SLO CULTIVATION - CARPINTERIA

3861 FOOTHILL ROAD, CARPINTERIA, CA
APN: 005-310-024

HABITAT PROTECTION PLAN

Prepared for:

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1.0 INTRODUCTION AND PURPOSE

SLO Cultivation, Inc. (Applicant), dba as Cresco California, requests approval of a Coastal Development Permit- With Hearing (CDH), Minor Conditional Use Permit, and a Revision to an existing Development Plan (10DVP-00000-00010) to authorize the development and operation of a cannabis cultivation facility (project) in an unincorporated portion of Santa Barbara County near the city of Carpinteria, California. The subject property (project site) is located at 3861 Foothill Road (APN: 005-310-024).

The purpose of this Habitat Protection Plan (HPP) is to document existing conditions of the project site and to evaluate the potential for any significant direct or indirect impacts to the clearing of native or other sensitive vegetation in an area that has been identified as being an environmentally sensitive habitat. This report is intended to document satisfactory compliance with the *Santa Barbara County Article II Coastal Zoning Ordinance* land use permit process, and environmental review factors detailed in the *Cannabis Land Use Ordinance and Licensing Program, Final Environmental Impact Report (PEIR)*, Section 3.4 Biological Resources.

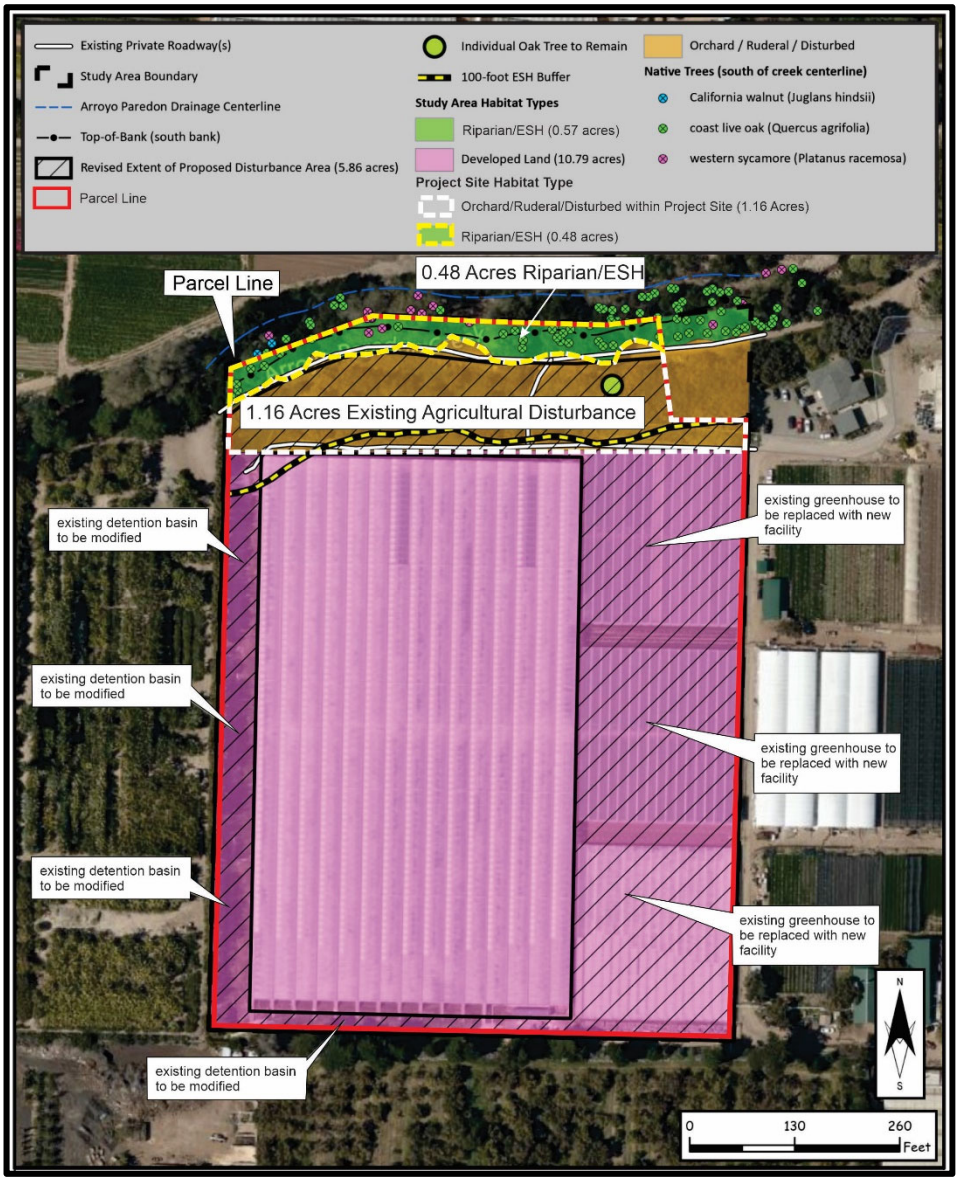
1.1 PROJECT LOCATION AND EXISTING DEVELOPMENT & USES

The Project Site is located at 3861 Foothill Road (APN 005-310-024) in an unincorporated region of Santa Barbara County (County) approximately one (1) mile west of the City of Carpinteria and approximately seven (7) miles east of the City of Santa Barbara. The project site is located within the Agricultural I (AG-I-10) zone district within the First Supervisorial District. The project site is approximately 13.66 acres in size and is primarily accessed via a private driveway from Foothill Road. The Project Site is primarily level land (elevations ranging from approximately 55 to 75 feet above mean sea level). Surrounding land uses are predominantly agricultural operations including greenhouses, hoop houses, orchards, and annually cultivated fields. Low density residential development is interspersed mostly north of Foothill Road in this predominately agricultural area.

The project site and associated existing greenhouses have been historically used to cultivate non-cannabis products such as cut flowers (gerbera daisies) and avocados. Since on or about October 2015 the project site has been used to cultivate cannabis. Primary access to the project site is provided via a shared access agreement with the adjacent property known as APN 005-310-021. The private access road is approximately 400 linear feet in length, 20 feet wide, and paved with asphalt.

The project site is composed of approximately 10.79 acres of developed uses including four (4) existing greenhouse structures and twelve (12) prefabricated supporting structures, containers used for agricultural storage and other supporting uses such as stormwater detention basins. The existing greenhouse structural development and associated agricultural uses were approved by the County via 10DVP-00000-00010 and 11CDP-00000-00009. At the time of baseline biological surveys in April and July 2020, the northern portion of the project site was occupied by approximately 1.16 acres of fallow avocado orchard and agricultural materials stockpile. Outside the fenced project site but within the parcel is a private road and 7-foot tall chain link security fence that separates approximately 0.48 acres of riparian canopy and channel associated with Arroyo Paredon Creek from the rest of the developed site.

Figure 1- Baseline Project Site Conditions



1.2 PROJECT DESCRIPTION

The proposed Project would allow for:

1. Utilization of existing **Greenhouse 1 (GH1),** approximately 264,500 square feet in size, for mature mixed-light cannabis cultivation.
2. Demolition of three (3) existing greenhouses, known as **Greenhouse 2 (GH2)**, **Greenhouse (GH3**), and **Greenhouse 4 (GH4),** which are approximately 40,700 square foot each.
3. Development and operation of a 61,840 square foot addition to **GH1** for nursery/juvenile mixed-light cannabis cultivation.
4. Development of a new 24,751 square foot pack house which will be utilized for cannabis processing (bucking, drying, and packaging).

5. The development of sixty-five (65) onsite parking spaces.
6. Expansion of the Project Site's stormwater detention basin system.
7. Minor ancillary improvements to the Project Site including installation of security cameras and lighting, installation and use of irrigation recycling and fertigation equipment, septic waste disposal systems, and placement of cannabis waste storage containers.
8. Removal of twelve (12) pre-fabricated containers, totaling 1,920 square feet, historically used for agricultural and cannabis support activities.
9. Removal of approximately 1.16 acres of historic orchard/agricultural operations and restoration of the ESH buffer with native plant species.

Site disturbance of non-structurally developed areas are restricted to the proposed physical expansion of the site's existing storm water detention system and proposed native plant restoration (Appendix B). All other proposed project elements consist of using existing structures, demolishing old structures and developing new structures in their previously disturbed footprint, or installing mechanical equipment in previously developed areas, thus no native habitat impacts are anticipated. In order to provide superior visual screening of the Project Site and enhance the overall biological condition of the ESH buffer, the historic avocado orchard/agricultural operations will be removed and the northern portion of the project site will be planted with appropriate native riparian and transitional upland vegetation per the landscape plans provided in Appendix B.

No work is proposed beyond the existing fence line and access road on the northern edge of the parcel. No disturbance or project related activities will occur in the Arroyo Paredon Creek riparian corridor. The single native oak tree located south of the existing project security fence will be retained in-place. Therefore, removal or pruning of native trees will not be required. No alteration to stream channels or banks are proposed. Proposed maintenance within the stormwater detention basins will be minimal and is anticipated to occur every 5 to 10 years during the dry season, depending on annual rainfall and surface runoff amounts. These maintenance activities will include minor / as-needed sediment removal and vegetation trimming to ensure proper function of the basin(s).

2.0 EXISTING HABITAT DESCRIPTION

2.1 BIOLOGICAL ASSESSMENT METHODS

SII conducted a review of available background information including the proposed Project information, local soils survey, multiple years of aerial photographs, and a search and review of the current California Department of Fish and Wildlife (CDFW) California Natural Diversity Data Base (CNDDB) within a 10-mile radius of the proposed Project site. The CNDDB provided a list and mapped locations of special-status plant and wildlife species, and natural communities of special concern, that have been recorded in the region of the Project site. The CNDDB records help to focus the field survey efforts and evaluation of potential Project effects on specific species or habitats. It is noted that the CNDDB does not necessarily include all potential special-status species potentially occurring onsite, but rather only those that have been recorded by the CNDDB. Other species may occur as determined by field surveys of the Project site. In addition, U.S. Fish and Wildlife Service (USFWS) critical habitat data was reviewed.

Santa Barbara County Article II Coastal Zoning Ordinance Section 35-144U (C.)(8) and the Cannabis Land Use Ordinance and Licensing Program, Final Environmental Impact Report were also used for the evaluation of potential effects of the proposed project.

SII Principal Biologist Jason Kirschenstein conducted a field reconnaissance walking survey of the proposed project site in April and July, 2020. The overall purpose and objectives of the field survey was to document existing baseline conditions in terms of habitat for plants and wildlife species, and to evaluate the potential for the site to support suitable habitat for special-status species. Plant and wildlife species observed in the field were recorded. The onsite habitat types were described by the aggregation of plants and wildlife based on the composition and structure of the dominant vegetation observed at the time field reconnaissance was conducted. Mr. Kirschenstein is the primary author and principal in charge of this study and report preparation. The survey data collected on plant and wildlife species and conclusions presented in this biological assessment are based on the methods and field reconnaissance conducted for the Project site as described above.

All native trees south of the centerline of Arroyo Paredon creek with a minimum diameter at breast height (DBH) of 4-inches were mapped in the field using ESRI Collector GPS field data collection software. One native coast live oak tree is rooted south of the existing access road that separates the existing riparian corridor from proposed project activities. Tree height ranged from approximately 10 to 70 feet. The location of the southern top-of-bank of Arroyo Paredon Creek and limits of Environmentally Sensitive Habitat (ESH), defined as the TOB or outer limit of the riparian corridor (whichever is more protective), were also recorded using GPS.

2.2 PLANT COMMUNITIES AND VEGETATION

Plant communities are generally described by the assemblages of plant species that occur together in the same area forming habitat types. Native plant community alliance and alliance codes used in this report follow *A Manual of California Vegetation, Second Edition* (online). Plant names used in this report follow *The Jepson Manual, Vascular Plants of California, Second Edition Thoroughly Revised and Expanded* (Baldwin et al. 2012). Plant communities within the study area consist of Orchard/Ruderal/Disturbed, and California Sycamore Woodland riparian habitat, and Developed Land (existing greenhouses). Figure 5 provides a plant community map of the study area. Figure 6 provides a set of representative photographs of the study area plant communities. The following provides a description of the plant community composition observed with in the study area.

ORCHARD / RUDERAL / DISTURBED habitat within the study area include the 1.16 acres of fallow/senescent avocado orchard that is currently being utilized for temporary agriculture supply storage and the associated access road(s). This area includes approximately 43 remnant mature avocado trees (*Persea americana*) that are no longer being managed for agricultural production purposes. Ruderal non-native annual grasses and herbaceous broadleaf plant species dominate the understory. This area was observed to be relatively low in species diversity and dominated by non-native weedy species that are typical of ruderal/disturbed areas. Dominant plant species observed in the understory included rip gut brome *(Bromus diandrus*) and filarees (*Erodium botrys* and *E. cicutarium*), soft chess (*Bromus hordeaceus*), wild oats (*Avena barbata*), telegraph weed (*Heterotheca grandiflora*), and cheeseweed (*Malva parviflora*).

DEVELOPED LAND within the project site includes the 10.79 acres of the existing four greenhouses and appurtenant facilities and roads lacking any sensitive biological resource values.

***PLATANUS RACEMOSA* WOODLAND ALLIANCE (CALIFORNIA SYCAMORE WOODLANDS; CNPS 61.310.00)** along the Arroyo Paredon riparian corridor includes California sycamore (*Platanus racemose*) as the dominant or

co-dominant species in the tree canopy with California walnut (*Juglans californica*), coast live oak (*Quercus agrifolia*), red willow (*Salix laevigata*), and arroyo willow (*Salix lasiolepis*). Trees are generally less than 30 meters tall and the canopy is open to intermittent. The shrub layer is mostly lacking with an open understory of patchy willow thickets and dominated by mats of non-native Cape ivy (*Delairea odorata*), Nasturtium (*Tropaeolum* sp.), English ivy (*Hedera helix*), and castor bean (*Ricinus communis*). Native understory species observed include, California blackberry (*Rubus ursinus*), California sunflower (*Helianthus californicus*), poison oak (*Toxicodendron diversilobum*), California mugwort (*Artemisia douglasiana*), stinging nettle (*Urtica* sp.), and blue elderberry (*Sambucus nigra*). The riparian habitat within the study area is in a somewhat degraded condition restricted to a narrow corridor due to its proximity to historic agricultural uses, residential development, and the highly travelled Foothill Road State Highway 192. Approximately 0.48 acres of riparian habitat are mapped within the project site parcel.

2.3 WILDLIFE

The Orchard/Ruderal/Disturbed habitat type within the project site provides only limited habitat values for resident and migratory wildlife species typical in the predominantly agricultural land uses in the region such as raccoon (*Procyon lotor*) and Virginia opossum (*Didelphis virginiana*). The ruderal / disturbed habitat onsite supports limited habitat for native and non-native wildlife species. Common reptiles such as western fence lizard and alligator lizard are expected to frequent this area. Due to the relatively "fallow" nature of the orchard, limited habitat is available for nesting birds, including ground nesting species. This is also likely is used by common mammal species such as Botta's pocket gopher, racoon, and opossum. Inspection of the project site and surrounding trees during April 2020 surveys did not reveal any raptor nesting on or around the project site.

Riparian habitats can provide high quality habitat for a large variety of wildlife species. They also contribute woody debris to the duff in the woodland understory which provides foraging areas for small mammals and microclimates suitable for amphibians and reptiles. Acorns are a valuable food source for many animal species, including acorn woodpecker (*Melanerpes formicivorus*), western bluebird (*Sialia mexicana*) western scrub jay (*Aphelocoma corulescens*), yellow-billed magpie (*Pica nuttalli*), American crow (*Corvus brachyrhynchos*), great horned owl (*Bubo virginianus*), western gray squirrel (*Scirus griseus*), big-eared woodrat (*Neotoma macrotis macrotis*), racoon (*Procyon lotor*), and black-tailed deer (*Odocoieus emionus*). Riparian habitat provides nesting habitat for numerous passerine birds as well as for raptors. Common passerines observed in riparian habitats include pacific slope flycatcher, Bewick's wren (*Thryomanes bewickii*), hummingbirds (*Calypte* spp.), and song sparrows. Raptors, such as red-tailed hawk (*Buteo jamaicensis*), barn owl (*Tyto alba*), American kestrel (*Falco sparverius*) and red-shouldered hawk (*Buteo lineatus*), may use open riparian areas for foraging and nesting purposes.

Riparian habitats can be expected to support mammals such as raccoon (*Procyon lotor*) and Virginia opossum (*Didelphis virginiana*). Lizards such as western fence lizard (*Sceloporus occidentalis*) and alligator lizard (*Elgaria multicarinata*) are expected to occur in the study area where suitable soils and food resources occur. Other reptiles such as western skink (*Plestiodon skiltonianus*), northern pacific rattlesnake (*Crotalus oreganus*), gopher snake (*Pituophis catenifer*), and common garter snake (*Thamnophis sirtalis*) are expected to occur in this habitat type within the study area.

Direct observations (or evidence) of the following wildlife species were observed within the riparian corridor during field reconnaissance: California ground squirrel (*Otospermophilus beecheyi*), Botta's pocket gopher (*Thomomys bottae*), pacific slope flycatcher (*Empidonax difficilis*), song sparrow (*Melospiza melodia*), brewers blackbird (*Euphagus cyanocephalus*), wrentit (*Chamaea fasciata*), Western

scrubjay (*Aphelocoma californica*), Anna's hummingbird (*Calypte anna*), American crow (*Corvus brachyrhynchos*), black phoebe (*Sayornis nigricans*), mourning dove (*Zenaida macroura*), spotted towhee (*Pipilo maculatus*), California towhee (*Melozone crissalis*), and house finch (*Haemorhous mexicanus*).

2.4 WATERS OF THE U.S., WATERS OF THE STATE & WETLANDS

There are no waters of the U.S./State within the proposed project footprint. Although Arroyo Paredon Creek is considered a jurisdictional waters of the U.S./State as a tributary to a navigable water, no project work or impacts are proposed in the riparian corridor that would trigger regulatory compliance or permitting from the Army Corps of Engineers (Corps), California Department of Fish and Wildlife (CDFW), or Regional Water Quality Control Board (RWQCB).

2.5 SPECIAL-STATUS SPECIES AND NATURAL COMMUNITIES OF SPECIAL CONCERN

Special-status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the U.S. Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS) under the federal Endangered Species Act (FESA); those considered "species of concern" by the USFWS; those listed or proposed for listing as rare, threatened, or endangered by the CDFW under the California Endangered Species Act (CESA); animals designated as "Species of Special Concern" by the CDFW; and plants occurring on lists 1B, 2, and 4 of the California Native Plant Society (CNPS) *Inventory of Rare and Endangered Vascular Plants of California.* Natural Communities of Special Concern are habitat types considered rare and worthy of tracking in the CNDDB by the CDFW because of their limited distribution or historic loss over time.

The search and review of the CNDDB revealed 18 special-status plant species, 35 special-status wildlife species, and one natural community of special concern with recorded occurrences within the 10-mile search radius of the study area. Figure 1 provides a map of the CNDDB plant and wildlife special-status species recorded occurrences respectively within 10 miles of the study area. None of the CNDDB occurrences fall within the study area. The following briefly describes or summarizes the special-status species issues and potential for occurrence within the study area.

2.5.1 Special-Status Botanical Resources

The CNDDB 10-mile radius search revealed observations or the recorded occurrences of 18 special-status plant species and one natural communities of special concern within a 10-mile radius of the study area. The special-status plant species occurrences recorded in the CNDDB are commonly associated with natural habitats, a specific soil type, habitat, and/or elevation range that dictates the range or microhabitat of the species. SII observations of plant growth in April 2020 suggest the habitat is low in species diversity and is typical southern California disturbed riparian and ruderal habitats.

There is no southern coastal salt marsh habitat within the study area and there were no observations of perennial woody special-status plants like the Nuttall's scrub oak (*Quercus dumosa*) or Santa Barbara honeysuckle (*Lonicera subspicata* var. *subspicata*). Further there were no observations of mesa horkelia (*Horkelia cuneata* ssp. *puberula*) or black-flowered figwort (*Scrophularia atrata*) that would have been observable during the April 2020 site visit.

There is no suitable habitat within the study area for specialized wetland/marsh species such as the Santa Barbara morning-glory (*Calystegia sepium* ssp. *binghamiae*), salt marsh bird's-beak (*Chloropyron maritimum* ssp. *maritimum*), Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*), Gambel's water cress

(*Nasturtium gambelii*), or Sonoran maiden fern (*Thelypteris puberula* var. *sonorensis)*. As such, these species are not expected to occur onsite lacking wetland habitat and will not be impacted by project activities.

Miles' milk vetch (*Astragalus didymocarpus* var. *milesianus*), Coulter's saltbush (*Atriplex coulteri*), late-flowered mariposa-lily (*Calochortus fimbriatus*), Palmer's mariposa-lily (*Calochortus palmeri* var. *palmeri*), umbrella larkspur (*Delphinium umbraculorum*), Ojai fritillary (*Fritillaria ojaiensis*), white-veined monardella (*Monardella hypoleuca* ssp. *hypoleuca*), chaparral nolina (*Nolina cismontana*), and southern jewelflower (*Streptanthus campestris*) are associated with native habitats and specialized soils in predominantly scrub, chaparral, and lower montane woodlands that are absent from the site. As such, these species are also not expected to occur onsite or be impacted by project activities.

Although not reported by the CNDDB, riparian habitat associated with Arroyo Paredon Creek is considered to be a Natural Community of Special Concern by CDFW and is mapped as Environmentally Sensitive Habitat Overlay (ESH) for Santa Barbara county.

The SII field observations and desktop review stand as definitive negative findings for potential special-status plant species potentially occurring within the proposed project area, and no additional surveys are recommended.

2.5.2 Special-Status Wildlife

The CNDDB search revealed the recorded occurrences of 35 special-status wildlife species within the 10-mile search radius of the Project site. None of the CNDDB mapped recorded occurrences are within the study area/project site. Special-status wildlife species known from the region evaluated for this study are discussed by groups or based upon habitat preferences, specific habitat use requirements (i.e. terrestrial or aquatic), mobility, and seasonal migratory patterns. In summary, no special-status wildlife species were observed in the study area, and the project area developed, orchard/ruderal/disturbed habitats lack any suitability for special-status wildlife. No project activities will occur in the Arroyo Paredon Creek riparian habitat.

Invertebrates – The CNDDB has recorded occurrences for the monarch butterfly within the 10-mile search range. No monarch butterflies were observed during SII field surveys of the study area and no suitable winter roosting habitat is present. No habitat for the vernal pool fairy shrimp occurs within the study area. The Crotch bumble bee requires grassland and flowering plants with occurrences recorded by the CNDDB are historic (circa 1972) and are located over nine miles from the site to the west. Typical grassland habitat and suitable host plants do not occur onsite for this species. The sandy beach tiger beetle (*Cicindela hirticollis gravida*), globose dune beetle (*Coelus globosus*), and wandering (=saltmarsh) skipper (*Panoquina errans*) all required highly specialized soil and vegetation conditions such as dry light-colored sand, dune vegetation, and salt marsh that do not occur on the project site. The SII field observations and desktop review stand as definitive negative findings for potential special-status invertebrates potentially occurring within the proposed project area, and no additional surveys are recommended.

Aquatic Species – The CNDDB has recorded occurrence in different watersheds for the arroyo toad (*Anaxyrus californicus*) that requires large river floodplains that is not present in Arroyo Paredon Creek. The foothill yellow-legged frog (*Rana boylii*) occurrences are historic records and not from the watershed of the project site. The coast range newt (*Taricha torosa*) needs native woodland uplands for most of its lifecyle that are absent from the areas surrounding the creek and is not expected to occur. All

these species are closely associated with permanent and seasonal aquatic habitats of streams, ponds, and seasonal pools. These species require perennial or seasonal aquatic habitats for reproduction but may also move overland between areas of suitable aquatic habitat and for foraging / sheltering purposes. However, the surrounding developed and agricultural uses precludes overland movement.

The CNDDB has a 2008 recorded occurrence of one juvenile California red-legged frog (*Rana draytonii;* CRLF) in Arroyo Paredon Creek 0.5 mile upstream of Hwy 192 crossing. While upstream and downstream movement through the creek riparian corridor is possible, there are no other creeks or suitable aquatic habitat in the immediate project vicinity to prompt upland dispersal. Santa Monica Creek also supports a recorded 2005 CRLF occurrence approximately 1.5 miles northeast of the site at the outer limits of potential CRLF upland movement, and is separated by significant geographical, agricultural, and urban barriers making migration between the two creeks highly constrained. In addition, the existing developed and long-standing historic intensive agricultural uses surrounding the site are likely to constrain CRLF movements to available "undeveloped" areas along the creek corridor.

The two-striped gartersnake (*Thamnophis hammondii*) is highly aquatic, found in or near permanent fresh water often along streams with rocky beds and riparian growth. The western pond turtle (*Emys marmorata*) is a thoroughly aquatic turtle of ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation, below 6000 ft elevation. This species requires basking sites and suitable (sandy banks or grassy open fields) upland habitat up to 0.5 km from water for egg-laying. No suitable upland habitat occurs for either species within the project site or surrounding developed and agricultural land uses.

The tidewater goby (*Eucyclogobius newberryi*) occurs in brackish water habitats along the California coast from Agua Hedionda Lagoon, San Diego County to the mouth of the Smith River. Found in shallow lagoons and lower stream reaches, they need fairly still but not stagnant water and high oxygen levels. The CNDDB occurrence is at the confluence of Arroyo Paredon Creek and the Pacific Ocean and does not near the project parcel creek and riparian area.

The steelhead (*Oncorhynchus mykiss irideus*); southern California distinct population segment refers to populations from Santa Maria River to the southern extent of range (San Mateo Creek in San Diego County). Southern California steelhead likely have greater physiological tolerances to warmer water and more variable conditions than other DPS. Arroyo Paredon Creek is designated as critical habitat for the species but there are no CNDDB recorded occurrences in this creek. The designation of critical habitat affects only Federal agency actions and does not increase or decrease the current restrictions on private property concerning take of steelhead. Based on the April SII field survey, it appears that the project parcel reach of Arroyo Paredon Creek would serve only as a freshwater migration corridor during periods of sufficient flows. There are only a few exposed shallow pools (12"to <36" deep) with little to no undercut banks or other areas for escaping predation further reducing suitability for steelhead along the project reach.

Reptiles – The coast patch-nosed snake (*Salvadora hexalepis virgultea*) typically inhabits brushy or shrubby vegetation in coastal Southern California where it utilizes small mammal burrows for refuge and overwintering sites. The northern California (silvery) legless lizard (*Anniella pulchra*), California legless lizard (*Anniella* spp.), and coast horned lizard (*Phrynosoma blainvillii*) are mostly associated with sandy soils in grassland, coastal sage scrub or chaparral habitats. None of these reptiles were observed during SII field surveys of the project site does not support suitable habitat for these species.

Birds – The CNDDB includes the wide-ranging Cooper's hawk and other raptors such as sharp-shinned hawk, red-shouldered hawk, red-tailed hawk, and short-eared owl that could utilize mature trees within Arroyo Paredon Creek riparian corridor for nesting purposes although habitat quality and foraging opportunities are severely reduced due to the narrow riparian corrido restricted by the ongoing urban and agricultural operations surrounding the site.

The California condor (*Gymnogyps californianus*) requires vast expanses of open savannah, grasslands, and foothill chaparral in mountain ranges of moderate altitude. Deep canyons containing clefts in the rocky walls provide nesting sites. No suitable nesting or foraging habitat is available for this species within the study area.

The CNDDB includes the following bird species that require highly specialized coastal and/or marshland habitats that are lacking from the study area: western snowy plover (*Charadrius alexandrinus nivosus*), yellow rail (*Coturnicops noveboracensis*), California black rail (*Laterallus jamaicensis coturniculus*), black-crowned night heron (*Nycticorax nycticorax*), Belding's savannah sparrow (*Passerculus sandwichensis beldingi*), California brown pelican (*Pelecanus occidentalis californicus*), light-footed Ridgway's rail (*Rallus obsoletus levipes*), and California least tern (*Sternula antillarum browni*). The snowy egret (*Egretta thula*) is mostly a coastal and estuary species and colonial nesting near suitable foraging areas not observed in the project parcel.

The bank swallow (*Riparia riparia*) is colonial nester; nests primarily in riparian and other lowland habitats west of the desert. It requires vertical banks/cliffs with fine-textured/sandy soils near streams, rivers, lakes, ocean to dig a nesting hole. Suitable habitat for this species is not located within the project parcel riparian area. No CNDDB recorded occurrences are in the Arroyo Paredon Creek watershed.

The southwestern willow flycatcher (*Empidonax traillii extimus),* yellow warbler (*Setophaga petechia*), and least Bell's vireo (*Vireo bellii pusillus*) are breeding season migrants that typically nest in well-developed riparian areas with dense understory vegetation with perennial or semi-perennial water sources. Due to its degraded condition, lack of developed dense native understory, and narrow corridor restricted by agricultural and urban development, these species are not expected to occur in the project parcel riparian area. No CNDDB recorded occurrences are in the Arroyo Paredon Creek watershed.

Mammals – The CNDDB has two species of bats recorded from the region. The Townsend's big-eared bat (*Corynorhinus townsendii*) is typically associated with caves, crevices, and buildings for roosting. The Big free-tailed bat (*Nyctinomops macrotis*) needs high cliffs or rocky outcrops for roosting sites and feeds principally on large moths. No suitable habitat is present within the project parcel for these bat species.

San Diego desert woodrat (*Neotoma lepida intermedia*) inhabits Coastal scrub of Southern California from San Diego County to San Luis Obispo County. This species requires moderate to dense canopies and they are particularly abundant in rock outcrops, rocky cliffs, and south-facing slopes. No suitable habitat is present for this species within the project parcel.

3.0 PROJECT-SPECIFIC BIOLOGICAL & HABITAT RESOURCES IMPACT ANALYSIS

Developed Lands- Based on evaluation of the baseline site conditions, the majority of the project site (approximately 10.79 acres) is already occupied with structural development, regularly maintained stormwater detention basins, and/or intensive agricultural material storage and human activity. Therefore, these portions of the property represent no significant habitat value and thus structural development and operations in these area would not be expected to result in new significant biological impacts.

Riparian/Wetland/California Sycamore Woodlands- Approximately 0.48 acres of the project parcel encompass riparian vegetation, predominantly California sycamore woodlands, and the adjacent Arroyo Paredon streambed. This area of the parcel has significant habitat value and was thus identified as ESH. This ESH area is separated from the proposed project activities by an existing 7-foot chainlink security fence and intervening 20-foot wide paved private road. Both the road and fence will remain in-place throughout project construction and operations, acting as a positive barrier between proposed development activities and the riparian corridor. As such, no ground disturbance, vegetation/tree removal, or pruning is proposed in this habitat area. Any native tree canopy that hangs over the existing fence line will be avoided during native plant installation activities. The proposed project is not proposing any long-term maintenance (including pruning) to any trees associated with Arroyo Paredon Creek. Recommended avoidance and minimization measures are provided below to ensure impacts are avoided to native trees during construction. Per county Standards, an applicant for a land use entitlement for a commercial cannabis activity that would involve pruning, damage, or removal of a native tree, shall prepare and submit to the Department a Tree Protection Plan prepared by a Department-approved arborist designed to determine whether avoidance, minimization, or compensatory measures are necessary. Consistent with Exhibit 4, all construction staging will be prohibited within 200-feet of ESH and all ground disturbance and/or vegetation removal within 200-feet of ESH will be monitored by a County approved biologist. All night lighting is shielded to prohibit offsite light pollution and is motion activated to further limit light pollution. As result, no significant impacts will occur within this native riparian habitat area.

Agricultural/Ruderal Lands & ESH Buffer Restoration- Implementation of the proposed Project would result in the conversion of approximately 1.16 acres of fallow/ruderal/disturbed avocado orchard (formerly occupied by approximately 43 senescent avocado trees) to a mosaic of native oaks, shrubs, and ground cover species selected for their compatibility with the proximal Arroyo Paredon riparian corridor; approximately 1.13 acres of this area lies inside the ESH 100-foot buffer. The single native oak tree located within this restoration area will remain in-place subject to all the measures noted in the project's Tree Protection Plan. The applicant proposes to conduct any further clearing, grubbing, and/or excavation of the restoration area between September 1st and February 1st, outside the nesting season for birds. As such, the proposed project would avoid any potential impacts on nesting/breeding of resident or migratory birds, both common and special-status species. The removal of the historical avocado orchard and agricultural activities and revegetation conducted with a carefully selected suite of native species is expected to result in a net biological, habitat and water quality benefit to the area as it removes agricultural disturbance/operations and restores it to natural vegetation consistent with Arroyo Paredon Creek to the north.

Short-term Construction- Although unlikely to occur based on the highly disturbed and historically maintained nature of the site, special-status amphibians or reptiles could be present in upland areas adjacent to the creek during the winter months. As such, avoidance and minimization measures have been provided to ensure direct impacts to special-status reptiles and amphibians are avoided during the construction phase.

Long-term Operations- Long-term operational activities have the potential to injure or kill terrestrial wildlife as a result of vehicle strikes, excavation/grading, and maintenance of the facilities. Potential indirect impacts could result from noise, vibration, lighting, or from unintended hazardous waste runoff into Arroyo Paredon Creek / trash from construction and operational uses (including vehicles and equipment). However, all these potential impacts are currently, and have historically occurred onsite as part of the existing agricultural operations and thus are part of the baseline environmental setting. Post-project conditions would include significantly enhanced stormwater runoff protection and filtration for Arroyo Paredon Creek, as well as, the removal of agricultural operations closest to the riparian corridor and replacement with native vegetation. No increase in noise, lighting, or vibration towards Arroyo Paredon Creek would result from proposed activities, and as such, potential indirect impacts to the creek and wildlife utilizing the creek would not increase as a result of the project. Furthermore, the proposed native restoration have been designed to enhance the ESH buffer along the creek with the intent to further separate agricultural activities from the creek corridor. Therefore the removal of the historical avocado orchard and agricultural activities and revegetation conducted with a carefully selected suite of native species is expected to result in a net biological, habitat and water quality benefit to the area as it removes agricultural disturbance/operations and restores it to natural vegetation consistent with Arroyo Paredon Creek to the north.

Proposed maintenance activities, such as sediment removal, could result in impacts to wildlife sheltering in the basins during wet seasons. As such, recommendations have been provided in Section 4.0 to ensure such maintenance activities are limited to the dry-season.

Figure 2- Proposed Project Site Conditions

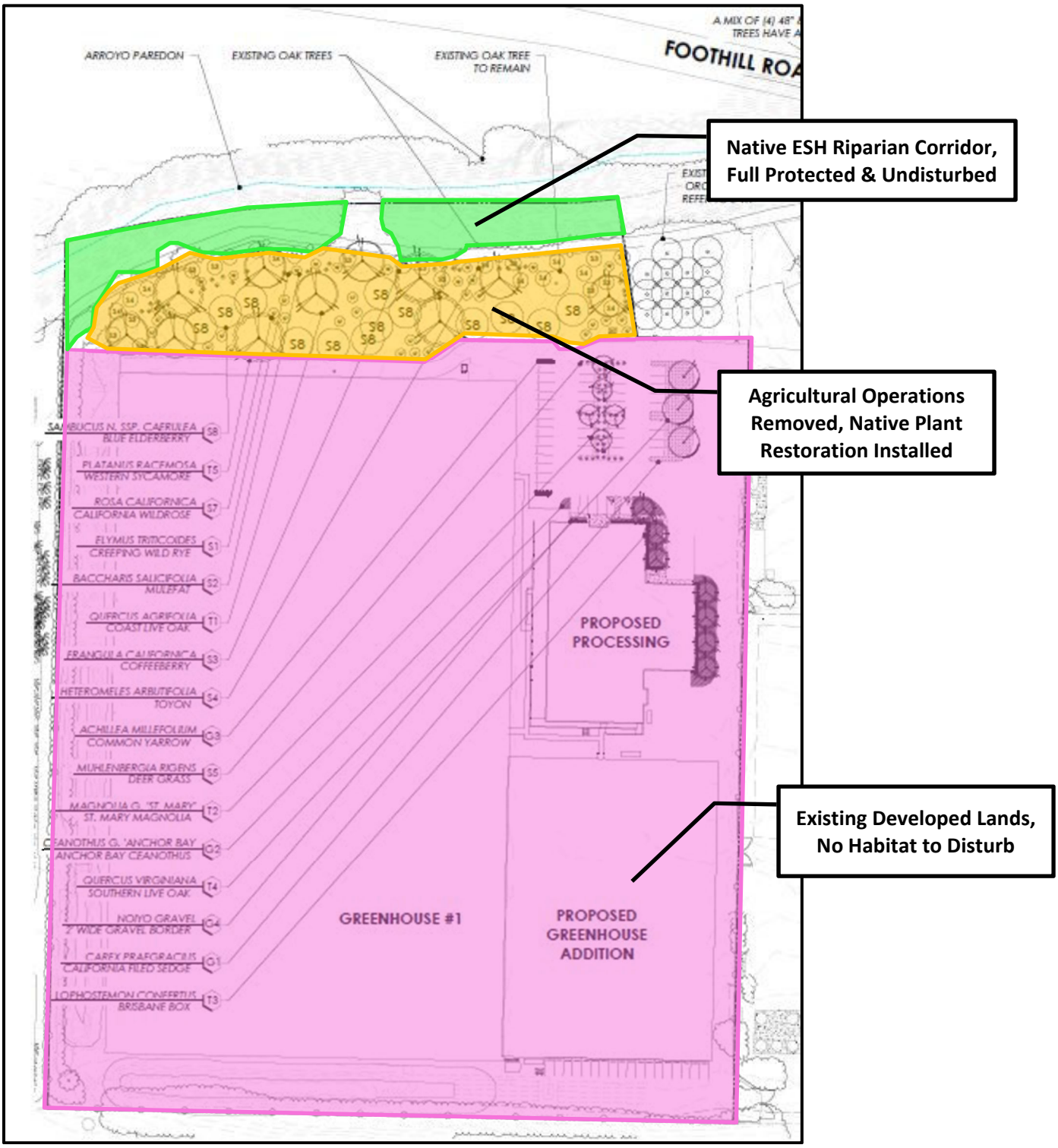


TABLE 1 – PEIR IMPACT AND MITIGATION ANALYSIS SUMMARY		
PEIR POTENTIAL IMPACTS	PROJECT IMPACTS	MITIGATION REQUIREMENT
Impact BIO-2. Cannabis activities could have adverse effects on habitats or sensitive natural communities.	No native habitat(s) or sensitive natural communities will be impacted or adversely effected by the project. Project will result in NET benefit to natural communities.	No mitigation required.
Impact BIO-4. Cannabis activities may conflict with adopted local plans, policies, or ordinances oriented towards the protection and conservation of biological resources.	All project activities are greater than 50 feet from the top of bank of Arroyo Paredon Creek. Although activities will encroach into the 100' ESH buffer, the project will result in a NET benefit to the ESH via replacing existing fallow avocado with native riparian and upland transition plant species.	No mitigation required.

4.0 RECOMMENDED AVOIDANCE AND MINIMIZATION MEASURES

According to Santa Barbara County Thresholds of Significance, the proposed project impacts are at an insignificant level as it is a small Project Site, impacts only avocado trees and ruderal species in a historical agricultural setting from pre-existing man-made disturbance, and project timing avoids impacts on nesting/breeding behaviors of resident and migratory birds. No impacts on Arroyo Paredon Creek riparian corridor would result from the proposed project. Therefore, all project impacts would be at a less than significant level. Consistent with the primary Biological Assessment, Tree Protection Plan, Wildlife Movement Plan the following avoidance and minimization measures will be implemented to further ensure less than significant impacts to habitat have been reduced to the maximum extent feasible.

1) **Landscape Restoration:** Implement the proposed landscape improvements, including use of native species restoration, in conformance with the proposed Landscape Plans as included in Appendix B of this Report.

2) **Tailgate Education Training:** To ensure all onsite workers are aware of potential special-status species associated with Arroyo Paredon Creek, a County-approved biologist shall provide a tailgate education training session for all onsite workers. The purpose of this training shall be to familiarize all workers with the potential biological resources occurring onsite and required avoidance and minimization measures. Penalties and procedures for non-compliance will also be reviewed. All training recipients will be required to sign-in documenting they have attended the training, and a copy of the sigh-in sheet will be provided to the County.

3) **Construction Protection: Within the Project parcel,** temporary construction fencing/signage will be established at a perimeter buffer of 200 feet from the ESH boundary (i.e. edge of riparian corridor. No staging of construction materials or heavy equipment storage will be allowed within this buffer. Any significant ground disturbing activities within this buffer must be proceeded by a pre-construction survey as detail in item 4 below. See Exhibit 4 in Appendix A for more detail.

4) **Special-status Wildlife Pre-construction Surveys:** Within 48 hours of initial disturbance activities, the authorized biologist shall conduct a pre-construction survey in all upland areas of the site and within Arroyo Paredon Creek for the purposes of identifying any CRLF, two striped garter snake, steelhead, or other special-status species that may be present within or adjacent to project

activities. Special focus shall be taken in potential upland refuges such as debris piles. The County-approved monitoring biologist shall move out of harm's way any non-listed wildlife species encountered during initial ground disturbing activities to the extent feasible.

5) **Post-construction Monitoring Report:** A post-construction monitoring report will be provided to the County detailing any unintended impacts to native trees or other biological resources during construction and any additional mitigation measures implemented at the direction of the authorized biologist.

6) **Detention Basin Maintenance:** The timing of detention basin maintenance shall be limited to between September 1st to February 1st to ensure activities occur outside the nesting season for birds. If deemed to be required by the County, the applicant shall submit a Habitat Protection Plan for county review and approval at a minimum of 60 days prior to initiating any maintenance activity.

5.0 CONCLUSIONS

In conclusion, based on the findings described above establishing the existing conditions of habitat resources within the Project parcel and applicant proposed site modifications for native plant restoration and fencing modifications; the implementation of the Project should positively benefit habitats in the region. As such, direct and indirect project impacts on habitat resources would be at a less than significant level as follows:

- The small Project Site of 1.16-acres of fallow orchard habitat only impacts avocado trees and ruderal species in an historical agricultural setting from pre-existing man-made disturbance.
- Avoidance and minimization measures have been proposed to ensure no direct impacts occur to special-status species or natural communities of special concern.
- Project timing avoids impacts on nesting/breeding behaviors of resident and migratory birds.
- A net benefit to the Arroyo Paredon Creek riparian corridor and 100-ft. ESH buffer would result from the proposed project (refer to Appendix D for details).
- The project's existing structures, proposed detention basin expansion, and new parking area are located outside of the core ESH area (i.e. the limits of the riparian canopy) associated with Arroyo Paredon Creek. All native vegetation within the ESH area will remain undisturbed.

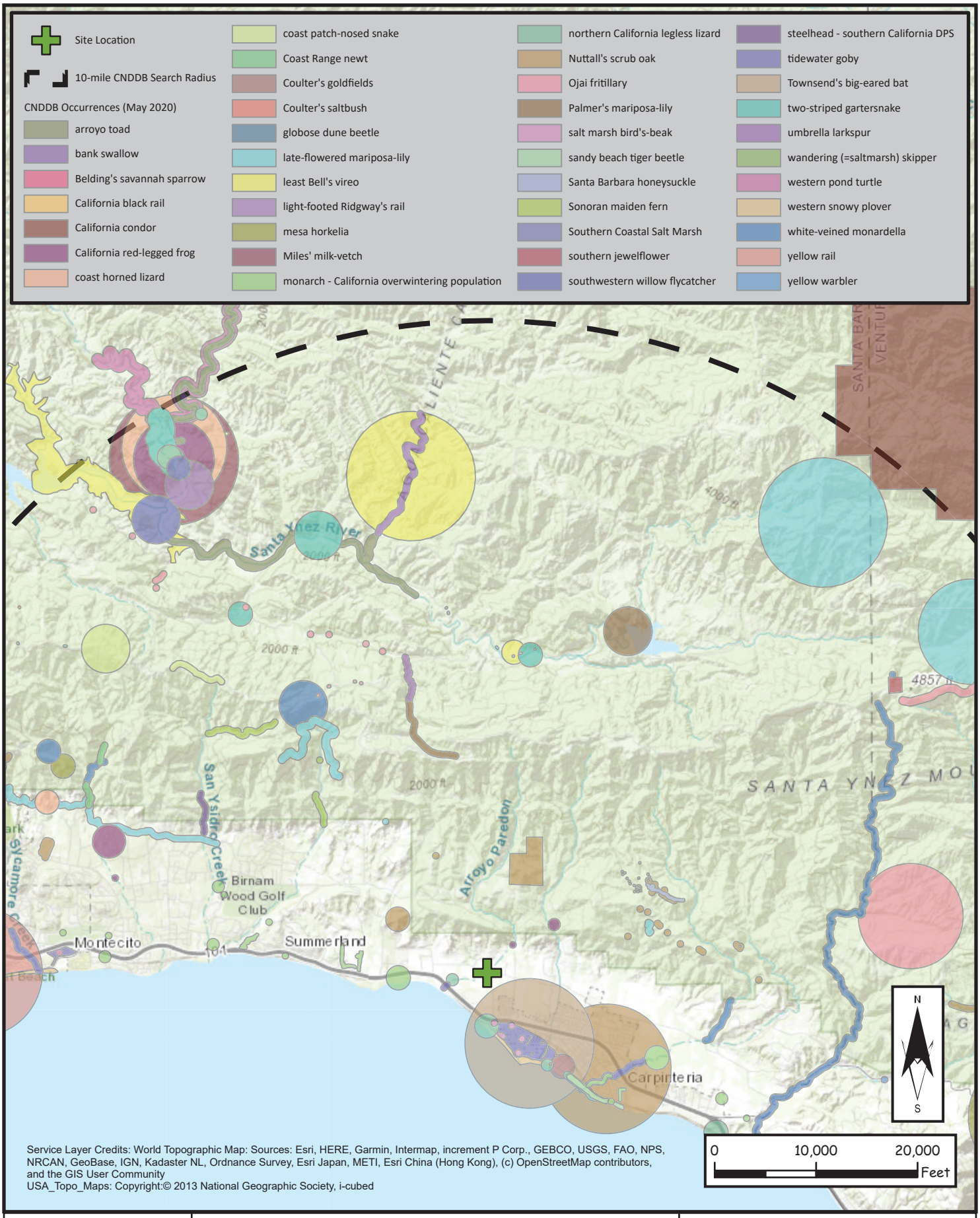
REFERENCES

1) Baldwin, B. G., D. H. Goldman, D. J. Keil, R. Patterson, T.J. Rosatti, Ed. 2012. *The Jepson Manual, Vascular Plants of California, Second Edition Thoroughly Revised and Expanded*. University of California Press.
2) Calflora: Information on California plants for education, research and conservation. [web 8 application]. 2012. Berkeley, California: The Calflora Database (a non-profit 9 organization). Available: http://www.calflora.org/. Accessed: November 2018.
3) Cal-IPC. 2006. California Invasive Plant Inventory. Cal-IPC Publication 2006-02. California Invasive Plant Council: Berkeley, CA. Available: www.cal-ipc.org
4) Mayer, W. and W. Laudenslayer, Editors. 1988. *A Guide to Wildlife Habitats of California*. California Department of Forestry and Fire Protection.
5) Santa Barbara County Planning and Development. 2008. *Environmental Thresholds and Guidelines Manual*. Revised September 2008, Published October 2008.

6) Santa Barbara County. 2017. Cannabis Land Use Ordinance and licensing Program, Final Environmental Impact Report. Section 3.4 Biological Resources. December 2017.
7) Santa Barbara County. 2019. Santa Barbra Count Article II Coastal Zoning Ordinance. Updated June 2019
8) Sawyer, J. O., T. Keeler-Wolf, and J.M. Evens. 2009. *A Manual of California Vegetation, 2nd Edition*. California Native Plant Society, Sacramento, CA.
9) Sawyer, J. & T. Keeler-Wolf. 1995. *A Manual of California Vegetation*. Web version provided by the California Native Plant Society.

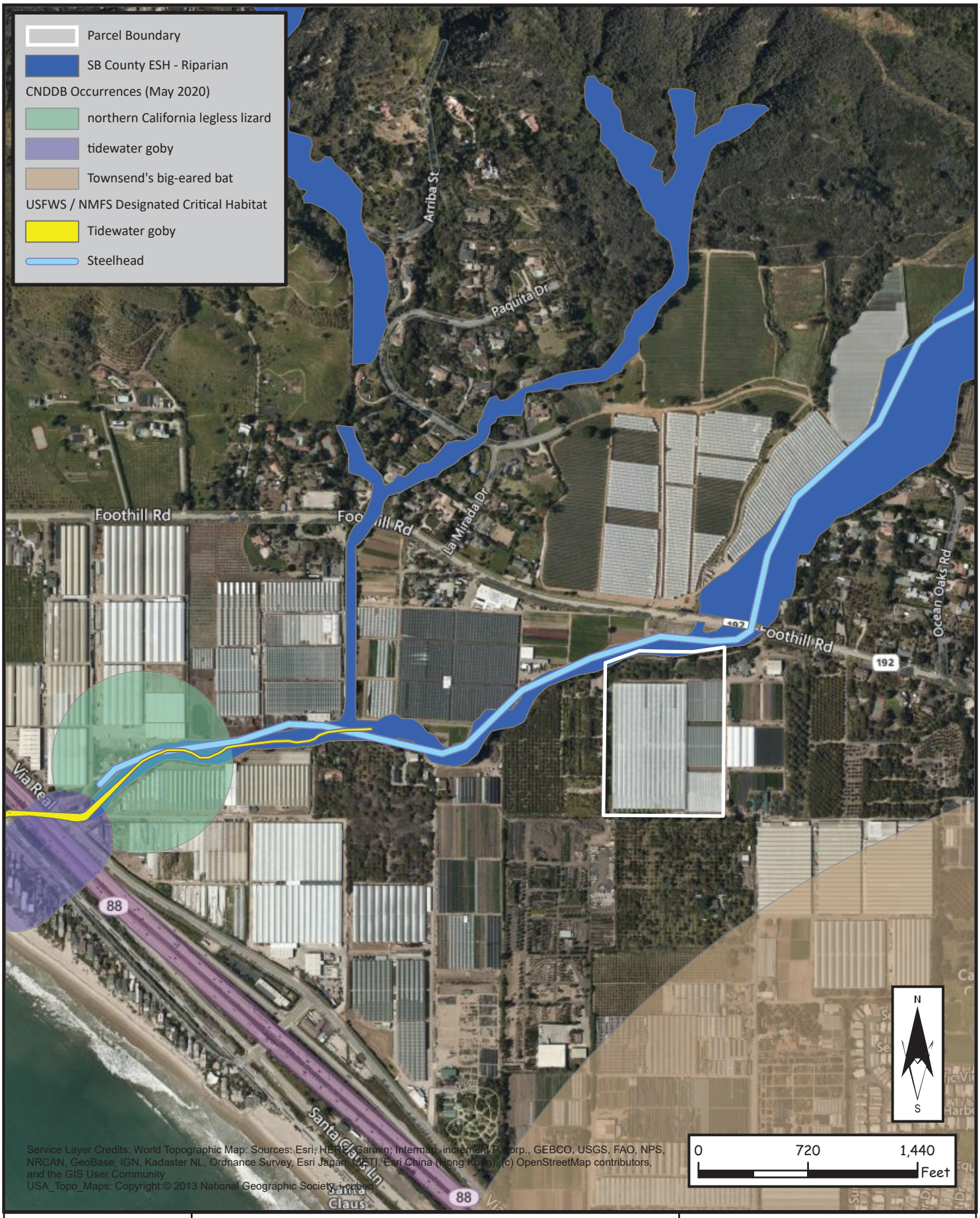
APPENDIX A

Exhibit 1: Regional Location and CNDDB Occurrences Map
Exhibit 2: Aerial Overview
Exhibit 3: Revised Habitat Map (July 2020)
Exhibit 4: Construction Staging, Storage and Parking Plan

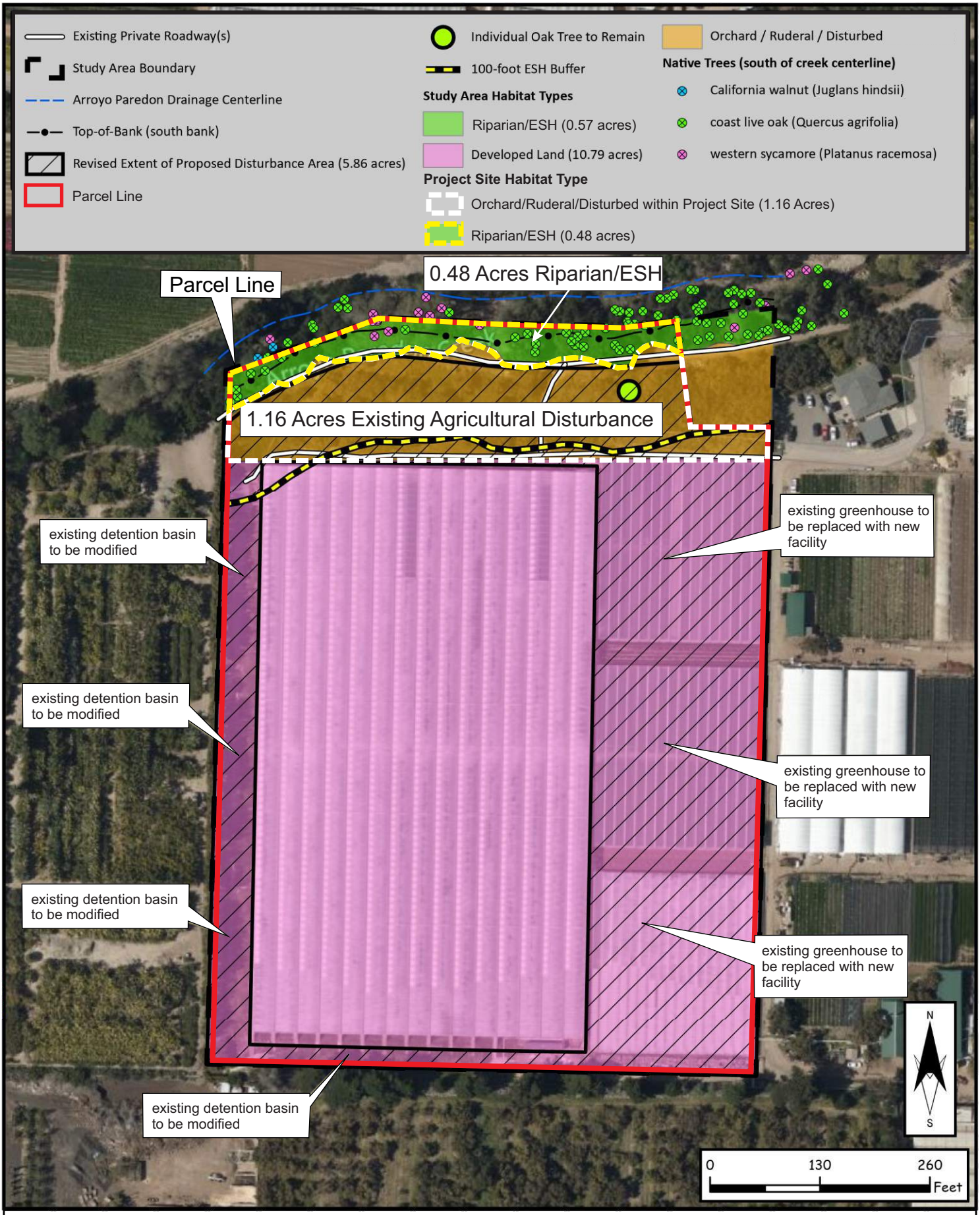


Service Layer Credits: World Topographic Map: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community
USA_Topo_Maps: Copyright:© 2013 National Geographic Society, i-cubed

sage institute inc updated May 27, 2020	SLO Cultivation - Carpinteria	**Figure 1**
	APN# 005-310-024, 3861 Foothill Road	**Regional Location / CNDDB Map**



sage institute INC updated May 27, 2020	SLO Cultivation - Carpinteria	**Figure 3**
	APN# 005-310-024, 3861 Foothill Road	**Aerial Overview**

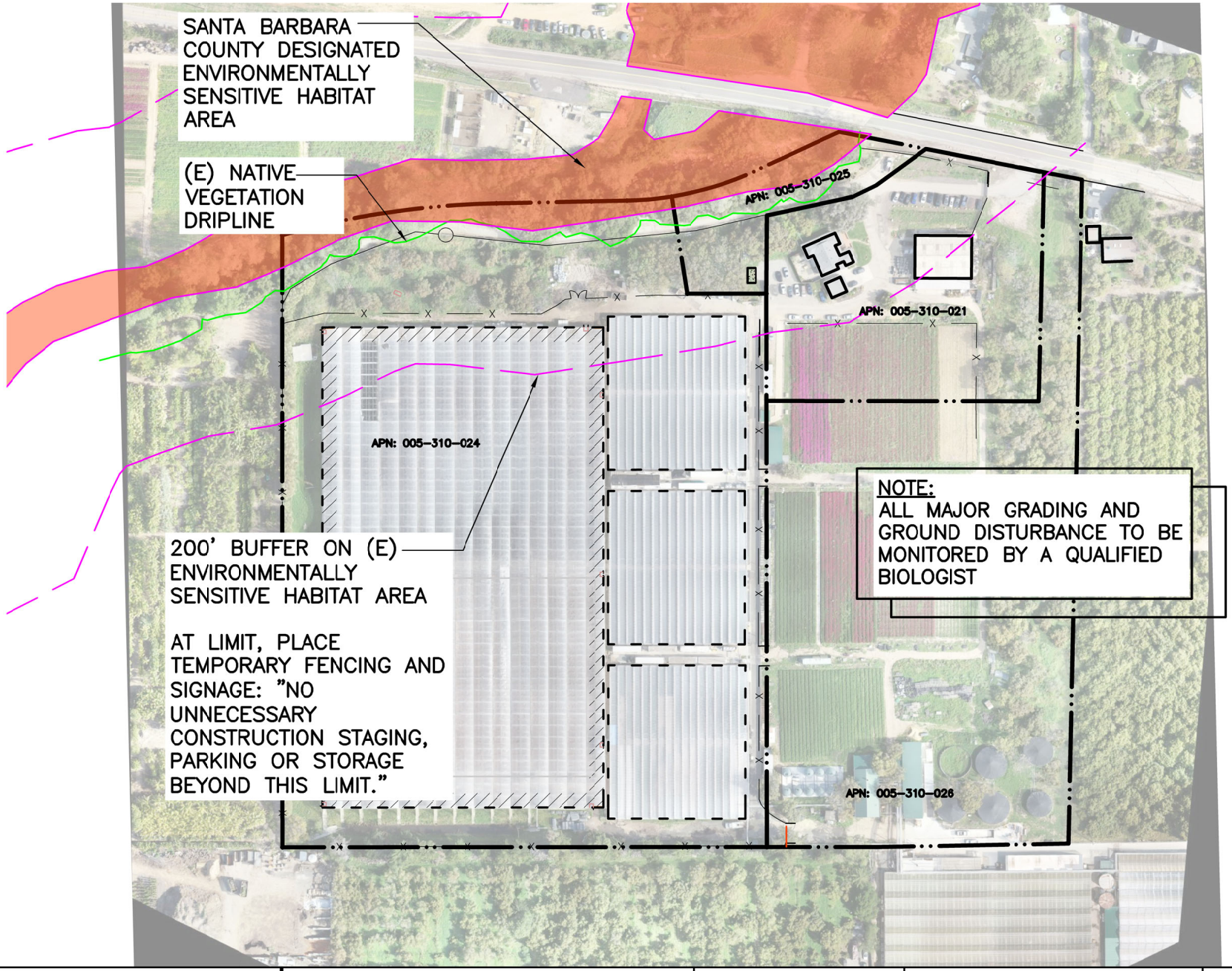


sage institute
updated January 14, 2021

SLO Cultivation - Carpinteria

APN# 005-310-024, 3861 Foothill Road

Figure 5
Habitat Map



OCEAN BREEZE FARMS

N

SCALE: 1"= 200'-0"

0 400'

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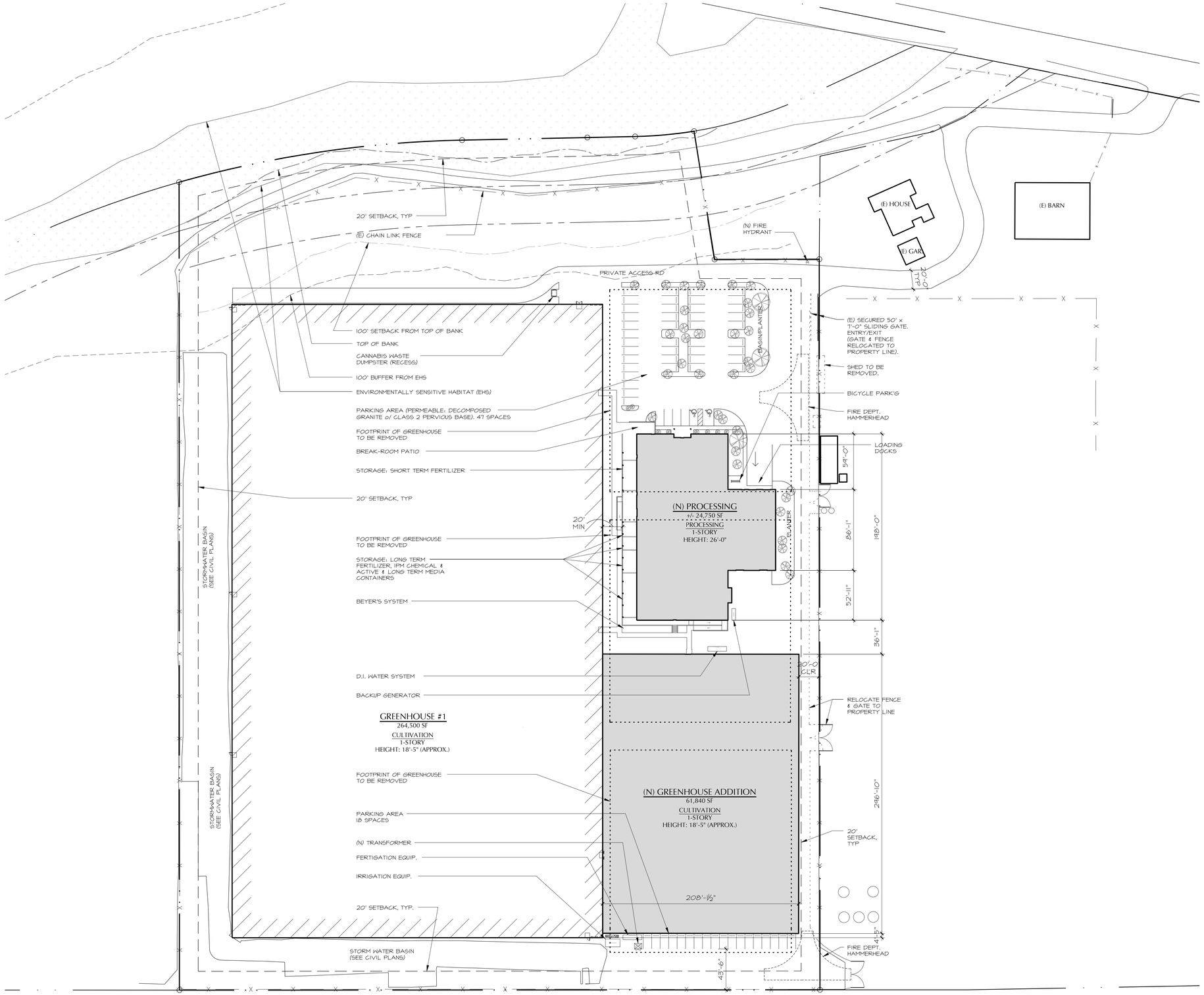
3861 FOOTHILL RD.
CARPINTERIA, CA 93103

CONSTRUCTION STAGING, STORAGE AND PARKING PLAN

APPENDIX B

Exhibit 5: Design Documents, Fencing and Landscape Plans



SITE PLAN

1"=50'

SITE PLAN GENERAL NOTES:

1. This plan is for architectural reference. See civil plans for specific grading and drainage information.
2. Positive drainage shall be provided away from the structure at a minimum slope of 5% for 10 feet.
3. Contractor shall verify location of all underground utilities prior to excavation.
4. Rain gutters and downspouts shall collect and discharge roof rain water run-off through an approved storm drain system. See civil plans for additional information.
5. Verify depth & separation of utilities within trenches w/ governing jurisdiction and comply w/ all applicable codes. Architect to be notified of any conflicts.

BBP
ARCHITECTURE
924 anacapa st
suite: 2-U
santa barbara, ca
93101
805.564.6074

SLO CULTIVATION
3861 Foothill Rd
Carpinteria, CA

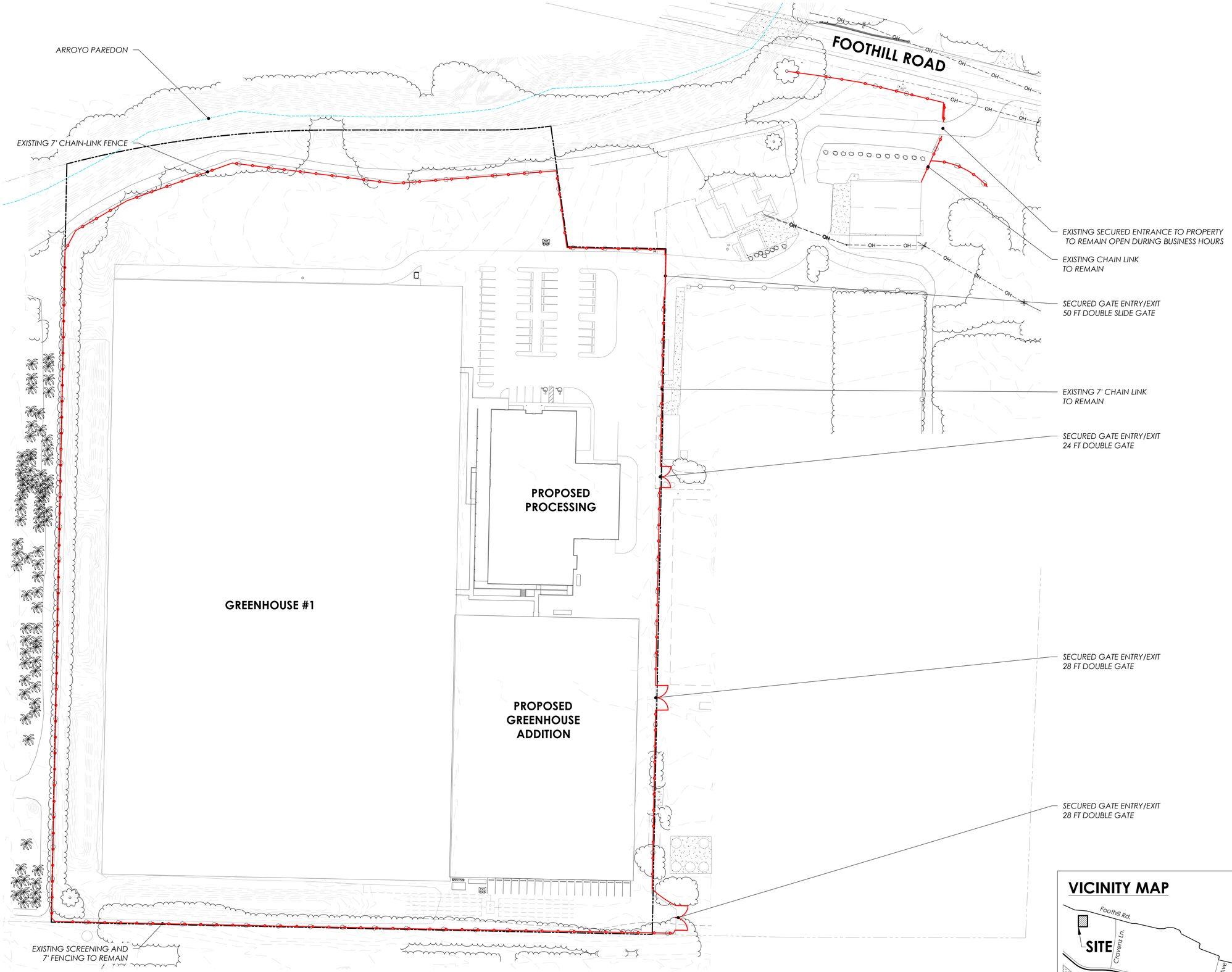
LICENSED ARCHITECT
HEIDI A. BURNELL
NO. C-20626
REN. 05/21
STATE OF CALIFORNIA

sheet description
SITE PLAN

date:
8-7-2020
8-20-2020
8-28-2020
9-3-2020
9-9-2020
9-17-2020
12-9-2020
12-18-2020
12-29-2020
1-13-2021
2-3-2021
2-9-2021
2-10-2021
2-18-2021
4-27-2021
6-1-2021
7-6-2021
9-15-2021
10-1-2021

sheet no:
A-1

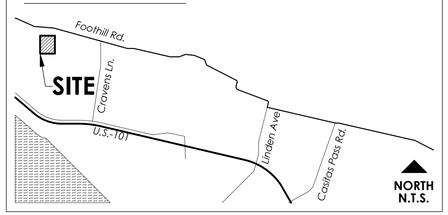
Preliminary: NOT FOR CONSTRUCTION



❑ FENCING & SECURITY PLAN

0 25 50 100
SCALE : 1" = 50'-0"
NORTH

VICINITY MAP



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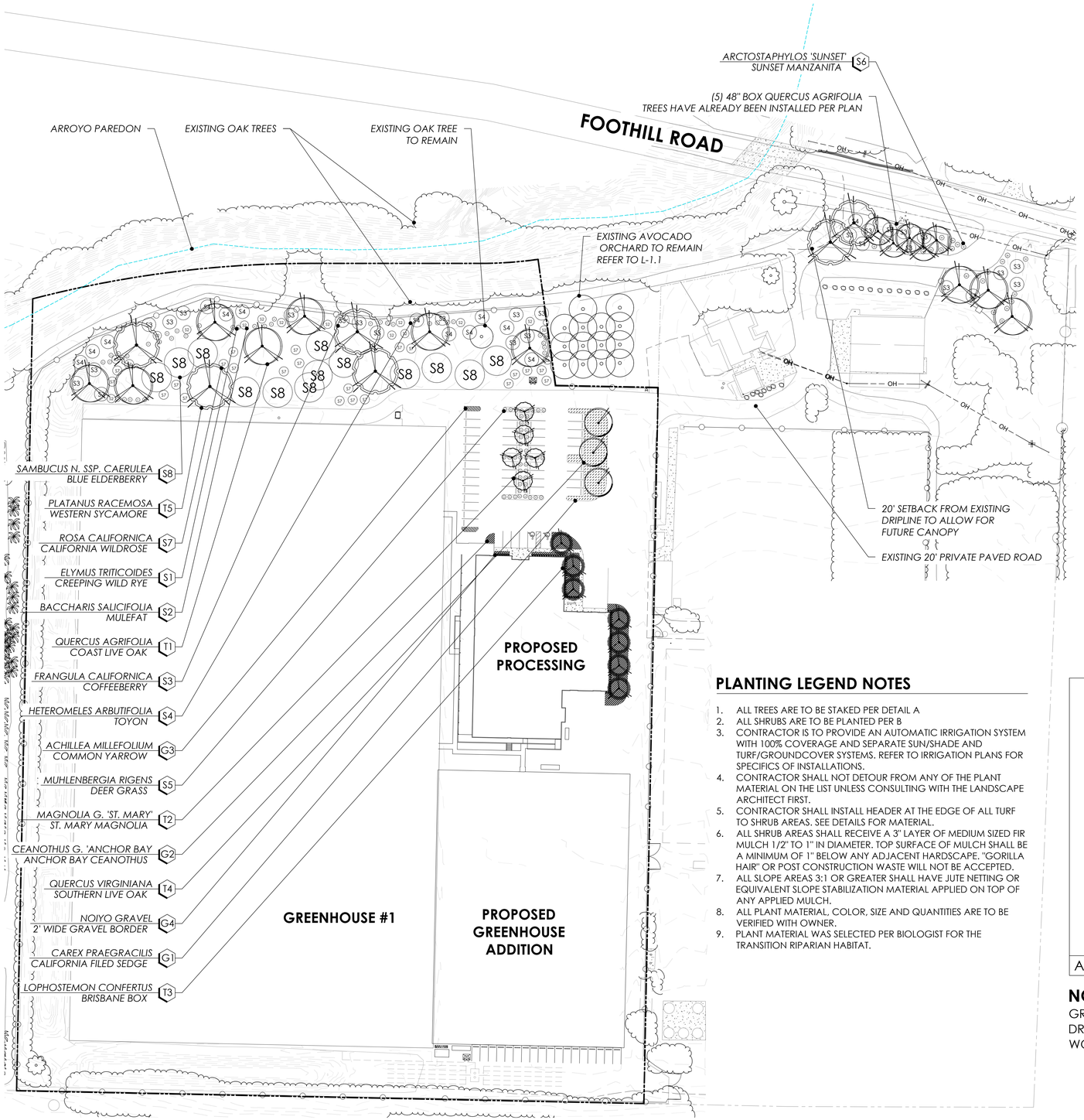
SLO CULTIVATION

3889 FOOTHILL ROAD // CARPINTERIA, CALIFORNIA 93013

SHEET TITLE

FENCING & SECURITY PLAN

OWNER	Cresco California
	P.O. Box 183
	Carpinteria, California 93014
DATE	2021.10.12
	21839
SHEET NO.	L-1.0



PLANTING LEGEND NOTES

1. ALL TREES ARE TO BE STAKED PER DETAIL A
2. ALL SHRUBS ARE TO BE PLANTED PER B
3. CONTRACTOR IS TO PROVIDE AN AUTOMATIC IRRIGATION SYSTEM WITH 100% COVERAGE AND SEPARATE SUN/SHADE AND TURF/GROUNDCOVER SYSTEMS. REFER TO IRRIGATION PLANS FOR SPECIFICS OF INSTALLATIONS.
4. CONTRACTOR SHALL NOT DETOUR FROM ANY OF THE PLANT MATERIAL ON THE LIST UNLESS CONSULTING WITH THE LANDSCAPE ARCHITECT FIRST.
5. CONTRACTOR SHALL INSTALL HEADER AT THE EDGE OF ALL TURF TO SHRUB AREAS. SEE DETAILS FOR MATERIAL.
6. ALL SHRUB AREAS SHALL RECEIVE A 3" LAYER OF MEDIUM SIZED FIR MULCH 1/2" TO 1" IN DIAMETER. TOP SURFACE OF MULCH SHALL BE A MINIMUM OF 1" BELOW ANY ADJACENT HARDSCAPE. "GORILLA HAIR" OR POST CONSTRUCTION WASTE WILL NOT BE ACCEPTED.
7. ALL SLOPE AREAS 3:1 OR GREATER SHALL HAVE JUTE NETTING OR EQUIVALENT SLOPE STABILIZATION MATERIAL APPLIED ON TOP OF ANY APPLIED MULCH.
8. ALL PLANT MATERIAL, COLOR, SIZE AND QUANTITIES ARE TO BE VERIFIED WITH OWNER.
9. PLANT MATERIAL WAS SELECTED PER BIOLOGIST FOR THE TRANSITION RIPARIAN HABITAT.

❑ LANDSCAPE SCREENING PLAN - DETENTION BASIN ENLARGEMENT

0 30 60 120
SCALE : 1" = 60'-0"
NORTH

PLANT LEGEND

TREES

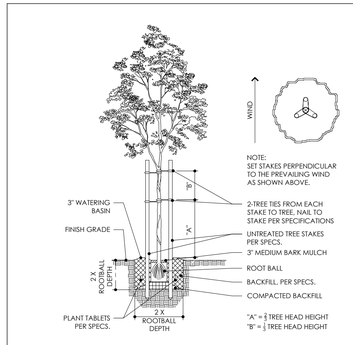
SYMBOL		NAME	COMMENTS	SIZE	WUCOLS	QTY.
	T1	*QUERCUS AGRIFOLIA* COAST LIVE OAK	PLANT PER DETAIL A	48" BOX	V. LOW	15
	T2	*MAGNOLIA GRANDIFLORA 'ST. MARY'* ST. MARY MAGNOLIA	PLANT PER DETAIL A	24" BOX	MED	5
	T3	*LOPHOSTEMON CONFERTUS* BRISBANE BOX	PLANT PER DETAIL A	36" BOX	MED	7
	T4	*QUERCUS VIRGINIANA* SOUTHERN LIVE OAK	PLANT PER DETAIL A	36" BOX	MED	3
	T5	*PLATANUS RACEMOSA* WESTERN SYCAMORE	PLANT PER DETAIL A REFER TO PLANT LEGEND NOTE #9	36" BOX	MED	6

SHRUBS

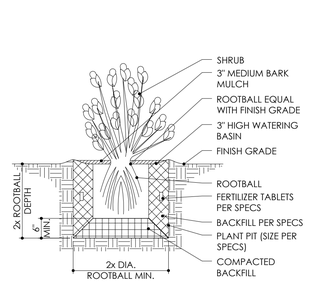
SYMBOL		NAME	COMMENTS	SIZE	WUCOLS	QTY.
S1	S1	*ELYMUS TRITICOIDES* CREEPING WILD RYE	PLANT PER DETAIL B	1 GAL.	LOW	38
S2	S2	*BACCHARIS SALICIFOLIA* MULEFAT	PLANT PER DETAIL B	1 GAL.	LOW	15
S3	S3	*FRANGULA CALIFORNICA* COFFEE BERRY	PLANT PER DETAIL B	5 GAL.	V. LOW	26
S4	S4	*HETEROMELES ARBUTIFOLIA* TOYON	PLANT PER DETAIL B	5 GAL.	V. LOW	14
S5	S5	*MUHLENBERGIA RIGENS* DEER GRASS	PLANT PER DETAIL B	5 GAL.	LOW	46
S6	S6	*ARCTOSTAPHYLOS 'SUNSET'* SUNSET MANZANITA	PLANT PER DETAIL B	5 GAL.	LOW	23
S7	S7	*ROSA CALIFORNICA* CALIFORNIA WILDROSE	PLANT PER DETAIL B REFER TO PLANT LEGEND NOTE #9	5 GAL.	LOW	23
S8	S8	*SAMBUCUS NIGRA SSP. CAERULEA* BLUE ELDERBERRY	PLANT PER DETAIL B REFER TO PLANT LEGEND NOTE #9	5 GAL.	LOW	13

GROUNDCOVERS

SYMBOL		NAME	COMMENTS	SIZE	WUCOLS	QTY.
	G1	*CAREX PRAEGRACILIS* CALIFORNIA FIELD SEDGE	PLANT PER DETAIL B 36" O.C.	4" POTS	LOW	19
	G2	*CEANOTHUS GLORIOSUS 'ANCHOR BAY'* ANCHOR BAY CEANOTHUS	PLANT PER DETAIL B 72" O.C.	5 GAL.	LOW	92
	G3	*ACHILLEA MILLEFOLIUM* COMMON YARROW	PLANT PER DETAIL B 24" O.C.	1 GAL.	LOW	43
	G4	*NOIYO GRAVEL* GRAVEL BORDER	2 FOOT WIDE BORDER SURROUNDING THE BUILDING	2"-4"	N/A	423 SQ. FT.



A | TREE PLANTING

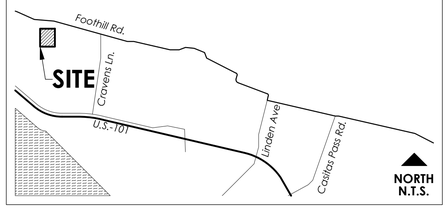


B | SHRUB PLANTING

NOTE:

GRADING AND SITE DISTURBANCE SHALL REMAIN AT LEAST 6 FEET OUTSIDE OF THE EXISTING OAK'S DRIPLINE WHENEVER FEASIBLE. IF GRADING MUST ENCROACH WITHIN THAT PROTECTED AREA, ALL SUCH WORK SHALL BE CONDUCTED UNDER THE SUPERVISION OF THE LANDSCAPE ARCHITECT/ARBORIST

VICINITY MAP



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SHEET TITLE

LANDSCAPE SCREENING PLAN

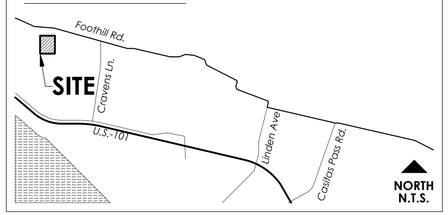
OWNER	*Cresco California*
	P.O. Box 183
	Carpinteria, California 93014
DATE	*2021.10.12*
	21839
SHEET NO.	

L-1.2

❑ EXISTING RENDERED SITE PLAN

0 25 50 100
SCALE : 1" = 50'-0"
NORTH

VICINITY MAP



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SHEET TITLE

EXISTING RENDERED SITE PLAN

OWNER	Cresco California P.O. Box 183 Carpinteria, California 93014
DATE	2021.10.12 21839
SHEET NO.	L-1.3

ARROYO PAREDON

EXISTING OAK TREE CANOPY

PROPOSED LANDSCAPE

NOT A PART
REFER TO CAL-TRANS
LANDSCAPE PLANS

FOOTHILL ROAD

PROPOSED LANDSCAPE SCREENING

EXISTING AVOCADO TREES

EXISTING BARN

EXISTING RESIDENCE

EXISTING GARAGE

EXISTING 20' WIDE PAVED ROAD

EXISTING BAMBOO SCREENING
TO REMAIN

PROPOSED
PROCESSING

GREENHOUSE #1

PROPOSED
GREENHOUSE
ADDITION

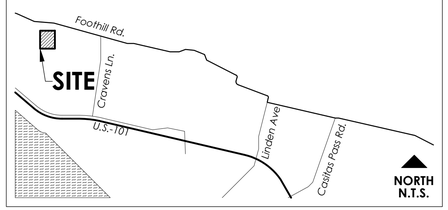
EXISTING PINUS SPP.
TO REMAIN

0 25 50 100
SCALE : 1" = 50'-0"

NORTH

❑ PROPOSED RENDERED SITE PLAN

VICINITY MAP



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SHEET TITLE

PROPOSED RENDERED SITE PLAN

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	21839
SHEET NO.	L-1.4