COUNTY OF SANTA BARBARA

Planning and Development

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State CEQA Guidelines § 15168(c)(4) Checklist for Commercial Cannabis Land Use Entitlement and Licensing Applications

A. Purpose

On February 6, 2018, the Santa Barbara County Board of Supervisors certified a programmatic environmental impact report (PEIR) that analyzed the environmental impacts of the Cannabis Land Use Ordinance and Licensing Program (Program). The PEIR was prepared in accordance with the State CEQA Guidelines (§ 15168) and evaluated the Program's impacts with regard to the following environmental resources and subjects:

- Aesthetics and Visual Resources
- Agricultural Resources
- Air Quality and Greenhouse Gas Emissions
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use
- Noise
- Transportation and Traffic
- Utilities and Energy Conservation
- Population, Employment, and Housing

The PEIR evaluated the direct and indirect impacts, as well as the project-specific and cumulative impacts, that would result from the implementation of the Program. The PEIR set forth feasible mitigation measures for several significant impacts, which are now included as development standards and/or requirements in the land use and licensing ordinances.

Pursuant to State CEQA Guidelines (§ 15168(c)(4)), the following checklist was prepared to determine whether the environmental effects of a proposed commercial cannabis operation are within the scope of the PEIR.

B. Project Description

Please provide the following project information.

1. Land Use Entitlement Case Number(s): 19LUP-00000-00530
2. Business Licensing Ordinance Case Number(s): _____
3. Project Applicant(s): Shannon Conn
4. Property Owner(s): Sunburst Church of Self Realization dba Nojoqui Farms

5. Project Site Location and Tax Assessor Parcel Number(s): 1889 Highway 101, Buellton, CA, 93427 APN 083-430-014

6. Project Description: The Project is a request for approval of a Land Use Permit to allow 22.17 acres of cannabis cultivation, which includes 20.67 acres of outdoor cannabis cultivation in hoop structures, 1.20 acres of cannabis nursery in hoop structures, 0.07 acres of cannabis processing (storage) in an existing 3,240-sq. ft. agricultural storage barn, and 0.23 acres of cannabis processing (drying, curing, trimming, storing, packaging, and labeling) in a proposed processing building. The proposed processing building will be 10,000 sq. ft. and 25 ft. in height. Hoop structures will be up to 15 ft. in height and will not include any permanent structural elements, utilities, or lighting. Cannabis green waste will be composted onsite in a 0.40-acre compost area. The Project also includes a proposed 30,000-gallon water storage tank for fire protection purposes, and a proposed compacted gravel parking lot with twenty 9-ft. by 20-ft. employee parking spaces.

   Existing onsite development to be used for the proposed cannabis operation includes:
   - One 3,240-sq. ft. agricultural storage barn (noted above and consisting of a 2,160-sq. ft. structure with a 1,080-sq. ft. attached shade cover) to be converted into an office and cooler storage for cannabis product staging prior to shipment;
   - One 96-sq. ft. detached restroom for employee use;
   - One 2,500-sq. ft. machine shed to be used for farm equipment storage and office use; and
   - One 30,000-gallon water storage tank for irrigation and domestic use.

   Existing onsite development that will remain, but will not be used for the proposed cannabis operation includes a 3,288-sq. ft. residence and a 4,600-sq. ft. hay shelter.

   Existing onsite development that will be removed prior to Land Use Permit issuance includes:
   - One 1,070-sq. ft. employee mobile home;
   - One 6,440-sq. ft. barn;
   - One 1,482-sq. ft. mobile home;
   - Four sheds measuring 240-sq. ft., 49-sq. ft., 120-sq. ft., and 96-sq. ft.;
   - One 324-sq. ft. horse shelter;
   - One 320-sq. ft. cargo container; and
   - One 2,880-sq. ft. shade structure.

   The Project includes removal of two non-native trees. The Project does not include any native tree or native vegetation removal. Grading is limited to less than 50 cubic yards.

   The cannabis operation will be enclosed with 7-foot-high no-climb security fencing (composed of wood rail wire mesh fencing 5 ft. in height, topped with barbed wire 2 ft. in height) connected to 8-ft.-high chain-link security fencing that will enclose the nursery area. Security light fixtures will be installed at the access gate, in the parking lot, and on the exterior of the processing building. All security lighting will be pole-mounted or building-mounted at a maximum height of 10 ft. and will be fully shielded, directed downward, and motion-activated. Existing and proposed landscaping will screen the operation from public views along Highway 101.

The operation will employ five full-time employees, with an additional 19 seasonal employees during harvest periods. The Project will include up to three harvests per year for a duration of 21 days per harvest period. Harvest periods will occur between the months of May through June, July through August, and October through November. Hours of operation will be from 7:00 A.M. to 4:00 P.M, Monday through Saturday. The hours of operation will not change during harvest periods. All harvested cannabis will be transferred into the onsite 10,000-sq. ft. processing building, into coolers within the onsite 3,240-sq. ft. agricultural storage barn, or to an offsite processing facility the same day it is harvested. All onsite cannabis processing activities will occur within either 1) the enclosed 10,000-sq. ft. processing building, which will be equipped with a carbon filtration and HVAC system to mitigate odors produced by drying, curing, trimming, storing, packaging, and labeling activities, or 2) the enclosed coolers within the 3,240-sq. ft. agricultural storage barn, which will be equipped with refrigeration units to mitigate odors produced by cannabis storage.

Groundwater wells will provide water for the Project (irrigation, domestic, and fire protection uses). The Project site is currently served by three existing offsite groundwater wells, which consist of a primary well (identified as the "Main Well") and two backup wells (identified as "Moonshine #1" and "Moonshine #2"). The Applicant will provide County P&D staff a well meter log of the Main Well that serves the cannabis cultivation Project prior to commencement of use and biannually thereafter for the life of the Project. The use of the well will be limited to 26.6 acre-feet per year (AFY), as confirmed by the well meter log. The Project will include approval of a water system permit and repair of the existing private onsite wastewater treatment system serving the employee restroom. The Project site will continue to be accessed via an existing 24-ft.-wide asphalt driveway off Highway 101. Fire protection will be provided by the Santa Barbara County Fire Department and law enforcement will be provided by the Santa Barbara County Sheriff's Department. The Project site is a 53-acre parcel zoned Agriculture-II (AG-II-40), and shown as Assessor's Parcel Number 083-430-014, located at 1889 Highway 101 in the Buellton area, 3rd Supervisorial District.

C. PEIR Mitigation Measures/Requirements for Commercial Cannabis Operations

The following table lists the specific mitigation measures set forth in the PEIR. The table further includes questions to determine the scope of the potential environmental impacts of a project. This information will be used by staff to determine if subsequent environmental review of a project is warranted.

Please answer all questions set forth in the following table. Planning and Development Department (P&D) staff complete § C.1 and County Executive Office (CEO) staff complete § C.2. If a question does not apply to the proposed cannabis operation, please check the corresponding "N/A" box.

C.1 Mitigation Measures/Requirements for P&D Staff Review

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
Aesthetics and Visual Resources		
MM AV-1. Screening Requirements	LUDC § 35.42.075.C.3 Article II § 35-144U.C.3	Is the proposed cannabis operation visible from a public viewing location? ☑ Yes ☐ No If so, does the proposed project include implementation of the required landscape and screening plan? ☑ Yes ☐ No ☐ N/A
Agricultural Resources		
MM AG-1. Cannabis Cultivation Prerequisite Ancillary Use Licenses	LUDC §§ 35.42.075.D.3 and -4 Article II § 35-144U.C.2.a and -3.a	Does the proposed project include ancillary cannabis uses (e.g., manufacturing of cannabis products)? ☐ Yes ☑ No If the proposed project includes ancillary cannabis uses, does the proposed project comply with the minimum cultivation requirements to allow ancillary cannabis uses? ☐ Yes ☐ No ☑ N/A
MM AG-2. New Structure Avoidance of Prime Soils	LUDC § 35.42.075.D.1.b Article II § 35-144U.C.1.b	Does the proposed project site have prime soils located on it? ☑ Yes ☐ No Does the proposed project involve structural development? ☑ Yes ☐ No If the proposed project involves structural development, are the structures sited and designed to avoid prime soils? ☑ Yes ☐ No ☐ N/A
Air Quality and Greenhouse Gas Emissions		
MM AQ-3. Cannabis Site Transportation Demand Management	LUDC § 35.42.075.D.1.j Article II § 35-144U.1.j	Does the proposed project include cannabis cultivation? ☑ Yes ☐ No If so, does the project include implementation of the required Transportation Demand Management Plan? ☑ Yes ☐ No ☐ N/A
MM AQ-5. Odor Abatement Plan	LUDC § 35.42.075.C.6 Article II § 35-144U.C.6	Does the proposed project include cannabis cultivation, a nursery, manufacturing, microbusiness, and/or distribution? ☑ Yes ☐ No If so, does the project include implementation of the required odor abatement plan? ☑ Yes ☐ No ☐ N/A

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
Biological Resources		
MM BIO-1a. Tree Protection Plan	LUDC § 35.42.075.C.8 and Appendix J	Does the proposed project involve development within proximity to, alteration of, or the removal of, a native tree? ☐ Yes ☑ No
	Article II § 35-144.C.8 and Appendix G	If so, does the project include implementation of the required tree protection plan? ☐ Yes ☐ No ☑ N/A
MM BIO-1b. Habitat Protection Plan	LUDC § 35.42.075.C.8 and Appendix J	*Inland*. Will the project result in the removal of native vegetation or other vegetation in an area that has been identified as having a medium to high potential of being occupied by a special-status wildlife species, nesting bird, or a Federal or State-listed special-status plant species? ☐ Yes ☑ No ☐ N/A If so, does the project include implementation of the required habitat protection plan? ☐ Yes ☐ No ☑ N/A
	Article II § 35-144.C.8 and Appendix G	*Coastal.* Does the project involve development within environmentally sensitive habitat (ESH) and/or ESH buffers? ☐ Yes ☐ No ☑ N/A If so, does the project include implementation of the required habitat protection plan? ☐ Yes ☐ No ☑ N/A
MM HWR-1a. Cannabis Waste Discharge Requirements Draft General Order	LUDC § 35.42.075.D.1.d	Does the proposed project involve cannabis cultivation? ☑ Yes ☐ No
	Article II § 35-144U.C.1.d	If so, did the applicant submit documentation from the State Water Resources Control Board demonstrating compliance with the comprehensive Cannabis Cultivation Policy? ☑ Yes ☐ No ☐ N/A
MM BIO-3. Wildlife Movement Plan	LUDC § 35.42.075.C.8 and Appendix J	Is the proposed project site located in or near a wildlife movement area? ☑ Yes ☐ No
	Article II § 35-144.C.8 and Appendix G	If so, does the project include implementation of the required wildlife movement plan? ☑ Yes ☐ No ☐ N/A
Cultural Resources		
MM CR-1. Preservation	LUDC § 35.42.075.C.1	Does the proposed project involve development within an area that has the potential for cultural

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
MM CR-2. Archaeological and Paleontological Surveys	Article II §§ 35-144U.C.1 and 35-65	resources to be located within it? ☑ Yes ☐ No If so, was a Phase I cultural study prepared? ☑ Yes ☐ No ☐ N/A If so, did the Phase I cultural study require a Phase II cultural study? ☐ Yes ☑ No ☐ N/A If so, does the project involve implementation of cultural resource preservation measures set forth in the Phase II cultural study? ☐ Yes ☐ No ☑ N/A
Hazards and Hazardous Materials		
MM HAZ-3. Volatile Manufacturing Employee Training Plan	LUDC § 35.42.075.D.4.c Article II § 35-144U.C.3.c	Does the proposed project involve volatile manufacturing of cannabis products? ☐ Yes ☑ No If so, does the project involve implementation of the required Volatile Manufacturing Employee Training Plan? ☐ Yes ☐ No ☑ N/A
Hydrology and Water Quality Impacts		
MM HWR-1. Cannabis Waste Discharge Requirements General Order	*See the Biological Resources items, above.*	
MM BIO-1b. Cannabis Waste Discharge Requirements General Order	*See the Biological Resources items, above.*	
Land Use Impacts		
MM LU-1. Public Lands Restriction	LUDC § 35.42.075.D.1.h Article II § 35-144U.C.1.h	Does the proposed project involve cannabis cultivation on public lands? ☐ Yes ☑ No
MM AQ-3. Cannabis Site Transportation Demand Management	*See the Air Quality and Greenhouse Gas Emissions items, above.*	
MM AQ-5. Odor Abatement Plan	*See the Air Quality and Greenhouse Gas Emissions items, above.*	
MM TRA-1. Payment of Transportation Impact Fees	County Ordinance No. 4270	Is the proposed project subject to the countywide, Goleta, or Orcutt development impact fee ordinance? ☐ Yes ☑ No

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
		If so, did the applicant pay the requisite fee? ☐ Yes ☐ No ☑ N/A
Compliance with Comprehensive Plan Environmental Resource Protection Policies	LUDC § 35.10.020.B	*All cannabis applications.* Does the proposed project comply with all applicable environmental resource protection policies set forth in the Comprehensive Plan? ☑ Yes ☐ No
	CLUP Chapter 3, § 3.1 and Policy 1-4	*Coastal cannabis applications.* Does the proposed project comply with all applicable coastal resources protection policies set forth in the Coastal Land Use Plan? ☐ Yes ☐ No ☑ N/A
Noise		
MM AQ-3. Cannabis Site Transportation Demand Management	*See the Air Quality and Greenhouse Gas Emissions items, above.*	
Transportation and Traffic		
MM AQ-3. Cannabis Site Transportation Demand Management	*See the Air Quality and Greenhouse Gas Emissions items, above.*	
MM TRA-1. Payment of Transportation Impact Fees	*See the Land Use Impacts items, above.*	
Unusual Project Site Characteristics and Development Activities		
Activities and Impacts within the Scope of the Program/PEIR	State CEQA Guidelines § 15168(c)(1)	Does the proposed project involve a project site with sensitive or unusual environmental characteristics, or require unusual development activities, which will result in a significant environmental impact that was not evaluated in the PEIR? Examples of unusual environmental characteristics or development activities which might cause a significant environmental impact include, but are not limited to: • construction of a bridge across a riparian corridor that supports listed species protected under the Federal or California endangered species acts, in order to gain access to a project site; • structural development that cannot be screened from a public viewing location pursuant to the requirements of PEIR mitigation measure MM AV-1 (Screening

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
		Requirements); or • development activities that will have a significant impact on cultural resources, which cannot be mitigated to a less-than-significant level pursuant to the County's *Environmental Thresholds and Guidelines Manual* (March 2018). ☐ Yes ☑ No

LUDC = Land Use and Development Code; Chapter 35, Article 35.1 et seq., of the Santa Barbara County Code
Article II = Coastal Zoning Ordinance; Chapter 35, Article II, § 35-50 et seq., of the Santa Barbara County Code
CLUP = Santa Barbara County Coastal Land Use Plan
State CEQA Guidelines = California Code of Regulations, Title 14, Division 6, Chapter 3, § 15000 et seq.

C.1.1 Environmental Document Determination

Check the appropriate box below, based on the responses to the questions and requests for information set forth in the checklist in § C.1, above, and pursuant to the requirements set forth in State CEQA Guidelines §§ 15162 and 15168.

☑ All of the environmental impacts of the proposed commercial cannabis operation are within the scope of the PEIR, and a subsequent environmental document is not required to evaluate the environmental impacts of the proposed commercial cannabis operation.

☐ The proposed commercial cannabis operation will have environmental effects that were not examined in the PEIR, and an initial study must be prepared to determine whether a subsequent environmental impact report or negative declaration must be prepared.

Alia Vosburg	Alia Vosburg	10/19/2022
Name of Preparer of § C.1	Signature of Preparer of § C.1	Date

C.2 Mitigation Measures/Requirements for CEO Staff Review

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
Air Quality and Greenhouse Gas Emissions		
MM UE-2a. Energy Conservation Best Management Practices	BLO § 50-10(b)	Does the proposed project include the implementation of the required energy conservation plan? ☐ Yes ☐ No
MM UE-2b. Participation in a Renewable Energy Choice Program	BLO § 50-10(b)2.ii	Does the proposed project include participation in a renewable energy choice program to meet the applicable energy reduction goals for the proposed project? ☐ Yes ☐ No
MM UE-2c. Plan review by the County Green Building Committee	BLO § 50-10(b)2.iii.K	Did the County Green Building Committee review the proposed project? ☐ Yes ☐ No ☐ N/A If so, does the proposed project conform to the recommendations of the County Green Building Committee? ☐ Yes ☐ No ☐ N/A
Utilities and Energy Conservation		
MM UE-2a. Energy Conservation Best Management Practices	*See the Air Quality and Greenhouse Gas Emissions items, above.*	
MM UE-2b. Participation in a Renewable Energy Program	*See the Air Quality and Greenhouse Gas Emissions items, above.*	
MM UE-2c. Licensing by the County Green Building Committee	*See the Air Quality and Greenhouse Gas Emissions items, above.*	
Unusual Project Site Characteristics and Development Activities		
Activities and Impacts within the Scope of the Program/PEIR	State CEQA Guidelines § 15168(c)(1)	Does the proposed project involve a project site with sensitive or unusual environmental characteristics, or require unusual development activities, which will result in a significant environmental impact that was not evaluated in the PEIR? Examples of unusual environmental characteristics or development activities which might cause a significant environmental impact include, but are not limited to: • construction of a bridge across a riparian corridor that supports listed species protected under the Federal or California endangered species acts, in order to gain access to a project site;

Mitigation Measure/Requirement	Code/Plan Sections*	Requirement
		• structural development that cannot be screened from a public viewing location pursuant to the requirements of PEIR mitigation measure MM AV-1 (Screening Requirements); or • development activities that will have a significant impact on cultural resources, which cannot be mitigated to a less-than-significant level pursuant to the County's *Environmental Thresholds and Guidelines Manual* (March 2018). ☐ Yes ☐ No

* BLO = Commercial Cannabis Business Licensing Ordinance; Chapter 50, § 50-1 et seq., of the Santa Barbara County Code
State CEQA Guidelines = California Code of Regulations, Title 14, Division 6, Chapter 3, § 15000 et seq.

C.2.1 Environmental Document Determination

Check the appropriate box below, based on the responses to the questions and requests for information set forth in the checklist in § C.2, above, and pursuant to the requirements set forth in State CEQA Guidelines §§ 15162 and 15168.

☐ All of the environmental impacts of the proposed commercial cannabis operation are within the scope of the PEIR, and a subsequent environmental document is not required to evaluate the environmental impacts of the proposed commercial cannabis operation.

☐ The proposed commercial cannabis operation will have environmental effects that were not examined in the PEIR, and an initial study must be prepared to determine whether a subsequent environmental impact report or negative declaration must be prepared.

Name of Preparer of § C.2 Signature of Preparer of § C.2 Date

Attachment A
Additional Information for the Proposed Cannabis Activity CEQA Environmental Determination

The following discussion supports the determinations made in the Checklist for the Nojoqui Farms Cannabis Cultivation Project (Proposed Project), pursuant to the requirements of the State CEQA Guidelines §§ 15168(c) and 15162. The State CEQA Guidelines §§ 15168(c)(1) and -(2) state:

> *(1) If a later activity would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration. That later analysis may tier from the program EIR as provided in Section 15152.*
>
> *(2) If the agency finds that pursuant to Section 15162, no subsequent EIR would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required. Whether a later activity is within the scope of a program EIR is a factual question that the lead agency determines based on substantial evidence in the record. Factors that an agency may consider in making that determination include, but are not limited to, consistency of the later activity with the type of allowable land use, overall planned density and building intensity, geographic area analyzed for environmental impacts, and covered infrastructure, as described in the program EIR.*

The requirements of the State CEQA Guidelines § 15168 and 15162 are set forth below, along with an analysis of the Proposed Project with regard to these requirements. The following analysis supplements the information set forth in the State CEQA Guidelines § 15168 checklist prepared for the Proposed Project.

State CEQA Guidelines § 15168(c)(1)

As discussed below, the PEIR analyzed the environmental impacts of the Cannabis Land Use Ordinance and Licensing Program. The effects of this particular Project were anticipated and examined in the PEIR and there are no project-specific effects that were not examined in the program EIR. Therefore, no new initial study is required and the PEIR can be relied upon for this Project based upon the checklist prepared pursuant to State CEQA Guidelines 15168(c)(4).

State CEQA Guidelines § 15162

State CEQA Guidelines § 15162 states that when a lead agency has prepared an EIR for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, that certain conditions exist. The specific conditions that warrant the preparation of a subsequent EIR are set forth below, with an analysis of the proposed project immediately following the respective condition.

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

The Proposed Project includes a request for a commercial cannabis cultivation activity that was anticipated and evaluated in the PEIR. The Proposed Project site is zoned AG-II, which is one of the zones that was evaluated for proposed cannabis cultivation activities in the PEIR (PEIR page 2-36, Table 2-5). Furthermore, the Lompoc region in which the Proposed Project site is located was one of five regions identified in the PEIR for organizing the data and analyzing the impacts of the Program (Ibid, page 2-5).

As discussed below, the Proposed Project consists of an activity the impacts of which were disclosed in, the PEIR. Outdoor cultivation, nursery, and processing are cannabis activities that were anticipated to occur on AG-II zoned lands, such as the AG-II zoned lands which exist in the Lompoc region in which the Proposed Project site is located. The PEIR evaluated the potential increases in employment, traffic, noise, air emissions (including odors), etc., that would result from the Proposed Project and other commercial cannabis activities allowed under the Program. The physical development that is included in the Proposed Project includes a proposed processing building, permeable employee parking lot, water tank, fencing, lighting, and landscaping. The scope of the Proposed Project's development was evaluated in the PEIR with regard to aesthetics, visual impacts, and loss of prime soils. Additionally, the Applicant provided a Water Source and Water Demand Memo prepared by a Professional Geologist (Attachment E) that includes details on the historic water use of the Project site and projected water demand of the proposed Project. The conclusions of the Water Source and Water Demand Memo demonstrate that the water use of the proposed Project will be less than the historic baseline use of the Project site. The Project site historically used approximately 51.5 AFY of water for the irrigation of non-cannabis crops, and with implementation of the proposed Project, the Project site's water use would be reduced to approximately 26.6 AFY. Consequently, the Project will not result in impacts to groundwater beyond those studied in the PEIR and further will have no adverse impact on groundwater supply.

There is nothing unusual about the proposed agricultural activities and the physical development is standard and in character with development in the Lompoc region AG-II zone district. Therefore, the Proposed Project will not result in substantial changes to the Program which will require major revisions of the PEIR, due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Currently, there are approximately 6 land use entitlement applications involving proposed or permitted cannabis activities located in the area west of Highway 101 and south of the City of Buellton (Santa Barbara County Interactive Map for Cannabis, available at https://sbcopad.maps.arcgis.com/apps/webappviewer/index.html?id=f287d128ab684ba4a87f1b9cff438f91, accessed on August 5, 2021). The PEIR anticipated that certain areas in which cannabis activities historically have occurred would continue to experience cannabis activities under the Program. Furthermore, the PEIR projected the demand for cannabis cultivation that could occur under the Program (i.e., 1,126 acres of cultivation countywide), based on information that was known at the time the PEIR was prepared. The Program that was analyzed in the PEIR did not include a cap or other requirement to limit either the concentration or total amount of cannabis activities that could occur within any of the zones that were under consideration for cannabis

activities (PEIR, pages 3-3, 3-5, 3-12, 3.1-19, and 3.12-26).[1] Although the PEIR did not predict the specific commercial cannabis applications on the properties located on and around the Proposed Project site, the programmatic analysis was broad enough to account for this pattern of development that has resulted from the Program. Therefore, the number and/or location of the commercial cannabis activities that have been either permitted or are currently under consideration within the general area of the Proposed Project site, do not constitute a substantial change with respect to the circumstances under which the project is undertaken.

Furthermore, the potential concentration of cannabis activities near the Proposed Project site will not create new significant environmental effects or a substantial increase in the severity of previously identified significant effects evaluated in the PEIR. The PEIR evaluated the cumulative impacts to which cannabis activities, as well as other pending, recently approved, and reasonably foreseeable non-cannabis projects, would contribute (Ibid, page 3-11, Section 3.0.4). The PEIR concluded that unavoidable and significant (Class I) impacts would result from the Program with regard to the following environmental resources or issues:

- Aesthetics and visual resources
- Agricultural resources
- Air quality (including odor impacts)
- Noise
- Transportation and traffic

The Board of Supervisors adopted a Statement of Overriding Considerations concluding that the benefits of the Program outweigh the unavoidable adverse environmental effects identified above.

For this particular Project, proposed physical development includes a proposed processing building, permeable employee parking lot, water tank, fencing, lighting, and landscaping, which is in character with agricultural development of the surrounding area. The Proposed Project site contains areas of prime soil, however the proposed physical development is accessory to the proposed cultivation activities, minimized to the extent feasible, sited to avoid prime soil areas to the extent feasible, and would not result in a significant conversion prime agricultural land to non-agricultural use.

The Proposed Project, which consists of cannabis cultivation and agricultural accessory development, may contribute to cumulative impacts on aesthetics and visual resources, transportation and traffic, air quality, and noise, but the Proposed Project would be subject to the mitigation measures set forth in the PEIR to reduce the Proposed Project's contribution to these cumulative impacts. These mitigation measures include implementation of a Landscape Screening Plan to ensure the Proposed Project is screened from public view within 5 years, and implementation of a Site Transportation Demand Management Plan to reduce vehicle trips generated by Proposed Project, reduce vehicle noise, and reduce traffic-generated emissions. Additionally, noise associated with operation of the Proposed Project would be limited to the use of standard agricultural equipment and machinery that is consistent with common practices of commercial agriculture in the Lompoc area and would not exceed 65 decibels at the property lines.

[1] The PEIR states, "…[T]he impact analysis in this EIR assumes that **future cannabis activity licenses would not be limited under the Project**, with the total area permitted to be unincorporated areas Countywide that are under County jurisdiction (excludes incorporated cities, state, federal, and tribal lands) (PEIR, page 3-5, emphasis added)."

Lastly, the Proposed Project includes implementation of an Odor Abatement Plan to mitigate odors generated from processing activities within the processing building.

These are not new impacts resulting from a substantial change in the Program. As stated above, the Proposed Project is an activity that was anticipated to result from the Program and, consequently, the impacts associated with the Proposed Project were disclosed in the PEIR. As such, the PEIR analysis of cumulative impacts accounted for the impacts from the Proposed Project.

Therefore, no substantial changes have occurred with respect to the circumstances under which the Project is undertaken under the Program which will require major revisions of the PEIR, due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

The PEIR evaluated the direct and indirect impacts of the Program as well as cumulative impacts that would result from the implementation of the Program. More specifically, the PEIR identified the following unavoidably significant (Class I) impacts that would result from the Program:

- Cumulative impacts to aesthetics and visual resources
- Cumulative impacts to agricultural resources
- Project-specific and cumulative impacts to air resources (including odors)
- Project-specific and cumulative noise impacts
- Project-specific and cumulative transportation and traffic impacts

The PEIR also identified the following significant but mitigable (Class II) impacts that would result from the Program:

- Project-specific impacts to aesthetics and visual resources
- Project-specific impacts to agricultural resources
- Project-specific and cumulative impacts to biological resources
- Project-specific impacts to cultural resources
- Project-specific impacts related to hazards and hazardous materials
- Project-specific impacts related to hydrology and water quality
- Project-specific land use impacts
- Project-specific impacts related to utilities and energy conservation

The PEIR identified a number of mitigation measures to reduce the significant impacts that would result from the implementation of the Program. The mitigation measures were included as development standards and other regulations of Chapters 35 and 50 of the County Code, which are applied to commercial cannabis activities resulting from the Program. As shown in Section C of the State CEQA Guidelines § 15168(c)(4) checklist that was prepared for the Proposed Project, the Proposed Project would be subject to the applicable mitigation measures

that were included as development standards and other regulations of Chapters 35 and 50 of the County Code.

As stated above, the PEIR did not assume that there would be a cap or other limitation on activities or location. Therefore, although the PEIR did not predict the specific commercial cannabis applications on the properties located on and around the Proposed Project site, the programmatic analysis was broad enough to account for this pattern of development that has resulted from the Program. Furthermore, the concentration of commercial cannabis activities will not result in a new significant impact which was not disclosed in the PEIR. The cumulative impacts associated with aesthetics and visual resources, agricultural resources, air resources (including odors), noise, and traffic resulting from the Proposed Project and other proposed projects located within proximity to the Proposed Project site were discussed in the PEIR.

The proposed agricultural activities including outdoor cultivation, nursery, and processing are standard agricultural practices in the Lompoc region and the AG-II zone district. There is nothing unusual about the project site. The Proposed Project and project site have been reviewed by a County-approved archeologist, a County-approved biologist (Attachment C), a licensed Geologist (Attachment E), the Regional Water Quality Control Board, the California Department of Fish and Wildlife, County Fire, County Public Works, and County Environmental Health Services. Mitigation measures discussed in the PEIR, including implementation of a Lighting Plan, Landscape Screening Plan, Noise Plan, Site Transportation Demand Management Plan, Odor Abatement Plan, Water Efficiency Plan, and Wildlife Movement Plan, have been incorporated into the conditions of approval for the Proposed Project to ensure the Proposed Project will remain in compliance with the applicable mitigation measures designed to reduce project-level impacts. As such, the Proposed Project will not have any new impacts which were not discussed in the PEIR, because there is nothing unusual about the proposed development or the project site.

Therefore, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the PEIR was certified, which shows that the Proposed Project will have one or more significant effects not discussed in the PEIR.

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

As stated above, the Proposed Project consists of a cannabis activity that was analyzed as part of the Program studied in the PEIR. There are no unique features of the Proposed Project such that the Proposed Project could cause more severe impacts than shown in the PEIR. The PEIR analyzed the impacts of outdoor cultivation, nursery cultivation, and processing on AG-II zoned lots within the Lompoc region. As shown in Section C of the State CEQA Guidelines § 15168(c)(4) checklist that was prepared for the Proposed Project, the Proposed Project complies with the applicable mitigation measures.

Furthermore, the PEIR did not assume that there would be a cap or other limitation on activities or location. Although the PEIR did not predict the specific commercial cannabis applications on the properties located on and around the Proposed Project site, the programmatic analysis was broad enough to account for this pattern of development, and disclosed the corresponding impacts that would result.

Therefore, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the PEIR was certified, which shows that significant effects previously examined will be substantially more severe than shown in the PEIR.

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

There are no mitigation measures or alternatives previously found not to be feasible that would in fact be feasible and would substantially reduce one or more significant effects of the Proposed Project which are available at this time for the project proponents to consider.

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

There is no new information which was not known and could not have been known at the time the PEIR was certified that shows any mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR which would substantially reduce one or more significant effects on the environment. Further, the project applicant agrees to adopt all applicable mitigation measures as demonstrated by Section C.1 of the 15168(c)(4) Checklist hereby incorporated into this attachment. As stated above, the Proposed Project consists of a cannabis activity typical of that which was analyzed as part of the Program studied in the PEIR. The Proposed Project will comply with the applicable mitigation measures from the PEIR, including implementation of a Lighting Plan, Landscape and Screening Plan, Site Transportation Demand Management Plan, Noise Plan, Water Efficiency Plan, Odor Abatement Plan, and Wildlife Movement Plan.

Attachment B
Board of Supervisors Findings and Statement of Overriding Consideration for the Cannabis Land Use Ordinances

FINDINGS FOR APPROVAL AND STATEMENT OF OVERRIDING CONSIDERATION
CANNABIS LAND USE ORDINANCES
February 6, 2018

Case Nos. 17ORD-00000-00004, 17ORD-00000-00010, 17ORD-00000-0009, 18ORD-00000-0001, and 17EIR-00000-00003

1.0 CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

1.1 FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CEQA GUIDELINES SECTIONS 15090, 15091, AND 15163:

1.1.1 CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT

The Board of Supervisors (Board) find that the Final Programmatic Environmental Impact Report (EIR) (17EIR-00000-00003) dated December 2017, and EIR Revision Letter (RV 01), dated January 4, 2018, were presented to the Board and all voting members of the Board reviewed and considered the information contained in the EIR and its appendices and RV 01 prior to approving the project. In addition, all voting members of the Board have reviewed and considered testimony and additional information presented at, or prior to, its public hearings. The EIR, appendices, and RV 01 reflect the independent judgment and analysis of the Board and are adequate for this project. Attachments 7 and 8, of the Board letter, dated February 6, 2018, are incorporated herein by reference.

1.1.2 FULL DISCLOSURE

The Board finds and certifies that the EIR, appendices, and RV 01 constitute a complete, accurate, adequate, and good faith effort at full disclosure pursuant to CEQA. The Board further finds and certifies that the EIR, appendices, and RV 01 were completed in compliance with CEQA.

1.1.3 LOCATION OF RECORD OF PROCEEDINGS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101.

1.1.4 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) and 15097 require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The EIR has been prepared as a program EIR pursuant to CEQA Guidelines Section 15168. The degree of specificity in the EIR corresponds to the specificity of the general or program level policies of the project and to the effects that may be expected to follow from the adoption of the project.

A detailed Mitigation Monitoring and Reporting Program (MMRP) has been provided in Section 7.0 of the EIR, incorporated herein by reference, and all mitigation measures identified in the MMRP have been incorporated directly into the Cannabis Land Use Ordinance and Licensing Program as shown in Attachments 1, 2, 3, 6 and 13 of the Board letter dated February 6, 2018, incorporated herein by reference, and into the resolution and amendments to the Uniform Rules for Agricultural Preserves and Farmland Security Zones as shown in Attachment 5 of the Board letter dated February 6, 2018, incorporated herein by reference. To ensure compliance with adopted mitigation measures during implementation of Cannabis Land Use Ordinance and Licensing Program the County Land Use and Development Code (LUDC), Montecito Land Use and Development Code (MLUDC) and the Coastal Zoning Ordinance (CZO) amendments include requirements that future development projects comply with each policy, action, or development standard required by each adopted mitigation measure in the MMRP, as applicable to the type of proposed development. Therefore, the Board adopts the MMRP to comply with Public Resource Code Section 21081.6 and California Environmental Quality Act (CEQA) Guidelines Section 15097, and finds that the Cannabis Land Use Ordinance and Licensing Program's above referenced ordinance amendments in the LUDC, MLUCD, and CZO are sufficient for a monitoring and reporting program.

1.1.5 FINDINGS THAT CERTAIN UNAVOIDABLE IMPACTS[1] ARE MITIGATED TO THE MAXIMUM EXTENT FEASIBLE

The EIR (17EIR-00000-00003), its appendices, and EIR Revision Letter (RV 01), for the Cannabis Land Use Ordinance and Licensing Program identify several environmental impacts which cannot be fully mitigated and, therefore, are considered unavoidable (Class I). These impacts involve: agricultural resources; air quality and greenhouse gas emissions; noise; transportation and traffic; and aesthetic and visual resources. To the extent the impacts remain significant and unavoidable, such impacts are acceptable when weighed against the overriding social, economic, legal, technical, and other considerations set forth in the Statement of Overriding Considerations included herein. For each of these Class I impacts described in the EIR, feasible changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects to the maximum extent feasible, as discussed below. The Board letter, dated February 6, 2018, and its attachments are incorporated by reference.

Agricultural Resources

Impacts: The EIR identified significant project-specific and cumulative impacts related to the conversion of prime agricultural soils to a non-agricultural use or the impairment of agricultural land productivity (Impact AG-2).

[1] The discussion of impacts related to aesthetics and visual resources discussed in this section of these findings (below), addresses both the unavoidable cumulative impacts (Class I), as well as the project-specific impacts found to be significant but mitigable to a less-than-significant level (Class II), that are set forth in the EIR.

Mitigation: Mitigation Measure AG-2 requires that any new structures proposed for cannabis site development are sited on areas of the property that do not contain prime soils, to the maximum extent feasible. During the review of applications for cannabis site development, the County Planning and Development Department shall review the proposed location of any new structures proposed for cannabis-related structural development to ensure that they would avoid prime agricultural soils on-site. No other feasible mitigation measures are known that will further reduce impacts. Under a reasonable buildout scenario for cannabis related development, impacts to prime soils will remain significant and unavoidable.

Cumulative impacts to agricultural resources are mitigated to the maximum extent feasible with measure MM AG-2. Program approval would contribute to cumulative agricultural impacts associated with pending and future growth and development projects Countywide. The combined effect of cumulative development is anticipated to result in significant and unavoidable cumulative impacts to agricultural resources.

Findings: The Board finds that the feasible mitigation measure (MM AG-2) has been incorporated into the Cannabis Land Use Ordinance and Licensing Program to reduce the significant environmental effects identified in the EIR to the maximum extent feasible. This mitigation measure will be implemented during the review of entitlement applications for cannabis development, to mitigate project-specific and cumulative impacts to agricultural resources to the maximum extent feasible. However, even with this mitigation measure, impacts to agricultural resources (Impact AG-2) will remain significant and unavoidable. Therefore, the Board finds the Cannabis Land Use Ordinance and Licensing Program's residual impacts to agricultural resources are acceptable due to the overriding considerations discussed in the Statement of Overriding Considerations in Finding 1.1.8 below.

Air Quality and Greenhouse Gas Emissions

Impacts: The EIR identified significant project-specific and cumulative impacts related to air quality and greenhouse gas emissions from future cannabis activities that would be permitted if the Project is approved. Specifically, the EIR identified the following adverse and unavoidable effects: inconsistency with the Clean Air Plan (Impact AQ-1), traffic generated emissions (Impact AQ-3), inconsistency with the Energy and Climate Action Plan (Impact AQ-4), and exposure of sensitive receptors to objectionable odors (Impact AQ-5).

Mitigation: The EIR identifies two mitigation measures, MM AQ-3 and MM AQ-5 to reduce impacts associated with traffic-generated emissions and objectionable odors, respectively.

MM AQ-3 requires that cannabis Permittees implement feasible transportation demand management (TDM) measures that reduce vehicle travel to and from their proposed sites. Each Permittee must consider location, total employees, hours of operation, site access and transportation routes, and trip origins and destinations associated with the cannabis operation. Once these are identified, the Permittee is required to identify a range of TDM measures as feasible for County review and approval. No other feasible mitigation measures are known that will further reduce traffic-generated emissions impacts. Under a reasonable buildout

scenario for cannabis related development, impacts from traffic-generated emissions will not be fully mitigated and will remain significant and unavoidable.

MM AQ-5 requires that cannabis licensees implement feasible odor abatement plans (OAPs) consistent with Santa Barbara County Air Pollution Control District requirements and subject to the review and approval of the County. No other feasible mitigation measures are known that will further reduce odor impacts. Under a reasonable buildout scenario for cannabis-related development, impacts from objectionable odors will not be fully mitigated and will remain significant and unavoidable.

Cumulative impacts related to air quality and greenhouse gas emissions are mitigated to the maximum extent feasible with measures MM AQ-3 and MM AQ-5. Since the Project is inconsistent with the Clean Air Plan and the Energy and Climate Action Plan, and the County is anticipated to remain in non-attainment, the Project's contribution to cumulative air quality impacts would be cumulatively considerable and, therefore, significant and unavoidable (Class I).

Findings: The Board finds that feasible mitigation measures (MM AQ-3 and MM AQ-5) have been incorporated into the Cannabis Land Use Ordinance and Licensing Program to reduce the significant environmental effects identified in the EIR to the maximum extent feasible. These mitigation measures are implemented during project review to mitigate project-specific and cumulative impacts related to air quality and greenhouse gas emissions, to the maximum extent feasible. However, even with these mitigation measures, impacts related to inconsistency with the Clean Air Plan (Impact AQ-1), traffic generated emissions (Impact AQ-3), inconsistency with the Energy and Climate Action Plan (Impact AQ-4), and exposure of sensitive receptors to objectionable odors (Impact AQ-5), will remain significant and unavoidable. Therefore, the Board finds the Cannabis Land Use Ordinance and Licensing Program's residual impacts related to air quality and greenhouse gas emissions are acceptable due to the overriding considerations discussed in the Statement of Overriding Considerations in Finding 1.1.8 below.

Noise

Impacts: The EIR identified significant project-specific and cumulative impacts to sensitive receptors from long-term increases in noise from traffic on vicinity roadways (Impact NOI-2).

Mitigation: As discussed above in the summary of air quality impacts, MM AQ-3 would require cannabis Permittees to implement feasible TDM measures that reduce vehicle travel to and from their proposed sites, subject to the review and approval of the County. No other feasible mitigation measures are known that will further reduce impacts. Under a reasonable buildout scenario for cannabis-related development, impacts to sensitive receptors from long-term noise increases from Project traffic will not be fully mitigated and will remain significant and unavoidable.

Cumulative impacts to sensitive receptors from traffic-generated noise are mitigated to the maximum extent feasible with measure MM AQ-3.The Project has the potential to contribute to cumulative noise impacts from roadway noise effects on ambient noise levels in the County. Combined with other development, increased vehicle trips could increase congestion and daily travel on roadways in rural areas that experience relatively minimal traffic noise. As the Project's contribution would be cumulatively considerable, even with implementation of MM AQ-3 to require reduced employee trips through TDM measures, cumulative impacts from the Project would be significant and unavoidable.

Findings: The Board finds that the feasible mitigation measure (MM AQ-3) has been incorporated into the Cannabis Land Use Ordinance and Licensing Program to reduce the significant environmental effects identified in the EIR, to the maximum extent feasible. This mitigation measure will be implemented during the review of entitlement applications for cannabis activities, in order to mitigate project-specific and cumulative impacts to sensitive receptors from traffic generated noise, to the maximum extent feasible. However, even with this mitigation measure, noise impacts related to long-term noise increases (Impact NOI-2) will remain significant and unavoidable. Therefore, the Board finds the Cannabis Land Use Ordinance and Licensing Program's residual noise impacts are acceptable due to the overriding considerations discussed in the Statement of Overriding Considerations in Finding 1.1.8 below.

Transportation and Traffic

Impacts: The EIR identified significant project-specific and cumulative impacts related to transportation and traffic from future cannabis activities that would be permitted if the Project is approved. The following adverse and unavoidable effects were identified: increases of traffic and daily vehicle miles of travel that affect the performance of the existing and planned circulation system (Impact TRA-1), and adverse changes to the traffic safety environment (Impact TRA-2).

Mitigation: The EIR identifies two mitigation measures, MM AQ-3 and MM TRA-1, to reduce impacts associated with traffic.

As discussed above in the summary of air quality impacts, MM AQ-3 would require cannabis Permittees to implement feasible TDM measures that reduce vehicle travel to and from their proposed sites, subject to the review and approval of the County. No other feasible mitigation measures are known that will further reduce these traffic impacts. Under a reasonable buildout scenario for cannabis-related development, impacts from traffic will not be fully mitigated and will remain significant and unavoidable.

MM TRA-1 requires that cannabis Permittees pay into the County's existing Development Impact Mitigation Fee Program, at an appropriate level (e.g., Retail Commercial and Other Nonresidential Development) in effect at the time of permit issuance for the County and Goleta and Orcutt Planning Areas to improve performance of the circulation system. No other feasible mitigation measures are known that will further reduce these traffic impacts. Under a

reasonable buildout scenario for cannabis related development, impacts from traffic will not be fully mitigated and will remain significant and unavoidable.

Cumulative impacts related to traffic would be mitigated to the maximum extent feasible with measures MM AQ-3 and MM TRA-1. The Project's contribution to cumulative changes in the transportation environment as a result of generation of new vehicle trips could still result in exceedances of acceptable road segment or intersection Level of Service, as well as inconsistency with the Regional Transportation Plan-Sustainable Communities Strategy. Therefore, the proposed Project would make a cumulatively considerable contribution to a significant cumulative traffic impact, and impacts are considered significant and unavoidable.

Findings: The Board finds that feasible mitigation measures (MM AQ-3 and MM TRA-1) have been incorporated into the Cannabis Land Use Ordinance and Licensing Program to reduce the significant environmental effects identified in the EIR, to the maximum extent feasible. These mitigation measures will be implemented during the review of entitlement applications for cannabis activities in order to mitigate project-specific and cumulative impacts related to traffic, to the maximum extent feasible. However, even with these mitigation measures, increases of traffic and daily vehicle miles of travel that affect the performance of the existing and planned circulation system (Impact TRA-1) and adverse changes to the traffic safety environment (Impact TRA-2) would remain significant and unavoidable. Therefore, the Board finds the Cannabis Land Use Ordinance and Licensing Program's residual impacts related to traffic are acceptable due to the overriding considerations discussed in the Statement of Overriding Considerations in Finding 1.1.8 below.

Aesthetics/Visual Resources

Impacts: Although the EIR identifies that project-specific impacts to County scenic resources would be mitigated to a less-than-significant level, it also found that Project-related future development in combination with other County projects and plans would contribute considerably to aesthetic and visual impacts. Thus, potential cumulative impacts resulting from changes to scenic resources and existing character would be significant and unavoidable.

Mitigation: Mitigation Measure MM AV-1 would reduce direct visual impacts associated with hoop structures and ancillary development for cannabis cultivation, such as fencing, by requiring appropriate screening in compliance with the land use entitlement (e.g., LUP, CDP, or CUP) that would be required for the cannabis operation. To the maximum extent feasible, screening for cannabis cultivation sites shall consist of natural barriers and deterrents to enable wildlife passage, prevent trespass from humans, and shall be visually consistent, to the maximum extent possible, with surrounding lands. Screening requirements would be set forth in the conditions of, and on the plans related to, the entitlement for the cannabis operation. While project-specific impacts to aesthetics/visual resources will be less-than-significant (Class II) with implementation of this mitigation measure, cumulative impacts would remain significant and unavoidable (Class I).

Findings: The Board finds that the feasible mitigation measure (MM AV-1) has been incorporated into the Cannabis Land Use Ordinance and Licensing Program to reduce the significant environmental effects identified in the EIR, to the maximum extent feasible. This mitigation measure will be implemented during the review of entitlement applications for cannabis operations in order to mitigate project-specific impacts to a less-than-significant level. However, even with this mitigation measure, the Project's contribution to significant cumulative visual impacts would remain cumulatively considerable, and would be significant and unavoidable. Therefore, the Board finds the Cannabis Land Use Ordinance and Licensing Program's residual cumulative impacts to aesthetic and visual resources are acceptable due to the overriding considerations discussed in the Statement of Overriding Considerations in Finding 1.1.8 below.

1.1.6 FINDINGS THAT CERTAIN IMPACTS ARE MITIGATED TO INSIGNIFICANCE BY MITIGATION MEASURES

The EIR (17EIR-00000-00003), its appendices, and EIR Revision Letter (RV 01), for the Cannabis Land Use Ordinance and Licensing Program, identify several subject areas for which the project is considered to cause or contribute to significant, but mitigable environmental impacts (Class II). For each of these Class II impacts identified by the EIR, feasible changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect, as discussed below.

Aesthetics/Visual Resources
As discussed in Section 1.1.4 of these findings (above), the EIR identified potentially significant but mitigable project-specific impacts to County scenic resources from development associated with cannabis cultivation (Impact AV-1). The Board finds that implementation of MM AV-1 would reduce the significant project-specific environmental effects related to aesthetic and visual resources (Impact AV-1) to a less-than-significant level (Class II).

Agricultural Resources
Impacts: The EIR identified potentially significant but mitigable project-specific impacts as a result of potential land use incompatibility from manufacturing and distribution uses on agriculturally zoned lands (Impact AG-1).

Mitigation: MM AG-1 would require cannabis Permittees for manufacturing or distribution on lands designated for agricultural use (e.g., AG-I and AG-II), to cultivate cannabis on-site and have approval for a cultivation license. The requirement would specify that non-cultivation activities must be clearly ancillary and subordinate to the cultivation activities on-site so that the majority of cannabis product manufactured and/or distributed from a cannabis site is sourced from cannabis plant material cultivated on the same site. The requirement would also specify that the accessory use must occupy a smaller footprint than the area dedicated to cannabis cultivation. Further, the requirement would apply to microbusiness licenses (Type

12) to ensure that proposed manufacturing or distribution would be ancillary and subordinate to the proposed cultivation area.

Findings: The Board finds that MM AG-1 has been incorporated into the Cannabis Land Use Ordinance and Licensing Program. The Board finds that implementation of MM AG-1 will reduce the significant project-specific environmental effects related to incompatibility with existing zoning for agricultural uses (Impact AG-1) to a less-than-significant level (Class II).

Biological Resources

Impacts: The EIR identified the following potentially significant but mitigable project-specific impacts from future cannabis activities: adverse effects on unique, rare, threatened, or endangered plant or wildlife species (Impact BIO-1); adverse effects on habitats or sensitive natural communities (Impact BIO-2); adverse effects on the movement or patterns of any native resident or migratory species (Impact BIO-3); and conflicts with adopted local plans, policies, or ordinances oriented towards the protection and conservation of biological resources (Impact BIO-4).

Mitigation: The EIR identifies several mitigation measures that would reduce potentially significant impacts to a less-than-significant level.

MM BIO-1a would require applicants who apply for a cannabis permit for a site that would involve pruning, damage, or removal of a native tree or shrub, to submit a Tree Protection Plan (TPP) prepared by a County-approved arborist/biologist. The TPP would set forth specific avoidance, minimization, or compensatory measures, as necessary, given site-specific conditions and the specific cannabis operation for which the applicant would be requesting a permit.

MM BIO-1b would require applicants who apply for a cannabis permit for a site that would involve clearing of sensitive native vegetation, to submit a Habitat Protection Plan (HPP) prepared by a County-approved biologist. The HPP would set forth specific avoidance, minimization, or compensatory measures, as necessary, given site-specific conditions and the specific cannabis operation for which the applicant would be requesting a permit.

MM BIO-3, Wildlife Movement Plan, would be required for outdoor cultivation sites that would include fencing. The Wildlife Movement Plan would analyze proposed fencing in relation to the surrounding opportunities for migration, identify the type, material, length, and design of proposed fencing, and identify non-disruptive, wildlife-friendly fencing, such as post and rail fencing, wire fencing, and/or high-tensile electric fencing, to be used to allow passage by smaller animals and prevent movement in and out of cultivation sites by larger mammals, such as deer. Any required fencing would also have to be consistent with the screening requirements outlined in MM AV-1, which is discussed in these findings (above).

MM HWR-1 would require applicants for cultivation permits to provide evidence of compliance with the State Water Resources Control Board (SWRCB) requirements (or

certification by the appropriate Water Board stating a permit is not necessary). The SWRCB has drafted a comprehensive Cannabis Cultivation Policy which includes principles and guidelines for cannabis cultivation within the state. The general requirements and prohibitions included in the draft policy address a wide range of issues, from compliance with state and local permits to riparian setbacks. The draft general order also includes regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants, and fertilizers.

Findings: The Board finds that MM BIO-1a, MM BIO-1b, MM BIO-3, and MM HWR-1 have been incorporated into the Cannabis Land Use Ordinance and Licensing Program. The Board finds that implementation of MM BIO-1a, MM BIO-1b, MM BIO-3, and MM HWR-1 would reduce the significant project-specific environmental effects related to biological resources (Impacts BIO-1, BIO-2, BIO-3, and BIO-4) to a less-than-significant level (Class II).

In addition, the Board finds that implementation of MM BIO-1a, MM BIO-1b, MM BIO-3, and MM HWR-1 would reduce the Project's contribution to significant, cumulative impacts to biological resources, such that the Project would not make a cumulatively considerable contribution and, therefore, the Project's contribution to cumulative impacts to biological resources would be less-than-significant with mitigation (Class II).

Cultural Resources

Impacts: The EIR identified potentially significant but mitigable impacts to historical resources (Impact CR-1) as well as to archaeological resources, tribal cultural resources, human remains, or paleontological resources (Impact CR-2) from future cannabis activities.

Mitigation: The EIR identifies two mitigation measures that would reduce potentially significant impacts to a less-than-significant level.

MM CR-1 would require cannabis licensees to preserve, restore, and renovate onsite structures consistent with the requirements of CEQA and the County Cultural Resources Guidelines. This mitigation measure requires an applicant for a cannabis permit to retain a qualified historian to perform a Phase I survey, and if necessary, a Phase II significance assessment and identify appropriate preservation and restoration/renovation activities for significant onsite structures in compliance with the provisions of the most current County Cultural Resources Guidelines.

MM CR-2 would require a Phase I archaeological and paleontological survey in compliance with the provisions of the County Cultural Resources Guidelines for areas of proposed ground disturbance. If the cannabis development has the potential to adversely affect significant resources, the applicant would be required to retain a Planning and Development Department-approved archaeologist to prepare and complete a Phase II subsurface testing program in coordination with the Planning and Development Department. If the Phase II program finds that significant impacts may still occur, the applicant would be required to retain a Planning and Development Department-approved archaeologist to prepare and complete a Phase III

proposal for data recovery excavation. All work would be required to be consistent with County Cultural Resources Guidelines. The applicant would be required to fund all work.

Findings: The Board finds that the feasible MM CR-1 and MM CR-2 have been incorporated into the Cannabis Land Use Ordinance and Licensing Program. The Board finds that implementation of MM CR-1 and MM CR-2 would reduce the significant project-specific effects related to cultural resources (Impacts CR-1 and CR-2) to a less-than-significant level (Class II).

Hydrology and Water Resources

Impacts: The EIR identified potentially significant but mitigable impacts to surface water quality (Impact HWR-1) as well as groundwater quality (Impact HWR-2) from future cannabis activities.

Mitigation: MM HWR-1 would require applicants for cultivation licenses to provide evidence of compliance with the SWRCB requirements (or certification by the Regional Water Quality Control Board stating that a permit is not necessary). The SWRCB has drafted a comprehensive Cannabis Cultivation Policy which includes principles and guidelines for cannabis cultivation within the state. The general requirements and prohibitions included in the draft policy address a wide range of issues, from compliance with state and local permits to riparian setbacks. The draft general order also includes regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants, and fertilizers.

Findings: The Board finds that the feasible MM HWR-1 has been incorporated into the Cannabis Land Use Ordinance and Licensing Program. The Board finds that implementation of MM HWR-1 would reduce the significant project-specific effects related to surface water quality (Impact HWR-1) and groundwater quality (Impact HWR-2) to a less-than-significant level (Class II).

Land Use

Impacts: The EIR identified potentially significant but mitigable impacts related to conflicts with an applicable land use plan, policy, or regulation, specifically with regard to conflicts with public land uses (Impact LU-1).

Mitigation: MM LU-1 would establish a regulation prohibiting cannabis activities on publicly owned lands within the County.

Findings: The Board finds that the feasible MM LU-1 has been incorporated into the Cannabis Land Use Ordinance and Licensing Program. The Board finds that implementation of MM LU-1 would reduce the significant project-specific effects related to conflicts with uses on public lands (Impact LU-1) to a less-than-significant level (Class II).

Utilities and Energy Conservation
Impacts: The EIR identified potentially significant but mitigable impacts related to increased demand for new energy resources (Impact UE-2) from future cannabis activities.

Mitigation: The EIR identifies several mitigation measures that would reduce potentially significant impacts to a less-than-significant level.

MM UE-2a would require cannabis licensees to implement energy conservation best management practices to the maximum extent feasible. This would include the use of renewable energy sources and energy efficient development and operations.

MM UE-2b would require that cannabis licensees participate in a Regional Renewable Choice (RRC) program, Green Rate program, Community Renewable program, or similar equivalent renewable energy program, if feasible.

MM UE-2c would encourage cannabis Permittees to participate in the Smart Build Santa Barbara (SB2) Program as part of the permit review process. This measure would ensure that Permittees receive direction on feasible energy conservation measures, incentives, or other energy-saving techniques.

Findings: The Board finds that the MM UE-2a, MM UE-2b, and MM UE-2c have been incorporated into the Cannabis Land Use Ordinance and Licensing Program. The Board finds that implementation of MM UE-2a, MM UE-2b, and MM UE-2c would reduce the significant project-specific effects related to increased demand for new energy resources (Impact UE-2) to a less-than-significant level (Class II).

1.1.7 FINDINGS THAT IDENTIFIED PROJECT ALTERNATIVES ARE NOT FEASIBLE

The EIR (17EIR-00000-00003) evaluated a no project alternative and three additional alternatives (Alternative 1 - Exclusion of Cannabis Activities from the AG-I Zone District, Alternative 2 - Preclusion of Cannabis Activities from Williamson Act Land, and Alternative 3 - Reduced Registrants) as methods of reducing or eliminating significant environmental impacts. The Board letter, dated February 6, 2018, and its attachments are incorporated by reference. The Board finds that the identified alternatives are infeasible for the reasons stated.

1. No Project Alternative

The No Project Alternative addresses the potential environmental impacts that could result if the proposed Project is not adopted and the mitigation measures of the Project are not implemented. Under the No Project Alternative, the direct impacts associated with licensing of an expanded cannabis industry would not occur. However, this alternative would not address unregulated and illegal cannabis activities, and would not offer an avenue for licensing and permitting. Thus, it is likely that illegal cannabis activities would continue to

exist. Under the No Project Alternative, existing County law enforcement would continue on a primarily response-to-complaints and call-for-service basis. Over the more than three decades of local, state and federal law enforcement activities cannabis cultivation and related activities have not been eradicated. Even with local, state, and federal participation in cannabis law enforcement, as well as pending state-level regulations and programs developed from MAUCRSA, the illicit cultivation and sale of cannabis in California and the County would likely continue to be a major illicit business. Therefore, there would be no orderly development, nor oversight of cannabis activities within the County, with potential for expanded illegal activities.

Under the No Project Alternative, aesthetic/visual and agricultural resource impacts would likely be reduced. However, potential impacts related to air quality, biology, cultural resources, geology and soils, hazards, hydrology, land use, public services, transportation, and utilities/energy would be more severe under the No Project Alternative.

The No Project Alternative fails to achieve the objectives of the project. Therefore, the Board finds that the project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) is preferable to the No Project Alternative.

2. Alternative 1: Exclusion of Cannabis Activities from the AG-I Zone District

Under Alternative 1 - the Exclusion of Cannabis Activities from the AG-I Zone District, cannabis-related activities would not be allowed within the AG-I zone districts throughout the County. This would reduce the areas of eligibility in the County, particularly within the Carpinteria Valley and the Santa Ynez Valley. Alternative 1 would reduce the total amount of eligible area and sites as compared to the proposed Project, and would require substantial relocation or abandonment of existing cannabis operations. Existing cultivators would need to find locations within the reduced area of eligibility.

The classification of all impacts under Alternative 1 would be similar to those under the proposed Project, including significant and unavoidable impacts to agricultural resources; air quality and greenhouse gas emissions; noise; and transportation and traffic. Adoption of Alternative 1 would achieve most of the Project objectives, which include regulating cannabis activities within the County including: providing an efficient and clear cultivation and manufacturing permit process and regulations; and regulating sites and premises to avoid degradation of the visual setting and neighborhood character, odors, hazardous materials, and fire hazards. However, adoption of Alternative 1 would not achieve Project objectives related to development of a robust and economically viable legal cannabis industry (Objective 1), encouraging businesses to operate legally and secure a license to operate in full compliance with County and state regulations (Objective 4), and minimization of adverse effects of cultivation and manufacturing and distribution activities on the natural environment (Objective 6).

Although this alternative would be consistent with some of the objectives of the Proposed Project, it would not adequately meet Objectives 1, 4, and 6. As such, it has been found infeasible for social, economic and other reasons. The Board finds that the project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) is preferable to Alternative 1.

3. Alternative 2: Preclusion of Cannabis Activities from Williamson Act Land

Alternative 2 considers environmental impacts under a modified set of licensing regulations that would reduce the area of eligibility on lands that are subject to a Williamson Act contract in the County where licenses may be issued for cannabis cultivation activities. Under Alternative 2, cannabis activities would not count towards the minimum cultivation requirements to qualify for an agricultural preserve contract pursuant to the Williamson Act; however, cannabis activities would be considered compatible uses on lands that are subject to agricultural preserve contracts. Cannabis cultivation activities would be limited to a maximum of 22,000 square feet of cannabis canopy cover for each Williamson Act contract premises. Agricultural use data for commercial production and reporting that would be used to determine compliance with minimum productive acreage and annual production value requirements would not include cannabis activities.

This alternative would result in limiting the potential for cannabis activities on over 50 percent of eligible County area, and would eliminate hundreds of potential cannabis operations from occurring on Williamson Act lands. As compared to the proposed Project, the approximate total area of eligibility for manufacturing and distribution would be reduced while retail sales and testing area would remain about the same.

Adoption of Alternative 2 would achieve some of the Project objectives which include regulating commercial cannabis cultivation, manufacturing, and distribution activities within the County, providing an efficient and clear cultivation and manufacturing permit process and regulations, and regulating sites and premises to avoid degradation of the visual setting and neighborhood character, odors, hazardous materials, and fire hazards. However, Alternative 2 would not reduce any significant impacts to a less-than-significant level. Moreover, adoption of this alternative would not achieve some of the basic Project objectives, including those related to development of a robust and economically viable legal cannabis industry (Objective 1), encouraging businesses to operate legally and secure a license to operate in full compliance with County and state regulations (Objective 4), and minimization of adverse effects of cultivation and manufacturing and distribution activities on the natural environment (Objective 6).

Although this alternative would be consistent with some of the objectives of the Proposed Project, it would not adequately meet Objectives 1, 4, and 6. As such, it has been found infeasible for social, economic, and other reasons. The Board finds that the project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) is preferable to Alternative 2.

4. Alternative 3: Reduced Registrants

Under the Reduced Registrants Alternative, the total number of licenses issued by the County would consist of half of the number of each category of licenses that were indicated as part of the 2017 Cannabis Registry. This would restrict the County to issuing a total of 962 licenses (50 percent of the 1,924 identified), which would subsequently limit the representative buildout of the Project analyzed in the EIR by a commensurate 50 percent. Existing operators identified in the 2017 Cannabis Registry would be prioritized for licensing under this alternative, which would substantially reduce the net new buildout, while allowing for limited growth.

Alternative 3 would result in substantial reductions in the severity of most impacts compared to the Project, and would reduce significant and unavoidable impacts to agricultural resources to a less-than-significant level. However, it would not achieve the most basic Project objectives, including those related to development of a robust, economically viable, and legal cannabis industry (Objective 1), and encouraging businesses to operate legally and secure a license to operate in full compliance with County and state regulations (Objective 4).

Although this alternative would be consistent with some of the objectives of the Proposed Project, it would not adequately meet Objectives 1 and 4. As such, it has been found infeasible for social, economic and other reasons. The Board finds that the project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) is preferable to Alternative 3.

1.1.8 STATEMENT OF OVERRIDING CONSIDERATIONS

The Board makes the following Statement of Overriding Considerations: The Cannabis Land Use and Licensing Program EIR (17EIR-00000-00003) found that impacts related to agricultural resources, air quality and greenhouse gas emissions, noise, transportation and traffic, and aesthetic and visual resources (cumulative) will remain significant and unavoidable (Class I). The Board has balanced "the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits" of the project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) against these effects and makes the following Statement of Overriding Considerations, which warrants approval of the project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) notwithstanding that all identified adverse environmental effects are not fully avoided or substantially lessened [CEQA Guidelines Section 15093(a)]. The Board finds that the benefits of the "proposed project outweigh the unavoidable adverse environmental effects," and therefore, "the adverse environmental effects may be considered 'acceptable'" [CEQA Guidelines Section 15093(a)].

Each of the reasons for approval cited below is a separate and independent basis that justifies approval of the Cannabis Land Use Ordinance and Licensing Program. Thus, even if a court

were to set aside any particular reason or reasons, the Board finds that it would stand by its determination that each reason, or any combinations of reasons, is a sufficient basis for approving the project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) notwithstanding the significant and unavoidable impacts that may occur. The substantial evidence supporting the various benefits can be found in the other Findings for Approval set forth in this document, the EIR, and in the Record of Proceedings, including, but not limited to, public comment received at the numerous public hearings listed in the incorporated Board letter dated February 6, 2018.

Pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines Sections 15043, 15092, and 15093, any unavoidable adverse environmental effects of the project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) are acceptable due to the following environmental benefits and overriding considerations:

A. The project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) provides for a robust and economically viable legal cannabis industry to ensure production and availability of high quality cannabis products to help meet local demands, and, as a public benefit, improves the County's tax base. For a detailed discussion of the economic viability, see the Fiscal Analysis of the Commercial Cannabis Industry in Santa Barbara County, prepared by Hdl Companies and dated October 31, 2017 and incorporated herein by reference:

   https://santabarbara.legistar.com/View.ashx?M=F&ID=5685428&GUID=E6A9F289-B740-40DC-A302-B4056B72F788

B. The project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) enhances the local economy and provides opportunities for future jobs, business development, and increased living wages. Moreover, the project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) promotes continued agricultural production as an integral part of the region's economy by giving existing farmers access to the potentially profitable cannabis industry, which in turn would provide relief for those impacted by competition from foreign markets and rising costs of water supply.

C. The project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) expands the production and availability of medical cannabis, which is known to help patients address symptoms related to glaucoma, epilepsy, arthritis, and anxiety disorders, among other illnesses.

D. The project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) allows for the orderly development and oversight of commercial cannabis activities by applying development standards that

require appropriate siting, setbacks, security, and nuisance avoidance measures, thereby protecting public health, safety, and welfare.

E. The project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) provides a method for commercial cannabis businesses to operate legally and secure a permit and license to operate in full compliance with County and state regulations, maximizing the proportion of licensed activities and minimizing unlicensed activities. Minimization of unlicensed activities will occur for two reasons. First, the County will be providing a legal pathway for members of the industry to comply with the law. Secondly, the County will use revenue from the project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) to strengthen and increase code enforcement actions in an effort to remove illegal and noncompliant operations occurring in the County unincorporated areas.

F. The project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) establishes land use requirements for commercial cannabis activities to minimize the risks associated with criminal activity, degradation of neighborhood character, groundwater basin overdraft, obnoxious odors, noise nuisances, hazardous materials, and fire hazards.

G. The project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) minimizes the potential for adverse impacts on children and sensitive populations by imposing appropriate setbacks and ensuring compatibility of commercial cannabis activities with surrounding existing land uses, including residential neighborhoods, agricultural operations, youth facilities, recreational amenities, and educational institutions. For detailed discussions on compatibility, see Section 3.9, *Land Use and Planning*, in the EIR, incorporated herein by reference, as well as the other Findings for Approval in this document.

H. The project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) provides opportunities for local testing labs that protect the public by ensuring that local cannabis supplies meet product safety standards established by the State of California.

I. The project (as modified by incorporation of EIR mitigation measures, and additional development standards shown in RV 01) protects agricultural resources, natural resources, cultural resources, and scenic resources by limiting where cannabis activities can be permitted and by enacting development standards that would further avoid or minimize potential impacts to the environment.

2.0 ADMINISTRATIVE FINDINGS FOR CANNABIS LAND USE ORDINANCES

In compliance with Section 35.104.060.A (Findings for Comprehensive Plan, Development Code and Zoning Map Amendments) of the Santa Barbara LUDC the Board shall make the

findings below in order to approve a text amendment to the County Land Use and Development Code (LUDC).

The findings to approve a text amendment to the County's certified Local Coastal Program are set forth in Section 35-180.6 (Findings Required for Approval of Rezone or Ordinance Amendment) of the Coastal Zoning Ordinance (CZO). In compliance with Chapter 2, Administration, Article V, Planning and Zoning, Section 2-25.2, Powers and Duties, the Board shall make the following findings in order to approve the text amendment to the CZO.

In compliance with Section 35.494.050 (Action on Amendment) of the Montecito Land Use and Development Code (MLUDC), the Board shall make the following findings in order to approve the text amendment to the MLUDC.

2.1 The request is in the interests of the general community welfare.

The proposed ordinance amendments are in the interest of the general community welfare since the amendments will serve to (1) define new land uses associated with cannabis activities (2) indicate those zones that allow the Cannabis land uses, and (3) set forth development standards for various permitted commercial cannabis activities to avoid compromising the general welfare of the community, as analyzed in the Board letter, dated February 6, 2018, which is hereby incorporated by reference.

2.2 The request is consistent with the County Comprehensive Plan, the requirements of state planning and zoning laws, and the LUDC, CZO, and MLUDC.

Adoption of the proposed ordinances, as analyzed in the Board letter, dated February 6, 2018, which is hereby incorporated by reference, will provide more effective implementation of the State planning and zoning laws by revising the LUDC, CZO, and MLUDC to provide clear zoning standards that will benefit the public, consistent with the state licensing program for the cannabis industry. The proposed ordinances: define the uses associated with commercial cannabis activities; identify the zones in which cannabis land uses would be prohibited; and set forth a number of development standards and other requirements that would apply to personal cultivation, in order to avoid or otherwise minimize adverse effects from cannabis activities. The proposed ordinances would be consistent with the adopted policies and development standards of the Comprehensive Plan, including the Community Plans. The proposed ordinance amendments are also consistent with the remaining portions of the LUDC, CZO, and MLUDC that these ordinance amendments would not be revising. Therefore, the proposed ordinance amendments would be consistent with the Comprehensive Plan including the Community Plans, the requirements of State Planning and Zoning Laws, and the LUDC, CZO, and MLUDC.

2.3 The request is consistent with good zoning and planning practices.

The proposed ordinances, as analyzed in the Board letter, dated February 6, 2018, which are hereby incorporated by reference, clearly and specifically address personal cultivation and commercial cannabis activities within the unincorporated area of Santa Barbara County. The ordinances are consistent with sound zoning and planning practices to regulate land uses for

the overall protection of the environment and community values since it provides for clear direction regarding where cannabis land uses are allowed and prohibited, which serves to minimize potential adverse impacts to the surrounding area. As discussed in Finding 2.2, above, the amendments are consistent with the Comprehensive Plan, including the Community Plans, LUDC, CZO and MLUDC. Therefore, the proposed ordinances are consistent with sound zoning and planning practices to regulate land uses.

3.0 ADMINISTRATIVE FINDINGS FOR AMENDMENTS TO ARTICLE X (CASE NO. 18ORD-00000-00001)

In compliance with Section 35.104.060.A (Findings for Comprehensive Plan, Development Code and Zoning Map Amendments) of the Santa Barbara LUDC the Board shall make the findings below in order to approve the amendment and partial rescission of Article X, Medical Marijuana Regulations, of Chapter 35, Zoning, of the Santa Barbara County Code (Case no. 18ORD-00000-00001).

3.1 The request is in the interests of the general community welfare.

The proposed ordinance to amend and partially rescind Article X is in the interest of the general community welfare since it will:

- Maintain the amortization of Legal Nonconforming medical marijuana operations as established by the Board in November of 2017.
- Clarify the timing of the amortization periods for Legal Nonconforming medical marijuana operations, thereby providing certainty to the operators and the public alike regarding the status of the operations.
- Rescind the existing prohibition against medical marijuana cultivation upon the operative dates of the Cannabis Land Use Ordinances (Case Nos. 17ORD-00000-00004, -00009, -00010), thereby ensuring that the new regulations are not in conflict with existing regulations.
- Rescind the entirety of Article X upon the termination of Legal Nonconforming uses, thereby removing obsolete regulations.

3.2 The request is consistent with the County Comprehensive Plan, the requirements of state planning and zoning laws, and the LUDC and CZO.

Adoption of the proposed ordinance, as analyzed in the Board letter, dated February 6, 2018, which is hereby incorporated by reference, will ensure that the provisions in Article X are consistent with the new regulations in the LUDC, CZO, and MLUDC should the Board adopt the Cannabis Land Use Ordinances (Case Nos. 17ORD-00000-00004, -00009, -00010). The amended Article X would be consistent with the adopted policies and development standards of the Comprehensive Plan, including the Community Plans. Together with the Cannabis Land Use Ordinances, the amended Article X will allow for more effective implementation of the State planning and zoning laws by ensuring consistency with the new State licensing program for the cannabis industry. Therefore, the proposed ordinance amendments would be

consistent with the Comprehensive Plan including the Community Plans, the requirements of State Planning and Zoning Laws, and the LUDC, CZO and MLUDC.

3.3 The request is consistent with good zoning and planning practices.

The proposed amendments to Article X are consistent with sound zoning and planning practices since they will ensure that there is no conflict between the new cannabis regulations and the existing medical marijuana regulations. Moreover, the amendments provide a clear timeframe for the termination of Legal Nonconforming uses for medical marijuana cultivation. Finally, the amendments provide for Article X to be rescinded entirely once Legal Nonconforming medical marijuana operations are terminated and the separate medical marijuana regulations are no longer necessary. Thus, the proposed amendments are consistent with sound zoning and planning practices to regulate land uses.

4.0 AMENDMENT TO THE UNIFORM RULES FINDINGS (Case No. 17ORD-00000-00019)

4.1 The request is in the interests of the general community welfare.

The proposed amendment to the Uniform Rules would limit the amount and types of cannabis activities that would be permitted on Williamson Act lands. This is in the interests of the general community welfare because the preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state's economic resources, and also for the assurance of adequate, healthful, and nutritious food for residents of the state and the nation. The amendment would also specify that cannabis activities are not compatible with Williamson Act contracts for open space or Williamson Act contracts for recreation, thereby ensuring the continued protection of scenic, biological and recreational resources in those preserves.

4.2 The request is consistent with the County Comprehensive Plan, the requirements of state planning and zoning laws, and the LUDC and CZO.

The amendment of the Uniform Rules, as analyzed in the Board letter, dated February 6, 2018, which is hereby incorporated by reference, would be consistent with the adopted policies and development standards of the Comprehensive Plan, including the Land Use and Agricultural Elements. The Agricultural Element contains goals and policies which require the protection of agriculture lands, the reservation of prime soils for agricultural uses, and the preservation of a rural economy. The amendment would limit the types and amounts of cannabis activities that would be permitted on Williamson Act lands. It would also specify that some cannabis activities, including cultivation, are compatible with the agricultural uses on Williamson Act lands, thereby ensuring consistency with the Cannabis Land Use Ordinances (Case Nos. 17ORD-00000-00004, -00010).

4.3 The request is consistent with good zoning and planning practices.

The Agricultural Preserve Advisory Committee (APAC) held three hearings on the matter of cannabis activities to be permitted on Williamson Act lands. At the hearings, public input was received and information such as current zoning and planning practices, assessor policies and procedures, potential environmental impacts, and approaches taken by other counties was discussed. The purpose of agricultural preserve program and uniform rules was also discussed

as a factor in making a recommendation to the Board. APAC recommended the proposed amendments to the Uniform Rules on December 1, 2017, with particular consideration given to applying good zoning/planning practices while preserving agricultural and open space land in the County. As also stated under 4.2 above, the proposed Uniform Rules amendment is consistent with all applicable policies of the Comprehensive Plan and Land Use and Development Code.

Attachment C
Biological Resources Assessment (BRA)
David N. Lee Consulting, July 30, 2021

BIOLOGICAL RESOURCES ASSESSMENT
NOJOQUI FARMS (APN 083-430-014)
1889 HWY 101, BUELLTON, SANTA BARBARA COUNTY
19LUP-00000-00530

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July 30, 2021 (revised)

BIOLOGICAL RESOURCES ASSESSMENT
NOJOQUI FARMS (APN 083-430-014)
1889 HWY 101, BUELLTON, SANTA BARBARA COUNTY
19LUP-00000-00530

Table of Contents

1.0 Executive Summary

This Biological Resources Assessment describes special status habitats, plants and wildlife on a 53-acre parcel located along Highway 101, at 1889 Highway 101 Buellton, CA 93427, **19LUP-00000-00530**, APN 083-430-014 located approximately 4 miles south of Buellton, CA within Santa Barbara County. The property is zoned AG-II-40.

The proposed cannabis cultivation activities will occur on a 53-acrea parcel. The "**Project Area**" is approximately 26.71 acres of outdoor cannabis cultivation proposed within a historically cultivated footprint. No new areas of ground disturbance or vegetation clearing are proposed. The Project Area is located in an agricultural fields which have been under continuous cultivation for at least 26 years (Google Earth, 2020).

Important biological resources on and surrounding the Project area were identified, including Nojoqui Creek on the western property border. Nojoqui Creek and its riparian habitat have the potential to support several special status species, including California red-legged frog (*Rana draytonii*), Southwestern pond turtle (*Emys marmorata*), Steelhead (*Oncorhynchus mykiss irideus pop. 10),* Least Bell's vireo (*Vireo bellii pusillus*), southwestern willow flycatcher (*Empidonax traillii* extimus) and tricolored blackbird (*Agelaius tricolor).* Consultation with USFWS regarding California red-legged frog was initiated on March 3, 2021 and is in progress.

Direct, indirect and cumulative impacts of cannabis activities on these and other biological resources were analyzed. The proposed cannabis cultivation areas will not expand beyond the historic cultivation footprint, therefore, no increase in impacts from agricultural activity such as tilling or hoop structure construction are anticipated. No significant impact is anticipated from the operation on the Nojoqui Creek waterway because a minimum 100' or greater setback shall be maintained between the edge of riparian habitat and the cannabis cultivation and compost areas. At a distance of over 100 feet from Nojoqui Creek, no drainage from the compost area to the creek is expected. The applicant will also comply with the Cannabis Waste Discharge Requirements General Order.

2.0 Introduction

This Biological Resources Assessment describes biological resources (vegetation, habitats, listed plant and animal species) on and around a 53-acre parcel located off U.S. Highway 101, 4 miles south of Buellton.

This report is required as part of the applicant's Santa Barbara County Land Use Permit application. (19LUP-00000-00530). The Project proposes approximately 26.71 acres of cannabis operations within a historically cultivated footprint, including 3.38 acres of outdoor cultivation and 23.33 acres of cultivation under hoop structures, of which 3.0 acres are four previously permitted hoop structures. This area of project activities on actively cultivated land is collectively referred to as the **Project Area** (project footprint) as opposed to the Project Parcel (entire parcel area) which includes land not utilized for project activities.

No new areas of ground disturbance or vegetation clearing are proposed. *The Project Area has been continuously cultivated for at least 26 years* (Google Earth Pro, 2020). Property location and other details follow.

- **P&D Project name and case number:** 19LUP-00000-00530
- **Property Address:** 1889 Highway 101 Buellton, CA 93427
- **Longitude/Latitude**: 34.554518°, -120.193811° (center of Project Area).
- **USGS quadrangle:** Las Cruces
- **Parcel APN**: 083-430-014 (53 acres)
- **Parcel size:** 53 acres
- **Zoning:** AG-II-40

3.0 Proposed Project Description

Request on behalf of Nojoqui Farms (Operator) to allow for 26.71 acres of aggregate cannabis operations including approximately 23.33 acres of outdoor cultivation under hoop structures, nursery within 12,000 square feet of four existing, permitted hoop structures, and one proposed 10,000 square foot agricultural storage, drying, curing and packaging building for processing operations.

Existing structures to be used for the cannabis operation include one 3,240 square foot agricultural barn/shade structure to be used as an office and for product staging, one 2,500 square foot machine shed for farm equipment storage and office use, and one 6,440 square foot barn to be used for agricultural and nutrient storage. Existing non-cannabis related structures on-site consist of one 3,288 square foot main residence and garage, and one 6,440 square foot hay shelter. One existing mobile home trailer and one existing storage container are to be removed. One existing 30,000-gallon, 12' high water tank is located in the southeast portion of the operation area and will service both irrigation and domestic uses. The cultivation areas will be completely enclosed by a 6-foot-high wood rail security fence.

A new compost area is proposed in the northwest portion of the property and will be secured with a new 6-foot-high fence. Compost materials will be dry, non-hazardous cannabis cuttings. At a distance of over 100 feet from Nojoqui Creek, no drainage from the compost area to the creek is expected.

Several environmental impact minimization measures are incorporated into the proposed project description. These include a 100-foot buffer from the outer edge of riparian habitat to cannabis cultivation structures and activities, security lighting directed downward and shielded away from the riparian habitat, an existing perimeter fence will continue to prevent entry of large mammals (eg mule deer and mountain lion) into the cannabis operation, while still allowing for the passage of small mammals, reptiles and amphibians.

In addition to the 100-buffer, the applicant will also comply with the Cannabis Waste Discharge Requirements General Order to reduce any impacts of runoff to Nojoqui Creek.

Initial ground disturbance will not occur within 72 hours of a significant rain event (over ¼ inch of rain). A qualified biologist will conduct a pre-construction survey before construction of the new processing building to ensure there are no sensitive species present. All Project Area activities and new development will only occur within existing, previously disturbed farmland and well-defined project boundaries.

Applicants are required to submit site plans to be reviewed and approved by the Planning and Development Department as a part of the permitting process before being approved for a Land Use Permit by the County. Therefore, any necessary permits would not be approved without compliance with adopted local, state or federal plans, policies, or ordinances oriented towards the protection and conservation of biological resources.

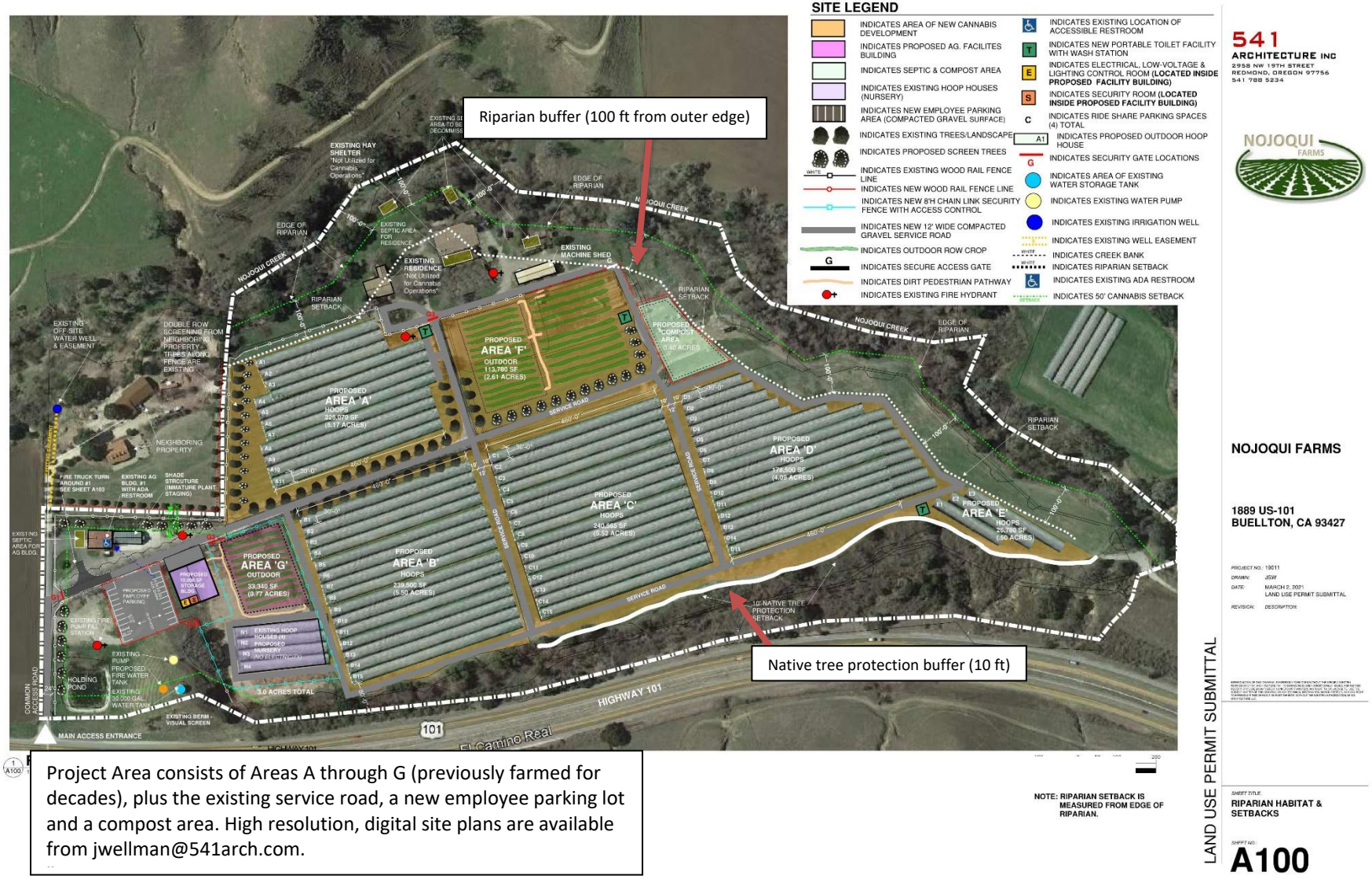
The operation will employ up to five (5) year-round employees and up to 19 seasonal workers between March and November. Hours of operation will be from 7:00 AM to 4:00 PM Monday through Saturday.

No generators are proposed. No tree removal or grading is proposed. 37 new 5-gallon landscape screening trees are proposed. The Project will continue to be served by Santa Barbara County Fire and contains three existing fire hydrant stations throughout the site. The Property utilizes an existing septic system, and one existing offsite well.

Access to the property will continue to be from Highway 101 via an 18-foot-wide asphalt road. The Project is a 53-acre parcel zoned AG-II-40, and shown as Assessor's Parcel Number 083-420-014, located at 1889 Highway 101 in Buellton, Third Supervisorial District.

Referring to the site plan (please see Figure 1), the Project Area consists of areas A through F which have been historically cultivated, and no expansion of the agricultural footprint is proposed. The service road is existing and has been historically used to access the project site. The parking area is proposed, however, the lot will not be paved.

Please review the enclosed project plans.



Project Area consists of Areas A through G (previously farmed for decades), plus the existing service road, a new employee parking lot and a compost area. High resolution, digital site plans are available from jwellman@541arch.com.

Figure 1. Proposed Project Site Plan

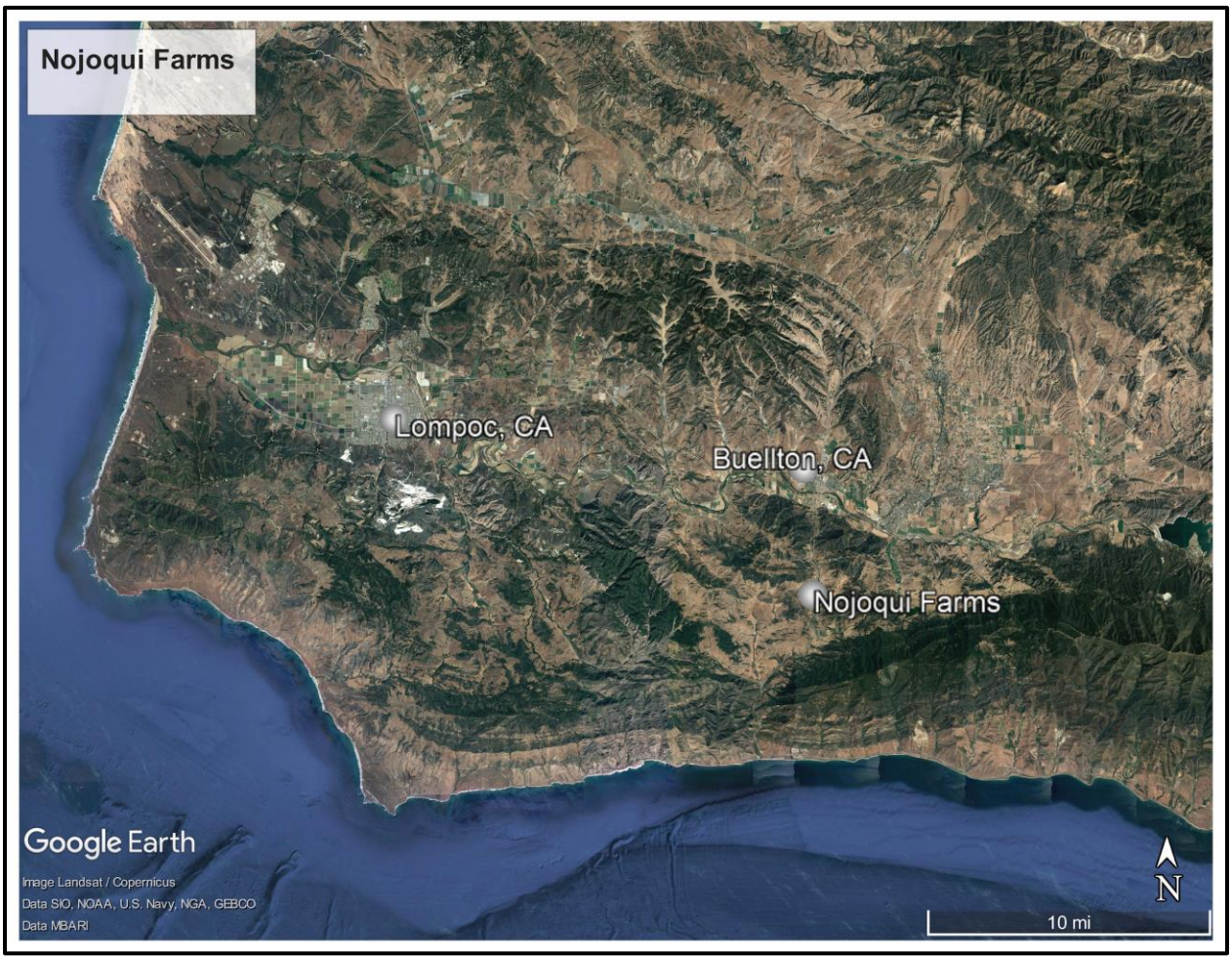


Figure 2. Project Location
Four miles south of Buellton, Ca.

4.0 Methods

All portions of the subject property were walked by David N. Lee, Senior Biologist on September 29, 2018 and subsequent visits to map vegetation and assess habitat quality for listed plants and animals (please see Site Visit table below). Listed, or "special-status" species, are defined as species with Federal, State or Local protection and listed as endangered, threatened, rare, special concern or other official status.

Handheld GPS and GIS software were used to map riparian boundaries on the western portion of the property along Nojoqui Creek in the vicinity of planned cannabis hoop houses. Photographs of the site were taken and are included in **Appendix 1**.

Listed species observed were noted and included in **Appendix 3**. This general site survey was not intended to detect specific listed animals or plants, and protocol-level surveys for listed species were not conducted during the site visits.

A desktop literature review was conducted to determine which listed species occur in the project region. Probability of occurrence was evaluated based on historic records and current land use of the parcel. Online databases of listed plants and animals were reviewed (U.S. Fish and Wildlife Service, California Department of Fish and Wildlife).

Vegetation classification and mapping
Vegetation Rapid Assessments were conducted by botanist Shamata James on April 13, 2020. Vegetation in the vicinity of the Project Area was classified and mapped to the alliance and association level using CDFW-CNPS protocol for the Combined Vegetation Rapid Assessment (CNPS 2019) and the California Manual of Vegetation (CNPS, 2020). Once classified, vegetation communities were mapped using Google Earth Pro.

Native tree survey
A native tree survey was conducted on April 13, 2020 by botanist Shamata James. Survey parameters (trees included in the survey) were trees greater or equal to six inches diameter at breast height (DBH) and at least four feet high. Only trees with driplines within 15 feet of the project edge were included. Tree locations were obtained with a handheld GPS unit (accuracy 16 ft.). Some tree trunks were not accessible due to thick poison oak. In this case, location and DBH were estimated.

Wetlands
Wetland data was obtained from the online National Wetlands Inventory (USFWS, 2020). The wetlands and deepwater habitats in this area were photo interpreted using 1:58,000 scale, color infrared imagery from 1981.

Site Visits

Date	Purpose
9-29-2018	General biological survey for BRA. Noted all species and habitats observed. Walked entire project area and surrounding habitats.
4-13-2020	Vegetation rapid assessment and native tree inventory per County comments on BRA first draft.

5.0 Existing Conditions

Landforms and Land Use
The Project parcel is located along the eastern edge of Nojoqui Creek, approximately 3.7 miles south (upstream) from its confluence with the Santa Ynez River. The parcel is mostly flat, with an average of 4% slopes, bounded by Nojoqui Creek to the west and U.S. Highway 101 to the east, and agricultural lands to the north and south. Land use is mainly active agriculture (hay crops and a few hoop houses), existing barns and a residence.

Soils
Soil throughout the subject property is classified as Sorrento sandy loam on 0-2% slopes (StA), which

develop on floodplains and toe slopes (USDA, 2018).

Topography

The topography of the project site is flat to gently sloping, with an average slope of 4%. The eastern property boundary is bordered by US 101 and steeper slopes on the east side of the freeway. The Nojoqui Creek drainage contains some very steep slopes; almost vertical. Please see **Figure 3** for local topography.

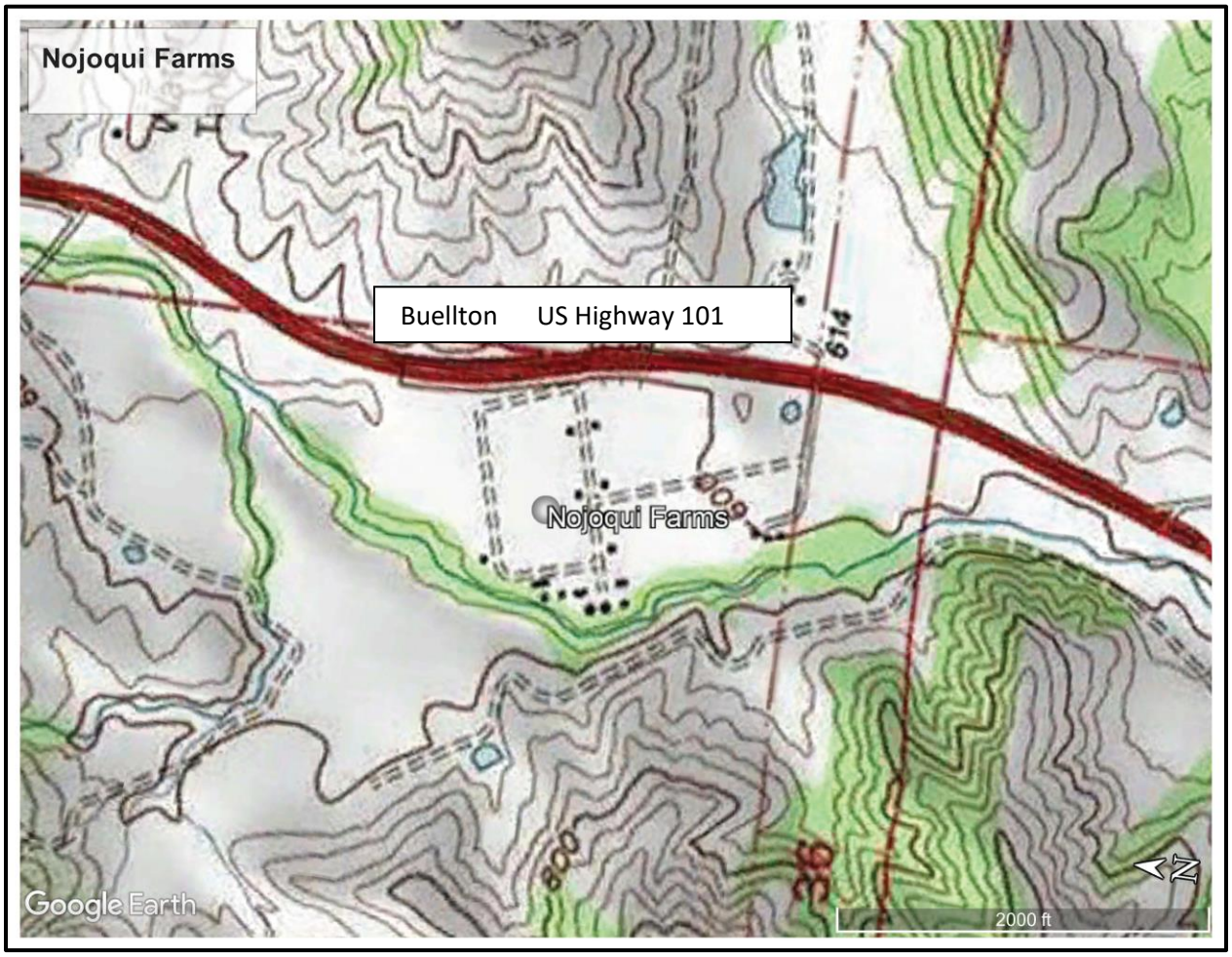


Figure 3. Site Topography

Drainages

Approximately 2,750 feet of Nojoqui Creek borders the property on the western and northern boundaries. Stream banks in this reach are highly incised, with height averages over 20 feet (vertical) in most locations. Native riparian habitat forms a buffer on both sides. Sections of this reach had shallow standing or flowing water when the site visit was conducted in September 2018. No impacts to Nojoqui Creek are expected due to the 100-foot buffer from the outer edge of riparian habitat to cultivation structures and activities.

A small, artificial drainage is located off-site, approximately 100 feet to the northeast from the Project Area. The artificial drainage originates from U.S. Highway 101 runoff and is approximately

670-feet long. The drainage empties into Nojoqui Creek via a large culvert. No impacts to this drainage are expected.

6.0 Vegetation Communities on Site

Most of the native vegetation on the parcel has been replaced by decades of use as agricultural produce and hay crops. Remnant riparian habitat (including some old growth valley oaks) border the undeveloped sections of the property along Nojoqui Creek. Alliances and associations are detailed below, as determined using the CDFW-CNPS Rapid Assessment protocol. Please see **Figure 5a.**

Black cottonwood (*Populus trichocarpa*) Forest and Woodland
Stand size: 4.1 acres Impacted area: 0 acres Sensitive status: Yes
Association: *Populus trichocarpa – Salix lasiolepis*

Black cottonwood Forest and Woodland occurs along the banks of Nojoqui Creek. Tree and shrub species include *Populus trichocarpa* which is dominant or co-dominant in the tree canopy with *Quercus agrifolia* and *Salix lasiolepis*. Trees are less than 30m high and the canopy is intermittent or continuous. The shrub layer is open to continuous. The herbaceous layer is sparse or abundant, especially with forbs. *Populus trichocarpa* is conspicuous with more than 5% absolute cover. The community is seasonally flooded and permanently saturated soils on stream banks and alluvial terraces (CNPS, 2020).

Baccharis pilularis Shrubland Alliance (Coyote brush scrub)
Stand size: Impacted area: 0 acres Sensitive status: No

Baccharis pilularis is dominant to co-dominant in the shrub canopy with Artemisia californica, Ceanothus thyrsiflorus, Corylus cornuta, Diplacus aurantiacus, Eriogonum fasciculatum, Eriophyllum staechadifolium, Frangula californica, Garrya elliptica, Gaultheria shallon, Holodiscus discolor, Lotus scoparius, Lupinus arboreus, Morella californica, Rubus ursinus, Salvia apiana, Salvia leucophylla and Toxicodendron diversilobum. Emergent trees may pre present at low cover, including Quercus agrifolia or Umbellularia californica.

Wetlands
Nojoqui Creek runs along the western boundary of the property. According to the National Wetlands Inventory, Freshwater Forested / Shrub Wetland habitat occurs within the Nojoqui Creek drainage (USFWS, 2020). The habitat is classified as PFOA:

P= The Palustrine System includes all nontidal wetlands dominated by trees, shrubs, persistent emergents, emergent mosses or lichens, and low salinity tidal wetlands.

FO= is characterized by woody vegetation that is 6m or taller.

A= Temporarily flooded; surface water is present for brief periods during the growing season.

No impacts to wetlands are expected; all proposed structures and areas associated with the cannabis operation are setback a minimum of 100’ from the furthest edge of riparian habitat of Nojoqui Creek.

Non-Native Grassland
A small segment (~2.5 acres) of non-native grassland dominated by wild oats (*Avena sp.*) surrounds the agricultural reservoir (Figure 5a). The only project activities planned in the grassland is installation of a fire water tank and continuation of seasonal mowing to reduce fire (Figure 1.)

7.0 Botanical Resources on Site

A few large valley (*Quercus lobata*) and coast live (*Quercus agrifolia*) oaks remain along the edge of the riparian habitat. All Project activities are located outside the dripline of coast live oaks. No native trees will be trimmed or removed, therefore no impacts are anticipated.

No listed plants were observed during our general site visits conducted in Fall, 2018 and Spring of 2020. Given the property's active use for agriculture and its history of long-term disturbance, it is highly unlikely that any listed plants occur on the portions of the parcel proposed for development.

Appendix 2 lists eight special-status plants that are known from the Project region. All of these species have a very low potential of occurring on the actively farmed portions of the subject property where cannabis development is planned. Black-flowered figwort (*Scrophularia atrata)* has a moderate potential to occur in and around native habitat along Nojoqui Creek. However, the Project will not impact land within 100 feet of the riparian edge.

Native Tree Survey Results
Thirty-five (35) native trees were identified within 15 feet of the project boundary. Only trees over 6-inches DBH and 4-feet high were counted. The table below summarizes the tree species and number located.

Species	Number
Coast live oak *(Quercus agrifolia)*	22
Valley oak (*Quercus lobate*)	3
Arroyo willow (*Salix lasiolepis*)	5
Black cottonwood (*Populus trichocarpa*)	4
Blue elderberry (*Sambucus nigra)*	1
Within 100-foot riparian setback	20
Outside riparian setback	15

Of the 35 total native trees, 20 of them (#16-35) are located within the 100-foot riparian setback, and therefore require no additional impact avoidance measures. A 6-foot buffer from dripline is recommended for the remaining 15 trees (#1-15) which are outside of the riparian setback along the eastern (US 101) side of the property. Please see **Figure 5b** below and our discussion of impact avoidance measures. The southeastern corner of the property contains several non-native trees which were excluded from the survey.

Please see **Appendix 4** for detailed tree survey data including DBH and height class.

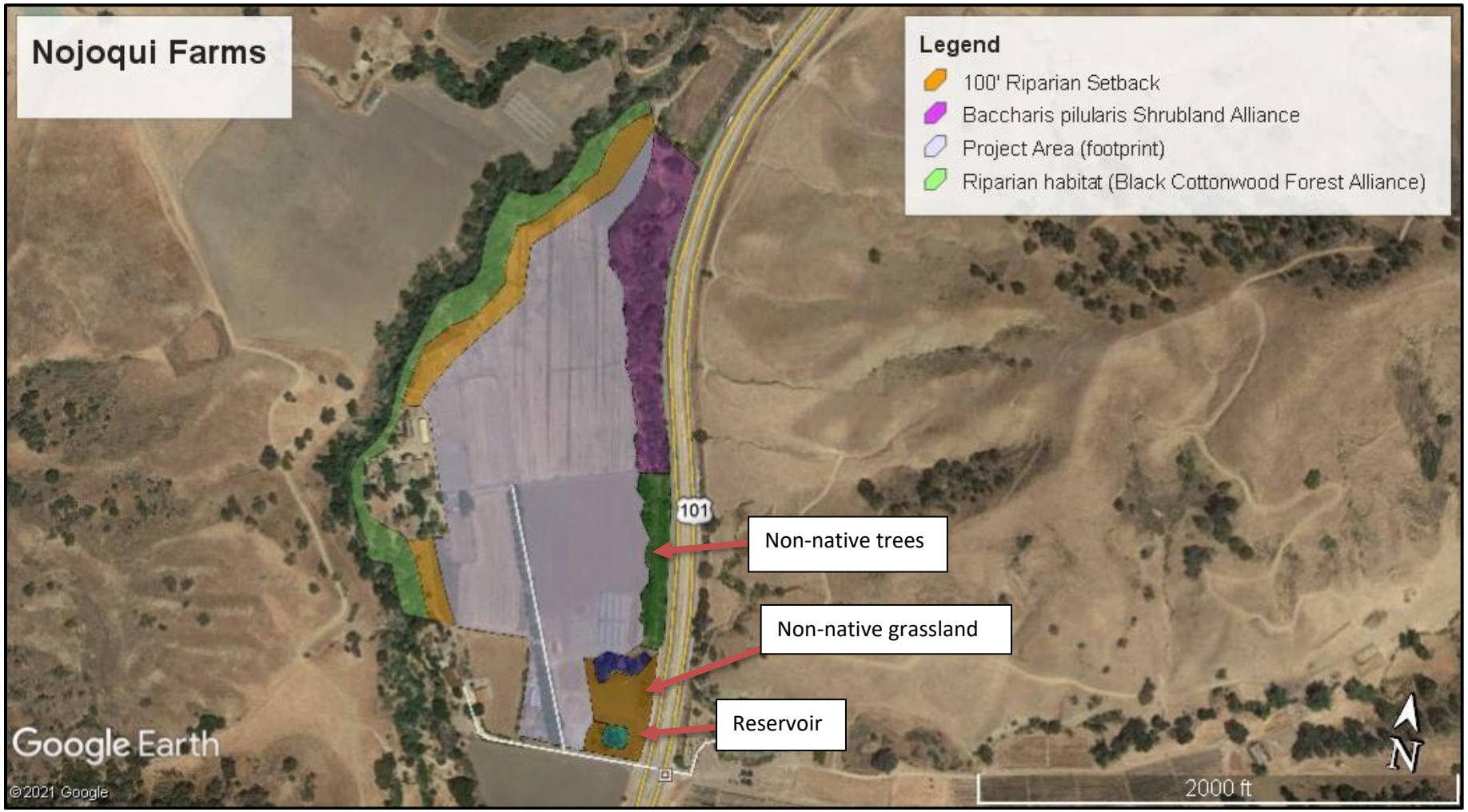


Figure 5a. Nojoqui Farms Vegetation Types

Figure 5b. Native Tree Survey Results = Refer to Appendix 5 for Mapped Tree Data

Figure 5b. Native Tree Survey Results

8.0 Wildlife Resources on Site

Appendix 2 lists 15 wildlife species known from the Project region that could potentially occur as seasonal transients or residents on or near the subject property due to the presence of suitable habitat or connection with Nojoqui Creek and surrounding open spaces.

These include California red-legged frog (*Rana draytonii*), Southwestern pond turtle (*Emys marmorata*), Steelhead (*Oncorhynchus mykiss irideus pop. 10),* Least Bell's vireo (*Vireo bellii pusillus*), southwestern willow flycatcher (*Empidonax traillii* extimus), tricolored blackbird (*Agelaius tricolor),* and mountain lion *(Felis concolor).*

One listed wildlife species, Southwestern pond turtle (*Emys marmorata*) was observed on the subject property during the site visit for this report.

Southwestern Pond Turtle (*Emys marmorata*)
Southwestern pond turtle (SPT) require permanent ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation. Two adult SPT were observed in the irrigation reservoir in the southeastern corner of the property and may use the surrounding upland habitat for nesting (Reese, et al, 1997). Please see **Figure 6**.

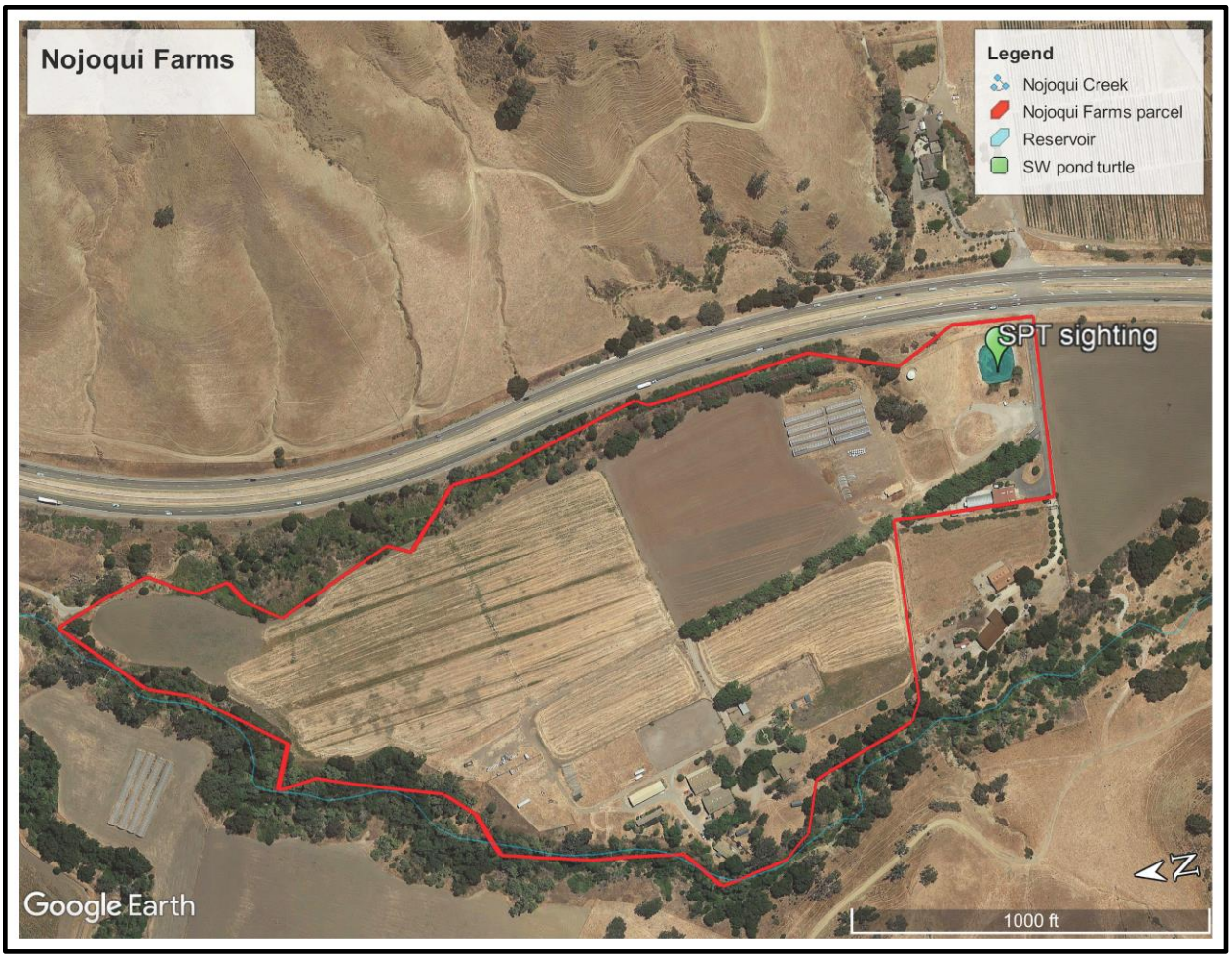


Figure 6. Location of Southwestern pond turtle (SPT) sighting at reservoir.

California Red-legged Frog (*Rana draytonii*)
California red-legged frog (CRLF) breed in both ponded and slowly flowing water and these sites must have water for at least four months to allow for larval development. Juvenile and adult CRLF aestivate (over-summer) in burrows that are created and maintained by burrowing rodents in upland habitats around breeding sites. Juvenile and adult CRLF are capable of long-distance dispersal up to several miles (Hunt, 2017).

CRLF were not observed on the site in September, 2018 and protocol surveys were not conducted. The reach of Nojoqui Creek along the west side of the Project Area has a **moderate potential** to support CRLF. Nojoqui Creek provides a year-round water source and may contain suitable breeding habitat for CRLF, which have been recorded in a nearby reach of Nojoqui Creek. The 100-foot riparian buffer provides significant protection for CRLF, and no new impacts are expected.

A small agricultural reservoir in the southeast corner of the property is kept full year-round and may provide suitable breeding habitat. Two frogs were observed at the reservoir after dark; flashlight observations indicated they were most likely bullfrogs. No vocalizations were heard.

California Tiger Salamander (*Ambystoma californiense*)
California tiger salamander (CTS) need ponds for breeding and larval development. Adults and metamorphs require upland habitat around the breeding site. Ponds must have water for about 70 days to allow CTS larvae to successfully metamorphose. Juvenile and adult CTS spend most of their lives underground in (upland) burrows excavated and maintained by burrowing rodents (Hunt, 2017).

CTS have **low potential** to exist on the subject property because the site is located approximately 5.0 miles south of the geographic range of CTS in Santa Barbara County. The nearest known breeding site is 5.8 miles to the northwest (Hunt, 2017). The Santa Ynez River and U.S. Highway 101 and CA 246 are presumed complete barriers to CTS overland movement to the subject property. CTS were not observed on site, and protocol surveys were not conducted.

Mountain lion (*Felis concolor*) Mountain lions need large, connected areas with diverse habitat types, including valley bottoms for access to water and upland ridges with openings for hunting. The average range of a coastal female can be 36 square miles – and over three times that for males.

On April 16, 2020 the California Fish and Game Commission voted to confer mountain lions with Candidate Threatened status under California's Endangered Species Act. The Project Area is surrounded with a 6-foot high fence and will likely continue to deter mountain lions while still allowing them access to the Nojoqui Creek wildlife corridor.

Other Listed Species
Several other listed species have **low potential** to occur on the subject property. Riparian habitat along Nojoqui Creek provides potential habitat for the following species: Southwestern willow flycatcher (*Empidonax traillii* extimus), least Bell's vireo (*Vireo bellii pusillus*), steelhead - southern California DPS (*Oncorhynchus mykiss irideus*), Coast Range newt (*Taricha torosa*) and two-striped gartersnake (*Thamnophis hammondii*). However, the project description excludes any impacts within the riparian canopy boundary.

Other listed species have **low potential** to occur in coyote brush and annual grassland habitat. These include pallid bat *(Antrozous pallidus),* ferruginous hawk *(Buteo regalis) and* American badger *(Taxidea taxus).* However, the project will not remove any trees, nor clear, grade or plow land that is not already being farmed.

Wildlife corridors
The Nojoqui Creek watershed is a corridor that connects aquatic and upland habitat for a variety of fish, reptiles, amphibians, birds and mammals. With a terminus at the Santa Ynez River four miles north, Nojoqui provides important local and regional wildlife habitat connections.

For details, please see Wildlife Movement Plan, Appendix 1.

9.0 Regulatory Setting

Biological resource regulation is shared by Federal, State and County authorities under a variety of statutes and guidelines. The County of Santa Barbara has primary authority for regulating biological resources on the subject property, which is not located within any city jurisdiction. Other agencies involved in regulation of listed species and protected habitats include the California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS).

County of Santa Barbara
This Biological Assessment has been prepared as a required attachment to proposed project's application for a County of Santa Barbara Land Use permit for a cannabis operation.

This report also addresses the Tree Protection, Habitat Protection and Wildlife Movement Plans as required in the County's Cannabis Land Use Ordinances. According to the ordinance, these plans would be required if the permit application includes 1) trimming or removal of native trees, 2) clearing of native vegetation, 3) in or near a wildlife movement area.

The Proposed Project does not involve the trimming or removal of native trees, or the clearing of native vegetation. Therefore, a Tree and Habitat Protection Plan is not required. The property adjoins Nojoqui Creek, which can be considered a wildlife movement corridor, so this report does include a Wildlife Movement Plan (please see **Appendix 2**).

California Department of Fish and Wildlife
The California Department of Fish and Wildlife (CDFW) is a trustee agency for biological resources throughout the State under CEQA, the California Endangered Species Act and California's Fish and Game Code, which includes protections for riparian areas, wetlands and nesting birds.

No state listed species are expected to be impacted by the Proposed Project. The Project will not disturb wetlands or the top-of-bank riparian area of Nojoqui Creek and is therefore not subject to the permitting authority of the CDFW for a Streambed Alteration Agreement. No trees, shrubs, annual grassland or native vegetation will be disturbed.

US Fish and Wildlife Service
The U. S. Fish and Wildlife Service (USFWS) manages protected plants and animals under the Federal Endangered Species Act (FESA). If there is potential to harm or "take" of a FESA listed species, a USFWS permit is required through either the FESA Section 7 or Section 10 process.

- California tiger salamander (*Ambystoma californiense*) are listed as federally-endangered. There is **low potential** for CTS to occur within the project site.
- California red-legged frog (*Rana draytonii*) are listed as federally-threatened. There is **moderate potential** for CRLF to occur on the subject property, but with implementation of protection measures, Project impacts are expected to be less than significant. Consultation with USFWS was initiated on March 3, 2021 and is in progress.
- Least Bell's vireo (*Vireo bellii pusillus*) and southwestern willow flycatcher (*Empidonax traillii extimus*) are also federally-listed, but have a **low potential** to occur as transients in riparian habitat along Nojoqui Creek.

U.S Army Corps of Engineers
Wetland and riparian communities may be subject to U.S. Army Corps of Engineers (USACE) jurisdiction as '*Waters of the U.S.*', pursuant to the Federal Clean Water Act. Protection for wetlands and riparian habitat is also afforded the State Clean Water Act (Porter-Cologne Act) which is administered by the California Regional Water Quality Control Boards (RWQCB).

The Proposed Project will not remove or otherwise alter wetlands, riparian habitat, or "Waters of the U.S." and is therefore not subject to the permitting jurisdiction of the USACE or the RWQCB.

10.0 Project Impacts

The following analysis determines the potential direct, indirect and cumulative biological resource effects of the Proposed Project in and around the Project Area. The Project Area is in an agricultural field which has been under continuous cultivation many years. No native vegetation will be cleared. No significant direct or indirect impacts to biological resources are anticipated, and project plans have "built in" several impact avoidance measures.

Analysis of potential project-related impacts to biological resources is based on two field site visits, review of aerial photographs, and a review of the California Natural Diversity Data Base (CNDDB) records for special status species and habitats. Our evaluation of impacts follows the Santa Barbara County Cannabis Final Environmental Impact Report (Santa Barbara, 2017) and the County's Environmental Thresholds and Guidelines Manual (Santa Barbara, 2018).

Our environmental impact analysis includes Federal and State biological resource regulations. The Federal Endangered Species Act and the California Endangered Species Act formally list plant and animal species determined to be rare, threatened or endangered, or candidate species, and establish regulations for protecting these species and their habitats. Additional information on rare plants was resourced from the California Native Plant Society's *Inventory of Rare and Endangered Plants of California*.

Santa Barbara County Cannabis EIR

Under the California Environmental Quality Act (CEQA), if some project impacts cannot be avoided or mitigated, an Environmental Impact Report (EIR) is required. A programmatic EIR (PEIR) was prepared for the County's Cannabis Land Use Ordinance and Licensing Program (the Project) in 2017.

Impacts of this proposed Project Area are analyzed according to the PEIR (Santa Barbara, 2017). Impacts are classified into four types:

- Class I: Significant; cannot be mitigated to a level that is not significant
- Class II: Significant; less than significant with mitigation
- Class III: Adverse, but not significant
- Class IV: Beneficial impacts.

"Significant effect" is defined by Section 15382 of the CEQA Guidelines as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance."

A loss of, or disturbance to unique, rare, or threatened habitats, species or movement corridors, or conflict with local, state or federal policies, would be considered significant because it could result in the reduction or elimination of a population or the habitat upon which it depends for survival.

Santa Barbara County Environmental Thresholds

Several Santa Barbara County policies require the protection of natural habitats and associated wildlife and vegetation. Requirements for the protection of biological resources in the unincorporated area of Santa Barbara County are provided by the Comprehensive Plan Conservation Element, Environmental Resource Management Element (ERME), Land Use Element, Community Plans, and the Coastal Land Use Plan. These documents identify sensitive habitats and species, and provide measures to direct project design and policies to protect biological resources. These policies are summarized in the County's Environmental Thresholds and Guidelines Manual (Santa Barbara, 2018).

Project Impacts

State CEQA Guidelines provide the County with general direction for the evaluation of biological resource impacts as a part of the environmental review of Proposed Projects. Specific biological impacts have been developed for the PEIR for cannabis activities in Santa Barbara County (Santa Barbara, 2017). These impacts encompass the biological effects listed in the County's Environmental Thresholds and Guidelines Manual.

Impact BIO-1. **Could the proposed cannabis activities have adverse effects on unique, rare, threatened, or endangered plant or wildlife species?**

No direct impacts to listed species due to the proposed project are anticipated. The Project Area and proposed buffers have been under active cultivation for decades, with continuous ground disturbance. Additional indirect impacts are equally unlikely; use and storage of pesticides and fertilizers will be kept to a 100-foot buffer from the edge of riparian habitat. Rodenticides, which can cause secondary poisoning in wildlife, are prohibited on cannabis cultivations and shall not be used. All required security lighting will be fully-shielded, directed downward, and motion-sensor, in compliance with the County's cannabis regulations, and will minimize nighttime interference with wildlife movement and feeding activities.

Therefore, due to the very low potential for additional project impacts to listed species, this impact is considered **Class III: Adverse, but not significant.**

Impact BIO-2. Could cannabis activities have adverse effects on habitats or sensitive natural communities?

There will be no direct or indirect effects on habitats or sensitive natural communities as a result of implementing the Proposed Project. No trees or shrubs will be pruned or removed; no sensitive natural community will be disturbed within the Project Area or the proposed buffers. Riparian habitat will be protected by a 100-foot buffer from cannabis cultivation activities.

Most of the site is flat and exposed soil will be covered with hoop houses, so no runoff is anticipated.

The applicant will comply with the Cannabis Waste Discharge Requirements General Order.

Therefore, due to lack of any additional project impacts to sensitive habitats or natural communities, this impact is considered **Class III: Adverse, but not significant.**

Impact BIO-3. **Could cannabis activities have adverse effects on the movement or patterns of any native resident or migratory species?**
Cannabis activities will occur in historically farmed fields. The existing perimeter fencing deters entry by large mammals such as mule deer and mountain lions, but it allows for the passage of small mammals, reptiles and amphibians and does not block movement up and down Nojoqui Creek, a significant wildlife movement corridor that adjoins the property. Please see the Wildlife Movement Plan, Appendix 1 for details.

Therefore, due to the absence of any additional project impacts to wildlife movement, this impact is considered **Class III: Adverse, but not significant.**

Impact BIO-4. Could cannabis activities conflict with adopted local plans, policies, or ordinances oriented towards the protection and conservation of biological resources?
Several County regulations contain plans, policies and ordinances that are oriented towards the protection of biological resources. These include the PEIR prepared for the County's Cannabis Land Use Ordinance and Licensing Program, Chapter 15B of the County Code, *Development Along Watercourses,* County Code Chapter 35 Article IX, *Deciduous Oak Tree Protection and Regeneration,* and the Comprehensive Plan Conservation Element.

Applicants would be required to submit site plans to be reviewed and approved by the Planning and Development Department as a part of the permitting process before being approved for a license by the County. Therefore, any necessary permits would not be approved without compliance with adopted local plans, policies, or ordinances oriented towards the protection and conservation of biological resources.

The various local statutes cited above result in the benefit of increased communication and idea sharing between representatives from different agencies. Therefore, this impact is considered **Class IV – Beneficial Impact**.

Impact BIO-5. Could cannabis activities conflict with state or federal regulations oriented towards the protection and conservation of special status species?
This impact includes species listed by CDFW or USFWS. Direct and indirect impacts are unlikely, and cannabis activities are required to follow a plethora of state and federal environmental regulations including the California Endangered Species Act, Federal Endangered Species Act, the Migratory Bird Treaty Act, and several other state and federal laws and regulations applicable to the protection of special status species, their habitat and movement corridors.

Therefore, due to the presence of many laws and regulations that require (and enforce) cannabis activities to comply with conservation measures, this impact is considered **Class IV – Beneficial.**

Cumulative Impacts

The Proposed Project on this parcel will not result in the conversion of any sensitive habitat

including riparian or wetlands. The Project Area is currently being farmed with continuous ground disturbance. No native habitat is present in the Project Area. A setback protects riparian and wetland habitat, allows for continued wildlife movement, and supports habitat connectivity along the Nojoqui Creek corridor.

Table 1. Project Impact Summary

Biological Resource	Significance	Direct Impacts	Indirect Impacts	Cumulative Impacts
Impact BIO-1 Could the proposed cannabis activities have adverse effects on unique, rare, threatened, or endangered plant or wildlife species?	Class III: Adverse, but not significant.	No additional direct impacts to listed species due to the proposed project are likely. The Project Area and proposed buffers have been under active cultivation for many years, with continuous ground disturbance.	Indirect impacts are equally unlikely; use and storage of pesticides and fertilizers will be kept to a 100-foot buffer from the edge of Nojoqui Creek's riparian habitat to cannabis cultivation activities.	None anticipated.
Impact BIO-2. Could cannabis activities have adverse effects on habitats or sensitive natural communities?	Class III: Adverse, but not significant.	No direct impacts – project site on active farmland. No natural habitat, native trees or shrubs will be disturbed, pruned or removed; no sensitive natural community will be disturbed within the Project Area or proposed buffers.	No indirect impacts expected. 100-foot buffer is sufficient to protect Nojoqui Creek and its bordering riparian habitat.	None expected.
Impact BIO-3. Could cannabis activities have adverse effects on the movement or patterns of any native resident or migratory species?	Class III: Adverse, but not significant.	Cannabis activities will occur in historically farmed fields. Existing perimeter fencing will be utilized, but this does not block movement up and down Nojoqui Creek, a significant wildlife movement corridor that adjoins the property.	None expected.	None expected.
Impact BIO-4. Could cannabis activities conflict with adopted local plans, policies, or ordinances	Class IV – Beneficial impact.	None expected. Any necessary development permits would not be	None expected	None expected

Biological Resource	Significance	Direct Impacts	Indirect Impacts	Cumulative Impacts
oriented towards the protection and conservation of biological resources?		approved without compliance with adopted local plans, policies, or ordinances oriented towards the protection and conservation of biological resources.		
Impact BIO-5. Could cannabis activities conflict with state or federal regulations oriented towards the protection and conservation of special status species?	Class IV – Beneficial impact.	None expected. Due to the presence of many laws and regulations that require (and enforce) cannabis activities to comply with conservation measures	None expected	None expected

11.0 Proposed Impact Avoidance Measures

The Impact Avoidance Measures proposed in this section are intended to reduce if not eliminate project impacts. They are based on our site visits, a review of aerial photographs, and a review of California Natural Diversity Database (CNDDB) records for special status species, the County's Cannabis PEIR (Santa Barbara, 2017) and the County's Environmental Thresholds and Guidelines Manual (Santa Barbara, 2018).

BIO-1 California red-legged frog: If practicable, initial hoop house installation and ground preparation will not occur in the rainy season, when CRLF may migrate from the creek to upland habitats. If installation needs to occur in the winter months, a qualified biological monitor will conduct daily pre-work sweeps to ensure no CRLF are in the Project Area. No work will occur within 72 hours after a measurable rain event. If a CRLF is observed in the Project Area, the Project Biologist will be contacted, who will notify USFWS if required. Consultation with USFWS was initiated on March 3, 2021 and is in progress.

BIO-2 Southwestern pond turtle: To protect southwestern pond turtle habitat, when feasible, no project activities will occur in the agricultural reservoir or in annual grassland habitat located within 250 feet of the reservoir. Some grassland has been historically mowed in the past, and this activity will continue per fire management practices. If a southwestern pond turtle is observed in the Project Area, the Project Biologist will be contacted, who will notify CDFW if required.

BIO-3 Wildlife Movement Plan: A Wildlife Movement Plan for the Proposed Project has been prepared in Appendix 1. The Plan followed guidelines detailed in *County Land Use & Development Code. Appendix J: Cannabis Activities Additional Standards.*

BIO-4 Rodenticides: Comply with the prohibition of using rodenticides in cannabis cultivation. Rodenticides often lead to secondary wildlife poisoning via consumption of contaminated rodents.

BIO-5 Lighting: Only use lighting sources that are fully shielded to prevent off-site light spillover skyward or into wildlife habitat.

BIO-6 Disturbance buffer: Maintain a disturbance buffer of 100 feet between the edge of Project Area activities (existing farmland) and the edge of riparian habitat to reduce potential impacts to Nojoqui Creek and associated riparian habitat.

BIO-7 Pre-Construction Survey: A qualified biologist will conduct a pre-construction survey within 10 days of initial ground disturbance ground disturbance. The survey will include the access roads around the perimeter of the cultivation field and riparian habitat bordering the field. The non-protocol survey should focus on potential special status listed in **Section 9 and in Appendix 2**. Nesting birds should be included in the survey if ground disturbance will occur during the nesting season (Feb. 1 – Sept. 1).

BIO-8 Water Quality Protection: Avoid initial ground disturbing activities (hoop house installation, plowing, etc) within 72 hours after rain. Prevent creek contamination by stockpiling compost and other materials 100 feet or more from riparian edge. Compost materials will be dry, non-hazardous cannabis cuttings. At a distance of over 100 feet from Nojoqui Creek, no drainage from the compost area to the creek is expected.

BIO-9County Permitting: Applicants are required to submit site plans to be reviewed and approved by the Planning and Development Department as a part of the permitting process before being approved for a license by the County. Therefore, any necessary permits would not be approved without compliance with adopted local, state or federal plans, policies, or ordinances oriented towards the protection and conservation of biological resources.

MM HWR-1a Pesticides and Herbicides: Applicant will comply with the *Cannabis Waste Discharge Requirements General Order* to reduce impacts of pesticide runoff to the Nojoqui Creek.

12.0 CONCLUSION

This report has identified important biological resources of the Proposed Project. These include Nojoqui Creek and associated riparian habitat outside of the Project Area.

The Proposed Project on this parcel will not result in the conversion of any sensitive habitat including riparian or wetlands. The Project Area is currently being farmed on land cultivated for decades. No native habitat is present in the Project Area. A setback protects riparian and wetland habitat, allows for continued wildlife movement, and supports habitat connectivity along the Nojoqui Creek corridor.

No natural habitat will be disturbed as a result of implementing the Proposed Project.

Several impact avoidance measures have been built into the proposed project to reduce impacts of the project. These include a Wildlife Movement Plan, a 100-foot buffer between riparian habitat and cannabis activities, use of shielded lighting, and pre-construction wildlife surveys.

12.0 References

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Appendix 1. Wildlife Movement Plan

Nojoqui Farms Wildlife Movement Plan

1.0 INTRODUCTION

This Wildlife Movement Plan (WMP) is an impact avoidance measure required in the project's Biological Assessment under the County Cannabis PEIR (Lee, 2020). This WMP presents ways to reduce project impacts on wildlife movement to less than significant levels. The proposed Project Area (project footprint) is a **53-acre parce**l located along Nojoqui Creek at 1889 Highway 101 Buellton, CA 93427, **19LUP-00000-00530**, APN 083-430-014. The site is approximately 4 miles south of Buellton, Ca within Santa Barbara County. The property is zoned AG-II-40.

The "Project Area" (area to be impacted) is approximately **29 acres** including 20 acres of cannabis hoop houses with an additional 9 acres of existing agricultural infrastructure (previously permitted).

Any existing or newly installed Project Area fencing will be placed outside of the wildlife corridor along Nojoqui Creek, the only significant wildlife route surrounding the Project Area. Project activities are not expected to impact existing wildlife movement patterns along the creek due to the 100-foot wide riparian protection buffer.

A Wildlife Movement Plan is required if there is a wildlife movement area on or near the project footprint (Santa Barbara County, 2011). Nojoqui Creek, which borders the western property boundary, provides a significant north-south movement corridor for both aquatic and terrestrial wildlife species.

2.0 PLAN REQUIREMENTS

This Wildlife Movement Plan supplements the project Biological Assessment (Lee, 2020) required for the proponent's Santa Barbara County Land Use Permit application. The biological assessment lists a WMP as one of the required project impact avoidance measures:

"A County-approved biologist shall prepare a Wildlife Movement Plan for the proposed project. The Plan will be prepared following guidelines detailed in *County Land Use & Development Code. Appendix J: Cannabis Activities Additional Standards."*

Wildlife Movement Plans (WMPs) are required by Santa Barbara County's Cannabis Programmatic Environmental Impact Report (Santa Barbara, 2017) for all commercial cannabis activities proposed in or near wildlife movement areas. According to County standards, a WMP "shall confirm the adequacy of design for passage of smaller wildlife and safe prevention of entry by larger mammals, such as deer. The Applicant shall demonstrate to the Department that all perimeter fencing requirements are in place as required prior to commencement of cannabis activities" (Santa Barbara, 2011).

WMPs are required to include: the type, material, length and design of proposed fencing and that proposed fencing be designed to accommodate wild animal movement using wildlife-friendly fencing, such as post and rail fencing, wire fencing and/or high-tensile electric fencing. Finally, WMPs require an analysis of the proposed fencing in relation to the surrounding opportunities for migration.

3.0 WILDLIFE MOVEMENT

Wildlife movement routes on and near the Project Area will be maintained by protection of riparian habitat along Nojoqui Creek. There will be no project impacts to the riparian habitat, protected by a 100-

foot buffer between the outer edge of riparian habitat and all project activities.

Nojoqui Creek is a significant wildlife corridor, and this project has been planned to maintain wildlife movement up and down the creek.

4.0 PROPOSED FENCING

Perimeter fencing, most of which already exists, is proposed around the entire Project Area. Please see the fencing plan diagram below. *All proposed fencing plan changes are subject to review and approval by the Santa Barbara County Sheriff.*

According to County standards, fencing "shall confirm the adequacy of design for passage of smaller wildlife and safe prevention of entry by larger mammals, such as deer. The Applicant shall demonstrate to the Department that all perimeter fencing requirements are in place as required prior to commencement of cannabis activities" (Santa Barbara, 2011).

The existing fence is a six (6) foot high wood rail with metal mesh. The mesh size should be large enough to prevent entry and entrapment by large mammals (e.g. mule deer and mountain lion) while still compatible with movement of small mammals, reptiles, and amphibians. Most of the fence was installed years ago as part of previous farm operations.

Any existing or newly installed Project Area fencing will be placed outside of the wildlife corridor along Nojoqui Creek, the only significant wildlife route surrounding the Project Area. Project activities are not expected to impact existing wildlife movement patterns along the creek due to the 100-foot wide riparian protection buffer.

Fence specifications

Type	Wood rail with metal mesh
Height	6 feet
Length	Perimeter of cultivation area (most already existing)

5.0 ANALYSIS AND CONCLUSION

Available maps, topography and GIS data for the Project Area and surrounding habitat were analyzed to identify significant wildlife corridors and connecting habitat. Nojoqui Creek, located just west of the project site, provides a major north-south movement corridor for both aquatic and terrestrial wildlife species. This project fencing is expected to have a less than significant impact on wildlife movement along Nojoqui Creek; a 100-riparian buffer protects creek habitat and very little new fencing is proposed.

6.0 REFERENCES

CDFW (California Department of Fish and Wildlife). 2018. California Natural Diversity Database. Sacramento, CA. February. Accessed online 6-6-19.

Lee, 2020. Nojoqui Farms Biological Assessment of Proposed Agricultural Development. November, 2020.

Santa Barbara County. 2011. Santa Barbara County Code – Chapter 35 – County Land Use & Development Code. Appendix J: Cannabis Activities Additional Standards. 6 pp.

____. 2016. Planners Guide to Conditions and Mitigation Measures. 112 pp.

____. 2018. Santa Barbara County environmental thresholds and guidelines manual. Planning and

Development Department, Santa Barbara, CA. October. 172 pp.
____. 2017. Santa Barbara County Cannabis Land Use Ordinance and Licensing Program Final Environmental Impact Report. Planning and Development Department, Santa Barbara, CA. December. 635 pp.

SITE FENCING LEGEND

- INDICATES EXISTING 6'H WOOD RAIL SECURITY FENCE LINE
- INDICATES PROPOSED 6' H WOOD RAIL FENCE TO MATCH MATCH EXISTING FENCE
- T — INDICATES NEW PORTABLE TOILET FACILITY WITH WASH STATION
- E — INDICATES ELECTRICAL, LOW-VOLTAGE & LIGHTING CONTROL ROOM
- S — INDICATES SECURITY ROOM
- G — INDICATES TYPICAL FIELD GATE LOCATION
- G — INDICATES MAIN ENTRANCE SECURITY GATE WITH PUSH BUTTON ACCESS CONTROL

FENCING PLAN

FENCING PLAN NOTES

1. EXISTING SECURITY GATE CONSISTS OF A 5' H X 16' WIDE ORNAMENTAL IRON GATE WITH ELECTRIC PUSH BUTTON ACCESS CONTROL.
2. EXISITING SECURE FENCING CONSISTS OF 6' H WOOD RAIL FENCE WITH METAL MESH. THE AREA OF PROPOSED FENCING WILL MATCH THE EXISTING FENCING.
3. ALL INTERIOR FIELD GATES ARE METAL TUBE GATES WITH LOCKING CHAIN LATCHES.

PROJECT FENCING DETAILS

A. EXISTING WOOD RAIL FENCING (6' H WITH METAL MESH)
B. PROPOSED WOOD RAIL FENCING (6' H WITH METAL MESH TO MATCH EXISTING)
C. SECURITY ENTRANCE GATE (5' H X 16' W IRON)
D. TYPICAL FIELD GATE

541 ARCHITECTURE INC
2958 NW 19TH STREET
REDMOND, OREGON 97756
541 788 5234

NOJOQUI FARMS

1889 US-101
BUELLTON, CA 93427

PROJECT NO.: 19011
DRAWN: JSW
DATE: OCTOBER 30, 2020
LAND USE PERMIT SUBMITTAL
REVISION: DESCRIPTION:

LAND USE PERMIT SUBMITTAL

SHEET TITLE: FENCING PLAN

SHEET NO.: A107

Project Fencing Plan

Appendix 2. Photos of Existing Conditions

Cultivated fields (left) and view of western portion of property looking south and west. Riparian edge along Nojoqui Creek and fence (Project limits) can be seen upper right corner. Proposed Project only involves cultivated land – no native habitat will be impacted.

Edge or riparian habitat and boundary fence, view looking northwest. A 100-foot buffer will ensure no impacts to riparian vegetation.

Concrete-lined agricultural reservoir used for irrigation located in southwest corner of property. View looking northeast. Reservoir is adjacent to US Highway 101 (upper right). Entrance driveway is to the right of the photo.

Appendix 3. Special Status Plant and Animal Species Lists

Table 1. Special-Status Plants Known from the Project Region[1]						
Scientific Name	**Common Name**	**Federal Status**	**California Status**	**CNPS Rare Plant Rank2**	**Habitat**	**Potential to Occur in Project Area**
Arctostaphylos purissima	La Purisima manzanita	None	None	1B.1	Chaparral, coastal scrub. Sandstone outcrops, sandy soil. 60-470 m.	Low – no suitable habitat in Proposed Project site.
Arctostaphylos refugioensis	Refugio manzanita	None	None	1B.2	On sandstone. 60-765 m.	Low – no suitable habitat in Proposed Project site.
Astragalus didymocarpus var. milesianus	Miles' milk-vetch	None	None	1B.2	Coastal scrub. Clay soils. 50-385 m.	Low – no suitable habitat in Proposed Project site.
Calochortus fimbriatus	late-flowered mariposa-lily	None	None	1B.3	Chaparral, cismontane woodland, riparian woodland. Dry, open coastal woodland, chaparral; on serpentine. 270-1645 m.	Low – no suitable habitat in Proposed Project site.
Fritillaria ojaiensis	Ojai fritillary	None	None	1B.2	Broadleafed upland forest (mesic), chaparral, lower montane coniferous forest, cismontane woodland. Rocky sites. Sometimes on serpentine; sometimes along roadsides. 95-1140 m.	Low – no suitable habitat in Proposed Project site.
Horkelia cuneata var. puberula	mesa horkelia	None	None	1B.1	Chaparral, cismontane woodland, coastal scrub. Sandy or gravelly sites. 15-1645 m.	Low – no suitable habitat in Proposed Project site.
Monardella hypoleuca ssp. hypoleuca	white-veined monardella	None	None	1B.3	Dry slopes. 50-1280 m.	Low – no suitable habitat in Proposed Project site.
Scrophularia atrata	black-flowered figwort	None	None	1B.2	Closed-cone coniferous forest, chaparral, coastal	Moderate - potential habitat in riparian scrub.

Table 1. Special-Status Plants Known from the Project Region[1]						
Scientific Name	**Common Name**	**Federal Status**	**California Status**	**CNPS Rare Plant Rank2**	**Habitat**	**Potential to Occur in Project Area**
					dunes, coastal scrub, riparian scrub. Sand, diatomaceous shales, and soils derived from other parent material; around swales and in sand dunes. 10-445 m.	
[1] Sources: CDFG (2016) for 5-mile radius from project site; CNPS website: www.rareplants.cnps.org; and www.calflora.org						
[2] CNPS Ranks: 1B – Plants rare, threatened, or endangered in California and elsewhere.						

Table 2. Special Status Wildlife Known from the Project Region					
Scientific Name	**Common Name**	**Federal Status**	**California Status**	**Habitat**	**Potential to Occur on Site**
Agelaius tricolor	tricolored blackbird	Candidate	Threatened	Requires open water, protected nesting substrate, and foraging area with insect prey within a few km of the colony.	Low – presumed range boundary is five (5) miles north along Nojoqui Creek.
Ambystoma californiense	California tiger salamander	Endangered (Santa Barbara County DPS)	Threatened; CDFW -Watch List	Cismontane woodland, Meadow & seep, Riparian woodland, Valley & foothill grassland, Vernal pool, Wetland. Needs underground refuges, especially ground squirrel burrows, and vernal pools or other seasonal water sources for breeding.	Low – The presumed southern geographic range of CTS in Santa Barbara County (USFWS, 2013) is 5 miles northwest of the proposed project site. There is are no known breeding sites within 1.5 miles of the property.
Antrozous pallidus	pallid bat	None	CDFW - Species of Special Concern	Deserts, grasslands, shrublands, woodlands and forests. Most common in open, dry habitats with rocky areas for roosting.	Moderate – some potential to roost in remnant oak and cottonwoods on site.
Buteo regalis	ferruginous hawk	None	CDFW -Watch List	Open grasslands, sagebrush flats, desert scrub, low foothills and fringes of pinyon and juniper habitats.	Moderate – some potential to nest in remnant oak and cottonwoods on site.

Table 2. Special Status Wildlife Known from the Project Region					
Scientific Name	**Common Name**	**Federal Status**	**California Status**	**Habitat**	**Potential to Occur on Site**
Danaus plexippus pop. 1	monarch - California overwintering population	None	None	Winter roost sites extend along the coast from northern Mendocino to Baja California, Mexico.	Low – no Eucalyptus was observed on the Proposed Project site.
Empidonax traillii extimus	southwestern willow flycatcher	Endangered	Endangered	Riparian woodlands in Southern California.	Moderate – potential habitat in riparian zone along Nojoqui Creek.
Emys marmorata (or Actinemys pallida)	Southwestern pond turtle	Candidate	CDFW - Species of Special Concern	A thoroughly aquatic turtle of ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation, below 6000 ft elevation.	Observed – two adults in irrigation reservoir, southeast corner of property. Moderate – potential habitat in riparian zone along Nojoqui Creek.
Eucyclogobius newberryi	tidewater goby	Endangered	CDFW - Species of Special Concern	Brackish water habitats along the California coast from Agua Hedionda Lagoon, San Diego County to the mouth of the Smith River.	None – no suitable habitat in Proposed Project site..
Felis concolor	mountain lion	None	Candidate - Threatened	Variable – ridgetops, valley bottoms, oak woodland, coastal scrub, riparian	Moderate – Nojoqui Creek is a potential movement corridor.
Oncorhynchus mykiss irideus pop. 10	steelhead - southern California DPS	Endangered	None	Federal listing refers to populations from Santa Maria River south to southern extent of range (San Mateo Creek in San Diego County).	Moderate – some potential habitat in Nojoqui Creek.
Progne subis	purple martin	None	CDFW - Species of Special Concern	Inhabits woodlands, low elevation coniferous forest of Douglas-fir, ponderosa pine, and Monterey pine.	Low – few coniferous trees on Proposed Project site.
Rana draytonii	California red-legged frog	Threatened	CDFW - Species of Special Concern	Lowlands and foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation.	Moderate - potential habitat in Nojoqui Creek. Nearest recorded sightings were 1.3 miles downstream in 2000 and 1.7 miles upstream in 2008.
Taricha torosa	Coast Range newt	None	CDFW - Species of Special Concern	Coastal drainages from Mendocino County to San Diego County.	Moderate – potential habitat in Nojoqui Creek.

Table 2. Special Status Wildlife Known from the Project Region					
Scientific Name	**Common Name**	**Federal Status**	**California Status**	**Habitat**	**Potential to Occur on Site**
Taxidea taxus	American badger	None	CDFW - Species of Special Concern	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils.	Moderate - may include site as foraging habitat as part of larger home range in region.
Thamnophis hammondii	two-striped gartersnake	None	CDFW - Species of Special Concern	Coastal California from vicinity of Salinas to northwest Baja California. From sea to about 7,000 ft elevation.	Low - some potential habitat in riparian zone along Nojoqui Creek. Reported sighting approx. 2 miles upstream.
Vireo bellii pusillus	least Bell's vireo	Endangered	Endangered	Summer resident of Southern California in low riparian in vicinity of water or in dry river bottoms; below 2000 ft.	Moderate – potential habitat in riparian zone along Nojoqui Creek.
[1] Source: CDFG (2018) for 5-mile radius from project site					

Appendix 4. Species Observed During Site Visit

Animals		
Common Name	**Scientific Name**	**Special Status**
Reptiles & Amphibians		
Southwestern pond turtle	*Emys marmota*	Species of Special Concern
Birds		(none if blank)
Eurasian collared-dove	*Streptopelia decaocto*	
California towhee	*Pipilo crissalis*	
Turkey vulture	*Cathartes aura*	
Red-tailed hawk	*Buteo jamaicensis*	
Northern flicker	*Colaptes auratus*	
Western scrub-jay	*Aphelocoma californica*	
Nuttall's woodpecker	*Dryobates nuttallii*	
California quail	*Callipepla californica*	
Purple finch	*Carpodacus purpureus*	
Mammals		
Brush rabbit	*Sylvilagus bachmani*	
Western pocket gopher	*Thomomys mazama*	
Coyote (tracks)	*Canis latrans*	
Raccoon (tracks)	*Procyon lotor*	

Plants		**Status**
Common Name	***Scientific Name***	(none if blank)
Mulefat	*Baccharis salicifolia*	
Tree tobacco	*Nicotiana glauca*	Non-native
California mugwort	*Artemisia douglasiana*	
Coast live oak	*Quercus agrifolia*	
Coyote bush	*Baccharis pilularis*	
Horse nettle	*Solanum elaeagnifolium*	
Poison hemlock	*Conium maculatum*	Non-native
Black mustard	*Brassica nigra*	Non-native
Sandbar willow	*Salix exigua var. hindsiana*	
Arroyo willow	*Salix lasiolepis*	
Poison oak	*Toxicodendron diversilobum*	
Mexican elder	*Sambucus mexicana*	
Black cottonwood	*Populus trichocarpa*	
California box elder	*Acer negundo californicum*	
Iceplant	*Carpobrotus edulis*	Non-native
Poplar	*Populus sp.*	Non-native

Appendix 5. Native Tree Survey Data

				Height Class		
Tree No.	**Common name**	**Scientific name**	**DBH**	**0-20 ft**	**20-40 ft**	**40-60 ft**
1	Coast live oak	*Quercus agrifolia*	19.5	X		
2	Coast live oak	*Quercus agrifolia*	10.0 [E]	X		
3	Coast live oak	*Quercus agrifolia*	10.0 [E]		X	
4	Coast live oak	*Quercus agrifolia*	30.0 [E]		X	
5	Coast live oak	*Quercus agrifolia*	30.0 [E]		X	
6	Coast live oak	*Quercus agrifolia*	35.0 [E]		X	
7	Coast live oak	*Quercus agrifolia*	15.0 [E]	X		
8	Arroyo willow	*Salix lasiolepis*	10.0 [E]	X		
9	Arroyo willow	*Salix lasiolepis*	10.0 [E]	X		
10	Arroyo willow	*Salix lasiolepis*	10.0 [E]	X		
11	Arroyo willow	*Salix lasiolepis*	10.0 [E]	X		
12	Coast live oak	*Quercus agrifolia*	23.7		X	
13	Coast live oak	*Quercus agrifolia*	7.8	X		
14	Coast live oak	*Quercus agrifolia*	31.2		X	
15	Coast live oak	*Quercus agrifolia*	11.3	X		
16	Valley oak	*Quercus lobata*	52.0		X	
17	Valley oak	*Quercus lobata*	62.0			X
18	Arroyo willow	*Salix lasiolepis*	15.0 [E]	X		
19	Coast live oak	*Quercus agrifolia*	10.0 [E]	X		
20	Black cottonwood	*Populus trichocarpa*	15.0 [E]		X	
21	Black cottonwood	*Populus trichocarpa*	15.0 [E]	X		
22	Coast live oak	*Quercus agrifolia*	25.0[E]		X	
23	Coast live oak	*Quercus agrifolia*	20.0 [E]		X	
24	Black cottonwood	*Populus trichocarpa*	18.0		X	
25	Black cottonwood	*Populus trichocarpa*	6.0	X		
26	Coast live oak	*Quercus agrifolia*	21.1	X		
27	Coast live oak	*Quercus agrifolia*	20.0 [E]	X		
28	Coast live oak	*Quercus agrifolia*	10.0 [E]	X		

				Height Class		
Tree No.	**Common name**	**Scientific name**	**DBH**	**0-20 ft**	**20-40 ft**	**40-60 ft**
29	Coast live oak	*Quercus agrifolia*	15.0 [E]	X		
30	Blue elderberry	*Sambucus nigra*	10.0 [E]	X		
31	Coast live oak	*Quercus agrifolia*	14.6	X		
32	Coast live oak	*Quercus agrifolia*	15.0[E]	X		
33	Valley oak	*Quercus lobata*	40.0	X		
34	Coast live oak	*Quercus agrifolia*	20.0		X	
35	Coast live oak	*Quercus agrifolia*	15.0	X		

E = DBH estimated; tree not accessible due to poison oak

Attachment D
BRA Memos
David N. Lee Consulting, March 10, 2021 and July 28, 2021

David N Lee
CONSULTING
Santa Barbara, CA 93109
david@dnlenv.com (805) 946-1700

MEMORANDUM

TO: Dara Elkurdi, Planning and Development

FROM: David Lee, David N. Lee Consulting

DATE: March 10, 2021

RE: **Biological Report/Assessment Peer-review Comments**
Nojoqui Farms, Case No. 19LUP-00000-00530

Dear Ms. Elkurdi,

David N. Lee Consulting has reviewed the peer-review comments to our Biological Report for the above project. We have revised our report to reflect the comments (revised report attached).

Our responses to the comments (required actions) are detailed here:

Required Action No.	Proponent Response	BRA Section Nos.
1	Figure 1 has been corrected per comments. All compost will be dry cannabis cuttings. No drainage from the compost area to the creek is expected.	3.0, 11.0
2.1	A site visit table was added. Figure 5a was added to clarify the Project Area, vegetation types, and riparian buffers.	3.0, 4.0
2.2	We added the *Baccharis* vegetation type to the BRA text and figures. There is no native vegetation or habitat within the cultivated Project Area (footprint) - detailed plant surveys and non-native vegetation mapping within the Project Area are not necessary.	6.0
2.3	Only isolated oaks were observed in the tree inventory (Appendix 5). Shrubs were the dominant cover type on the east side (Hwy 101) observed during the Vegetation Rapid Assessments. Therefore there is no oak woodland habitat within or surrrounding the project footprint. Individual oaks will not impacted by project activities. There is a 100-foot riparian buffer on the west side (Nojoqui Creek) and we added an oak protection buffer of ten (10) feet from the dripline on the east side.	App. 5

Required Action No.	Proponent Response	BRA Section Nos.
3	Please see 2.3 above. We have provided a tree inventory in Appendix 5. No native trees will be impacted by the project. Native trees will be protected by a 100-foot riparian buffer on the west side and a 10-foot dripline buffer on the east side. After consultation with County Planning and Development, it was agreed that additional tree data collection and mapping is not necessary.	App. 5
4	A detailed list of plants observed during our survey is provided in Appendix 3. Additional botanical surveys are not needed since there is no native habitat within the Project Area, and all project activities will occur on previously disturbed (cultivated) land.	App. 3
5	Consultation with USFWS regarding California red-legged frog was initiated on March 3, 2021 and is in progress.	11.0
6	Wildlife Movement Plan - updated	App. 1

Please let me know if you have any questions.

Sincerely,

David N. Lee

David Lee, Principal Biologist
David N. Lee Consulting

David N Lee
CONSULTING
Santa Barbara, CA 93109
david@dnlenv.com (805) 946-1700

MEMORANDUM

TO: Dara Elkurdi, Planning and Development

FROM: David Lee, David N. Lee Consulting

DATE: July 28, 2021

RE: Native Tree Survey
Nojoqui Farms, Case No. 19LUP-00000-00530

Dear Ms. Elkurdi,

This memo addresses the Counties questions about where native and non-native trees exist on the subject property. Please note – no native or non-native trees are planned for removal as part of the proposed project. .

Native Tree Survey

A native tree survey was conducted on April 13, 2020 by botanist Shamata James. Survey parameters (trees included in the survey) included trees greater or equal to six inches diameter at breast height (DBH) and at least four feet high. Only trees with driplines within 15 feet of the project edge were included. Tree locations were obtained with a handheld GPS unit (accuracy 16 ft.). Some tree trunks were not accessible due to thick poison oak. In this case, location and DBH were estimated.

Trees and groupings of trees not located within 15 feet of the project footprint are identified in Figure 1 below. For example, the riparian area to the west of the subject property consists of black cottonwood forest and woodland which occurs along the banks of Nojoqui Creek. Tree and shrub species include Populus trichocarpa which is dominant or co-dominant in the tree canopy with Quercus agrifolia and Salix lasiolepis. Trees are less than 30m high and the canopy is intermittent or continuous. The shrub layer is open to continuous. The herbaceous layer is sparse or abundant, especially with forbs. Populus trichocarpa is conspicuous with more than 5% absolute cover. The community is seasonally flooded and permanently saturated soils on stream banks and alluvial terraces (CNPS, 2020). which is further protected by a 100' setback from the edge of riparian habitat. There will be no vegetation or tree removal, nor grading within this 100' setback as part of the proposed project.

> Black cottonwood (Populus trichocarpa) Forest and Woodland was the type or riparian habitat observed on site.
> Stand size: 4.1 acres Impacted area: 0 acres Sensitive status: Yes
> Association: *Populus trichocarpa – Salix lasiolepis*

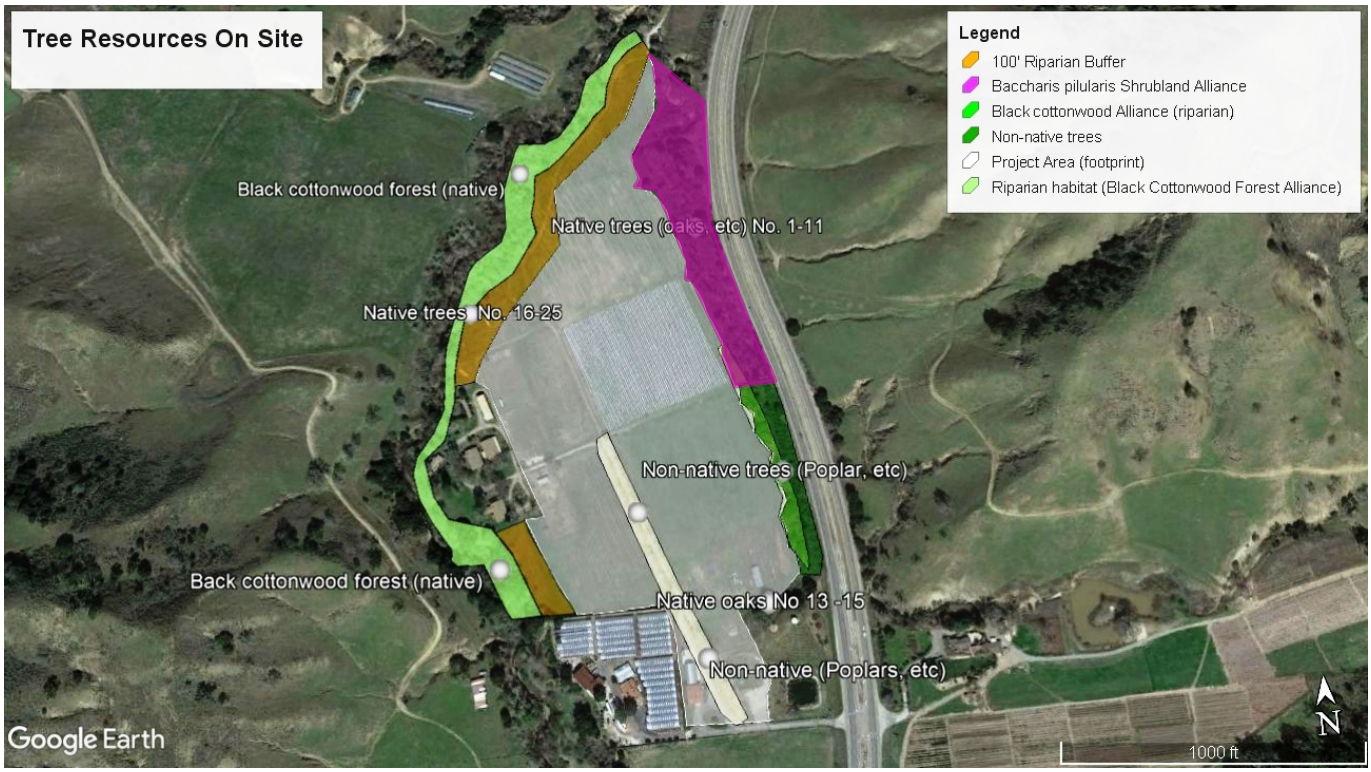

Figure 1. depicts the compilation of tree data acquired during site visits. Please refer to the Biological Assessment Report for a more detailed map of the numbered trees. Tree data is provided below.

Baccharis puluaris shrubland alliance (coyote brush scrub*)* is dominant to co-dominant in the shrub canopy with Artemisia californica, Ceanothus thyrsiflorus, Corylus cornuta, Diplacus aurantiacus, Eriogonum fasciculatum, Eriophyllum staechadifolium, Frangula californica, Garrya elliptica, Gaultheria shallon, Holodiscus discolor, Lotus scoparius, Lupinus arboreus, Morella californica, Rubus ursinus, Salvia apiana, Salvia leucophylla and Toxicodendron diversilobum. Emergent trees may pre present at low cover, including Quercus agrifolia or Umbellularia californica.

Native Tree Survey Data

				Height Class		
Tree No.	**Common name**	**Scientific name**	**DBH**	**0-20 ft**	**20-40 ft**	**40-60 ft**
1	Coast live oak	*Quercus agrifolia*	19.5	X		
2	Coast live oak	*Quercus agrifolia*	10.0 [E]	X		
3	Coast live oak	*Quercus agrifolia*	10.0 [E]		X	
4	Coast live oak	*Quercus agrifolia*	30.0 [E]		X	
5	Coast live oak	*Quercus agrifolia*	30.0 [E]		X	
6	Coast live oak	*Quercus agrifolia*	35.0 [E]		X	
7	Coast live oak	*Quercus agrifolia*	15.0 [E]	X		
8	Arroyo willow	*Salix lasiolepis*	10.0 [E]	X		
9	Arroyo willow	*Salix lasiolepis*	10.0 [E]	X		

				Height Class		
Tree No.	**Common name**	**Scientific name**	**DBH**	**0-20 ft**	**20-40 ft**	**40-60 ft**
10	Arroyo willow	*Salix lasiolepis*	10.0 [E]	X		
11	Arroyo willow	*Salix lasiolepis*	10.0 [E]	X		
12	Coast live oak	*Quercus agrifolia*	23.7		X	
13	Coast live oak	*Quercus agrifolia*	7.8	X		
14	Coast live oak	*Quercus agrifolia*	31.2		X	
15	Coast live oak	*Quercus agrifolia*	11.3	X		
16	Valley oak	*Quercus lobata*	52.0		X	
17	Valley oak	*Quercus lobata*	62.0			X
18	Arroyo willow	*Salix lasiolepis*	15.0 [E]	X		
19	Coast live oak	*Quercus agrifolia*	10.0 [E]	X		
20	Black cottonwood	*Populus trichocarpa*	15.0 [E]		X	
21	Black cottonwood	*Populus trichocarpa*	15.0 [E]	X		
22	Coast live oak	*Quercus agrifolia*	25.0[E]		X	
23	Coast live oak	*Quercus agrifolia*	20.0 [E]		X	
24	Black cottonwood	*Populus trichocarpa*	18.0		X	
25	Black cottonwood	*Populus trichocarpa*	6.0	X		
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27	Coast live oak	*Quercus agrifolia*	20.0 [E]	X		
28	Coast live oak	*Quercus agrifolia*	10.0 [E]	X		
29	Coast live oak	*Quercus agrifolia*	15.0 [E]	X		
30	Blue elderberry	*Sambucus nigra*	10.0 [E]	X		
31	Coast live oak	*Quercus agrifolia*	14.6	X		
32	Coast live oak	*Quercus agrifolia*	15.0[E]	X		
33	Valley oak	*Quercus lobata*	40.0	X		
34	Coast live oak	*Quercus agrifolia*	20.0		X	
35	Coast live oak	*Quercus agrifolia*	15.0	X		

E = DBH estimated; tree not accessible due to poison oak

Of the 35 total native trees, 20 of them (#16-35) are located within the 100-foot riparian setback, and therefore require no additional impact avoidance measures. A 6-foot buffer from dripline is recommended for the remaining 15 trees (#1-15) which are outside of the riparian setback along the eastern (US 101) side of the property.

Conclusion

The Proposed Project on this parcel will not result in the conversion of any sensitive habitat including riparian or wetlands. The Project Area is currently being farmed on land cultivated for decades. No native habitat is present in the Project Area. A setback protects riparian and wetland habitat allows for continued wildlife movement, and supports habitat connectivity along the Nojoqui Creek corridor. No natural habitat will be disturbed as a result of implementing the Proposed Project. Several impact avoidance measures have been built into the proposed project to reduce impacts of the project. These include a Wildlife Movement Plan, a 100-foot buffer between riparian habitat and cannabis activities, use of shielded lighting, and pre-construction wildlife surveys.

Please let me know if you have any questions.

Sincerely,

David N. Lee

David Lee, Principal Biologist
David N. Lee Consulting

Attachment E
Water Source and Water Demand Memo
Katherman Exploration Co, LLC, June 2022

KATHERMAN
EXPLORATION CO, LLC

Post Office Box 1812
Santa Maria, CA 93456
(805) 928-0223

WATER SOURCE & WATER DEMAND (Revised)
NOJOQUI FARM CANNABIS PROJECT
1889 S. Highway 101, Buellton, CA
JUNE, 2022

PROJECT DESCRIPTION

The Nojoqui Farm cannabis project is located approximately 3.5 miles south of the City of Buellton in Santa Barbara County, California (Figures 1A). The project consists of up to 25.93 acres of various cannabis operations, including 21.55 acres of outdoor cultivation under hoops, 2.61 acres of outdoor cultivation without hoops and 1.54 acres of nursery cultivation under hoops. The project will be located on the Nojoqui Farm property (APN 083-430-014) at 1889 US Highway 101, Buellton, California. There is an existing water delivery system that has been in place for over 50 years that delivers water primarily to this property (consisting of 53 acres), but also to the adjacent 33 acre property (083-430-031). These parcels are collectively referred to as the Nojoqui Property. This system consists of three water wells and separate components for agricultural use and for domestic (potable) use.

This memorandum analyzes (1) whether the water system produces water from or impacts Nojoqui Creek, and (2) the overall project water demand. In response to (1), the evidence shows that the water system does not impact Nojoqui Creek but produces water from a groundwater source not a riparian source, and (2) the project water demand is 24.4 acre-feet per year (AFY), which is a significant reduction in the baseline water consumption compared to the historical organic farming operations.

LOCATION

The subject property lies in the southwestern part of Santa Barbara County, California within the east-west trending Santa Rosa Hills, which comprise the foothill area along the north flank of the Santa Ynez Mountains (Figure 1B). The parcels are situated between US Highway 101 on the east and Nojoqui Creek on the west, lying 4 miles south of Buellton and 4 miles north of Gaviota Pass (Figure 2). The area topography varies greatly from 500 feet in the narrow creek floodplains to greater than 2400 feet along the mountain ridges to the south (Figure 4). The two Nojoqui parcels consist of 53 acres and 33 acres respectively; the project will be located

entirely on the 53 acre parcel (083-430-014). The range of elevation for this generally flat-lying property is 560 to 600 feet above sea level. Land use in this area surrounding and including the Nojoqui parcels is primarily row crops, while the more steeply sloping area properties are utilized for grazing.

GEOHYDROLOGY

Geologically, the Nojoqui Farm parcels are located in an east-west trending fold belt that makes up the northern flank of the Santa Ynez Mountains. The area is underlain primarily with consolidated older sediments of the Cretaceous and Mid-Tertiary aged rocks (Figure 5). These Mid-Tertiary rocks, including the Matillja, Cozy Dell, Gaviota and Sacate Formations, typically do not contain large volumes of groundwater, lacking enough porosity and permeability to hold significant water (Figure 6A&6B). However, where these units do contain water is usually associated with overlying groundwater, such as that found in alluvial sediments in rivers, streams and drainages. In the older sediments water quantity is typically smaller and the water quality is fair (non-potable). To the north in the Santa Ynez River Basin the primary water-bearing sediments are usually part of the recent Alluvium and the Plio-Pleistocene Careaga and Paso Robles Formations. However, in the Nojoqui Farm area the sands and gravels of the Careaga and Paso Robles units are absent in the region south of the Santa Ynez Basin having been eroded off and/or never deposited here. Consequently, the primary ground water sources here are the shallow alluvial sediments that overlie the older rocks. Varying in thickness from 10 feet to 200 feet, these alluvial sediments have formed over time due to erosion of the surrounding older rocks and the deposition of eroded clays, silts, sands and gravels into the low-lying areas within the drainages of the local creeks and streams. A regional cross section (Figure 7) shows the disposition of the younger sediments and their relationship to the complex, tectonically folded and faulted older sediments associated with the Santa Ynez Mountain Range to the south. A second north-south cross section shows the local details of the above-mentioned shallow sediments relative to the underlying older rocks (Figure 8).

Hydrologically, the Nojoqui property is located outside of any State Water Resources Control Board designated groundwater basin and is well south (3.5 miles) of the Santa Ynez River Basin. However, the subject land is within a small intermontane basin where ground water is associated with an erosional depression of limited extent containing various thicknesses (10-200 feet) of young, Quaternary alluvial sediments associated with the area's streams, creeks

and drainages. The Nojoqui Farm is bordered on the west by Nojoqui Creek and the east by US Highway 101.The primary ridgeline of the Santa Ynez Mountain Range lies between the subject property and the Pacific Ocean, which directs runoff from the significant drainage to the north toward the Santa Ynez River. The estimated watershed for the Nojoqui Creek is approximately 20 square miles, a fairly large drainage area for a small basin. Consequently, recharge to the area alluvial aquifers is mostly from winter rainfall/runoff and creek water infiltration, as well as some contribution from area irrigation seepage.

Additional details on the local geohydrology, including the well testing, pump testing curves and downhole pump specifications, can be found in the hydrology report prepared for Santa Barbara County Environmental Health Services as a part of the application/permit for a Single Parcel Water System (SPWS) (See Appendix). This SBCEHS hydrology report is available if needed from Santa Barbara County EHS.

WATER SYSTEM SUMMARY

The existing water system for Nojoqui Farm has been in place since the mid-1960's and consists of three water wells and an associated water distribution system as described below. The Nojoqui Farm water system services both the domestic (potable water) side of the system, as well as the agricultural (irrigation) components. The domestic portion of the system was recently permitted with Santa Barbara County as a single parcel water system, which supplies water to two connections, the primary farmhouse and the packing shed/office. The irrigation side of the system is separated from the domestic portion in order to prevent any cross contamination (see plot plan in Appendix). The irrigation system currently reaches across the entirety of the primary Nojoqui parcel (APN 083-430-014) and into the adjoining 33 acre property (APN 083-4430-031) to the north as well, which is also under contract to Nojoqui Farm.

The primary water source for this system is the Main Well, which is located within an easement on a separate parcel, APN 083-430-015, known as the Well Property (Figure 3). This Well Property was subdivided from the Nojoqui Property (APN 083-430-014) in 1964 and included easements for the Main Well and the associated water system pipeline. In 1965 the main farmhouse was built, and the various parts of the water system were constructed over the years to serve both the agricultural and domestic needs of the Nojoqui Property. Based on a review of historical records, it is my understanding that the Main Well has exclusively been used for the Nojoqui Property.

MAIN WELL

The Nojoqui Farm Main Well was drilled in 1964 to a depth of 76 feet. The well was completed with 8-inch steel casing to a depth of 55 feet. The production perforations were steel (Mills) knife cut from 44 ' to 49', which corresponds to a permeable water zone at the same depth. The standing level or static level following the completion of this well was measured at 30 feet (Well Completion Report in Appendix). However, it is likely that the older sediments from 50 feet to 76 feet are also contributing groundwater to the Main Well's productive capacity, as there is no restriction to potential flow from the bottom of the casing at 55 feet and from the sediments in the open borehole below the casing. A cement sanitary seal was placed in this well from 22 feet to the surface. The primary purpose of this seal is to prevent any surface or near surface water from entering the well and to prevent any potential contamination from wildlife.

A pump capacity test was performed in April of 2020 on the Main Well. The well was pumped continuously for a period of 4 hours at an average flowrate of 100+ gallons per minute (gpm). While the well is capable of producing at a higher rate (approx.. 150-250 gpm), there was no reason to pump the well at a maximum rate since the actual specific capacity of the well was unknown before the testing. The lower flowrate of 100+ gpm was also chosen so as to not overflow the 30,000 gallon storage tank during testing. In addition, Santa Barbara County EHS allows the onsite hydrologist to determine the needed pumping period and pumping rate when a well has a stable pumping rate of over 50 gpm. Likewise, State and County regulations do not allow extracted water during a test to flow on the ground near a riparian area.

The static water level was measured at 12.5 feet and the stable pumping level was 22.8 feet after 4 hours of testing. The well was also produced into the existing storage tank during the test, in order to avoid flowing the well onto the ground and into the riparian area, which is prohibited by both State and County regulations. Four hours of testing resulted in a stable pumping level and at the time was considered adequate to establish the overall capacity of this well to produce water over the long term. A short recovery period of only 30 minutes was observed following the cessation of pumping, as the fluid level rose quickly back to the starting static water level (12.6 feet) (pump Test Data in Appendix).

Due to the proximity of the Main Well to Nojoqui Creek, monitoring of the surface water level in the creek occurred during the pump testing of the Main Well. No significant changes were observed in the creek level other than minor fluctuations (less than ¼ of an inch) that would normally occur during the day due to changes in sunlight, changes in daily temperature and evaporation rate, and changes in atmospheric pressure. The static levels of two nearby wells

were also monitored. A shallow well open to the atmosphere and containing no pump, no piping and no electrical, known as the Wishing Well, is located 80 feet from the Main Well to the northwest. A second idle well (Farmhouse) 700 feet to the northeast behind the primary farm residence of Nojoqui Farm was also monitored. A drop of 0.5 inches in the static level was observed in the Wishing Well, however the static level returned to the beginning level within 5 minutes after pumping stopped.

During testing no change occurred in the Farmhouse Well. A water sample was taken at the end of the Main Well testing and submitted to Fruit Growers Lab for analysis. The water passed for all of the drinking water constituents necessary to establish this water source as potable.

SECONDARY WELLS

Two additional water wells are available to serve the subject Property. These wells are located on an adjacent property to the north, which is a 33 acre parcel (APN 083-430-031) that is also being purchased by the applicant, Nojoqui Farm and is referred to as the Sunburst property. Historically, the wells have been utilized as an irrigation supply for organic farming on both the Nojoqui Farm parcel and the Sunburst parcel and are tied into these lands via an existing easement and pipeline system over Nojoqui Creek. This has allowed water to flow to both parcels, depending on the needed water demand of each parcel. A map of the these well locations and the pipeline system is included in the Appendix.

Known as Moonshine #1 and Moonshine #2, these wells both produce water from the older sediments, not the younger alluvial sediments (Well Completio Reports in Appendix). Moonshine 1 was drilled in November of 1995 to a total depth of 180 feet. The well was completed with 6 inch steel casing run to 180 feet. The perforated or screened interval was 60 feet to 180 feet. A cement sanitary seal was placed from 60 feet to the surface. A 12 hour pump test on this well recovered water at a rate of 50 gallons per minute (gpm). Additionally, the well location is on the edge of the Tertiary Cozy Dell Formation outcrop (surface) so some of the shallow penetrated sediment layers are likely erosional remnants of the older sediments that are not connected to Nojoqui Creek (Well Completion Report in Appendix). The Moonshine #1 is located 500 feet from Nojoqui Creek. The static water level was recorded at 25 feet below grade; well below the elevation of nearby Nojoqui Creek. The Moonshine #2 Well was drilled in October of 2016 to a total depth of 800 feet. The well was completed with 6-inch PVC casing that was landed at 800 feet. The well's screened interval was from 260 to 800 feet

with a 51 foot cement sanitary seal. Consequently, there is no connection to the creek, as the shallow alluvial sediments are cemented off by the seal and therefore are not included in the perforated interval. This well yielded 25 gallons per minute on an abbreviated pump test. Chemical analyses on the water extracted from the Moonshine #2 was performed in 2016 and again in 2020 indicated a decent water quality for agricultural purposes. However, the water would require some treatment in order to be utilized for domestic purposes.

Permitting and planning for an additional back-up well on the Nojoqui parcel (APN 083-430-014) has been completed with an estimated completion date of June 2022. This well has been permitted and planned for the Property and will be located near the idled water well behind the farmhouse. At this time no projected water flowrates or volumes for this future well have been added to the project. The existing wells are more than adequate to meet the project water demand, so this proposed well will only be a back-up for cultivation at Nojoqui Farm.

ORIGIN OF PRODUCED WELL WATER

One of the primary questions being addressed here is whether the water supplied to the Nojoqui Farm operations is surface water or groundwater. The answer is percolating groundwater. The evidence supporting a determination of a groundwater is as follows:

1. The recent pump test on the Main Well showed no influence on the nearby Nojoqui Creek. The creek level and the static levels of two nearby wells were monitored throughout the test period and no significant changes were observed.

2. Following the termination of the Main Well pump test, a 30 minute recovery period was observed with the water level returning to the static level measured at the beginning of the pump test. A failure of the recovered water level to return to the depth of the beginning static level would have indicated a major loss of water from the aquifer and a subsequent drop in the creek level. None was observed.

3. When the Main Well was drilled and completed the static level was 30 feet below grade, which is well below (26 feet) the elevation of the surface water in Nojoqui Creek, indicating a lack of a direct connection in the subsurface with the creek surface waters.

4. The subject Nojoqui Main Well contains a confining clay layer from near surface to 37 feet. This clay layer is mostly impermeable and will not readily transmit water downward into the water-bearing sediments below it. This clay zone likely also confines the subsurface flow from communicating directly with the surface flow (Figure 10).

5. In support of Statement #4 above, there are different water chemistries between the surface water of the creek and the water-bearing sediments below the confining clay layer. The chemical analysis on the creek surface water is pending, but a hand-held Total Dissolved Solids (TDS) meter indicated a TDS or salinity level of 300 parts per million (ppm) versus 860 ppm for the recently tested groundwater being produced from the Main Well. A significantly different value for salinity further indicates that the subsurface water produced by the Main Well is not communicating at this location with the surface waters from the Nojoqui Creek.

6. One of the key tests for determining whether the Nojoqui Well is producing surface water versus groundwater is the four-part Garrapata test (SWRCB), which states that for water flow to be classified as a subterranean stream flowing through a known and definite channel, the following physical conditions must exist: (a) a subsurface channel must be present; (b) the channel must have a relatively impermeable bed and banks; (c) the course of the channel must be known or capable of being determined by reasonable inference; and (d) water must be flowing in the channel.

   In the case of the Nojoqui Well the hydrogeological conditions that exist do not meet the Garrapata criteria of Parts b and d. The channel of Nojoqui Creek is underlain by permeable sediments of the Tertiary Sacate/Gaviota Formation, which is water-bearing and productive in area water wells to the north of the subject Nojoqui Main Well; and likely contributes groundwater to the overall flow from the Main Well. As for Part d, the subsurface water within the alluvial sediments penetrated by the Nojoqui Well does not continue flowing north in conjunction with the Nojoqui Creek surface water, which flows north 3.5 miles to the Santa Ynez River. The subsurface water in the alluvial sediments below the confining layer is ponded behind the area's older sediments which outcrop at the surface north of the Nojoqui Main Well. This bathtub effect is shown in the north-south cross section in Figure 10.

HISTORIC WATER DEMAND

Nojoqui Farm was a certified organic farm from 1992 to 2017. The detailed water consumption records for 2010 through 2016 have been reviewed and are incorporated into this report (Appendix). The total water usage from 2010 -2016 averaged 106 AF per year. However, only the water use from the Main Well was recorded as the backup wells, Moonshine #1 and Moonshine #2 did not have flowmeters installed and only were used to irrigate the northern 33 acre parcel. After recent discussion with the former water master for the Nojoqui Farm, it was determined that the Main Well was utilized for irrigation on both the Nojoqui Farm parcel (APN 083-430-014) and the Moonshine Canyon parcel (083-430-031). The total amount of irrigated acreage from 1992 to 2017 varied from 40 acres to 50 acres; 25-28 acres on the primary parcel (APN 083-430-014) and 15-20 acres on the adjacent parcel (APN 083-430-031). The average acreage farmed on the Nojoqui parcel was 28 acres and 15 acres on the Moonshine parcel. However, in the last 10+ years these parcels were only farmed together in years 2010 through 2012. From 2013 through 2020 only the main Nojoqui parcel was farmed. A water consumption chart was prepared that covers 2010 through 2021 in order to determine the water use for only the Nojoqui parcel (APN 083-430-014). **The 10 year average equaled 51.5 acre-feet per year (AFY). The Nojoqui Farm water consumption varied from 1.62 acre-feet per acre (AF/AC) to 3.26 AF/Ac during this time frame. If one eliminates the no farm/no data years, then the 10 year average is 63.3 AFY**

After the death of the lead grower/farm manager in 2017 the organic farming operation ceased to exist. In its place approximately 20-25 acres of oat hay was grown instead of row crops in 2017-2018. Unfortunately, there are no detailed records for water use in those years, but an estimate of 50-75 AFY is being supplied based on a water use factor of 2.5-3.0 AFY/acre for oat hay. The property was farmed in hemp in 2019, but only on a limited basis (5 acres) with an estimated water consumption of 9 AFY. The farm ground was left fallow in 2020.

PROJECTED WATER USE

The recent UC Ag Extension data for water consumption for row crops in Santa Barbara County lists a value of 2.5 acre-feet per year per acre (AFY/Ac) for these crops. San Luis Obispo County utilizes 1.9 AFY/Ac for these same crops. From researching recent water consumption on several area cannabis operations, it appears as though the water demand estimates for cannabis have been grossly overstated at 1.9 to 2.0 AFY/Ac. The recently presented water demand for the CCA project on Santa Rosa Rd. to the Board of Supervisors revealed a demand

Nojoqui Water Consumption Chart

Year	Total AF Pumped	Total Acres Irrigated	Water Use AF / AC	Nojoqui* Net Water Use AF / AC	Nojoqui Net Water Use AFY
2010	114.9	43	2.67	1.74	48.7
2011	164.7	43	3.83	2.49	69.7
2012	121	43	2.81	1.83	100.0
2013	45.3 (a)	28	1.62	1.62	45.3
2014	No Data	N/A	N/A	N/A	N/A
2015	91.2	28	3.26	3.26	91.2
2016	69.8	28	2.49	2.49	69.8
2017	50 (b)	20+	2.50	2.50	50.0
2018	50 (b)	20+	2.50	2.50	50.0
2019	No Crop		N/A	N/A	N/A
2020	9 (c)	5	1.90	1.90	9.00
2021	No Crop		N/A	N/A	N/A
10 Year Average	70.7 AFY		2.17 AF / AC	1.84 AF / AC**	51.5 AFY

Nojoqui Parcel - 53 ACs Total; 28 ACs Farmed
Moonshine Parcel - 33 ACs Total; 15 ACs Farmed

(a) Only six months of irrigation
(b) Estimated water pumped from water consumption factor for oat hay (2.5 AF / AC)
(c) Estimated water from water consumption factor for hemp (1.9 AF / AC)

* Nojoqui Parcel = 65% of total when both parcels farmed
** Eliminating no data / no farming years AF/AC = 2.26 or 63.3 AFY

factor of approximately 0.50 AFY/AC for two crop cycles or 0.25 AFY/AC per cycle. This project is growing in-ground, similar to the Nojoqui project. This data was based on accurate water metering and recordkeeping and also involved the use of state-of-the-art drip irrigation and mulching for in-ground cultivation. Additionally, a second project also on Santa Rosa Rd., where Katherman Exploration Co. is the hydrologist, has hard data over the last three years of growing cannabis both in-ground and in pots. This data indicates a demand factor of 0.6 – 0.7 AFY/AC again for two crop cycles or 0.3-0.35 AFY/AC per cycle. Consequently, in order to be conservative with a water use estimate for Nojoqui Farm, **the proposed Nojoqui water demand will be 1.2 AFY/AC for three crop cycles or 0.40 AFY/AC per cycle.**

As was mentioned in the original report from March 2022, it critical to understand the soil conditions on Nojoqui Farm and the moisture retention properties that allow a less frequent irrigation schedule for farming; and therefore a lower water demand per acre without the use of artificial or manufactured soils. Through discussions with the former crop managers at Nojoqui, it appears as though the watering frequency for years for the organic row crops was every 4 days rather than every 2-3 days as is the case in the Lompoc and/or Santa Maria Valley farming areas. Consequently, it is critical to understand the predominate soil type at Nojoqui Farm and how it affects water usage.

A specific soil type known in the literature as the Sorrento Series is common to the Nojoqui Creek area and covers the surface of the Nojoqui Farm parcels. This soil horizon is described in the USDA's "Soil Survey of Northern Santa Barbara Area, California" as well drained, grayish-brown sandy loam to clayey loam. These soils occur extensively on floodplains and alluvial fans in several areas of Northern Santa Barbara County. This is key to estimating water demand for the project as this soil type consists of a significant content of fines, i.e. silt and clay (30-40 %), and will therefore retain a greater moisture percent than most area soils. This further supports the projected lower water demand for the Nojoqui Farm operations.

From the recent adjustments in total acreage under cultivation listed in the project description the total net acres is now 21.87 acres. All of the cultivation will be under hoops. Therefore, the total water consumption for the cannabis cultivation is 26.24 acre-feet per year (21.87 Ac x 1.2 Af/Ac). Along with the estimated water demand for the landscaping of 0.2 AFY and the projected domestic usage of 0.2 AFY, **the total project water demand stands at 26.64 AFY. Consequently, this projected demand for the main Nojoqui parcel (APN 083-430-014) is approximately 50% of the historical water consumption (51.5 AFY) over the last 10 years.**

WATERSHED FOR NOJOQUI CREEK DRAINAGE

The overall watershed area for the Nojoqui Creek drainage is shown in Figure 9. The area is quite large for a small basin comprising over 20 square miles. Comparing this drainage area to those listed in the USGS Water Supply Paper 1107 (Upson et. al.), the Nojoqui Creek drainage lies between the Jameson Lake (18 sq. mi's) and Gibraltar Dam (219 sq. mi's) areas. However, due to its location near the ridgeline of the Santa Ynez Mountains above Santa Barbara, both Jameson Lake and the area of Nojoqui Creek normally experience higher rainfall amounts. Therefore, the runoff measurements at the Jameson location are more applicable. Consequently, the runoff attributed to the Nojoqui Creek drainage area is assumed to be approximately that of Jameson Lake or an average of 6080 AF annually.

Additionally, the geologic setting for the Nojoqui Creek area is similar to both Jameson and Gibraltar in that runoff occurs over predominately older rocks and sediments of the Cretaceous Jalama Formation up through the Late Miocene Monterey Formation. This results in a greater percentage of total rainfall and runoff occupying the creek, streams and riverbeds and their associated shallow alluvial sediments rather than infiltrating into any available deeper groundwater aquifers, as is the case with the Paso Robles and Careaga Formation in central and northern Santa Barbara County. In addition, this condition of less permeable, older rocks underlying the watershed does lend itself to greater evaporation. Consequently, it is assumed that at least 30% of the total runoff for the Nojoqui Creek drainage is lost to evaporation, 40% is attributed to creek and stream surface flow that continues to the north into the Santa Ynez River Drainage Basin, and 30% is directed into water storage within alluvial sediments or aquifers lying under the Nojoqui Creek drainage area.

CONCLUSIONS

1. There is an existing water delivery system and Main Well that has been serving the Nojoqui Farm properties for over 50 years without any significant impacts to nearby Nojoqui Creek.

2. The Nojoqui Main Well was drilled and completed in December of 1964 for the sole benefit of the Nojoqui Property. The existing water system consists of separate components, one for domestic service and the other for agricultural service.

3. The Main Well is producing groundwater from Recent alluvial sediments as well as older permeable sediments of the Sacate/Gaviota Formation.

4. A pump test on the Main Well produced at a rate of 100 gpm with no detected impacts to the surface waters of Nojoqui Creek 130 feet away. There is significant evidence that confirms that there is minimal influence by the pumping of the Main Well on the surface waters of the creek, including a confining clay layer, differing water chemistries between the surface water and the subsurface water, and differing static levels. In addition, no significant changes occurred in the static levels of two additional wells that were monitored during the testing.

5. The Nojoqui Main Well does not meet the requirements for subterranean flow as determined by the State Water Resources Board in the four-part Garrapata standards; lacking impermeable beds and banks and the subsurface water is not flowing in the channel.

6. The historic water demand for the prior organic farming operations at the Nojoqui parcels (Nojoqui Property) from 2010 through 2016 was 106 AFY; the 10 year average was 82 AFY.

7. The estimated water demand for the Nojoqui Farm cannabis operation is 24.1 AFY. This represents a reduction in water consumption of 75% relative to the historical water demand of the organic farming operation.

8. The productive capacity of the Main Well (150-200 gpm) and the two secondary or backup wells (40-50 gpm) will provide a more than adequate supply of water to meet the estimated project water demand of 26.6 AFY. In fact the capacity of the Main Well alone is sufficient to meet water demand for the proposed three crop cycles per year.

It is important to note that the Nojoqui parcels are not located within the Santa Ynez River Basin (3.5 miles to the north) and are not within any State recognized groundwater basin. Therefore, there isn't a reason to apply the County's Water Thresholds. Additionally, the overall project demand is 50% lower than the recent historical averages for the Nojoqui Property. If the water demand from the years of no farming and no data then the project demand is 60% lower than the historic use.

This report was prepared by Katherman Exploration Co., LLC

Charles E. Katherman Date 6/21/2022

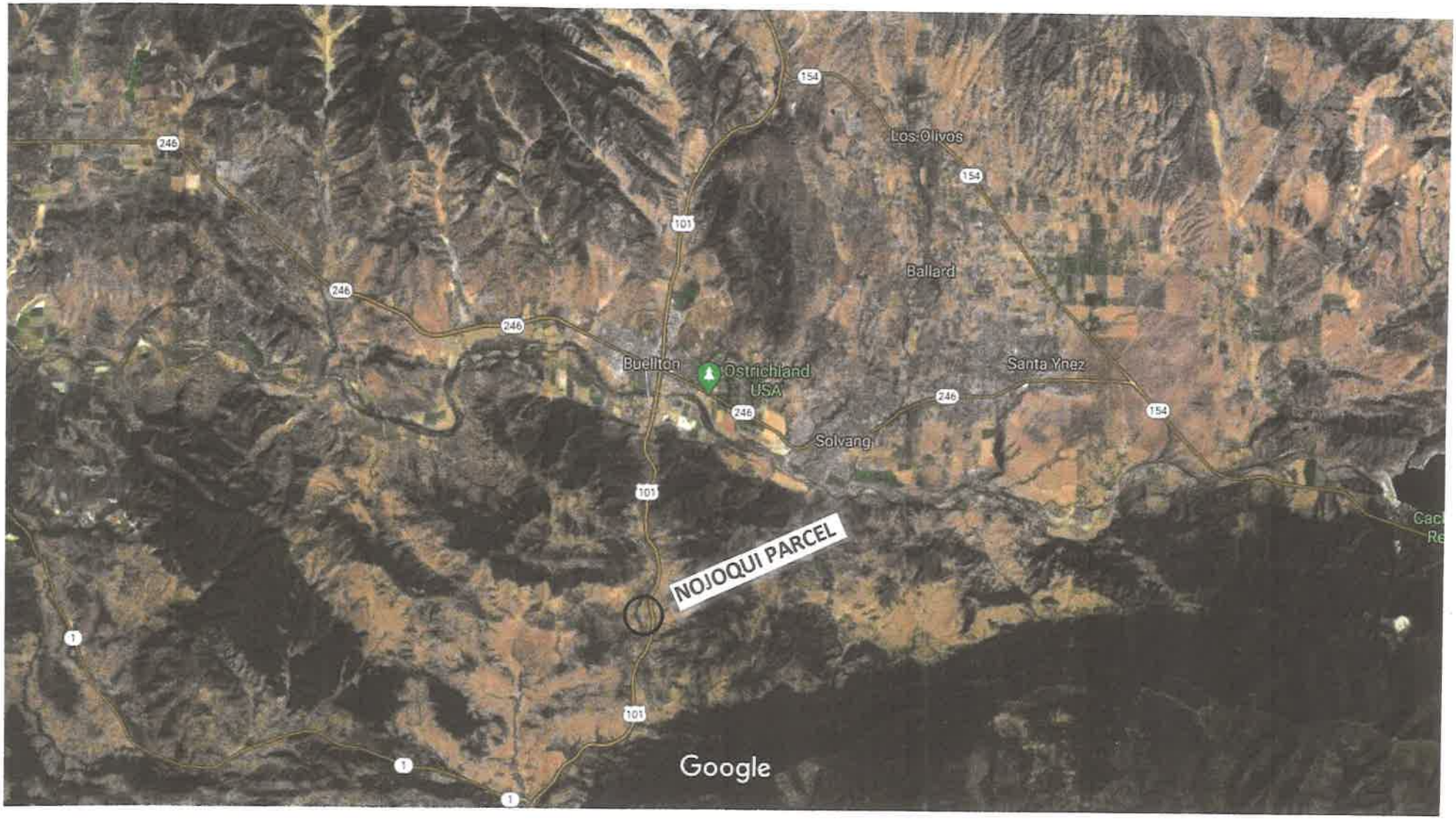
Charles E. Katherman
CA Prof. Geologist #4069

ProjectWaterSource&Demand_NojoquiFarm_Revised_June2022

NOJOQUI REPORT

FIGURES

Santa Barbara



Imagery ©2021 TerraMetrics, Map data ©2021 2 mi

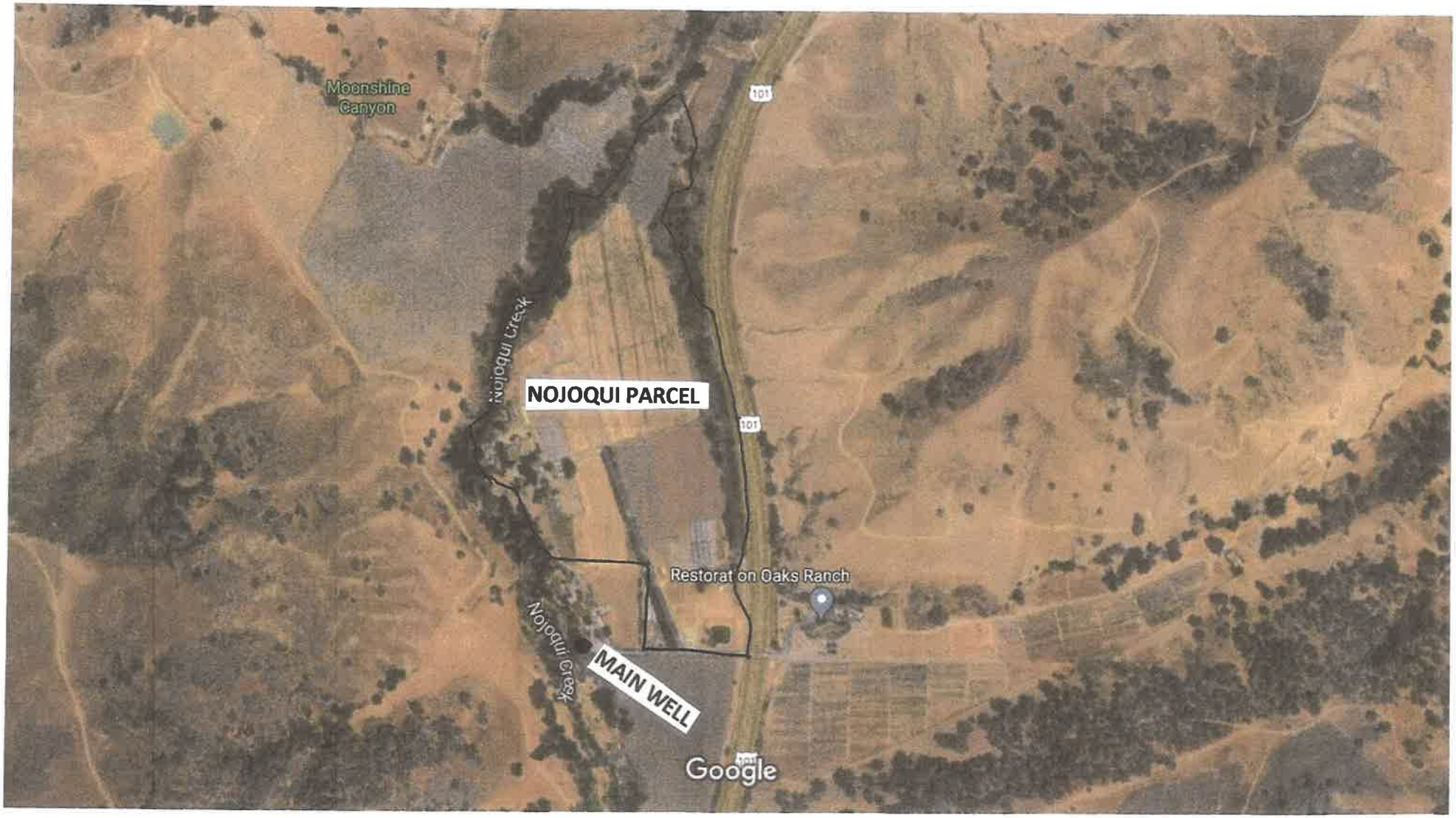
FIGURE 1A
LOCATION MAP

Google Maps Santa Barbara

Imagery ©2021 Data CSUMB SFML, CA OPC, Landsat / Copernicus, Maxar Technologies, USDA Farm Service Agency, Map data ©2021 2000 ft

FIGURE 1B
LOCATION MAP

Google Maps Santa Barbara



Imagery ©2021 Maxar Technologies, USDA Farm Service Agency, Map data ©2021 500 ft

FIGURE 2
AERIAL VIEW OF PARCEL

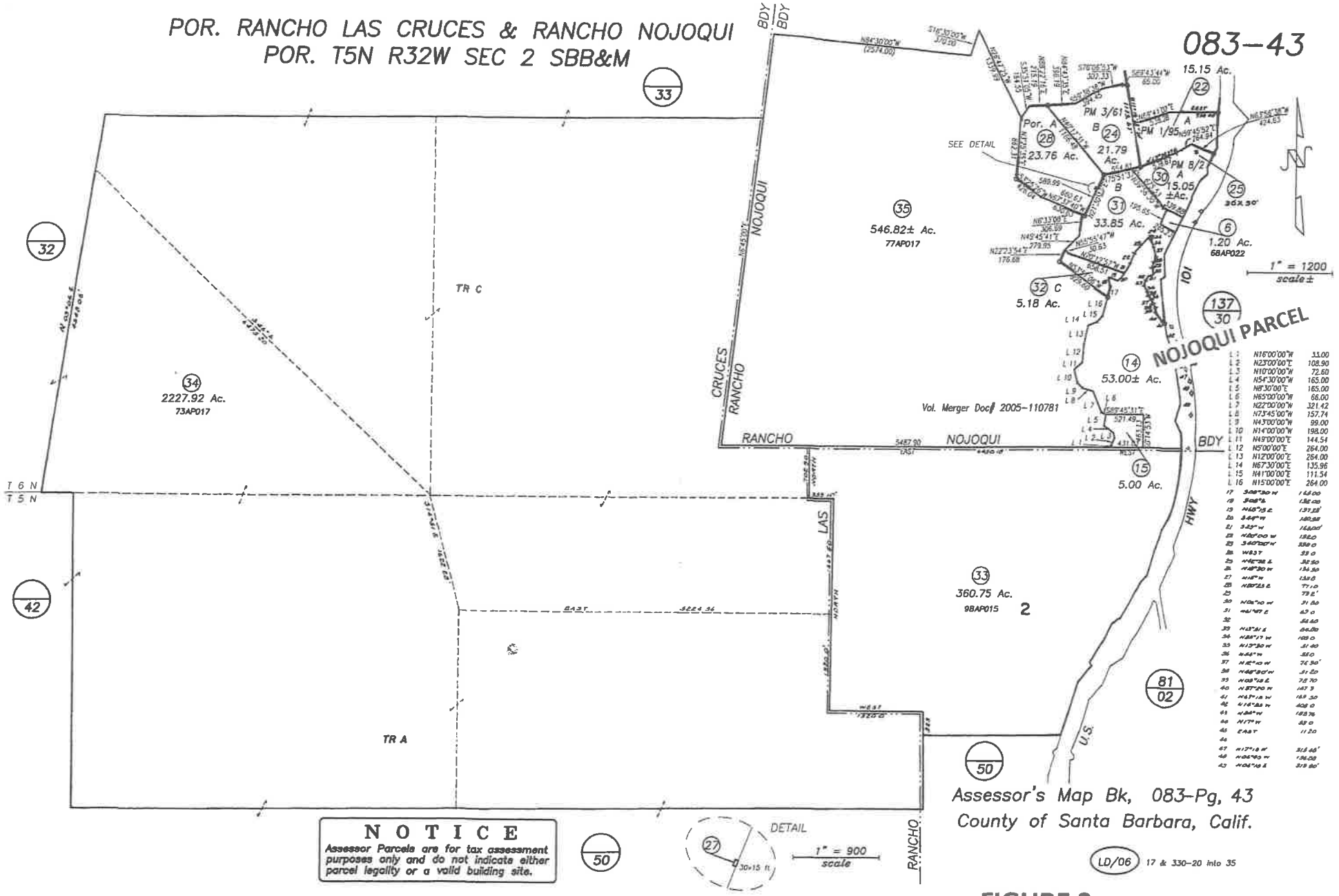


FIGURE 3
ASSESSOR PARCEL MAP

FIGURE 4
TOPOGRAPHY MAP

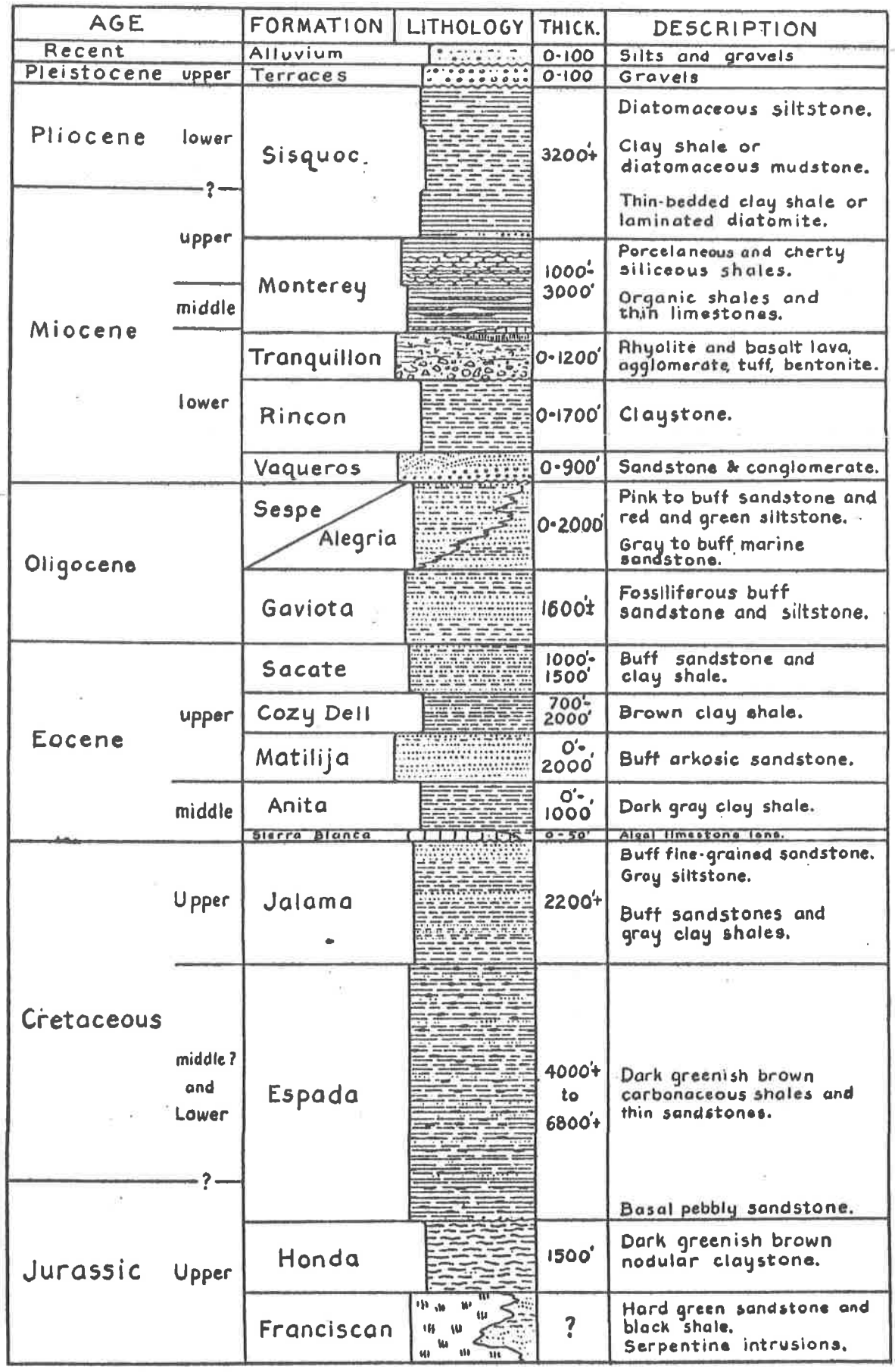


FIGURE 5 Stratigraphic column, western Santa Ynez Mountains.

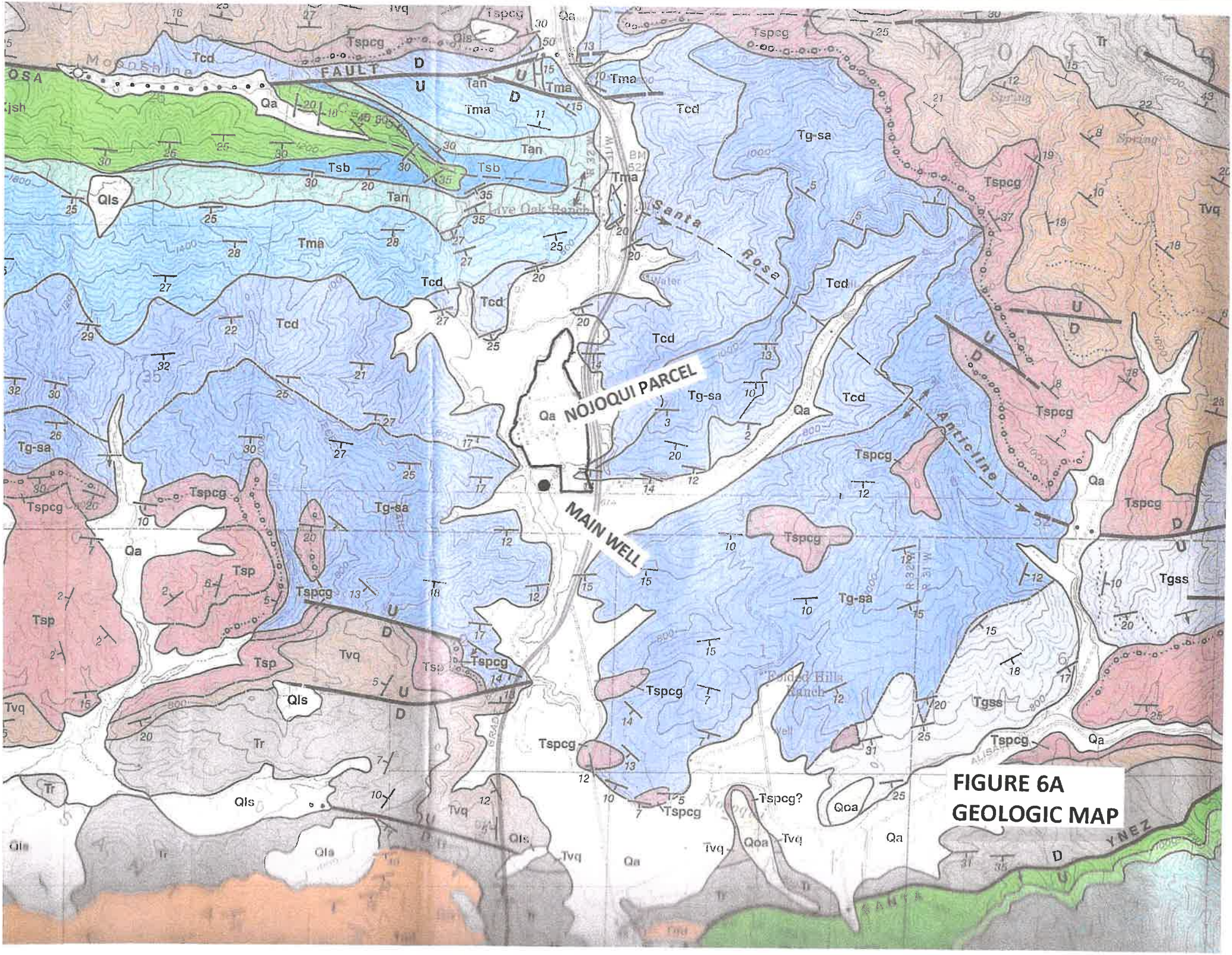


FIGURE 6A
GEOLOGIC MAP

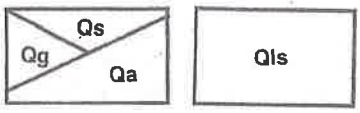
SOLVANG AND GAVIOTA QUADRANGLES
LEGEND

★ UNITS PRESENT ONLY NORTH OF SANTA YNEZ FAULT
♦ UNITS PRESENT ONLY SOUTH OF SANTA YNEZ FAULT

QUATERNARY

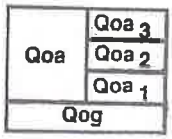
Holocene

Pleistocene



SURFICIAL SEDIMENTS

Qs *beach sand deposits*
Qg *stream channel deposits of gravel, sand and silt*
Qa *valley and floodplain deposits of silt, sand and gravel*
Qls *landslide debris*



OLDER DISSECTED SURFICIAL SEDIMENTS

remnants of weakly consolidated stream terrace and alluvial fan deposits of silt, sand and gravel; local unconformities at base

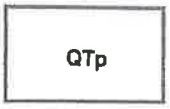
Qoa *undivided former terrace remnants*
Qog *cobble-boulder fan gravel and fanglomerate deposits composed largely of sandstone detritus*
★ **Qoa_3** *lowest, youngest terrace remnants*
★ **Qoa_2** *intermediate terrace remnants*
★ **Qoa_1** *highest, oldest terrace remnants*

UNCONFORMITY

?

Pliocene

?



★ PASO ROBLES FORMATION

nonmarine; latest Pliocene to early Pleistocene age

QTp *weakly consolidated, light greenish-gray to reddish alluvial conglomerate, sand, and clay; conglomerate composed largely of Monterey Shale detritus*

★ CAREAGA SANDSTONE

shallow marine regressive; late Pliocene age

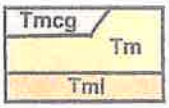
Tca *friable, massive, grayish-yellow, locally pebbly sandstone*

UNCONFORMITY

SISQUOC SHALE

marine; late Miocene age

Tsq *north of Santa Ynez fault: soft white impure diatomite and diatomaceous shale; south of Santa Ynez fault: exposed offshore only, southwest of Gaviota Beach area; Delmontian-Mohnian Stage*

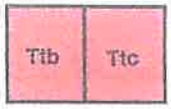


MONTEREY SHALE

marine; early to late Miocene age

Tmcg *conglomerate-breccia of siliceous and cherty shale detritus in tar-soaked sandstone matrix, west of Gaviota Beach*
Tm *upper shale unit: white-weathering, thin-bedded, hard, brittle siliceous shale, locally cherty; Mohnian Stage*
Tml *lower shale unit: white-weathering, soft, punky, fissile to platy, semi-siliceous shale, containing thin, gray-white calcareous strata; Luisian-Relizian Stages*

Miocene



★ TRANQUILLON VOLCANIC FORMATION

marine(?); early Miocene age

Ttb *west of Buellton: brown-weathering black basaltic flow(?) breccia*
Ttc *south of Solvang: weathered, hard brown tuff breccia and bentonitic sandstone in part calcareous, and gray-white algal limestone; uppermost Saucesian Stage*

FIGURE 6B
LEGEND FOR GEOLOGY MAP

TERTIARY

Oligocene

?

?

UNCONFORMITY

RINCON SHALE

marine; early Miocene age

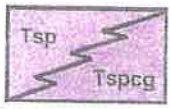
Tr *poorly bedded gray clay shale or claystone; Saucesian and upper Zemorrian Stages*

VAQUEROS SANDSTONE

shallow marine transgressive; early Miocene age

Tvq *north of Santa Ynez fault: greenish-tan sandstone and interbedded greenish siltstone, with local calcareous lenses; south of Santa Ynez fault: light gray calcareous sandstone*

★**Tvqcg** *greenish-brown sandstone and pebble conglomerate composed mostly of Franciscan detritus*



SESPE FORMATION

nonmarine; predominantly Oligocene age

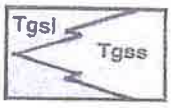
Tsp *gray to tan sandstone and green to red siltstone and claystone; basal part intertongues westward with Alegria Formation south of Santa Ynez fault*

★ **Tspcg** *greenish-gray to reddish conglomerate composed mostly of Franciscan and ultramafic (peridotite) detritus; unconformity at base*

♦ **ALEGRIA FORMATION**

shallow marine regressive; Oligocene age

Ta *tan, arkosic sandstone and greenish-gray siltstone, locally fossiliferous; intertongues eastward into lowest part of Sespe Formation; lower Zemorrian and Refugian Stage*



♦ **GAVIOTA FORMATION**

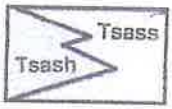
shallow marine regressive; early Oligocene age

Tgss *hard, thick bedded tan arkosic sandstone, locally fossiliferous, and minor gray siltstone; Refugian Stage*

Tgsl *gray concretionary siltstone and claystone*

♦ **GAVIOTA — SACATE FORMATIONS**

Tg-sa *Gaviota or Sacate Formations, undifferentiated*



♦ **SACATE FORMATION**

marine; late Eocene age

dark gray micaceous clay shale and siltstone interbedded with hard, light gray to tan arkosic sandstone; Narizian Stage

Tsass *predominantly sandstone* **Tsash** *predominantly shale*

Ec

Tma

MATILIJA (?) SANDSTONE
marine; middle to late Eocene age
Tma *hard, thick bedded, tan arkosic sandstone with thin partings of gray micaceous shale*

Tan

♦ ANITA SHALE
marine; early(?) to middle Eocene age
Tan *medium to dark gray micaceous clay shale with rare thin sandstone strata; includes a bed of red to green foraminiferal claystone ("Poppin Shale")*

Tsb

★ SIERRA BLANCA LIMESTONE
shallow marine transgressive; early(?) Eocene age
Tsb *white algal limestone, commonly sandy; disconformity at base*

UNCONFORMITY

CRETACEOUS

Upper

Kjss

Kish

♦ JALAMA (?) FORMATION
marine; late Cretaceous age
Kjss *hard, tan arkosic sandstone with thin partings of dark gray micaceous shale*
Kjsh *hard but fractured dark gray micaceous shale; rare thin hard strata of sandstone, and conglomerate of black chert pebbles*

Lower

Ke

★ ESPADA FORMATION
marine; late Jurassic (?) to early and middle (?) Cretaceous age
Ke *dark gray, hard but fractured micaceous shale with thin interbeds of hard, olive-gray arkosic sandstone, minor pebble conglomerate, and thin, dark gray carbonate strata*

SYMBOLS

not all symbols present on each map

FORMATION CONTACT *dashed where inferred or indefinite*

MEMBER CONTACT

CONTACT BETWEEN SURFICIAL SEDIMENTS
located approximately in places

FAULT

dashed where indefinite or inferred, dotted where concealed, queried where existence doubtful. Parallel arrows indicate inferred relative lateral movement. Relative vertical movement shown by U/D (U = upthrown side D = downthrown side). Short arrow indicates dip of fault plane.

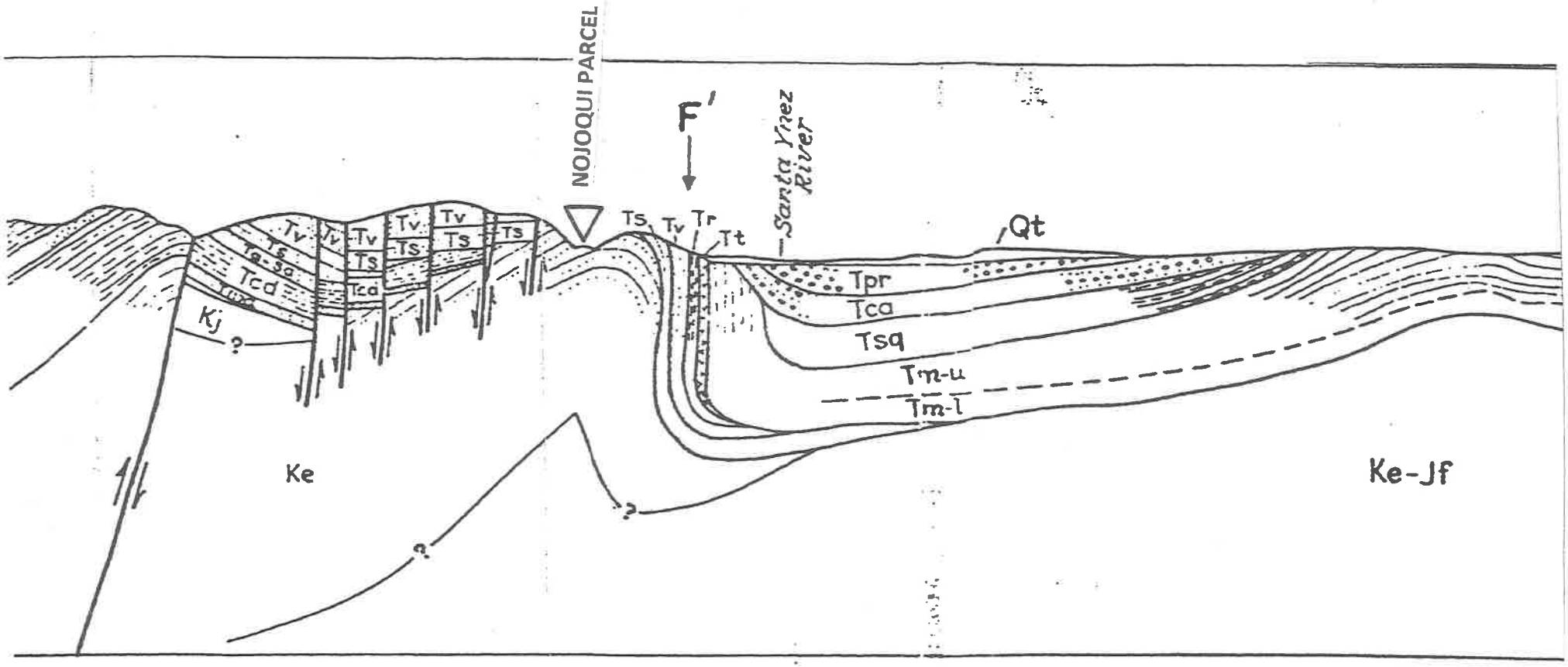


FIGURE 7
AREA CROSS SECTION

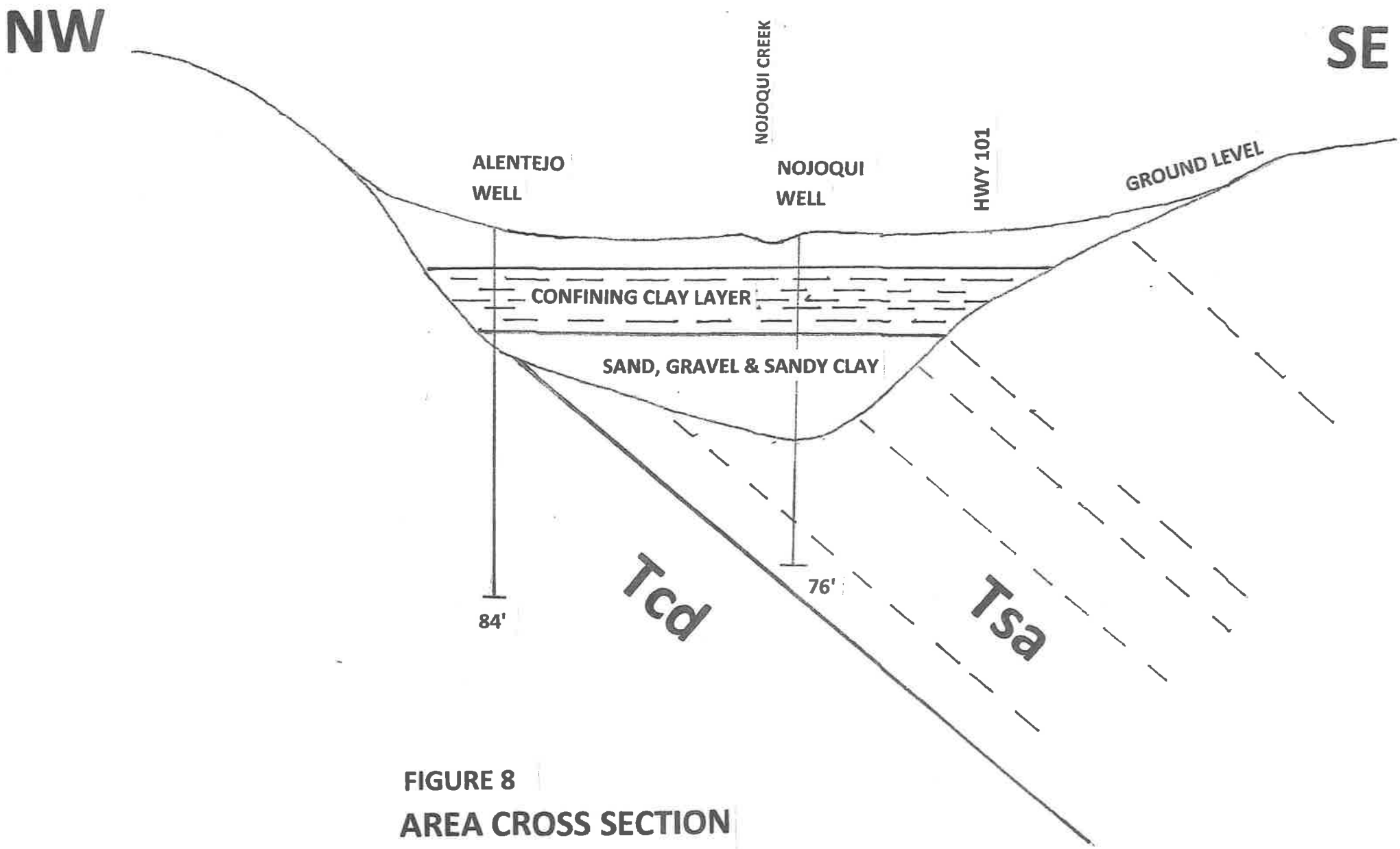


FIGURE 8

AREA CROSS SECTION

HORIZ SCALE: 1'=100'

VERT SCALE: 1"=30'

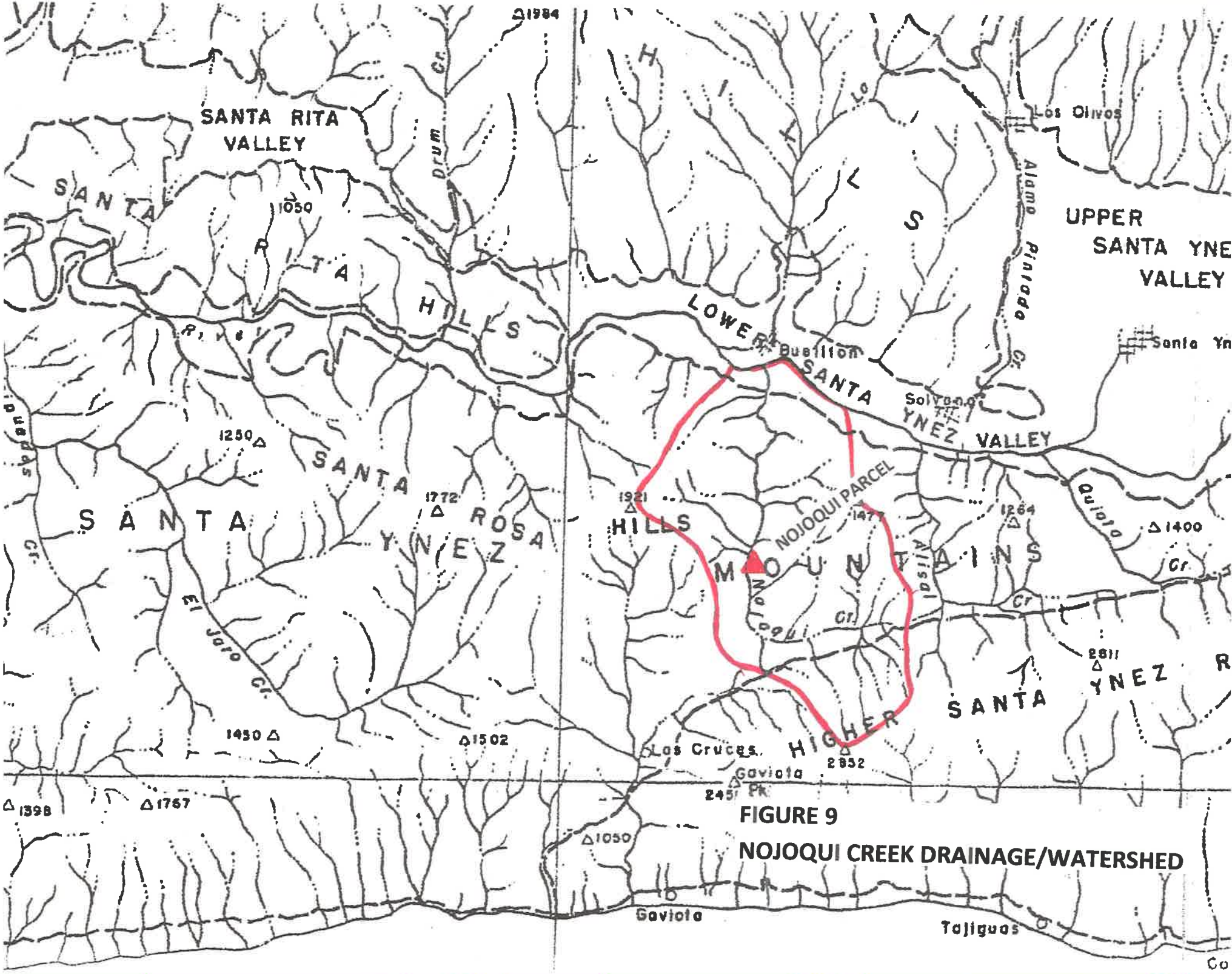


FIGURE 9

NOJOQUI CREEK DRAINAGE/WATERSHED

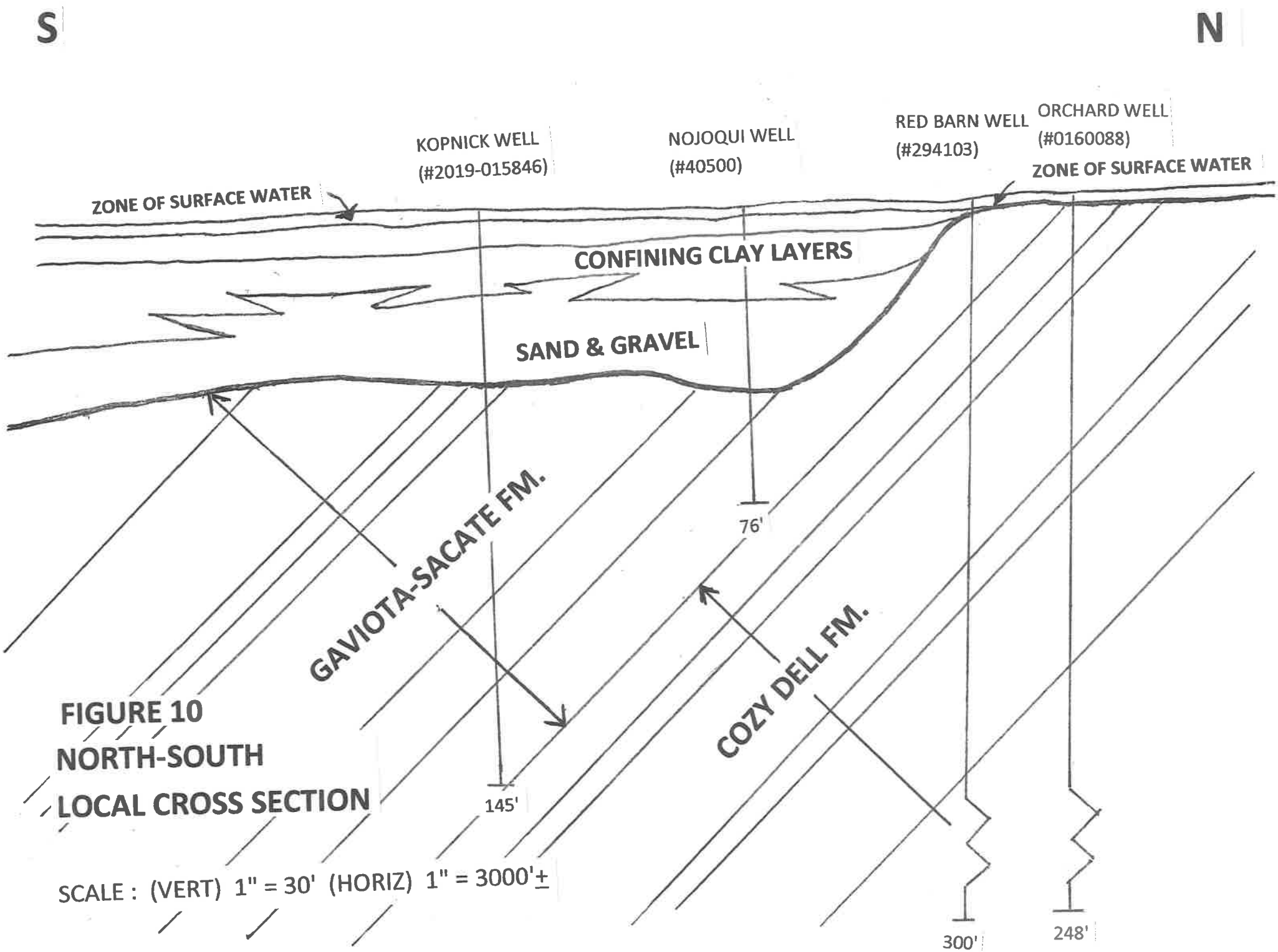


FIGURE 10
NORTH-SOUTH
LOCAL CROSS SECTION

SCALE : (VERT) 1" = 30' (HORIZ) 1" = 3000'±

NOJOQUI REPORT

APPENDIX

GRANT DEEDS

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

Name: E. D. Gilbert
Address: Box 88
City & State: Calabasas, Cal

Title Order No. 139155 Escrow No. 208

54827

RECORDED AT REQUEST OF [illegible]

BOOK 2085 PAGE 942

BOOK 2085 PAGE 942
Dec 31 5 PM '64

OFFICIAL RECORDS
SANTA BARBARA COUNTY, CALIF.
[illegible]

INDEXED

FEE $3.60

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Affix I.R.S. $ [illegible] in This Space

K5709- 830 430-07

Grant Deed

THIS FORM FURNISHED BY SECURITY TITLE INSURANCE COMPANY

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

PETER W. FLANAGAN and ALISON H. FLANAGAN, his wife

hereby GRANT(S) to

EDWARD DOLSON OSBERT and DOROTHY OSBERT, his wife, as joint tenants

A part of the Rancho Nojoqui, in the County of Santa Barbara, State of California, as granted by the United States of America to Raymundo Carrillo, by Patent dated September 12, 1869, and recorded in Book "A" at Page 779, et seq., of Patents, in the office of the County Recorder of said County, and particularly described as follows:

Beginning at a point in Line No. 9 of the final survey of said Rancho Nojoqui, at the corner common to Section 31, Township 6 North, Range 31 West, S. B. B. & M., and Section 36, Township 6 North, Range 32 West, S. B. B. & M., from which point of beginning the corner common to Sections 31, Township 6 North, Range 31 West, S. B. B. & M., and Section 36, Township 6 North, Range 32 West, S. B. B. & M., in the Township line between Township 6 North and Township 5 North bears South 731.58 feet distant, and from which last described point the corner common to Sections 1 and 2, Township 5 North, Range 32 West, S. B. B. & M., bears East 392.70 feet distant; thence from said point of beginning, 1st, East 75.58 feet along said Line No. 9 of the final survey of said Rancho Nojoqui and along the South line of said Section 31, Township 6 North, Range 31 West, S. B. B. & M., to a point in the Westerly line of a certain county road; thence along same, 2nd, North 1°30' West 1118.04 feet to a point in the center line of a gulch near the West side of a bridge; thence 3rd, East 11.22 feet to a point in the center line of said county road; thence along same, 4th, North 37° West 99 feet to a point at an angle in the center line of said county road; thence 5th, North 35°03' West 265.30 feet to a point at another angle in said county road; thence 6th, North 33°35' West 400 feet to a point; thence leaving the center line of said County road, 7th, North 57°23' West at 156.50 feet, a point in the center line of a deep gulch at the most Southerly corner of that certain parcel of land as particularly described in the Deed to Eduardo de la Cuesta to E. S. Cordero, dated March 23, 1908 and recorded in Book 100 at Page 73, et seq., of Deeds, in the office of the County Recorder of said County, 169.90 feet to a point; thence along the Westerly line of said parcel of land, as described in said Deed to Eduardo de la Cuesta to E. S. Cordero, by the following 16 courses and distances: 8th, North 37°00' West 107.20 feet to a point; thence 9th, North 3°15' East 78.70 feet to a point; thence 10th, North 46°30' West 51.20 feet to a point; thence 11th, North 12°10' West 75.30 feet to a point; thence 12th, North 58° West 56 feet to a point; thence 13th, North 10°70' West 51.40 feet to a point; thence 14th, North 15°27' East 107 feet to a point; thence 15th, North 13°51' East 64.60 feet to a point; thence 16th, North 33°55' East 55.88 feet to a point; thence 17th, North 61°47' East 69 feet to a point; thence 18th, North 8°10' West 91.50 feet to a point; thence 19th, North 33°45' East 73.80 feet to a point; thence 20th, North 20°29' West 77 feet to a point; thence 21st, North 15° West 153.80 feet to a point; thence 22nd, North 13°30' West 125.50 feet to a point; thence 23rd, North 42°30' East 38.50 feet to the confluence of said deep gulch and that certain creek locally known as and called Nojoqui Creek, from said point of confluence two willow trees marked "P.J.T." bears North 68°45' West 12.50 feet distant, and North 48°30' West 32.50 feet distant, respectively; thence up the center line of said Nojoqui Creek, following its meanders by the following 22 courses and distances: 24th, East 33 feet to a point; thence 25th, South 40° West 33 feet to a point; thence 26th, South 10° West 132 feet to a point; thence 27th, South 29° West 165 feet to a point; thence 28th, South 54° West 140.58 feet to a point; thence 29th, North 68°30' West 137.28 feet to a point; thence 30th, South 8° East 132 feet to a point; thence 31st, South 8°30' West 155 feet to a point; thence 32nd, South 13° West 264.00 feet to a point; thence 33rd, South 41° West 111.54 feet to a point; thence 34th, South 67°30' East 135.96 feet to a point; thence 35th, South 12° West 204 feet to a point; thence 36th, South 5° West 264 feet to a point; thence 37th, South 49° West 144.54 feet to a point; thence 38th, South 14° East 190 feet to a point; thence 39th, South 43° East 99 feet to a point; thence 40th, South 73°45' East 157.74 feet to a point; thence 41st, South 12° East 321.42 feet to a point; thence 42nd, South 65° East 66 feet to a point; thence 43rd, South 8°22' West 165 feet to a point; thence 44th, South [illegible]

to a point; thence 46th, South 23° West 108.90 feet to a point, thence 47th, South 16° East 33 feet to a point in said line No. 9 of the final survey of said Rancho Nojoqui; thence along same, 48th, East 962.28 feet to the point of beginning.

EXCEPTING therefrom so much thereof as has been conveyed to the State of California for highway purposes, including the portion conveyed by the Deed dated April 4, 1955, and recorded May 24, 1955 as Instrument No. 9257, in Book 1316 at Page 286 of Official Records.

ALSO EXCEPTING therefrom 1/2 of all oil, gas or other hydrocarbon substances in, under or upon said land, as reserved in the Deed from Sylvia C. McMartin, also known as Cecelia McMartin and Sylvia McMartin, Veronica Clinton, Josephellen Hanse, Cecelia Rouchleau and Mary Lois Rouchleau, recorded May 1, 1951, as Instrument No. 7747, in Book 991 at Page 288 of Official Records.

Excepting and reserving unto the grantors herein, for the period of their lives plus twenty-one years, an undivided one-half interest in and to all oil, gas, petroleum and other hydrocarbon substances, minerals and water in, under or recoverable from the portion of subsurface of the above described land lying below a plane parallel to and 500 feet vertically below the surface of said land, without, however, the right to enter upon the surface of said land or any portion thereof lying above a plane parallel to and 500 feet vertically below the surface of said land.

Also Excepting Therefrom that portion thereof described as follows:

Beginning at Southwest corner of Parcel One above described parcel, being a point on line No. 9 of said Rancho Nojoqui; thence, along the west line of said parcel the following courses and distances: North 16° West, 33 feet; thence North 23° East, 108.90 feet; thence North 10° West 72.60 feet; thence North 54°30' West, 165 Feet, thence North 8°30' East 165 feet; thence leaving said Westerly line South 89° 45' 31" East, 521.49 feet to a point from which said line No. 9 of Rancho Nojoqui bears South 6° 14'53" West, 463.13 feet; thence South 6°14'53" West, 463.13 feet to a point on said Line No. 9 from which the point of beginning bears West, 431.01 feet; thence along said Line No 9 West 431.01 feet to the point of beginning.

PARCEL TWO

An easement and right of way for water well sight purposes, pumping plant and incidentals thereto over, under, upon, and through the following described land: Beginning at the Southwest corner of Parcel one above described; thence along the Westerly line of said Parcel one North 16° West 33 feet; thence continuing along said Westerly line North 23° East, 28.53 feet; thence leaving said Westerly line North 85°34'45" East, 100.40 feet; thence South 3°01'45" West 66.50 feet to a point on said Line No. 9 from which the point of beginning bears West 99 feet; thence along said Line No. 9 West 99 feet to the point of beginning.

EXCEPTING AND RESERVING from PARCEL ONE above an easement for road, public utilities purposes, ingress and egress over, under, along and upon a strip of land 30 feet in width lying adjacent to and Northerly of the Southerly of said Parcel One, excepting that portion thereof lying within the lines of PARCEL TWO herein.

PARCEL THREE:

[illegible] An easement for water line purposes, repairs and maintenance the same, over, under, upon and along a 10 foot strip of land described as follows commencing at the southwest corner of Parcel One herein described thence North 0°14'53" East 21.45 feet to the beginning of the center line of said 10 foot easement; thence south 89°37'36" west 55.72 feet; thence north 61°08 west 55.00 feet; thence south 35°07 west 40.50 feet; thence south 86°55' West 97.00 feet; thence North 50°47' West 83.55 feet to appoint on the ease line of Parcel two here and above described said point being South 3°01'45" west 6.00 feet from the northeast corner of said Parcel two.

In Book 68 at Page 90 of Record of Surveys, appears a map of the herein described land.

Dated December 29th, 1964

Peter H. Flanagan

Alison R. Flanagan

STATE OF CALIFORNIA
COUNTY OF Santa Barbara } SS.
On December 29th, 1964 before me, the undersigned, a Notary Public in and for said County and State, personally appeared Peter H. Flanagan & Alison R. Flanagan his wife
known to me to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged that they executed the same.

Arden D. Petersen
ARDEN D. PETERSEN
Name (Typed or Printed)

FOR NOTARY SEAL OR STAMP

ARDEN D. PETERSEN
NOTARY PUBLIC-CALIFORNIA
PRINCIPAL OFFICE IN
SANTA BARBARA
My Commission Expires Feb. 7, 1968

2017-0018910

Recorded
Official Records
County of
Santa Barbara
Joseph E. Holland
County Clerk Recorder

REC FEE 37.00

NA
04:08PM 20-Apr-2017 | Page 1 of 5

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Patricia Paulsen
Sunburst Church of Self Realization
PO Box 2008
Buellton CA 93427

MAIL TAX STATEMENTS TO:

Patricia Paulsen
Sunburst Church of Self Realization
PO Box 2008
Buellton CA 93427

CORPORATION GRANT DEED

A.P.N.: 083-430-014

The undersigned Grantor declares:

Document Transfer Tax $ N/A. **"This is a bonafide gift and the Grantor received nothing in return, Cal. Rev. & Tax Code § 11911."**
(X) computed on full value of property conveyed, or
( ) computed on full value less value of liens and encumbrances remaining at time of sale.
(X) Unincorporated area: Santa Barbara County, California

Jonathan King for New Frontiers Holdings
Signature of Declarant or Agent determining tax-Firm Name

FOR NO CONSIDERATION,

NEW FRONTIERS HOLDINGS, INC., a California Corporation, of 1984 Old Mission Drive A7, Solvang, CA 93463, Grantor, a corporation organized under the laws of the state of California, hereby GRANT(s) to

SUNBURST CHURCH OF SELF REALIZATION, a California nonprofit religious corporation, of 7200 Highway 1, Lompoc, CA 93436, Grantee, certain real property located in the County of Santa Barbara, State of California, as described on Exhibit A, attached hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed as of the 19th day of April, 2017.

NEW FRONTIERS HOLDINGS, INC.,
a California corporation

By: Jonathan King
Name (Print): Jonathan King
Its: President

EXHIBIT A

(Legal Description)

The land situated in the State of California, County of Santa Barbara, City of Buellton and is described as follows:

PARCEL ONE:

A part of the Rancho Nojoqui, in the County of Santa Barbara, State of California, as granted by the United States of America to Raymundo Carrillo, by patent dated September 11, 1869, and recorded in Book "A" at Page 779, et seq., of Patents, in the office of the County Recorder of said County, and particularly described as follows:

Beginning at a point in Line No. 9 of the Final Survey of said Rancho Nojoqui, at the corner common to Section 31, Township 6 North, Range 31 West, S. B. & M., and Section 36, Township 6 North, Range 32 West, S. B. & M., from which point of beginning the corner common to Section 31, Township 6 North, Range 31 West, S. B. & M., and Section 36, Township 6 North, Range 32 West, S. B. & M., in the township line between Township 6 North and Township 5 North bears South 701.58 feet distant, and from which last described point the corner common to Sections 1 and 2, Township 5 North, Range 32 West, S. B. & M., bears East 392.70 feet distant; thence from said point of beginning, 1st, East 76.58 feet along said Line No. 9 of the Final Survey of said Rancho Nojoqui and along the South line of said Section 31, Township 6 North, Range 31 West, S. B. & M., to a point in the Westerly line of a certain county road; thence along same, 2nd, North 1°30' West 1118.04 feet to a point in the center line of a gulch near the West side of a bridge; thence 3rd, East 11.22 feet to a point in the center line of said county road; thence along same, 4th, North 17° West 59 feet to a point at an angle in the center line of said county road; thence 5th, North 35°03' West 195.50 feet to a point at another angle in said county road; thence 6th, North 14°35' West 408 feet to a point; thence leaving the center line of said county road, 7th, North 67°15' West at 156.50 feet, a point in the center line of a deep gulch at the most Southerly corner of that certain parcel of land as particularly described in the deed to Edwardo De La Cuesta to E. S. Cordero, dated March 10, 1904 and recorded in Book 100 at Page 72, et seq., of Deeds, in the office of the County Recorder of said County, 169.50 feet to a point; thence along the Westerly line of said parcel of land, as described in said deed to Edwardo De La Cuesta to E. S. Cordero, by the following 16 courses and distances: 8th, North 37°20' West 147.30 feet to a point; thence 9th, North 3°15' East 78.70 feet to a point; thence 10th, North 48°30' West 51.20 feet to a point; thence 11th, North 12°10' West 76.30 feet to a point; thence 12th, North 54° West 55 feet to a point; thence 13th, North 19°30' West 51.40 feet to a point; thence 14th, North 25°17' West 109 feet to a point; thence 15th, North 13°51' East 84.80 feet to a point; thence 16th, North 33°55' East 56.60 feet to a point; thence 17th, North 61°47' East 69 feet to a point; thence 18th, North 6°10' West 91.80 feet to a point; thence 19th, North 13°45' East 73.20 feet to a point; thence 20th, North 20°25' East 77 feet to a point; thence 21st, North 15° West 153.80 feet to a point; thence 22nd, North 18°30' West 136.50 feet to a point; thence 23rd, North 42°30' East 32.50 feet to the confluence of said deep gulch and that certain creek locally known as and called Nojoqui Creek, from said point of confluence, two willow trees marked "F. B. T." bears North 62°45' West 12.50

feet distant, and North 42°30' East 32.50 feet distant, respectively; thence up the center line of said Nojoqui Creek, following its meanders by the following 23 courses and distances: 24th, West 33 feet to a point; thence 25th, South 40° West 330 feet to a point; thence 26th, South 10° West 132 feet to a point; thence 27th, South 29° West 165 feet to a point; thence 28th, South 44° West 140.58 feet to a point; thence 29th, North 68°30' West 137.28 feet to a point; thence 30th, South 8° East 132 feet to a point; thence 31st, South 8°30' West 165 feet to a point; thence 32nd, South 15° West 264.00 feet to a point; thence 33rd, South 41° West 111.54 feet to a point; thence 34th, South 67°30' West 135.96 feet to a point; thence 35th, South 12° West 264 feet to a point; thence 36th, South 5° West. 264 feet to a point; thence 37th, South 49° West 144.54 feet to a point; thence 38th, South 14° East 198 feet to a point; thence 39th, South 43° East 99 feet to a point; thence 40th, South 73°45' East 157.74 feet to a point; thence 41st, South 22° East 321.42 feet to a point; thence 42nd, South 65° East 66 feet to a point; thence 43rd, South 8°30' West 165 feet to a point; thence 44th, South 54° 30' East 165 feet to a point; thence 45th, South 10° East 72.60 feet to a point; thence 46th, South 23° West 108.90 feet to a point; thence 47th, South 15° East 33 feet to a point in said Course No. 9 of the Final Survey of said Rancho Nojoqui; thence along same, 48th, East 962.28 feet to the point of beginning.

EXCEPTING therefrom that portion thereof as has been conveyed to the State of California, for highway purposes, including the portion conveyed by the deed dated April 4, 1955 and recorded May 24, 1955, as instrument No. 9257 in Book 1316, at Page 226 of Official Records.

ALSO EXCEPTING therefrom that portion thereof described as follows:

Beginning at Southwest corner of Parcel One above described parcel, being a point on Line No. 9 of said Rancho Nojoqui; thence, along the West line of said parcel, the following courses and distances: North 16° West, 33 feet; thence North 23° East, 108.90 feet; thence North 10° West. 72.60 feet; thence North 54°30' West, 165 feet; thence North 8°30' East 165 feet; thence leaving said Westerly line South 89°45'31" East, 521.49 feet to a point from which said Line No. 9 of Rancho Nojoqui bears South 0°14'53" West, 463.13 feet; thence South 0°14'53" West, 463.13 feet to a point on said Line No. 9 from which the point of beginning bears West, 431.01 feet; thence along said Line No. 9 West 431.01 feet to the point of beginning.

ALSO EXCEPTING therefrom 1/2 of all oil, gas or other hydrocarbon substances in, under or upon said land, as reserved in the deed from Sylvia C. McMartin, also known as Cecelia McMartin and Sylvia McMartin, Veronica Clinton, Josephellen Hanse, Cecilia Rouchleau and Mary Lois Rouchleau, recorded May 18, 1951 as Instrument No. 7747 in Book 991 at Page 284 of Official Records.

ALSO EXCEPTING therefrom for the period of their lives plus twenty-one years, an undivided one-half interest in and to all oil, gas, petroleum and other hydrocarbon substances, minerals and water in, under or recoverable from the portion of subsurface of the above described land lying below a plane parallel to and 500 feet vertically below the surface of said land, without, however, the right to enter upon the surface of said land or any portion thereof, lying above a plane parallel to and 500 feet vertically below the surface of said land, as reserved by Peter M. Flanagan, et ux. ,in the deed recorded December 31, 1964 as Instrument No. 54827 in Book 2085, Page 942 of Official Records.

PARCEL TWO:

An easement and right of way for water well site purposes, pumping plant and incidentals thereto over, under, upon, and through the following described land: Beginning at the Southerly terminus of the 47th course of Parcel One hereinabove described; thence Northerly along said 47th course North 15° West 33 feet; thence continuing North 23° East 28.83 feet; thence North 85°34'45" East, 100.40 feet; thence South 3°01'45" West 66.50 feet to a point on said Course No. 9 from which the point of beginning bears West 99 feet; thence along said Course No. 9 West 99 feet to the point of beginning.

PARCEL THREE:

An easement for water line purposes, repairs and maintenance of the same, over, under, upon and along a 10 foot strip of land described as follows: Commencing at the Southerly terminus of the 47th course of Parcel One hereinabove described; thence North 0°14'53" East 21.45 feet to the beginning of the center line of said 10 foot easement; thence South 89°37'36" West 95.72 feet; thence North 61°08' West 55.00 feet; thence South 35°07' West 40.50 feet; thence South 86°55' West 97.00 feet; thence North 50°47' West 83.55 feet to a point on the East line of Parcel Two here and above described, said point being South 3°01'45" West 6.00 feet from the Northeast corner of said Parcel Two.

APN: 083-430-014

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Santa Barbara)

On April 19, 2017 before me, Lori A. Thompson, Notary public
(insert name and title of the officer)

personally appeared Jonathan Mark King,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

LORI A. THOMPSON
COMM. # 2111222
NOTARY PUBLIC-CALIFORNIA
SANTA BARBARA COUNTY
My Commission Expires MAY 12, 2019

Signature Lori A. Thompson (Seal)

NOJOQUI FARM/SUNBURST

WELL COMPLETION REPORT

QUADRUPLICATE

RETAIN THIS COPY

WATER WELL DRILLERS REPORT

(Sections 7076, 7077, 7078, Water Code)

STATE OF CALIFORNIA

Do Not Fill In

No. 40500

State Well No.

Other Well No.

(1) OWNER:

Name E. D Gilbert

Address Box 68

Goleta, Calif.

(2) LOCATION OF WELL:

County Santa Barbara Owner's number, if any—

R. F. D. or Street No. Approximately 4 miles south of Buellton on Hwy 101, ½ mile north and ½ mile west of intersection of Hwy 246.

(3) TYPE OF WORK (*check*):

New well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 11.

(4) PROPOSED USE (*check*):

Domestic ☒ Industrial ☐ Municipal ☐

Irrigation ☐ Test Well ☐ Other ☐

(5) EQUIPMENT:

Rotary ☐

Cable ☒

Dug Well ☐

(6) CASING INSTALLED:

SINGLE ☒ DOUBLE ☐

From	ft. to	ft.	Diam.	Gage or Wall
0	55	2	8	

Type and size of shoe or well ring

Describe joint Weld collar

If gravel packed

Diameter of Bore	from ft.	to ft.

Size of gravel:

(7) PERFORATIONS:

Type of perforator used Mill knife

Size of perforations ⅛ in., length, by ⅜ in.

From	ft. to	ft.	Perf. per row	Rows per ft.
44	48	4	2	

(8) CONSTRUCTION:

Was a surface sanitary seal provided? ☒ Yes ☐ No To what depth 22 ft.

Were any strata sealed against pollution? ☐ Yes ☒ No If yes, note depth of strata

From ft. to ft.

Method of Sealing

(9) WATER LEVELS:

Depth at which water was first found ft.

Standing level before perforating ft.

Standing level after perforating 30 ft.

(10) WELL TESTS:

Was a pump test made? ☐ Yes ☒ No If yes, by whom?

Yield: gal./min. with ft. draw down after hrs.

Temperature of water Was a chemical analysis made? ☐ Yes ☒ No

Was electric log made of well? ☐ Yes ☒ No

(11) WELL LOG:

Total depth 75 ft. Depth of completed well ft.

Formation: *Describe by color, character, size of material, and structure.*

0 ft. to	2 ft.	Black soil
2 "	25 "	Yellow clay
25 "	37 "	Sandy blue clay
37 "	39 "	Sandy blue clay and gravel
39 "	45 "	Sandy blue clay
45 "	49 "	Gravel, some blue clay
49 "	75 "	Blue analog some gravel

Work started 19 .. Completed December 1964

WELL DRILLER'S STATEMENT:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Alexander Bros. (Person, firm, or corporation) (*Typed or printed*)

Address 415 East College Ave.

Lompoc, Calif.

[SIGNED] Robert M Alexander Well Driller

License No. 20647 Dated 12/2/64, 19..

95819 2-54 80M QUIN ® SPO

DWR FORM NO. 246 (REV. 3-54)

NOJOQUI MAIN WELL

PUMP TEST RESULTS

Nojoqui Farms Water Well - AG well
Pump test 4/29/2020
Pump Depth - 46' Static Level - 12.5'

Time	Pumping Level (ft)	Rate (Gpm)	Well Behind House	Wishing Well	Remarks
10:10 AM	12.5'		32.1'	10.7'	Start of Test
10:15					
10:16	46'	250			
10:17	46'				down to pump
10:18	45.9'				reduce flow
10:19					beads are stuck
10:20	41.5'	130			
10:21					
10:22	39'				airline leaking
10:23					trying to valve back VFO
10:24	37'				
10:25	30'				valved back with gate valve
10:26	28'				
10:27	26'				
10:28	24'				
10:29		100			fixed airline?
10:30	20.7'		32.1'	10.7'	
10:32		100			
10:35	17.1'	83			
10:40					
10:45	17.1'	70			
10:50		70			
10:55	17.1'	60			
11:00	22.8'	83	32.1	10.7'	
11:15	24.1'	100			
11:25	25.2'	110			
11:35	"	105	32.1'		

Time	Pumping Level (ft)	Rate (Gpm)	Well Behind House	Wishing Well		Remarks
11:55	25.2'	110				
12:02 PM	"	114	32.1'	10.7'		valving back
12:10	21.7'	87.5				
12:20	"	95				
12:30	"	95				
12:45	"	96.6				airline off by 3.7'
1:00	22.8'	100	32.1'	10.7'		sounder unstuck
1:15		106				
1:30	22.8'	110				
1:45		106				
2:15	22.8'	106				end totalizer
2:45			32.1'	10.8'	<1"	
30 min. recovery						
2:16	14.3'		32.1'			Begin recovery
2:17	13.1'					
2:18	13.1'					
2:19	"					
2:20	"					
2:21	"					
2:22	"					
2:23	"					
2:24	13'					
2:25	13'					
2:30	13'					
2:35	12.8'					
2:45	12.6'					finished recovery

NOJOQUI FARM

WATER CONSUMPTION

2010-2020

2010 to 2016 Nojoqui Farms Water Use Summary

Year	Start	Finish	Months With Data	Gallons Pumped	Normalized To 12 mo's (AFY)
2010	1/6/2010	12/30/2010	12	37,431,600	114.9
2011	12/30/2010	1/2/2012	12	48,656,600	149.3
2012	1/2/2012	12/31/2012	12	39,429,000	121.0
2013	12/31/2012	6/26/2013	6	14,754,800	90.6
2015	12/31/2014	10/28/2015	10	24,774,100	91.2
2016	1/14/2016	12/22/2016	11	20,855,800	69.8

2010 1/6/2010 12/30/2010 12 32404600 99.4
2011 1/4/2011 1/2/2012 12 53683700 164.7
2012 1/2/2012 12/31/2012 12 39429000 121.0
2013 12/31/2012 6/26/2013 6 14754800 90.6
2014 MISSING 0 ?
2015 91.2
2016 69.8

ADJ. PARCELS 60-[redacted] ACRES 2.38 AFY

28 ACS 3.1 AF/AC

636.7/6 = 106 AFY

~ 38 ACS 2.8 AFY

ACRES FARMED

2017 OAT HAY 20 ACS X 2.5 AFY = 50
2018 OAT HAY 20 ACS X " = 50
2019 NO CROP PLANTED
2020 HEMP 5 ACRES X ~~2.2~~ 1.8 AFY = ~~11~~ 9 AFY

~~28~~ 10 YRS 747.7 AF/39 = 83 AFY

91.2
69.8
50.0
58.0
11
272.0/5 = 54.4 AFY

Nojoqui Farms Main Well
2010

		Running	Static		PSI	PSI	Feet	Totalizer					
Date	Time	Pump On	Pump Off	Totalizer	Head	Air Line	of water	Start	Finish	Gallons	Time	GPM	Notes
1/6/2010	11:00		off			11.9	27.5						
1/6/2010	12:00	55 min		3,208,900	57	8.4	19.4	3208900	3209800	900	3.68	245	Opened head to 54 psi
1/6/2010	13:50	2:50		3,236,600	54	6.9	15.9	6600	7500	900	3.7	243	Opened head to 52 psi
1/7/2010	15:55	on 1 hour		3,533,000	52	7	16.2	3000	4100	1100	4.27	258	
1/8/2010	8:00	on 3 hour		3,692,400	52.7	9.8	22.6	2400	3500	1100	4.41	249	Opened head to 50 psi
1/8/2010	13:30	on		3,736,800	49.5	6.5	15.0	6800	7800	1000	3.65	274	
1/12/2010	15:20	on		3,847,700	49	7.2	16.6	7700	8800	1100	3.99	276	
1/28/2010	11:45		off			11.2	25.9						Static after rains
4/13/2010	13:05		off	7,050,800		11.1	25.6						Static after rain
5/6/2010	11:50		off	7,859,650		11.4	26.3						
5/14/2010	8:30	on >1 hr		8,472,600	49.5	8.7	20.1	72600	73800	1200	4.38	274	On & off all night
5/14/2010	11:35	on >1 hr		8,510,100	46	7	16.2	10100	11600	1500	4.91	305	Throtle opened
6/22/2010	10:10	on		12,689,900	46	6.85	15.8	89900	91600	1700	5.56	306	Continuous on
7/5/2010	14:48	on		14,743,100	45	5.4	12.5	43100	44700	1600	5.31	301	Continuous on
8/4/2010	9:25	on		20,730,800	44.5	3.8	8.8	13500	15100	1600	6.16	260	Intermittant over 24 hours
8/13/2010	8:10	on		22,621,200	42	3.2	7.4	21200	22300	1100	4.9	224	Sucking air
8/13/2010	8:20	on		22,623,400	54	4	9.2	23400	24100	700	3.52	199	Throtled down
8/20/2010	12:00	on		23,987,200	50	1.5	3.5	87200	87700	500	2.567	195	Throttled down, sucking air
8/20/2010	12:05	on			55	1.6	3.7			0			Sounds ok
8/20/2010	3:20	on		24,024,700	54	0	0.0	4700	5900	1200	6.622	181	0 air line, Yikes
8/25/2010	9:50	on		24,871,600	57	3.8	8.8	1600	2500	900	4.93	183	
8/25/2010	13:55	on			56	0	0.0						Hot, pump, permanent on
8/26/2010	11:30	on			57	3	6.9						3 on--1 off
8/27/2010	12:20	on		25,344,300	56	2.1	4.9						
8/28/2010	2:15	off	off			5	11.6						
8/28/2010	3:20	on			57	1.8	4.2						
8/30/2010	2:15	on		25,934,700	57	2.3	5.3						After 15 min rest
9/1/2010	8:15	on		26,224,900	57.5	3.3	7.6	24900	29100	4200	22.62	186	Permanent on--morning
9/2/2010	8:30	on		26,476,600	56.5	3.8	8.8	76600	77200	600	3.32	181	Running continuous all night
9/2/2010	13:50	on			55	0	0.0						
9/3/2010	10:20	on			57	3.8	8.8						Just finished 15 min break
9/3/2010	11:45	on			55	0.3	0.7						
9/6/2010	11:50	on		27,091,300	57	4.2	9.7						Cool day, continuous on
9/6/2010	13:48	on			57	2.4	5.5						Cool day
9/7/2010	8:10	on		27,265,000	57.5	5.6	12.9	65000	65700	700	3.68	190	
9/7/2010	11:30	on			56	3.2	7.4						
9/8/2010	8:05	on			57.5	4.7	10.9						Didn't use pump, may be higher
9/15/2010	8:50	on		28,697,200	58.3	6.6	15.2	7200	8500	1300	6.96	187	
9/15/2010	11:40	on			57	3.75	8.7						
9/20/2010	11:05	on		29,278,000	59	6.6	15.2	8000	8600	600	3.1	194	Opened throttle valve slightly
9/20/2010	11:15	on			58			9900	10100	200	0.94	213	
9/20/2010	12:15	on			56.5	3.95	9.1	2900	3600	700	3.23	217	
9/23/2010	11:00	on			57.5	5.7	13.2						

Nojoqui Farms Main Well
2010

		Running	Static		PSI	PSI	Feet	Totalizer					
Date	Time	Pump On	Pump Off	Totalizer	Head	Air Line	of water	Start	Finish	Gallons	Time	GPM	Notes
9/27/2010	11:15	on			56.5	3.3	7.6						Hot!
10/5/2010	11:36	on		32,223,200	57	5	11.6	3200	3900	700	3.42	205	
10/12/2010	11:15	on		32,778,700	59	7.5	17.3	8700	9200	500	2.246	223	
10/12/2010	11:18	on			58			9500	9800	300	1.355	221	Opened throttle valve slightly
10/13/2010	11:30	on		33,021,000	58	6.4	14.8	1000	1600	600	2.65	226	
10/13/2010	11:35	on			57			1900	2300	400	1.68	238	Opened throttle valve slightly
10/15/2010	12:05	on		33,367,400	57.8	8.8	20.3	7400	8000	600	3	200	Valve closed?
10/15/2010	12:10	on			57			8500	8800	300	1.33	226	Opened valve a bit
11/15/2010	12:40	off	static	35,501,100	58	10.7	24.7						Pump came on after air line reading
11/15/2010	13:40	on		35,515,500	57.5	7.1	16.4	15500	16100	600	2.53	237	Opened valve a bit
11/16/2010	10:15	on		35,613,500	56.5	8.2	18.9	3500	4100	600	2.45	245	Opened valve a bit
11/16/2010		on			54.5	8.2	18.9	4600	4900	300	1.3	231	
12/21/2010	9:30	off		37,512,600									Opened valve one turn--no readings

2010 TOTAL ~~32404600~~ 34303700

Nojoqui Farms Main Well
2011

Date	Time	Running Pump On	Static Pump Off	Totalizer	PSI Head	PSI Air Line	Feet of water	Totalizer Start	Finish	Gallons	Time	GPM	Notes
1/4/2011	9:30	Off	Static	37,512,600		14.8	34.2						Water in the creek
1/17/2011	13:53	Off	Static	37,693,900		9	20.8			0			Air line seems low
1/17/2011	15:53	On		37,731,600	43.5	4	9.2	1600	2600	1000	3.027	330	
1/20/2011	12:35	On		38,070,800	43.5	5.5	12.7	800	2000	1200	3.6	333	
2/8/2011	14:15	On	Static	39,969,400	43	3.9	9.0	69400	70600	1200	3.7	324	Running for several hours
3/16/2011	15:15	Off	Static	41,646,100		9.6	22.2			0			
4/1/2011	8:30	Off	Static	42,282,700		13.5	31.2			0			Creek running well
4/22/2011	10:15	Off	Static	44,508,400			0.0			0			
4/25/2011	10:30	On		44,887,300	44	7.7	17.8	7300	8600	1300	4.002	325	Runnin 6 hours
4/27/2011	13:30	Off	Static	45,174,300		10.8	24.9						
5/2/2011	8:50	Off	Static	45,745,000			0.0			0			
6/2/2011	7:55	On		50,469,300	44	8.6	19.9	69300	70800	1500	4.662	322	Running 2 hours
6/3/2011	12:55	On		50,661,500	43.5	5.5	12.7	61500	64300	2800	8.704	322	Running 7 hours
6/23/2011	7:50	On		53,934,700	44	6.8	15.7	4800	6200	1400	4.346	322	Running several hours
7/4/2011	8:45	On		55,436,900	43	6.6	15.2	6900	8400	1500	4.621	325	
7/20/2011	13:00	On		59,682,000	43	4.6	10.6	82000	83200	1200	3.758	319	Running since early morning
8/3/2011	14:25	On		63,066,200	42	3.8	8.8	6200	7600	1400	4.38	320	
8/15/2011	12:00	On		65,816,000	43	4.6	10.6	6000	7000	1000	3.116	321	
8/24/2011	10:40	On		67,662,600	43.5	5.8	13.4	2600	3800	1200	3.76	319	
9/6/2011	10:50	On		70,446,800	43.5	5.9	13.6	6800	8200	1400	4.4	318	
9/21/2011	11:45	On		73,461,000	42.5	5.5	12.7	1000	2400	1400	4.35	322	
11/17/2011	10:30	Off	Static	82,271,700		12.4	28.6						
12/1/2011	9:45	Off	Static	83,357,300		13.4	31.0						
1/2/2012	10:30		Static	86,088,300		11.2	25.9						
							0.0						
12/30/2010				~~37,431,600~~			0.0						
							0.0						

2011 TOTAL 53683700

Nojoqui Farms Main Well
2012

Date	Time	Running Pump On	Static Pump Off	Totalizer	PSI Head	PSI Air Line	Feet of water	Totalizer Start	Finish	Gallons	Time	GPM	Notes
1/2/2012	10:30		Static	86,088,300		11.2	25.9						
2/9/2012	10:20		Static	89,289,550			0.0			0			
3/2/2012	3:45		Static	91,135,700		7.8	18.0			0			
3/6/2012	9:35	On		91,674,700	44	6.6	15.2	4700	6100	1400	4.37	320	Running 5 hours
3/19/2012	13:30	Off	Static	92,845,600		10.8	24.9			0			
3/19/2012	15:10	On		92,877,500	43	6.8	15.7	7500	8500	1000	2.99	334	Running 1:40 hours
3/19/2012	16:10	On		92,897,800	43	7.2	16.6	7800	8800	1000	2.98	336	Running 2:40 hours
	Acid treatemt of the well												
4/12/2012	9:15	Off	Static	94,329,200		12.7	29.3			0			Rain
5/9/2012	8:45	Off	Static	96,638,300		11.4	26.3			0			
6/1/2012	2:05	On		100,053,400	42	2.4	5.5	3400	4700	1300	4.21	309	Running 9 hours
							0.0			0			Throttled to 44 #
6/8/2012	11:25	On		101,298,000	44.5	4.2	9.7	8000	9400	1400	4.78	293	Running 3.5 hours
6/22/2012	1:05	Off	Static	103,472,000			0.0			0			
7/4/2012	11:45	On		105,470,200	44.5	3.4	7.9	70200	71300	1100	4.02	274	Running 14 hours
7/14/2012	8:35	On		107,494,300	42	2.8	6.5	4300	5100	800	4.26	188	Running 23 hours / day
7/14/2012	8:35				47	3.0	6.9			0			Throttled
7/16/2012	12:25	on		107,857,900	48	0.5	1.2	7900	8600	700	3.44	203	Throttled a bit more
7/24/2012	11:45	on		109,293,700	48	1.6	3.7	3700	4400	700	3.56	197	Sucking air-throttled to 50 #
7/27/2012	9:50	on		109,932,600	bouncing	2.2	5.1	2600	3800	1200	6.48	185	Sucking air-throttled to 52 #
7/31/2012	1:35	off	Static	110,528,400		3.2	7.4			0			
8/1/2012	9:00	On		110,550,500		5.6	12.9	500	1000	500	3.7	135	Off all night
8/1/2012	12:00	On		110,174,200	63.5	3.9	9.0	4200	4700	500	3.62	138	3 hour run-pump off at 12:00
8/1/2012	20:00	On			64	4.5	10.4						
8/2/2012	7:30	On		110,698,800	64	7.4	17.1	8800	9200	400	2.84	141	
8/2/2012	4:20	On			62.5	3.2	7.4						
8/2/2012	20:05	On			63.5	5.7	13.2						
8/3/2012	6:45	On			63.5	7.2	16.6						
8/3/2012	11:40	On		110,899,100	62	4.2	9.7	9100	9600	500	3.59	139	
8/3/2012	19:45	On			63.5	5.8	13.4			0			
8/4/2012	7:55	On		111,031,500	64	6.8	15.7	1500	1900	400	2.97	135	
8/7/2012	8:20	On		111,517,400	62	6.2	14.3	7400	7800	400	3.08	130	
8/7/2012	11:55	On			62	1.4	3.2						
8/7/2012	3:35	On			62	3.0	6.9						
8/8/2012	11:50	On		111,707,200	61	1.4	3.2						
8/9/2012	12:00	On		11,849,000	61	1.9	4.4						
8/10/2012	6:55	On		111,971,400	63	6.7	15.5	1400	1800	400	2.98	134	
8/10/2012	19:50	On			62	3.8	8.8						
8/13/2012	11:45	On		112,499,300	60.5	0.4	0.9	9300	9700	400	2.99	134	
8/14/2012	11:55	On		112,661,100	61	1.3	3.0	1100	1500	400	3	133	
8/17/2012	11:50	On		113,137,300	60.5	1.2	2.8	7300	7700	400	3.04	132	
8/20/2012	11:45	On		113,604,500	59	0	0.0	4500	4800	300	2.51	120	Throttled to 62#
8/20/2012	19:00	Off	Static			5.6	12.9						

Nojoqui Farms Main Well
2012

		Running	Static		PSI	PSI	Feet	Totalizer					
Date	Time	Pump On	Pump Off	Totalizer	Head	Air Line	of water	Start	Finish	Gallons	Time	GPM	Notes
8/21/2012	10:15	On		113,671,500	63.25	3.7	8.5	1500	1800	300	2.65	113	
8/22/2012	8:00	On		113,811,900	59	3.6	8.3	1900	2300	400	3.1	129	Ran all night
8/22/2012	11:50	On			57	0	0.0						Sucking air: throttled to 62#
8/22/2012	11:55	On					0.0	1900	2100	200	1.69	118	After throttling
8/23/2012	8:20	On		113,960,800	62	4.2	9.7	800	1100	300	2.77	108	
8/24/2012	10:25	On		114,055,200	63	5.6	12.9	200	700	500	4.1	122	
8/27/2012	7:15	On		114,252,200	65.5	9.4	21.7	2200	2600	400	3.12	128	Well one third time running
8/28/2012	11:45	On		114,416,700	62	1.3	3.0			0			
8/29/2012	11:55	On		114,545,900		4.3	9.9	5900	6400	500	3.87	129	
8/31/2012	11:50	On		114,795,200	63	4.5	10.4	5200	5800	600	4.82	124	
9/1/2012	10:00	On		114,906,400	65	6.8	15.7	6400	6800	400	3.41	117	
9/3/2012	8:15	On		115,148,300	64.5	7.4	17.1	8300	8700	400	3.27	122	Opened vlave a bit
9/4/2012	8:05	On		115,274,100	64.5	7.6	17.6	4100	4500	400	3.2	125	Opened vlave a bit more
9/4/2012	11:05	On			63	3.2	7.4						
9/5/2012	8:30	On		115,404,400	64.5	6.8	15.7	4400	4700	300	2.43	123	
9/5/2012	11:40	On		115,428,400	63.5	3.1	7.2	8400	8800	400	3.26	123	
9/6/2012	11:50	On		115,556,700	64	5.1	11.8	6700	7100	400	3.18	126	
9/7/2012	11:55	On		115,682,700	63.5	3	6.9	2700	3000	300	2.47	121	
9/10/2012	18:45	On		116,072,400	65	5.8	13.4	2400	2700	300	2.49	120	
9/11/2012	11:15	On		116,180,900	64	3.8	8.8	900	1200	300	2.27	132	
9/12/2012	11:50	On		116,313,000	64	3.8	8.8	3000	3300	300	2.29	131	
9/13/2012	11:50	On		116,438,200	63.5	3.7	8.5	8200	8500	300	2.33	129	
9/17/2012	8:15	On		116,902,500	65	7.7	17.8	2500	2800	300	2.54	118	
9/17/2012	12:00	On		116,930,800	64	5	11.6	800	1100	300	2.29	131	Opened valve a bit more
9/18/2012	7:50	On		117,033,100	62.5	7.5	17.3	100	400	300	2.13	141	
9/18/2012	12:05	On		117,067,700	61.5	4.7	10.9	7700	8000	300	2.24	134	
9/27/2012	11:50	On		118,282,000		4.8	11.1	2000	2600	600	4.41	136	
9/28/2012	11:50	On		118,414,600	64	4.35	10.0	600	900	300	2.29	131	
10/8/2012	11:50	On		119,741,800	63	5	11.6	1800	2200	400	3.00	133	Opened valve to 62 psi head
10/12/2012	11:55	On		120,370,700	61.5	4.8	11.1	700	1100	400	2.55	157	
10/16/2012	11:06	On		120,921,500	61	4.5	10.4	500	900	400	2.57	156	
10/17/2012	11:35	On		121,087,700	61	3.2	7.4	700	1100	400	2.47	162	
10/19/2012	11:43	On		121,412,900	61.5	4.2	9.7	900	1300	400	2.46	163	
10/24/2012	11:55	On		121,980,600	61.5	6.2	14.3	600	1100	500	3.14	159	
10/26/2012	11:30	On		122,354,100	61	4.8	11.1	100	600	500	3.21	156	
11/2/2012	11:40	On		123,307,800	61.5	5	11.6	7800	8200	400	2.55	157	
11/8/2012	11:45	On		124,262,000	62	6.4	14.8	2000	2400	400	2.57	156	Drizzle & Cool
11/15/2012	11:15	On		124,676,300	63	5.9	13.6	6300	7000	700	4.33	162	Overcast: opened valve a bit
11/29/2012	13:15	Off	Static	124,997,200		10.4	24.0						
12/31/2012	8:10	Off	Static	125,517,300		15.5	35.8						
Gallons pumped from 1/2/12 to 12/31/12				39,429,000									

2012 TOTAL

Nojoqui Farms Main Well
2013

		Running	Static		PSI	PSI	Feet	Totalizer					
Date	Time	Pump On	Pump Off	Totalizer	Head	Air Line	of water	Start	Finish	Gallons	Time	GPM	Notes
12/31/2012	8:10	Off	Static	25,517,300		15.5	35.8						
2/1/2013	2:30	Off	Static	26,382,600		9.9	22.9			0			
3/1/2013	10:05	Off	Static	27,045,100		8.4	19.4			0			Well had been running
3/20/2013	7:45	On		28,040,500	62.5	10.7	24.7	500	1300	800	4.33	185	Adjusted head to 60 psi
3/21/2013	11:00	On		28,206,200	58	7.2	16.6	200	800	600	3.06	196	Adjusted head to 55 psi
3/21/2013	12:50	On		28,231,400	54	6.9	15.9	1400	2100	700	3.05	230	Adjusted head to 53
3/27/2013	11:50	On		28,473,600	53.5	5.7	13.2	3600	4600	1000	4.17	240	Adjusted head to 52 psi
3/28/2013	11:35	On		28,626,400	52	4.9	11.3	6400	7200	800	3.29	243	Adjusted head to 51 psi
4/10/2013	7:30	On		29,484,200	52.5	10.4	24.0	4200	5300	1100	4.39	251	
4/11/2013	14:10	On		29,708,700		5.7	13.2	8700	9500	800	3.17	252	
4/19/2013	12:00	On		30,502,400	50	1.7	3.9	2400	3400	1000	4.04	248	Should throttle down soon
4/23/2013	11:50	On		30,784,300	51.5	6.2	14.3	4300	5100	800	3.23	248	Cooler so ok: throttle if hot
4/25/2013	11:50	On		31,060,100	50.5	6.2	14.3	100	2400	2300	9.3	247	Warmer, but ok
5/2/2013	11:55	On		31,782,700	49.5	4	9.2	2700	3700	1000	4.05	247	
5/3/2013	11:55	On		31,893,300	49	2.4	5.5	3300	4700	1400	5.91	237	Hot
5/16/2013	10:15	On		33,675,800	51.5	7	16.2	5800	6700	900	3.84	234	
5/16/2013	16:10	On		33,730,300	51.5	6.6	15.2	300	1100	800	3.47	231	
5/24/2013	11:35	On		35,200,700	50	2.4	5.5	700	1500	800	3.68	217	
5/27/2013	11:45	On		35,763,100	49.5	1.4	3.2	100	900	800	3.92	204	
5/30/2013	11:50	On		36,092,500	48.5	1.2	2.8	2500	3300	800	3.79	211	Sucking air--throttled
6/5/2013	11:50	On		37,146,200	55	2.7	6.2	200	800	600	3.45	174	
6/13/2013	11:56	On		38,844,800	46-47	0	0.0	4800	5300	500	3	167	Sucking air--throttled
6/14/2013	6:56	On		38,960,700	58	4.1	9.5	700	1100	400	3.19	125	Opened to 57.5
6/14/2013	10:07	On		38,987,500	56	1.4	3.2	500	800	300	2	150	Little throtle back
6/14/2013	11:50	On		39,002,500	56.5	0	0.0	500	900	400	2.73	147	Little throtle back
6/14/2013	15:50	Off	Static			4.8	11.1						
6/14/2013	17:00	On			61	2.8	6.5						
6/14/2013	20:15	On			63	3.9	9.0						
6/15/2013	5:15	On			64	6.6	15.2			0			
6/15/2013	8:25	On		39,103,300	63.5	6.2	14.3	300	600	300	3.26	92	
6/15/2013	11:15	On		39,118,500	63	4	9.2	500	700	200	2.24	89	
6/15/2013	11:55	On			61.75	3.45	8.0						
6/17/2013	7:25	On		39,339,400	62	5.8	13.4	9400	9700	300	2.95	102	
6/17/2013	10:50	On			61	1.0	2.3						
6/17/2013	12:00	On		39,366,500	59.5	0	0.0	500	700	200	2.17	92	
6/17/2013	16:45	On			62.5	3.6	8.3	800	1100	300	2.7	111	
6/18/2013	7:33	On		39,470,100	60.5	3.8	8.8	100	400	300	2.73	110	
6/18/2013	9:30	On		39,482,700	60	2.7	6.2	700	900	200	1.86	108	
6/18/2013	10:30	On			59.5	2	4.6						
6/18/2013	11:30	On			59.5	1.5	3.5						
6/19/2013	8:00	On		39,601,100	61	4.2	9.7	100	300	200	1.85	108	
6/19/2013	11:50	On		39,625,100	60	0	0.0	100	300	200	2.12	94	
6/20/2013	7:40	On		39,726,000	61.25	4.25	9.8	0	300	300	2.79	108	

Nojoqui Farms Main Well
2013

		Running	Static		PSI	PSI	Feet	Totalizer					
Date	Time	Pump On	Pump Off	Totalizer	Head	Air Line	of water	Start	Finish	Gallons	Time	GPM	Notes
6/20/2013	11:06	On		39,746,900	59.75	0	0.0	6900	7100	200	1.97	102	Throttled to 61
6/20/2013	11:40	On		39,749,500	62	1	2.3	500	600	100	1.01	99	
6/20/2013	13:20	Off	Static			4.5	10.4			0			
6/20/2013	15:45	Off	Static			5.4	12.5			0			
6/21/2013	7:45	On		39,837,900	65	4.7	10.9	7900	8100	200	2.14	93	
6/21/2013	10:50	On		39,854,600	65	4.2	9.7	600	800	200	2.43	82	
6/24/2013	8:15	On		40,071,000	66	6.2	14.3	1000	1200	200	2.21	90	
6/25/2013	8:24	On		40,167,600	66	5.8	13.4	600	800	200	2.4	83	
6/25/2013	10:00	On			65.5	4.5	10.4						
6/25/2013	11:40	On		40,184,000	65	2.7	6.2	4000	4200	200	2.65	75	
6/25/2013	3:40	Off	Static	40,189,500	38	4.3	9.9						
6/25/2013	3:55	On			66	3.4	7.9						
6/25/2013	10:00	On		40,217,500	66	6.2	14.3						
6/26/2013	6:00	On		40,249,200	68	7.6	17.6						
6/26/2013	7:20	On		40,255,200	67.5	7.3	16.9	200	300	100	1.3	77	
6/26/2013	9:51	On		40,265,500	67	4.9	11.3	500	600	100	1.42	70	
6/26/2013	11:35	On		40,272,100	66.5	3.4	7.9	100	200	100	1.63	61	
6/26/2013	12:56	Off	Static		38	3.6	8.3						
6/26/2013							0.0			0		#DIV/0!	
							0.0			0		#DIV/0!	
							0.0			0		#DIV/0!	
Gallons pumped from 12/31/12 to 6/26/13:				14,754,800			0.0			0		#DIV/0!	
			2012				0.0			0		#DIV/0!	
			(6 mos)				0.0			0		#DIV/0!	
							0.0			0		#DIV/0!	
							0.0			0		#DIV/0!	
							0.0			0		#DIV/0!	
							0.0			0		#DIV/0!	
							0.0			0		#DIV/0!	
							0.0			0		#DIV/0!	
							0.0			0		#DIV/0!	
							0.0			0		#DIV/0!	
							0.0			0		#DIV/0!	
							0.0			0		#DIV/0!	
							0.0			0		#DIV/0!	
							0.0			0		#DIV/0!	
							0.0			0		#DIV/0!	
							0.0			0		#DIV/0!	
							0.0						
							0.0						

Nojoqui Farms Main Well
2015

Date	Time	Running Pump On	Static Pump Off	Totalizer	PSI Head	PSI Air Line	Feet of water	Freq. Hz	Totalizer Start	Totalizer Finish	Gallons	Time	GPM	Notes
12/31/2014	8:47	Off	Static	86,898,200		0	0.0							75 min/day
1/23/2015	9:00	Off	Static	87,452,000		13.3	30.7		86,898,200	87,452,000	553800			
1/27/2015	9:05	Off	Static	87,549,800		12.9	29.8		87,452,000	87,549,800	97800			
2/20/2015	7:35	Off	Static	87,808,100		13.7	31.6		87,549,800	87,808,100	258300			
3/2/2015	8:00	On	Pumping	87,919,800	Broken	9.3	21.5		87,919,800	87,920,200	400	1.27	315	
4/8/2015	8:04	On	Pumping	88,446,100	Broken	9.7	22.4		88,446,100	88,446,200	100	0.33	303	
4/8/2015	8:12	On	Pumping			9.4	21.7				0			
4/30/2015	14:38	On	Pumping	89,616,900	39	4.7	10.9		89,617,000	89,617,100	100	0.35	286	Ran most of day
5/4/2015	8:09	Off	Static	89,697,800		13.4	31.0				0			
5/6/2015	7:40	Off	Static	89,916,900		13.3	30.7				0			
5/25/2015	10:25	Just off	Rising	90,872,000			0.0				0			
5/25/2015	14:32	On	Pumping	90,015,000	38		0.0				100	0.32	313	
6/12/2015	14:37	On	Pumping	92,434,600	40	4.6	10.6				100	0.35	286	
6/19/2015	13:38	On	Pumping	93,311,400	38	2.5	5.8				100	0.35	286	
7/23/2015	8:42	On	Pumping	97,528,300	38	2.9	6.7				100	0.42	238	
7/28/2015	11:50	On	Pumping	98,420,400	38	1.3	3.0				100	0.37	270	
7/31/2015	5:50	Off	Static	98,689,200		9.6	22.2				0			
8/5/2015	6:01	On	Pumping	99,625,700	0	2.6	6.0				100	0.34	294	6 hour run from midnight
8/22/2015	9:30	On	Pumping	102,081,000	Broken	2	4.6				100	0.4	250	
8/28/2015	11:00	On	Pumping	103,218,100		0	0.0				100	0.377	265	
9/1/2015	8:28	Off	Static	103,724,500		9.5	21.9				0		0	
9/3/2015	6:10	On	Pumping	103,919,700		3	6.9				100	0.37	270	
9/3/2015	7:57	On	Pumping	103,949,770		2.7	6.2				100	0.35	286	
9/10/2015	6:57	On	Pumping	104,661,400		2.9	6.7	60.0			100	0.35	286	
9/19/2015	8:15	On	Pumping	105,649,700		3.2	7.4	5.9			100	0.38	263	
9/11/2015	10:35	On	Pumping	105,686,000		1	2.3	58.5						
9/11/2015	16:36	Off	Static	105,978,900		5	11.6							Set 10 hours at night
9/24/2015	7:20	On	Pumping	106,367,600	40	3.3	7.6				100	0.37	270	
10/9/2015	7:55	On	Pumping	108,960,800			0.0	54.5			100	0.37	270	
10/15/2015	7:43	On	Pumping	110,333,300		2.6	6.0	52.1			100	0.68	147	
10/28/2015	7:15	On	Pumping	111,672,300		3.2	7.4	50.5						
11/18/2015	7:40	On	Pumping	Broken		3.6	8.3	51.2						
Gallons pumped from 12/31/14 to 10/28/15:				24,774,100										

Nojoqui Farms Main Well
2016

		Running	Static		PSI	PSI	Feet	Freq.	Gallons	Days	Average	Timing	Timer		
Date	Time	Pump On	Pump Off	Totalizer	Head	Air Line	of water	Hz	Pumped		Gal/Day	Gallons	Time	GPM	Notes
							0.0								
							0.0								
1/14/2016	8:00	On	Pumping	14,856,400		3	6.9	57.4				100	0.35	286	Had run all night-cavitation
2/2/2016	13:25	On	Pumping	15,450,200		2.4	5.5	60.0	593,800	19	31,253	100	0.39	256	
3/1/2016	8:30	On	Pumping	18,663,800	=/-40	2	4.6	55.0	3,213,600	28	114,771	100	0.37	270	Cavitating
6/16/2016	7:26	Perm On	Pumping	30,188,800		3.1	7.2	49.8				100	1.62	62	
7/6/2016	16:40	Perm On	Pumping				0.0	49.0							
7/28/2016	8:05	Perm On	Pumping	33,224,700			0.0	49.8	3,035,900	42	72,283	100	2.23	45	
7/29/2016	6:30	Perm On	Pumping	33,301,400	38 to 40	4	9.2	49.9	76,700	1	76,700	100	1.65	61	
8/4/2016	7:20	Perm On	Pumping	33,609,650	38	2.75	6.4	50.0	308,250	6	51,375	100	1.6	63	
8/24/2016	11:25	Off		34,497,400			0.0		887,750	20	44,388				VFD Broken
8/25/2016	7:50	Off	Static			6.8	15.7								VFD Broken
8/26/2016	9:30	Off	Static			7.2	16.6								
9/13/2016	15:45	Off		34,703,400			0.0								
9/16/2016	7:30	On		34,736,000	38	2.1	4.9	50.6	32,600	3	10,867	100	1	100	
9/21/2016	7:44	On		34,806,100	38.5	2.2	5.1	51.1	70,100	5	14,020	100	1	100	
9/29/2016	7:24	Came on					0.0								
9/29/2016	8:08	On		34,897,650	38	2.1	4.9	51.1	91,550	8	11,444				Pump turned off
10/6/2016	7:55	On		34,945,500	38	2.8	6.5	51.2	47,850	7	6,836	100	0.838	119	
10/19/2016	7:40	On		35,038,600	38	2.7	6.2	51.6	93,100	13	7,162	100	0.88	114	
11/11/2016	10:45	Off	Static	35,216,100		8.4	19.4		177,500	23	7,717			0	
11/17/2016	7:17	Off	Static	35,265,900		10.8	24.9		49,800	6	8,300				4 timer pegs, now 3
11/18/2016	14:30	On/Off					0.0	51.2							Left on 31 hours
12/13/2016	14:40	Off	Static	35,650,750		10.2	23.6		384,850	26	14,802				
12/22/2016	7:30	Off	Static	35,712,200		12	27.7		61,450	9	6,828				
12/22/2016	7:37	On				2.5	5.8	53.8							Dropped quickly
Gallons pumped from 1/14/16 to 12/22/16:				20,855,800											

MOONSHINE WELLS 1 & 2

WELL COMPLETION REPORTS

MOONSHINE 1

STATE OF CALIFORNIA
THE RESOURCES AGENCY
DEPARTMENT OF WATER RESOURCES

QUADRUPLICATE
Use to comply with local requirements

WATER WELL DRILLERS REPORT

Do not fill in

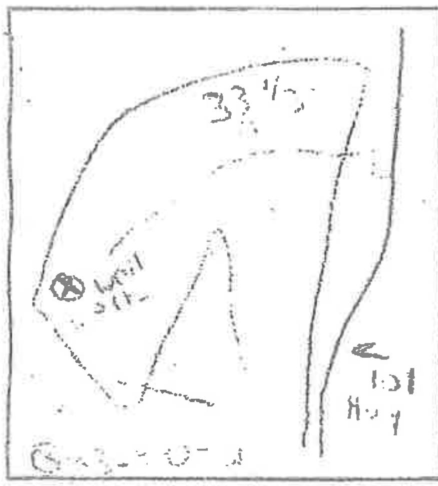
No. 354299

Notice of Intent No. ______
Local Permit No. or Date ______

State Well No. ______
Other Well No. ______

(1) OWNER: Name Ni Guan Valley Ranch
Address P.O. Box 136
City ______ CA ZIP 9[illegible]

(2) LOCATION OF WELL (See instructions):
County Santa Barbara Owner's Well Number ______
Well address if different from above ______
Township 5N Range 32W Section ______
Distance from cities, roads, railroads, fences, etc. ______



WELL LOCATION SKETCH

(3) TYPE OF WORK:
New Well ☒ Deepening ☐
Reconstruction ☐
Reconditioning ☐
Horizontal Well ☐
Destruction ☐ (Describe destruction materials and procedures in Item 12)

(4) PROPOSED USE:
Domestic ☒
Irrigation ☒
Industrial ☐
Test Well ☐
Municipal ☐
Other ☒
(Describe)

(5) EQUIPMENT:
Rotary ☒ Reverse ☐
Cable ☐ Air ☐
Other ☐ Bucket ☐

(6) GRAVEL PACK:
Yes ☒ No ☐ Size ______
Diameter of bore 14
Packed from 60 to 180

(7) CASING INSTALLED:
Steel ☐ Plastic ☒ Concrete ☐

(8) PERFORATIONS:
Type of perforation or size of screen ______

From ft.	To ft.	Dia. in.	Gage or Wall	From ft.	To ft.	Slot size
0	60	4"	.316	60	180	.040

(9) WELL SEAL:
Was surface sanitary seal provided? Yes ☒ No ☐ If yes, to depth 60 ft.
Were strata sealed against pollution? Yes ☐ No ☒ Interval ______ ft.
Method of sealing ______

(10) WATER LEVELS:
Depth of first water, if known ______ ft.
Standing level after well completion 25 ft.

(11) WELL TESTS:
Was well test made? Yes ☒ No ☐ If yes, by whom? Cascade
Type of test Pump ☒ Bailer ☐ Air lift ☐
Depth to water at start of test 25 ft. At end of test 152 ft.
Discharge 55 gal/min after 12 hours Water temperature ______
Chemical analysis made? Yes ☐ No ☒ If yes, by whom? ______
Was electric log made Yes ☐ No ☒ If yes, attach copy to this report

(12) WELL LOG: Total depth 180 ft. Completed depth 180 ft.

from ft.	to ft.	Formation (Describe by color, character, size or material)
0	45	Brown Clay
45	80	Brown Clay w/gravel
80	180	Gray Shale

Work started 11-1 1995 Completed 11-15 1995

WELL DRILLER'S STATEMENT:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Signed [signature] (Well Driller)
NAME Cascade Well & Pump Co
(Person, firm, or corporation) (Typed or printed)
Address 217 El Sueno Rd
City Santa Barbara ZIP 93111
License No. 416704 Date of this report 11-21-95

CONFIDENTIAL
NOT FOR PUBLIC USE
WATER CODE SEC. 13752

DWR 188 (REV. 12-88)
IF ADDITIONAL SPACE IS NEEDED, USE NEXT CONSECUTIVELY NUMBERED FORM
86 96385

CASCADE WELL & PUMP COMPANY

267 EL SUENO ROAD
SANTA BARBARA, CA 93110

Telephone (805) 965-7246
Fax (805) 681-4559

3/21/96

NOJOQUI VALLEY RANCH
P.O. BOX 130
BUELLTON, CA 93427

RE: HWY 101-33 ACRE PARCEL

WELL TEST

3/21/96

TIME	GUAGE	WATER LEVEL	DRAWDOWN	GPM
9:30 a.m.	61	29	0	50
9:45	61	29	0	50
10:00	61	29	0	50
10:30	60	31	2	50
11:30	59	33	4	50
12:30 p.m.	59	33	4	50
1:30	58	36	7	50
2:30	58	36	7	50
3:30	58	36	7	50
4:30	58	36	7	50
5:30	58	36	7	50
6:30	58	36	7	50
7:30	58	36	7	50
8:30	58	36	7	50
9:30	58	36	7	50

Recovery

9:45	59
10:00	61

AFTER PUMPING FOR A PERIOD OF 12 HOURS, I CERTIFY THAT THIS WELL WILL DELIVER A MINIMUM OF 50 GALLONS PER MINUTE.

BEN GIORDNAO
LICENSE #496704

MOONSHINE 2

State of California

Well Completion Report

Form DWR 188 Complete 11/28/2017

WCR2017-005533

Owner's Well Number | Date Work Began 09/13/2016 | Date Work Ended 10/08/2016

Local Permit Agency Santa Barbara County Environmental Health Services

Secondary Permit Agency | Permit Number 0000438 | Permit Date 03/30/2015

Well Owner (must remain confidential pursuant to Water Code 13752)

Name XXXXXXXXXXXXXXXXXXX

Mailing Address XXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXX

City XXXXXXXXXXXXXXXXXXX State XX Zip XXXXX

Planned Use and Activity

Activity New Well

Planned Use Other

Specify Agriculture & Domestic

Well Location

Address 1889 Highway 101

City Gaviota Zip 93117 County Santa Barbara

Latitude 34 Deg. 33 Min. 10.4 Sec. N Longitude -120 Deg. 11 Min. 30.5 Sec. W

Dec. Lat. 34.5528889 Dec. Long. -120.1918056

Vertical Datum | Horizontal Datum WGS84

Location Accuracy >50 Ft Location Determination Method Other

APN 083430014

Township 06 N

Range 31 W

Section 31

Baseline Meridian San Bernardino

Ground Surface Elevation

Elevation Accuracy

Elevation Determination Method

Borehole Information

Orientation Vertical Specify

Drilling Method Direct Rotary Drilling Fluid Bentonite

Total Depth of Boring 800 Feet

Total Depth of Completed Well 800 Feet

Water Level and Yield of Completed Well

Depth to first water (Feet below surface)

Depth to Static Water Level (Feet) Date Measured 10/08/2016

Estimated Yield* 25 (GPM) Test Type Pump

Test Length (Hours) Total Drawdown (feet)

*May not be representative of a well's long term yield.

Geologic Log - Free Form

Depth from Surface Feet to Feet		Description
0	10	Light brown clayey silt
10	20	Dark grey silt and clay
20	30	Orange brown gravelly silt
30	150	Dark grey siltstone and shale, hard
150	160	Blue grey siltstone, hard
160	260	Grey brown shale
260	300	Blue grey siltstone, hard
300	310	Dark grey brown shale and clay
310	365	Blue grey siltstone
365	390	Blue grey sandstone, fine grained

390	400	Dark grey shale and sandstone, very fine grained
400	430	Blue grey siltstone and sandstone, very fine grained
430	440	Blue grey sandstone, very fine grained
440	450	Dark grey siltstone, hard
450	530	Blue grey very fine grained sandstone
530	540	Dark grey siltstone very fine grained
540	550	Blue grey sandstone very fine grained
550	600	Dark grey siltstone and blue grey sandstone, very fine grained
600	670	Blue grey sandstone, very fine to fine grained
670	690	Blue grey sandstone and siltstone
690	800	Blue grey shale and sandstone

Casings

Casing #	Depth from Surface Feet to Feet		Casing Type	Material	Casings Specificatons	Wall Thickness (inches)	Outside Diameter (inches)	Screen Type	Slot Size If any (inches)	Description
1	0	260	Blank	PVC	OD: 6.625 in. I SDR: 21 I Thickness: 0.316 in.	0.316	6.625			
1	260	800	Screen	PVC	OD: 6.625 in. I SDR: 21 I Thickness: 0.316 in.	0.316	6.625	Milled Slots	0.032	

Annular Material

Depth from Surface Feet to Feet		Fill	Fill Type Details	Filter Pack Size	Description
51	800	Filter Pack	Other Gravel Pack		Gravel Pack
0	51	Cement	Other Cement		Sanitary Seal

Other Observations:

Borehole Specifications

Depth from Surface Feet to Feet		Borehole Diameter (inches)
0	800	12.25

Certification Statement

I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief

Name: CASCADE WELL CO
Person, Firm or Corporation

1200 VIA REGINA (Address) | SANTA (City) | CA (State) | 93111 (Zip)

Signed: *electronic signature received* (C-57 Licensed Water Well Contractor) | 11/22/2017 (Date Signed) | 496704 (C-57 License Number)

Attachments

1889 Hwy 101 Map.pdf - Location Map

DWR Use Only

CSG #	State Well Number	Site Code	Local Well Number

			N						W

Latitude Deg/Min/Sec | Longitude Deg/Min/Sec

TRS:

APN:

APPROVED SINGLE PARCEL WATER SYSTEM

Santa Barbara County PUBLIC Health DEPARTMENT

Environmental Health Services

225 Camino Del Remedio, Santa Barbara, CA. 93110 ◆ (805) 681-4900
2125 S. Centerpointe Pkwy., #333 • Santa Maria, CA 93455-1340 ◆ (805) 346-8460

Single Parcel Water System Permit Application

☐ Single Parcel Water System (1 – 4 connections) Plan Review - $1,604 [4617]

FOR OFFICE USE ONLY
Rec'd Date: ______
Rec'd By: ______
SR # ______
District # ______

Required Attachments:

1. Water System Exclusive Ownership Declaration – Complete Attachment 1 (*see Application Instructions – item D.*)
2. Copy of Grant Deed (*see Application Instructions – item D.*)
3. Copy of easement if using offsite source. (*see Application Instructions – item D.*)
4. Plot Plan – Complete Attachment 2 (*see Application Instructions – item K.*)
5. Schematic Drawing – Complete Attachment 3 (*see Application Instructions – item L.*)
6. Pump specifications (*see Application Instructions – item L.*)
7. Pump Test Report (*see Application Instructions – item I.*)
8. Water Quality Chemical Analysis results (*see Application Instructions – item J.*)
9. Water Treatment Letter – included as Attachment 4 (*see Application Instructions – item J.*)

APPLICANT: ☑ Property Owner ☐ Licensed Well Drilling Contractor ☐ Owner's Agent (*Authorized in writing*)

Property Owner SUNBURST CHURCH / PATTY PAULSEN Telephone No. (805) 291 - 2466

Mailing Address: P.O. BOX 2008 (Street Number and Name) BUELLTON (City) CA 93427 (State/ Zip Code)

(*If applicant is other than Property Owner*):

Applicant's Name CHARLES KATHERMAN Phone: 805-598561 Cell: SAME E-mail: Lkatherman@aol.com Fax: ______

Applicant's Address: P.O. BOX 1812 (Street Number and Name) SANTA MARIA (City) CA 93456 (State/ Zip Code)

Site Location: 1889 U.S. HIGHWAY 101 (Street Number and Name) BUELLTON (City) CA 93427 (State/ Zip Code)

Assessor's Parcel Number 083 - 430 - 014

1. Number of Existing Water Connections: 2 Number of New Water Connections: 0 Type of New Water Connection(s): ☐ Commercial Building ☐ Single Family Residence ☐ Mobile Home ☐ Additional Dwelling Unit	**2.** Water System Location: ☑ On Project Property WATER SYSTEM ☑ Off-Site (see Application Instructions – item D) WELL (Assessor's Parcel # 083 - 430 - 015)
3. Water System Source: ☑ Well ☐ Horizontal Well ☐ Spring ☐ Creek / Stream If the source is a well, please complete the attached schematic diagram. If the source is a spring, horizontal well or creek/stream, attach appropriate schematic.	**4.** Well Data: Date Drilled: 12/1964 Well Permit # WCR 101177
5. Other Water Source ☐ Public ☐ Private ☑ None	**6.** Type of Permit: ☐ Construction ☑ Modification OF EXISTING SYS.
7. Source Yield / Pump Test Report: (From test completed in last 5 years) Gallons Per Minute: 100+ gpm (Attach Pump Test Report)	**8.** Water Quality Chemical Analysis: (From test completed in last 3 years) ☑ No Treatment required ☐ Treatment required (Attach analysis and indicate treatment equipment on schematic. Treatment form and equipment specifications are required.)

9. LEGAL DECLARATION

LICENSED CONTRACTOR DECLARATION

I hereby affirm that I am a licensed under the provisions of Chapter 9 (commencing with Sec. 7000) of Division 3 of the Business and Professions Code and such license (C-57 or C-61) is in full force and effect.

NOT APPLICABLE (AS BUILT) _____ _____

Print Name of Contractor | Signature of Contractor | Date

Lic. No.: _____ Office Telephone _____ Cell Phone: _____

Business Name: _____ Address _____

10. (Complete 'A' or 'B')

A. WORKERS' COMPENSATION DECLARATION

I hereby affirm one of the following:

- ☐ I have and will maintain a certificate of consent to self-insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- ☐ I have and will maintain workers' compensation insurance, as provided for by Section 3700 of the Labor Code, for the performance of work for which this permit is issued. My insurance carrier and policy number are:

Carrier _____ Policy No. _____

Applicant Signature _____ Date _____

B. CERTIFICATION OF EXEMPTION FROM WORKERS' COMPENSATION INSURANCE

I certify that in the performance of work for which this permit is issued, I shall not employ any person in a manner so as to become subject to the Worker's Compensation Laws of California.

Applicant Signature Charles E. Katherman Date 4/26/2021

Notice to Applicant: If, after making this Certificate of Exemption, you should become subject to the Workers' Compensation provisions of the Labor Code, you must forthwith comply with such provisions or this permit shall be deemed revoked.

11. When signed by the Environmental Health Specialist, this application shall become a Permit to Construct a Single Parcel Water System and is not a "permit for development" as that term is used in the California Subdivision Map Act. Approval is based entirely on the review of information submitted by the applicant and is not a guarantee as to the future quality or quantity of water which will be provided by the water system. Permits are valid for three years from the date of issuance. Permits are not transferable. Please note additional permits (e.g., electrical installation, land use clearance, grading) may also be required from other agencies prior to the installation of the water system.

In accordance with the requirements of Santa Barbara County Code, I do hereby make application for a permit to construct a Single Parcel Water System and certify that the above information is true and correct. The permit application must be signed by the parcel owner, his/her agent (with written authorization) or a licensed contractor. A manually signed copy of this application delivered by facsimile, email, or other electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this application.

REQUIRED INSPECTIONS / FINAL CLEARANCE: Prior to final clearance/occupancy:

1. Disinfect and flush the completed water system per EHS instructions.
2. After flushing, a final inspection and bacteriological sampling must be scheduled directly with the approving Environmental Health Specialist at least two (2) business days in advance.
3. Submit a chemical analysis of treated water (if treatment is required).
4. Obtain written occupancy from Environmental Health.

Signed CHARLES E. KATHERMAN Charles E Katherman 4/26/2021

Applicant Owner/Agent/Licensed Contractor (Print Name) | Applicant's Signature | Date

FOR DEPARTMENT USE ONLY

APPLICATION DISPOSITION: ☒ **Approved** ☐ **Denied**

Signed Belinda Huy 07/26/21

ENVIRONMENTAL HEALTH SPECIALIST | DATE

Fixed Fee Rec'd: by: _____ Date/Amt. _____ $ _____ Credit Card: ☐ Check/Receipt/Trans. No.: _____

#: _____ **Hourly Billing**: Applicant notified of amount due by Plan Checker (Initials): _____ Date: _____

Rec'd by: _____ Date/Amt. _____ $ _____ Credit Card: ☐ Check/Receipt/Trans. No.: _____ #: _____

Date plans resubmitted (1) _____ (2) _____ (2) _____

Permit Conditions: _____

Final Construction Approved by: _____ Date: _____

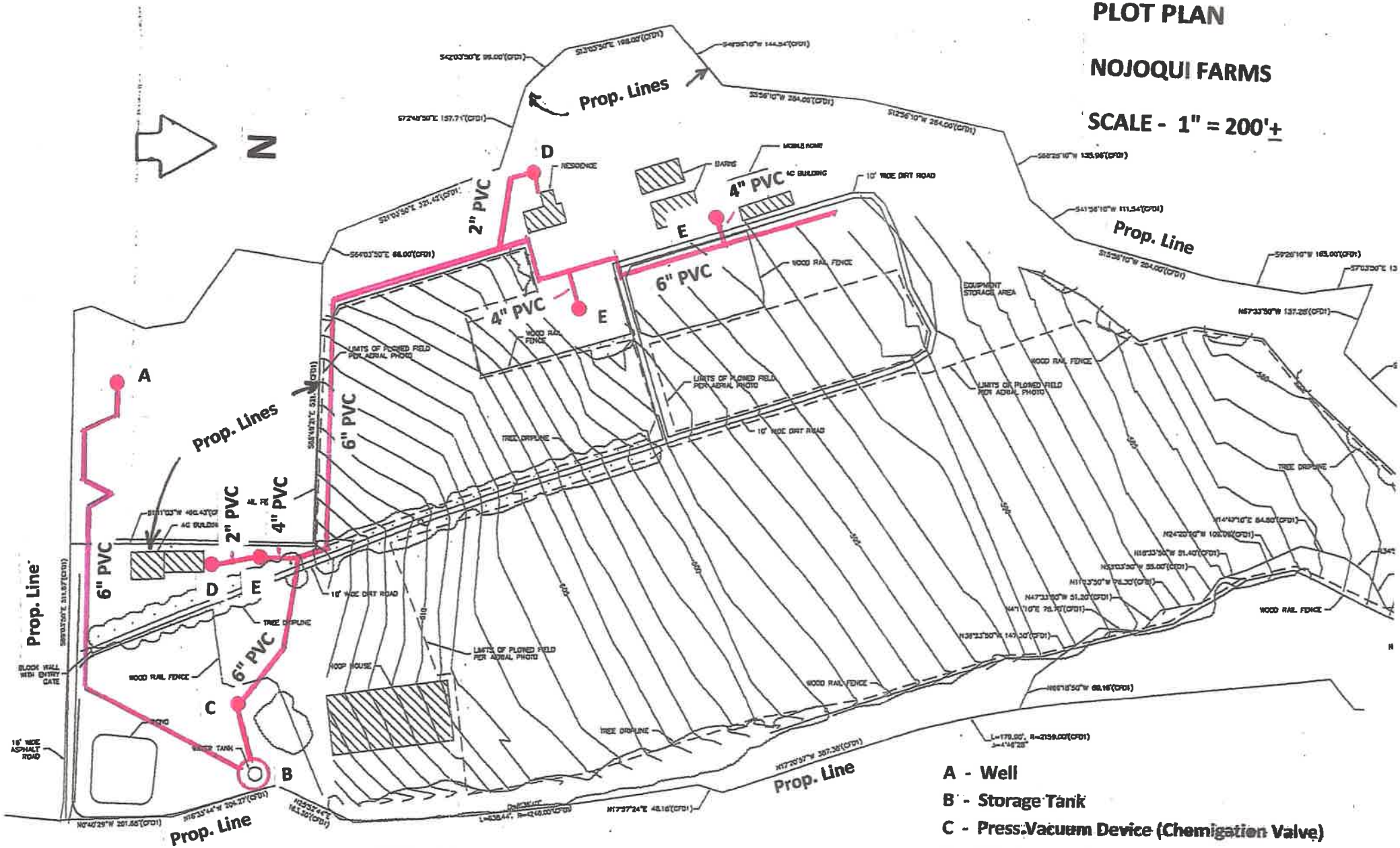
Final Clearance by: _____ Date: _____

DOMESTIC WATER SYSTEM PLOT PLAN

PLOT PLAN

NOJOQUI FARMS

SCALE - 1" = 200'±



A - Well

B - Storage Tank

C - Press.Vacuum Device (Chemigation Valve)

D - Pressure Tank

E - Hydrants

1 G001 SURVEY 1"=100'-0"

FIGURE 11

DOMESTIC WATER SYSTEM

SURVEYORS STATEMENT

I HEREBY STATE THAT THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION UNDER THE PROVISIONS OF SECTION 8726 OF THE PROFESSIONAL LAND SURVEYORS ACT AND THAT SAID SURVEY CORRECTLY SHOWS THE TOPOGRAPHIC FEATURES. THE

SURVEYOR'S NOTES

1. BOUNDARY SHOWN HEREON CALCULATED FROM RECORD DATA PER INSTRUMENT NO. 2017-0018910 OF OFFICIAL RECORDS.
2. PLOWED FARM FIELD LIMITS DEFINED FROM AERIAL

ABBREVIATIONS

AC	ASPHALT	HW	HEADWALL
BLDG	BUILDING	INV	INVERT ELEVATION
BW	BARBED WIRE FENCE	IRR	IRRIGATION
CATV	CABLE TELEVISION BOX	JP	JOINT POLE
CB	CATCH BASIN	MKR	MARKER
CF	CURB FACE	MON	MONUMENT
		OH	OVERHANG(EAVES)

HIGHWAY 246

Google Maps Buellton

AERIAL PHOTO/LOCATION MAP

HIGH PRESSURE IRRIGATION LINES

LOW PRESSURE DOMESTIC LINES

LAYOUT OF IRRIGATION SYSTEM