

SLO CULTIVATION - CARPINTERIA

3861 FOOTHILL ROAD, CARPINTERIA, CA

APN: 005-310-024

TREE 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 Tree Protection Plan (TPP) is to document existing conditions of the project site and to evaluate the potential for any direct or indirect impacts to the trees on-site and adjacent to the project area. 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 CONDITIONS

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.

Arroyo Paredon Creek crosses the northern fringe of the parcel from east to west. The National Hydrography Dataset designates Arroyo Paredon Creek as a perennial stream less than 0.75 miles upstream of the site, and in the project area it is designated as intermittent. Based on field observations in July 2020, the reach of Arroyo Paredon Creek within the study area likely maintains minimal perennial flow in most years through the dry season. In dry / drought years, it is possible that flows would dissipate in the dry season.

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). The existing greenhouse structural development and associated agricultural uses were approved by the County via 10DVP-00000-00010 and 11CDP-00000-00009. The remainder of the project site is 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.

Appendix A (Habitat Map) includes detailed mapping of all native trees south of the centerline of Arroyo Paredon Creek. Native trees within this area included coast live oak (*Quercus agrifolia*), California walnut (*Juglans hindsii*), and Western sycamore (*Platanus racemosa*). One (1) native coast live oak tree is rooted south of the existing access road that separates the existing riparian corridor from proposed project activities.

A series of existing linear-shaped stormwater detention basins are located along the southeast and western property boundaries (See Appendix A). These basins are vegetated primarily by non-native weedy herbaceous forbs and grasses but do support some widely scattered mulefat and willow. Based on July 2020 field observations and discussions with onsite operations staff, these basins were designed for prior agricultural uses and do not ever support ponding.

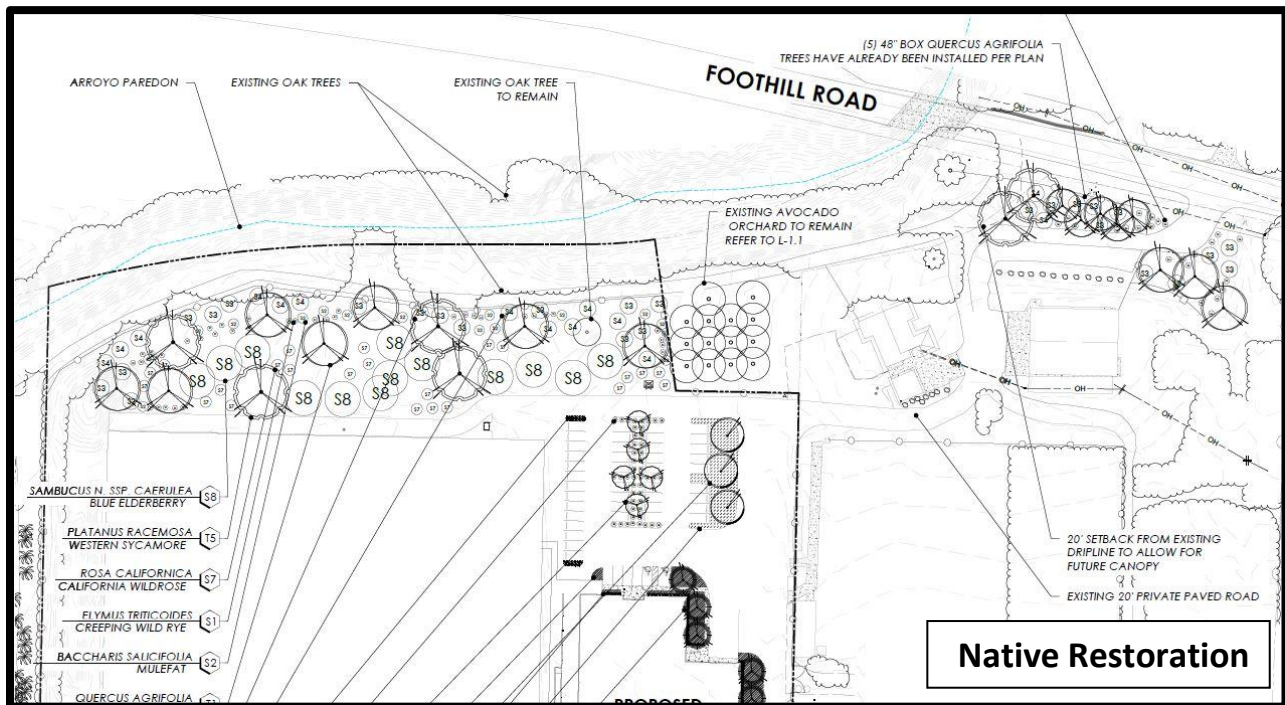
1.2 PROJECT DESCRIPTION

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.

In order to provide superior visual screening of the Project Site the existing avocado trees will be removed and the northern fence line will be planted with appropriate native riparian and transitional upland vegetation (refer to Appendix C for details). 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 biological impacts are anticipated.

Figure 1 Orchard Removal & Native Plant Restoration



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 and removal or pruning of native trees along the primary riparian corridor will not be required. Proposed maintenance within the southwestern basin area will be minimal and is anticipated to occur every 5 to 10 years, 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.

1.3 OAK TREE REGULATIONS

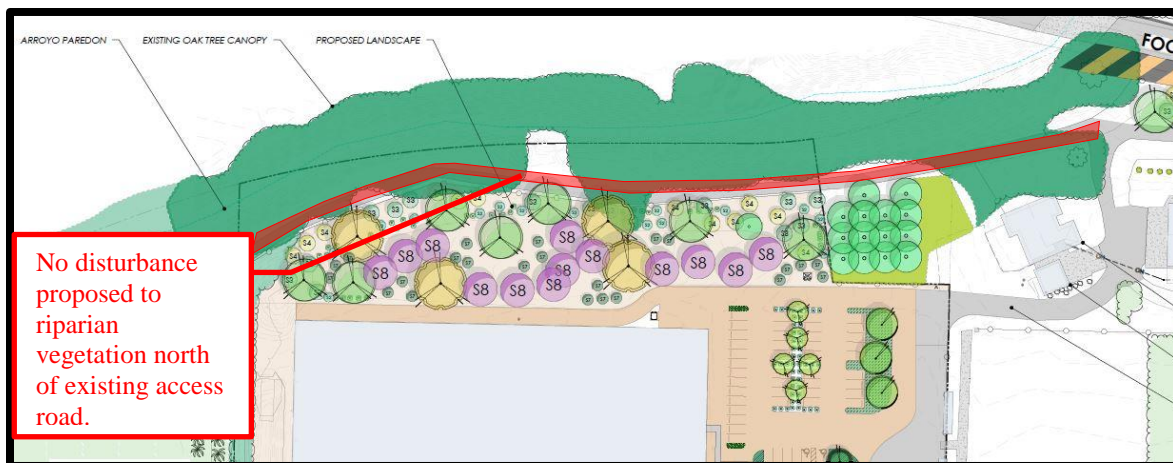
Within Santa Barbara County, removal is defined as “causing an oak tree to die, be uprooted and/or removed from the ground by any means, including but not limited to, cutting, uprooting, poisoning, or burning. Excessive pruning, topping, or severing an oak’s roots enough to lead to the death of the tree, would also be considered oak tree removal” (Ordinance #4491, §6). Death by natural causes (e.g., sudden oak death syndrome) or removals required due to disease or regulatory requirements, or trees removed that pose an immediate threat to safety should not be considered a removal. A “protected tree” is any live oak tree with a diameter at breast height (DBH) of 4 inches or greater. Trees voluntarily planted are not protected unless they have been subsequently designated as replacement trees. Project-specific guidelines regarding live oak removal and mitigation requirements, if any, are presented within the Conditions of Approval at the time a Development Permit is issued by the County. Although not currently proposed, Coast live oak trees that are removed as a result of construction are typically mitigated at a 10:1 ratio via in-kind replacement planting.

2.0 EXISTING TREES ON PROJECT SITE

2.1 RIPARIAN CORRIDOR

The Arroyo Paredon watershed and adjacent riparian vegetation encompass the northern 0.48 acres of the Project Parcel. The native area is bounded on the southern edge by an existing, paved access road which traverses the Project site from east to west. No Project related disturbance is proposed north of this access road. No grading disturbance will occur in proximity to or within the top-of-bank. No native trees in the riparian corridor will be removed or trimmed as part of the proposed scope of work. Figure 2 indicates the existing riparian area.

Figure 2 Existing riparian area bordered by existing paved access road

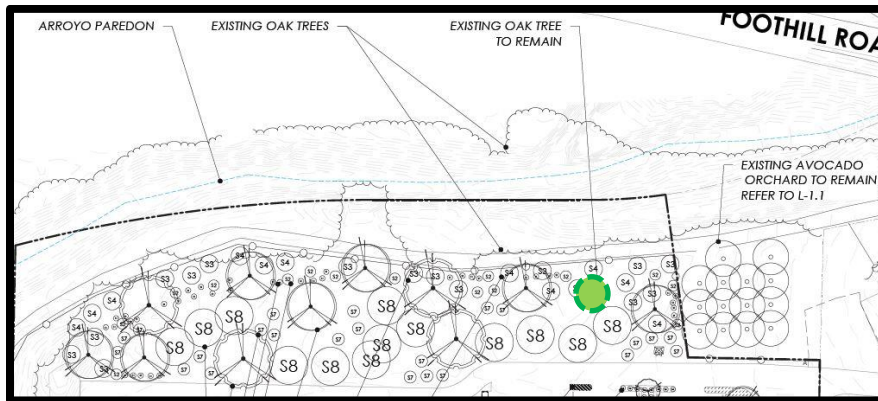


2.2 EXISTING ON-SITE OAK TREE

The proposed Project includes one (1) existing coast live oak (*quercus agrifolia*) located at the north-east corner of the project site as shown in Figure 3 below. This oak tree is not included in the existing riparian

corridor, however is considered a native tree. Protection of this coast live oak shall conform to the tree protection details per the landscape plans, as well as Section 3.0 Tree Protection Plan, found below.

Figure 3 Location of existing coast live oak



3.0 TREE PROTECTION PLAN

3.1 RIPARIAN CORRIDOR PROTECTION

Existing native trees along Arroyo Paredon will not be altered and shall be protected during proposed construction activities. Existing protection measures include a 7' tall chain-link fence, which will remain between all areas of proposed construction and the native riparian corridor. No disturbance or tree trimming will be allowed north of this existing fence line perimeter.

In addition to the existing chain-link fence, a paved access road (to remain) creates a buffer between the proposed construction activities and the existing riparian area. A 3' tall orange mesh safety fence shall be temporarily installed around the riparian zone and project area to achieve further protection. Further compliance measures shall include the following:

1. All native trees shall be protected by a temporary construction fence, which shall be at least 3 feet high, staked to prevent any collapse, and with signs identifying the protection area placed in 15-foot intervals on the fencing. All temporary fencing, staking, and signage shall be maintained throughout relevant construction activities.
2. No irrigation is permitted within 6 feet of the dripline of any protected tree unless specifically authorized.
3. A Department-approved arborist shall direct and oversee any development activity required within the dripline or sensitive root zone of any native, specimen tree. Any roots of one inch in diameter or greater which are encountered during grading or construction, and/or tree removal or trimming, must be cleanly cut with hand tools when feasible.
4. If the use of hand tools is deemed infeasible by the Director, work with rubber-tired construction equipment weighing 5 tons or less may be authorized by the Director. If significant large rocks are present, or if soil placement will impact surrounding trees, then a small tracked excavator may be used as determined by the Director or Department-approved biologist.
5. Grading shall be designed to avoid ponding and ensure proper drainage within driplines of oak trees.

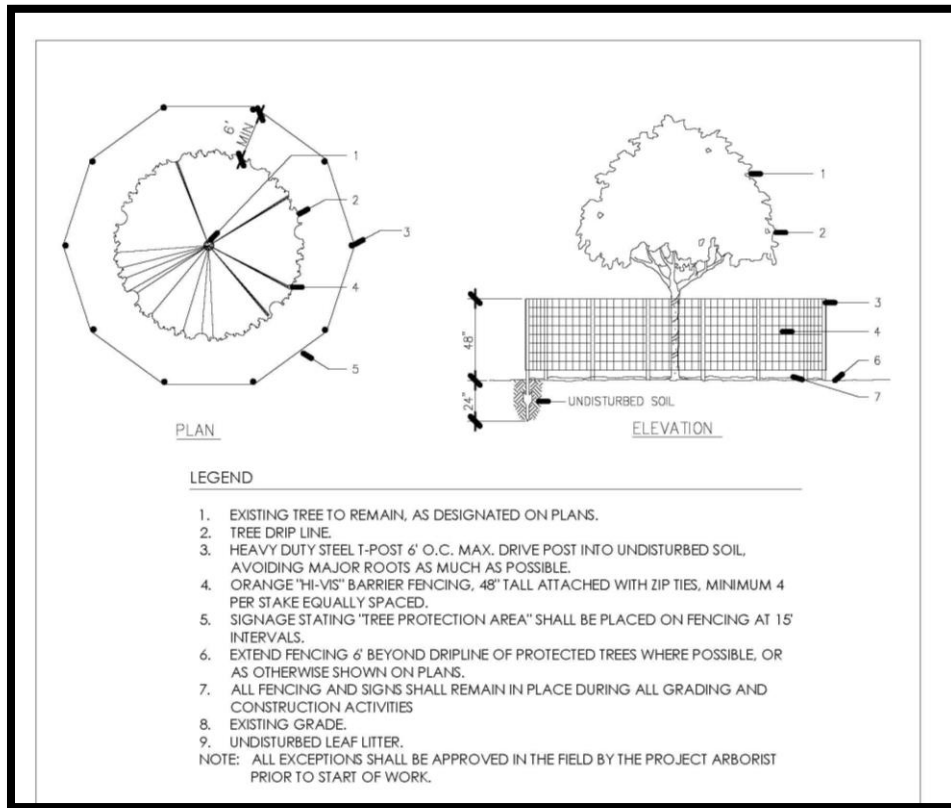
3.2 EXISTING OAK TREE PROTECTION

One (1) existing coast live oak tree is located at the north-east corner of the project site, and will be protected in place per the Landscaping Plans, Tree Inventory Plan. 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. Tree protection shall conform to the following and Figure 5 Tree Protection Diagram:

1. Prior to pre-construction meeting, beginning of grading, and during all ground disturbance and construction activities, temporary orange plastic fencing shall be installed at the drip line of all native trees in order to control access and delineate areas of non-disturbance. Final location of fencing to be determined in field by landscape architect.
2. Any necessary pruning shall be in accordance to the most current international society of arboriculture pruning standards under the supervision of a certified arborist.
3. Prior to beginning work or any excavation, the contractor shall contact underground service alert at (800) 442-4133.
4. Removal of weeds within the drip line of the trees shall be done by hand or by use of a contact herbicide only.
5. No storage of materials and/or parking of vehicles shall be permitted within the drip line of existing, native trees.
6. No grading shall occur within the drip line of existing, native trees except as required within designated area of encroachment and under the supervision of the project arborist.
7. If project construction must occur within the drip line of any of existing, native trees, then the following precautions must be observed and performed under the supervision of the project arborist:
 - A. Where it is necessary to excavate adjacent to existing, native trees, the contractor shall use all possible care to avoid injury to trees and tree roots.
 - B. Excavation in these areas where two (2) inch and larger roots occur shall be done by hand.
 - C. All roots less than two (2) inches in diameter, directly in the path of the pipe or conduit, shall be cleanly cut, under the direction of an approved arborist, and shall be heavily wrapped with damp burlap or treated with tree-seal compound to prevent scarring or excessive drying.
 - D. Roots one (1) inch and larger in diameter requiring cutting shall be painted with two coats of tree seal or equal.
 - E. Where a ditching machine is run close to trees having roots smaller than two (2) inches in diameter, the wall of the trench adjacent to trees shall be hand trimmed, making clean cuts through.
 - F. Trenches adjacent to trees should be closed within twenty-four (24) hours and where not possible, the side of the trench adjacent to the trees shall be kept shaded with burlap or canvas.
8. Any discrepancies and/or questions that may arise on site regarding existing trees shall be referred to the project arborist.
9. All existing shrubbery and groundcover shall be removed where necessary for construction purposes unless otherwise noted to remain.

10. All downed wood and uprooted stumps shall be removed as part of the site cleanup. Contractor shall leave existing leaf mulch in place as much as possible.
11. Trees shall be protected in place to the greatest extent possible.
12. Any pruning to be supervised by project arborist.

Figure 4- Native Tree Protection Detail



4.0 COAST LIVE OAK REPLACEMENT

The goal of oak tree mitigation is to prevent the net loss of coast live oak communities within Santa Barbara County. In the unlikely event the one protected oak tree is inadvertently damaged or killed during project implementation, this section provides detailed for mitigating live oak tree impacts and/or removals through the planting of coast live oak replacement trees in nearby suitable habitat. In the unlikely event the protected oak tree is removed (or damaged to the point of potential mortality), it will be replaced at the County-required ratio of 10:1 (replacement trees to trees removed), with the goal that a minimum of 60 percent of replacement trees will become established and survive after five years.

Mitigation Location and Selection Criteria

Replanting 10 coast live oak trees would occur on-site within the proposed native planting / removed avocado orchard area. Utilizing this area would further increase the biological diversity of the proposed native plantings.

Plant Material Propagation and Installation

The proposed source material for replacement planting is commercially available saplings. Local native plant nurseries will be contacted to determine the availability of coast live oak seedlings. Saplings within one gallon tree pots are preferred for restoration planting due to their size and ability to establish a strong root system. Oaks will be allowed to grow long enough so that the roots reach the bottom of the container prior to planting, but do not become root bound. If planting is delayed, plants will be transplanted into larger containers to prevent them from becoming root bound.

Site Preparation

To prepare the mitigation sites for planting and seeding, the sites will be cleared of weeds. Weed removal may include mechanical methods or herbicide treatment. Depending on the condition of the soils, the soil may need to be scarified with a bulldozer or raked. If compacted, the soil will be tilled to a depth of 1 foot and smoothed out so large rocks or debris does not cover the surface. Depending on the risk for disturbance by cattle, equipment or vehicles, or personnel, temporary fencing such as construction fencing may be installed to limit access to the mitigation sites.

The restoration biologist or arborist will install flagging to mark the location of oak container plants to be installed. Drip irrigation will be installed to each location as prescribed. Drip irrigation will be used to maximize water efficiency and provide deep watering of the roots. The drip system will be supplied via available water on site.

Coast Live Oak Tree Planting

Oak woodland planting and seeding consists of installing oak container plants with the option of planting additional native species to enhance the quality of the planting habitat. Oak tree planting will follow generally accepted industry methods described below.

Oak tree containers will be spaced 15 to 20 feet from each other and will be planted at least 10 feet from any existing or planned road or structure. Natural randomized layouts will be used, avoiding straight planting rows. Planting pits will be excavated to a minimum of twice the width and depth of the container. The pits will be filled with water, which will be allowed to percolate naturally into the soil. After the water has percolated through the soil, the tree will be placed in the pit so that its soil level is even with the ground. Care will be taken to avoid breaking up the soil around the roots. The planting hole will be backfilled with equal parts native soil and soil supplement, and slow-release fertilizer tablets. The backfilled planting hole will be tamped down and watered to remove air pockets.

Irrigation

All oak plantings will be deep watered immediately upon planting. A minimum of five gallons of water will be provided to each sapling immediately following installation to minimize transplant shock, eliminate air pockets, and establish good soil contact with the roots.

Mulching

A berm no less than 2 inches in height and 36 inches in diameter will be constructed around the hole of each oak sapling/acorns, creating a basin which will be filled with 4 inches of mulch. Space will be left around the plants so that mulch does not contact the saplings thereby minimizing potential rot. Applying mulch around each plant will aid in weed suppression and water conservation through evaporation management. Mulch shall consist of tree chippings with an average diameter of 2-inches and will be free of seeds.

Protective Caging

Protective cages will be installed around each oak sapling directly following installation to protect the plants from rodents and large browsing animals such as rabbits and deer. Cages will be formed using half-inch galvanized hardware cloth, formed into a cylinder 30 inches wide and 48 inches tall, or equivalent structure. The cages should be buried to a depth of 12 inches and anchored with two rebar posts (48 inches in length) or similar materials.

Schedule

Planting of live oak saplings should occur between December and February to take advantage of the natural rainy season and maximize growth and survival. Direct sowing of live oak acorns should occur after the first significant rain event so the soil is moist, typically between November and March.

Table 1. Coast Live Oak Tree Planting Schedule

Weed removal	Prior to planting
Install irrigation	Prior to planting
Plant oak saplings	December to February
Install protective cages	After planting
Irrigate	First Month: Weekly First 2 years: November to May (as needed)
Weed removal	As needed

Maintenance and Monitoring

The maintenance and monitoring program will extend for a five-year period, with reduced efforts each year as plants become more established. Maintenance activities include watering, maintaining the irrigation system and protective cages, weed removal, replacement planting, and re-applying mulch. The monitoring activities include evaluating the health of the plantings, communicating recommendations to the maintenance personnel, and compiling annual progress reports.

Irrigation

Each sapling will receive two gallons of water per irrigation event, except for the initial planting event which shall receive five gallons per sapling. Saplings shall be irrigated directly following planting and irrigated a total of three times during the first week after planting.

Following installation, supplemental irrigation will be applied only if needed during the winter season. Through the dry season, irrigation will occur once a week beginning in April and continuing until December (or the first ground soaking rain) for the first two years after planting. Plants shall be gradually weaned off supplementary irrigation in the third year. There will be no supplemental irrigation provided during the fourth and fifth years after the initial planting. The irrigation system will be checked for leaks and proper functioning on a regular basis during monitoring and watering events. Any damage or malfunction shall be repaired immediately.

Protective Cages

Protective cages will be inspected and repaired as needed so they are maintained in good condition throughout the maintenance period. Protective cages will be removed when the restoration biologist or arborist determines there is risk that the cage is hindering normal growth of the saplings.

Weed Removal

A 3-foot diameter around each plant will be maintained free of non-native weeds, either through manual removal or careful application of an approved and suitable herbicide. Aquamaster (or a similar product) is preferred for weed suppression near aquatic habitats. Herbicide shall not be applied 48 hours prior to or 24 hours after a storm event, or if winds exceed 15 mph, in order to protect nearby native plants and aquatic habitats. If the mulch layer around plants is no longer effective in prohibiting weeds, additional mulch may be applied as necessary.

Replacement Planting

Replacement planting of oaks is necessary only if less than 60 percent of the oak plantings successfully establish and survive. Replacement planting may be necessary a month following initial installation and for first one to two years following installation. Replacement plants will be installed in the same manner as the original installation. Replacement oaks will be installed only during appropriate planting periods, as discussed above.

Monitoring

A qualified biologist or arborist will conduct restoration monitoring of the restoration plantings bi-monthly for the first year after planting to make recommendations for maintenance. Thereafter, the restoration biologist will monitor the planting units quarterly for the second to fifth year after the planting. Annual monitoring reports will be prepared to summarize the success of the plantings and suggest recommendations for future maintenance. At the conclusion of five years after planting, all replacement oaks will be evaluated. The restoration biologist or arborist will determine the number of oak trees that have survived, and that are expected to continue their natural development without additional maintenance activities. A minimum of six planted or nurtured trees are required to be alive and in good health as mitigation for every protected tree removed to satisfy the Santa Barbara County's Live Oak Program.

5.0 RECOMMENDED AVOIDANCE AND MINIMIZATION MEASURES

- 1) **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 sign-in sheet will be provided to the County.
- 2) **Construction Monitoring:** All ground disturbance and vegetation clearing activities shall be conducted under the direct supervision of the County-approved biologist. The monitoring biologist will work with construction crews to slowly remove any debris piles or potential upland refuge habitat (by hand or gentle excavation) for special-status wildlife species.
- 3) **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.
- 4) **Major Grubbing & Tree Removal:** Significant vegetation removal and/or removal of existing avocado trees is proposed for a window from September 1st to February 1st, outside the nesting season for birds.
- 5) **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.

APPENDIX A

Exhibit 1: Revised Habitat Map (July 2020)

