to utilities and service systems would be less than significant. No mitigation measures are necessary.

### *Sources*

See Exhibit A.

## Initial Study – Environmental Checklist

### XX. WILDFIRE

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

#### Setting

According to CalFire’s San Luis Obispo County Fire Hazard Severity Zone map, the project site is within a state responsibility area and within a “very high” severity risk area for fire. The closest fire station to the project site is San Luis Obispo County Fire Station 20, which is approximately 7.2 miles from the site. According to referral response from CalFire dated September 27, 2018 the average response time to the project site would be approximately 30 minutes.

#### Discussion

- (a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*  
No adopted emergency response or evacuation plans pertain to the project site. Therefore, no impacts are anticipated.
- (b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

## Initial Study – Environmental Checklist

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Based the letter from CalFire Captain Dell Wells dated September 27, 2018, specific concerns with this project include the site's rural location. The Minor Use Permit will be conditioned to meet the general requirements of CalFire, including the preparation of a safety plan and final inspection by CalFire. With the application of those requirements, potential impacts would be less than significant.

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

The project would not require road improvements. The existing residences have power through PG&E; however, extensions will be needed to service the project. Such extensions will be required to meet PG&E and CalFire standards. The project includes two existing fertigation tanks and one 10,000-gallon tank. Impacts would be less than significant.

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

The project is located in a State Responsibility Area and is in a High Fire Severity Zone. The project has been reviewed by CalFire / San Luis Obispo County Fire Department. The County will include standard conditions as recommended by CalFire and discussed in Section IX, Hazards and Hazardous Materials, to ensure that potential impacts related to wildfire hazards are less than significant. With the standard conditions, the project would not expose people or structures to risk of loss, injury or death involving wildland fires.

The project would be a combination of existing and new cultivation sites and ancillary uses on relatively flat areas of the site. Minimal runoff from operations is expected and the large premises has very little impervious surface. The project would not require clearing of brush or grading of slopes, and it would not exacerbate any post-fire damage. Therefore, impacts related would be less than significant.

### *Conclusion*

All requirements would be in accordance with County Ordinances and CalFire/San Luis Obispo Fire Department Standards. This would reduce fire related impacts to less than significant levels and no mitigation measures are necessary.

### *Sources*

See Exhibit A.

## Initial Study – Environmental Checklist

### XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
(a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### Discussion

- (a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

The proposed project does not have the potential to substantially degrade the quality of the environment. Potential impacts to biological resources have been identified but would be mitigated to a level below significant. Compliance with all the mitigation measures identified in Exhibit B will ensure that project implementation will not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered

## Initial Study – Environmental Checklist

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plant or animal. Implementation of the project will not eliminate important examples of the major periods of California history or pre-history. Therefore, the anticipated project-related impacts are less than significant with incorporation of the mitigation measure included in Exhibit B.

- (b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

The potential for adverse cumulative effects were considered in the response to each question in sections 1 through 15 of this form. In addition to project specific impacts, this evaluation considered the project’s potential for incremental effects that are cumulatively considerable. As described in Section 4, there were determined to be potentially significant effects related to biological resources. However, the mitigation measure included in Exhibit B would reduce the effects to a level below significance. As a result of this evaluation, there is no substantial evidence that, after mitigation, there are cumulative effects associated with this project. Therefore, impacts would be less than significant.

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

In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in Sections 3. Air Quality, 6. Geology & Soils, 7. Hazards & Hazardous Materials, 8. Noise, 9. Population & Housing, 10. Public Services and Utilities, 12. Transportation & Circulation, 13. Wastewater, 14. Water & Hydrology, and 15. Land Use. There is no substantial evidence that adverse effects to human beings are associated with this project. Therefore, impacts would be less than significant.

### *Conclusion*

The project has been determined not to meet the Mandatory Findings of Significance with implementation of mitigation measure for biological resources (Exhibit B).

### *Mitigation*

See Exhibit B for full list of mitigation measures.

### *Sources*

See Exhibit A.

## Initial Study – Environmental Checklist

### Exhibit A - Initial Study References and Agency Contacts

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

Contacted	Agency	Response
<input checked="" type="checkbox"/>	County Public Works Department	<b>Attached</b>
<input checked="" type="checkbox"/>	County Environmental Health Services	<b>None</b>
<input type="checkbox"/>	County Agricultural Commissioner's Office	<b>None</b>
<input type="checkbox"/>	County Airport Manager	<b>Not Applicable</b>
<input type="checkbox"/>	Airport Land Use Commission	<b>Not Applicable</b>
<input type="checkbox"/>	Air Pollution Control District	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	County Sheriff's Department	<b>None</b>
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	<b>None</b>
<input type="checkbox"/>	CA Coastal Commission	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	CA Department of Fish and Wildlife	<b>None</b>
<input checked="" type="checkbox"/>	CA Department of Forestry (CalFire)	<b>Attached</b>
<input type="checkbox"/>	CA Department of Transportation	<b>Not Applicable</b>
<input type="checkbox"/>	Community Services District	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	Other <u>Building Division</u>	<b>Attached</b>
<input checked="" type="checkbox"/>	Other <u>U.S. Fish and Wildlife</u>	<b>None</b>
<input checked="" type="checkbox"/>	Other <u>AB52</u>	<b>None</b>

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

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

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



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

AG Laboratory and Consulting. Analytical Report for Water. September 2017.

Arroyo Water Supply. Well Test. April 2017.

Central Coast Archaeological Research Consultants (CCARC). Cultural Resources Survey. December 2018

Terra Verde Environmental Consulting, LLC. Biological Resources Assessment. December 2018.

Garing, Taylor & Associates. Estimate of Water Demand. February 2019.

California Department of Conservation (CDOC). 2015.CGS Information Warehouse: Regulatory Maps  
<http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps> accessed  
June 2019

California Department of Finance. 2018. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2018 with 2010 Census Benchmark.  
<http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/> (accessed June 2019).

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### Exhibit B - Mitigation Summary

The applicant has agreed to incorporate the following measure into the project. This measure becomes a part of the project description and therefore becomes 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 measure. This measure shall be perpetual and run with the land. This measure is binding on all successors in interest of the subject property.

#### Biological Resources

**BIO-1**      **Pre-construction Survey for Sensitive and Nesting Birds.** If work is planned to occur between February 1 and September 15, a qualified biologist shall survey the proposed expansion area for nesting birds within one week prior to activity beginning on site. If nesting birds are located on or near the proposed cultivation area, they shall be avoided until they have successfully fledged or the nest is no longer deemed active. A non-disturbance buffer of 250 feet will be placed around non-listed, passerine species, and a 500-foot buffer will be implemented for raptor species. All activity will remain outside of that buffer until a qualified biologist has determined that the young have fledged or that proposed construction activities would not cause adverse impacts to the nest, adults, eggs, or young. If special-status avian species are identified, no work will begin until an appropriate buffer is determined in consultation with the California Department of Fish and Wildlife and/or the US Fish and Wildlife Service.

DATE: 9/12/2019

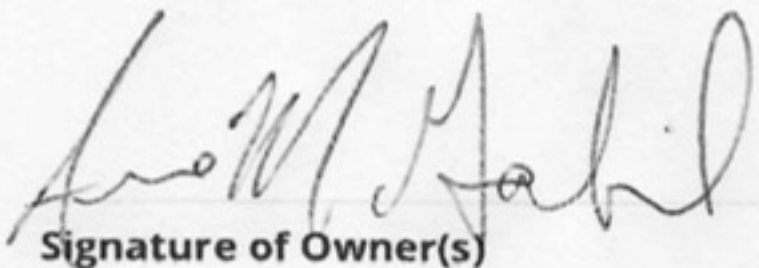
**DEVELOPER'S STATEMENT & MITIGATION MONITORING/REPORTING PROGRAM  
FOR AG HARVEST, INC.  
ED19-225 (DRC2018-00156)**

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 BIO-1 Pre-construction Survey for Sensitive and Nesting Birds.** If work is planned to occur between February 1 and September 15, a qualified biologist shall survey the proposed expansion area for nesting birds within one week prior to activity beginning on site. If nesting birds are located on or near the proposed cultivation area, they shall be avoided until they have successfully fledged or the nest is no longer deemed active. A non-disturbance buffer of 250 feet will be placed around non-listed, passerine species, and a 500-foot buffer will be implemented for raptor species. All activity will remain outside of that buffer until a qualified biologist has determined that the young have fledged or that proposed construction activities would not cause adverse impacts to the nest, adults, eggs, or young. If special-status avian species are identified, no work will begin until an appropriate buffer is determined in consultation with the California Department of Fish and Wildlife and/or the US Fish and Wildlife Service.

  
Signature of Owner(s)

Anna M. Gabriel  
Name (Print)

10-5-19  
Date

Signature of Owner(s)

Name (Print)

Date