



COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Weights and Measures

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556

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AgCommSLO@co.slo.ca.us

Date: March 2, 2012

To: Brian Pedrotti, Project Manager

From: Lynda L. Auchinachie, Agriculture Department *LA*

Re: Christensen Parcel Map SUB2011-00011 (1610)

This memo is in response to your request for additional information regarding our department's November 28, 2011, recommendation for parcel sizes that are larger than what the applicant has proposed. The recommended larger parcel size is to ensure agricultural capability and the long term protection of agricultural resources consistent with the goals and policies of the Agriculture Element.

Although our primary concern centers on the end result of the proposed parcel subdivision, it should be noted that the applicant's application overstated the amount of acreage currently in crop production and proposed Parcel 2 does not meet the minimum qualifying criteria identified in Land Use Ordinance Section 22.22.040B1b for parcels less than 40 acres in size that allows for this proposal. Redesigning the parcel to meet minimum qualifications would still result in potential significant adverse impacts to agricultural resources as the proposed parcels would not be considered of adequate size to ensure agricultural capability and the long term protection of agricultural resources.

How is the long term protection of agricultural resources ensured through subdivision consistent with the goals of the Agriculture Element?

Subdivision of agricultural property into parcels which are not sustainable because they are too small for continued long term agriculture has been well known in California as a significant step in conversion of agricultural land. Prior to the adoption of the Agriculture Element in 1998, the Title 22 Land Use Ordinance (LUO) minimum parcel size for identified irrigated row crops and/or Class 1 soil was 20 acres and the minimum parcel size for Class 2 soil was 40 acres. During the development of Agriculture Element policies, it was recognized that 20 acre parcels of any resource were not of an adequate size to ensure agricultural capability or the long term protection of agricultural resources and that larger parcel sizes were necessary to be consistent with the goals of conserving and protecting agricultural resources. Considerable multi-agency research and analysis was conducted to identify what an appropriate minimum parcel size could be based on a combination of existing agricultural resources, land use, farming practices, regulatory considerations etc. The research indicated that a minimum 40 acre parcel

size for certain resources may be appropriate, while at the same time recognizing that larger parcel sizes may be required during the discretionary review process. The 40 acre criteria and requirement for potentially larger parcels sizes were adopted by the BOS based on the county staff's supporting documentation (Figure 2.2 in the Agriculture Element).

During the hearing process, the "flexibility" to propose parcels as small as 20 acres if certain criteria were met was also adopted along with the previously referenced requirement for larger parcels. It should be noted that specific environmental review for a parcel size less than 40 acres was not conducted and there was no supporting documentation that indicated a smaller parcel size could ensure agricultural capability or long term protection of agricultural resources. At no time was it determined that simply meeting the 20 acre criteria meant that a parcel was designed to ensure the long term protection of agricultural resources. This is reflected in the adopted language of the LUO that indicates that such parcels can be proposed, but not automatically approvable. A parcel less than 40 acres in size has not been approved since the adoption of the Agriculture Element and the LUO standards. To ensure the long term protection of agricultural resources through subdivision, our office has consistently determined that parcel sizes should be 40 acres or larger.

What has changed since the adoption of the 40 acre minimum parcel size fourteen years ago that may lead to a recommendation for an increase or decrease in minimum parcel size?

A minimum parcel size of at least 40 acres was established based on a combination of several factors including agricultural resources, land use, farming practices, and regulatory considerations. While a detailed update of this information is not feasible for each proposed subdivision project, general trends are tracked and an analysis of how conditions have changed is conducted by the Agriculture Department, in consultation with the University of California Cooperative Extension Farm Advisors, to determine the recommendation for parcel size consistent with the Agriculture Element. The following is a general discussion of how things have changed in a way that could influence parcel size recommendations:

Agricultural resources. A parcel size of at least 40 acres was recommended based on characteristics associated with Natural Resources Conservation Service (NRCS) soil unit designations when the soil is irrigated. The NRCS classifications for the project site have not changed since 1998 and therefore an increase or decrease in a recommended parcel size is not justified based on soils.

Over the past 14 years water availability has become more of a challenge throughout the county due to increased competition for groundwater resources as a result of increased demand by both agricultural and urban uses. The Edna Valley is no exception with several areas experiencing a decrease in water availability and the increased need for crop production areas to be displaced by water reservoirs to meet irrigation needs. Such a change could contribute to an increased parcel size recommendation to accommodate necessary reservoirs and associated infrastructure.

Land use. A primary consideration in determining increasing the minimum parcel size from 20 acres to at least 40 acres was the ability to maintain adequate crop diversity on a single parcel. The benefits of

crop diversity are the same today as they were in 1998. These benefits include reduced risk of crop failures, maintenance of soil fertility, greater flexibility in crop choice and growth cycles, enhanced crop growth, minimized spread of disease, weed control, inhibited pest and insect growth, and improved food and economic security as well as the ability to meet current market needs through staggered planting and harvest times.

Additional land use considerations included existing land use patterns, continued fragmentation of agricultural land, and the increase in rural residents into agricultural areas since 1998. The county continues to have a significant amount of substandard agricultural parcels that were not approved through the current subdivision process but instead a result of antiquated subdivisions, deeds, certificates of compliance, and lot line adjustments. While lot line adjustment projects are now limited to no more than four parcels, smaller residential parcels in agricultural areas continue to be created through this process although on a more limited basis. These smaller parcels continue to be popular for residential uses that are incompatible with neighboring agricultural operations.

Another important factor is that a precedent would be set by the creation of agricultural parcels that are less than 40 acres in size based simply on meeting the LUO criteria. Such a precedent could lead to other qualifying lands subdividing to a parcel size that is not large enough to ensure agricultural capability or the long term protection of agricultural resources. An example is the project site itself which, if evaluated solely by the criteria described in Section 22.22.040B1b of the LUO, could potentially qualify for up to seven parcels of approximately 20 acres each. Each of these parcels could be sold separately, allowing for additional residences and leading to obvious conflicts with long-term sustainability.

Multiple, adjacent, and separately owned agricultural operations may have compatibility problems as well. One operation may harbor pests that infest other operations in the area or pest management approaches may conflict. Furthermore, a criterion to qualify for a parcel less than 40 acres in size is the site must be Class 1 or 2 irrigated soils also classified as Prime Farmland. Prime Farmland remains a limited resource in San Luis Obispo County and adequate measures to protect them from conversion out of agricultural use are as critical today as in 1998. Based on land use considerations, there is no justification to reduce the minimum parcel size from 40 acres.

Farming practices. At the time the minimum 40 acre parcel size was adopted, technologically based farming practices designed to improve crop yield and/or use resources and inputs more efficiently were already being implemented. Established practices for vegetable production included using transplants, plastic mulches, and drip irrigation to increase yields, and allow more efficient use of fertilizers and irrigation water while at the same time reducing weeding and soil erosion. Today these practices, although not universal, are commonly utilized. Additional farming practices or techniques to improve yields or reduce costs for vegetable production have been limited since the adoption of the 40 acre minimum parcel size. In some instances, vegetable yields have been increased by expanding the number of vegetable rows in a single bed. However, this can only be achieved in lighter soils than what is available on the project site and for limited crops. Such changes do not support a reduction in the minimum parcel size below 40 acres.

Regulatory considerations. Since the adoption of the Agriculture Element in 1998, several changes have occurred in the regulatory environment that could influence minimum parcel size. These changes include potential loss of crop or area available for production due to food safety issues, buffering or removing land from production for water quality purposes and protection of endangered species, as well as labor safety requirements and immigration restrictions. All of these changes result in either land removed from production, increased expenses to ensure compliance or both. Such changes do not support a reduction in the minimum parcel size below 40 acres, if anything; recent regulatory trends indicate that a larger parcel size may be required for long term protection of agricultural resources.

Other considerations. An additional consideration that affects agriculture throughout the entire nation includes the cost of inputs derived from crude oil based products. While the situation is not unique to San Luis Obispo, the following discussion highlights the changes over the past 14 years.

A parcel size of at least 40 acres and capable of supporting identified irrigated crops, such as vegetables, was determined to have a strong likelihood of remaining in long-term sustainable production in 1998. To sustain production, adequate land and water, machinery, labor as well as production inputs such as fertilizers, herbicides, insecticides and fungicides are necessary. These inputs are typically petroleum based. To sustain profit for the long-term, the price that the farmer receives for a crop needs to exceed expenses to produce that crop.

Expenses associated with land and water, machinery, labor, and particularly production inputs have all increased since 1998. A common example of the accelerated rate of expenses associated with conventional vegetable production compared to the value of crops is demonstrated by comparing the value of crops to the value of a barrel of crude oil over time. The reason for this comparison is that petroleum based products, such as production inputs and machinery fuel, are a necessary expense for vegetable production. The following chart demonstrates that the average inflation adjusted value of a barrel of crude oil from 1998 to 2011 has increased 201 percent whereas the average inflation adjusted value of some representative vegetable crops have increased only 25 percent or have not kept up with inflation at all. In fact, bell peppers and squash have a real value that is less today than at the time the 40 acre minimum parcels size was adopted.

Barrel of Oil ¹	Average Value of Oil 1996-1998	Average Inflation Adjusted Value ² of Oil 1996-1998	Average Inflation Adjusted Value of Oil 2009-2011
Oil	\$17.00	\$24.05	\$72.39
Crop ²	Average Value of Crop 1996-1998	Average Inflation Adjusted Value of Crop 1996-1998	Average Inflation Adjusted Value of Crop 2008-2010*
Bell Peppers	\$6.36	\$8.65	\$7.21
Squash	\$5.13	\$7.00	\$6.38
Cauliflower	\$5.69	\$7.74	\$8.92
Celery	\$5.40	\$7.36	\$9.03

¹http://inflationdata.com/inflation/inflation_rate/historical_oil_prices_table.asp

²San Luis Obispo County Department of Agriculture Annual Reports 1996, 1997, 1998, 2008, 2009, and 2010

³<http://www.usinflationcalculator.com/>

*Latest available information

The cost of land, labor, and compliance with regulatory requirements has generally increased over the past 14 years. Anecdotal information indicates that at a minimum these costs are equal to or greater than the rate of inflation and therefore would also be considered an increased expense. While not a direct factor in determining parcel size for this project, it is important to note that most expenses have increased at a rate greater than crop values since 1998.

Why did the Agriculture Department recommend that each proposed parcel include at least 40 acres of crop production area? Has this always been the recommendation?

As previously stated, the Agriculture Department tracks general trends that may affect parcel size recommendations for proposed subdivisions. Each project site is unique and is evaluated on a case by case basis so comparisons are difficult. However, increased resource and regulatory constraints that require land to be taken out of production have resulted in the Department recommending that qualifying irrigated crops have at least 40 acres of crop production area available for long term production. This has resulted in a parcel size larger than 40 acres to accommodate non production areas such as riparian habitat or other natural resource areas, areas taken out of production for food safety purposes and resource protection, development envelopes, infrastructure and steep slopes.

The project site is bound by riparian habitat to the north and south and these areas are most likely to be subject to restrictions associated with food safety, water quality, endangered species, and other environmental restrictions that would affect production areas. Additional acreage may need to be converted to water storage. For these reasons, a parcel size with at least 40 acres of crop production area plus additional acreage to accommodate non production areas is identified as an adequate size to ensure agricultural capability and the long term protection of agricultural resources and avoid potential significant adverse impacts to agricultural resources.

If you have additional questions, please do not hesitate to contact me.



COUNTY OF SAN LUIS OBISPO
Department of Agriculture/Weights and Measures

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DATE: November 28, 2011
TO: Brian Pedrotti, Project Manager
FROM: Lynda L. Auchinachie, Agriculture Department
SUBJECT: Christensen Parcel Map SUB2011-00011 (1610)

Thank you for the opportunity to comment on the proposed Christensen parcel map. The following comments are based on policies in the San Luis Obispo County Agriculture Element, Conservation and Open Space Element, the Land Use Ordinance (LUO), the California Environmental Quality Act (CEQA), and on current departmental policy to protect agriculture resources and to provide for public health, safety and welfare while mitigating negative impacts of development to agriculture.

Project Description and Agricultural Setting

The proposed project is to divide an approximately 156 acre site into four parcels of 25, 43.72, 43.73 and 43.73 acres each based on the existing use test. Each proposed parcel has a 2-acre building envelope. Net acreage for continued irrigated crop production on each proposed parcel is estimated to be less than 40 acres because of unplantable areas such as drainage areas, roads, and building envelopes. The project site is located at 6255 Orcutt Road, in Edna Valley.

The project site and surrounding parcels are within the Agriculture land use category. The site consists of the Important Agricultural Soil Salinas silty clay loam, 0-2 percent (Class I, irrigated). The property has a demonstrated history of diverse irrigated vegetable production and is currently supporting such crops as Napa cabbage, bell peppers and Brussel sprouts. The project site has seven operational irrigation wells producing from 225 gpm to 385 gpm. Each of the proposed parcels includes one or more irrigation wells and associated infrastructure. The project site is also developed with a residence and agricultural accessory structures that occupy approximately 2-acres of the 25 acre proposed Parcel 2. Properties in the area are generally planted with wine grape vineyards, vegetables, lemon orchards, and hay or grain crops

Project Evaluation

Agriculture Policy 20 of the Agriculture Element states that the Agriculture Department should carefully review any proposed division of agricultural land: "The primary concern should be that the resulting parcels will maintain the land resources, so they will have a strong likelihood of remaining in long-term sustainable agriculture." Further, the County Land Use Ordinance (LUO)

subdivision design standards for Agriculture designated lands reiterates that proposed parcels should be of adequate size and design to ensure the long term protection of agricultural resources and that a parcel size larger than the minimum identified by the qualifying tests may be required (22.22.040.A). The LUO use test indicates that for irrigated vegetables a minimum qualifying parcel size is 40 acres; except parcels may be as small as 20 acres if certain resource and design requirements are met. Meeting minimum parcel size qualifications does not equate to a sustainable parcel that would ensure the long-term protection of agricultural resources.

The request is to create four parcels of 25, 43.72, 43.73 and 43.73 acres each based upon the use test found in LUO Section 22.22.040.B.1(a)(b). While all the proposed parcels meet the LUO minimum criteria for qualification, none of the proposed parcels are considered an adequate size to ensure the long term protection of agricultural resources consistent with Agriculture Element policies and LUO requirements as described below. As previously stated, meeting LUO minimum parcel size qualifications does not equate to a sustainable parcel that would ensure the long-term protection of agricultural resources as required by Section 22.22.040.A.

Sustainable Agricultural Resources

In order to be considered a sustainable agriculture parcel, land division should be based upon the underlying agricultural resources and the ability to support an independent agricultural operation on each proposed parcel. In addition to adequate acreage of/for cultivated ground at this project site, each proposed parcel should have an operational well and associated infrastructure capable of irrigating at least 40 acres of a qualifying crop that can be successfully grown in the area, have adequate resources to qualify for an independent Williamson Act contract, and include logical parcel boundaries. A parcel would be considered an adequate size and design to ensure agricultural capability and the long term protection of the agricultural resources if all of the above criteria are met.

As proposed, the parcels do not have adequate underlying resources as each proposed parcel would have less than 40 acres of suitable production area available for irrigated vegetables or other qualifying crops because of unplatable acreage associated with drainage areas, roads, reservoir, and building envelopes.

Additionally, agricultural parcels are most sustainable when they have their own water source and are not reliant on jointly managing wells. The proposed map indicates that owners will enter into a water agreement which will give each parcel equal rights to water pumped from the entire subdivision. Such water agreements increase the likelihood of conflict between future owners relative to water use, scheduling, and ongoing repair and maintenance of such a shared water system as well as creating potential limitations to future plantings. As is the history and custom within the county, each newly created parcel should have its own independent irrigation well and system adequate to irrigate at least 40 acres of vegetables or other qualifying crop acreage. For the reasons stated above, the proposed parcels would not be considered of adequate size to ensure agricultural capability and the long term protection of agricultural resources and the creation of such parcels would result in potential significant adverse impacts to agricultural resources.

Land Use Compatibility

The subdivision of the project site into four parcels continues the division of larger agricultural properties. Division of agricultural lands typically leads to increased residential and other development. Locating residences in areas of intensive agricultural production can lead to

conflicts between residential uses and ordinary agricultural practices. However, the proposed parcels are of an adequate size to provide for separation between agricultural production and neighboring residences, and the purchasers of properties of these sizes should be expected to anticipate intensive agricultural production on adjacent parcels. Right to farm notification will help to ensure that future owners more clearly understand the intensive nature of agricultural operations.

Precedent Setting Factors

The goals of the Agriculture Element include maintaining the agricultural land base of the county and establishing land use policies that support the needs of agriculture without impeding its long-term viability. The creation of four parcels without adequate acreage in which to cultivate at least 40 acres of irrigated vegetables or other qualifying crop would set the precedent for the creation of non-sustainable parcels. Furthermore, the proposed subdivision continues a trend toward the parcelization of large agricultural parcels. Large parcels provide the best protection of the county's agricultural resources.



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS

Paavo Ogren, Director

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MEMORANDUM

Date: December 18, 2012

To: Brian Pedrotti, South County Team Planner

From: Glenn Marshall, Development Services Engineer

Subject: Public Works Comments and Recommended Conditions of Approval for SUB2011-00011, Parcel Map CO 11-0098, a Subdivision of 156 acres of Agricultural Zoned Land into 4 parcels. Orcutt Road, San Luis Obispo Fringe, APN 044-111-001

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

Public Works Comments:

1. We have reviewed the resubmittal package from Kirk Consulting dated December 2012 and have revised our comments and recommended conditions when in agreement with their concerns.
2. In accordance with the Grading and Drainage, Section 22.52.070 (B) (9) [Res. 3188 4/13/2010] onsite pad and access road grading is not exempt from a Grading Permit and therefore this work must be processed through the Planning and Building Department. Public Works recommends the access road work be completed prior to final map recordation [21.03.010 (d) (2)]
3. Recommend the following finding [per 21.050.045 (a-c)] be incorporated into Findings to ensure public improvements are constructed prior to recordation (or bonded for):

"In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within the time frame approved in the Subdivision Agreement and prior to issuance of a permit or other grant of approval for development on a parcel."

4. The project is located within an Agricultural Zone and is not a Cluster Subdivision. In accordance with Resolution 2008-0152 (supersedes Resolution 91-367) no frontage improvements along Orcutt Road are being recommended.
5. The project is under the Williamson Act, Document No. 2010064944.

6. The project site is known to direct storm water into the Orcutt Road right-of-way causing flooding and other safety issues. A condition is being recommended to correct this existing situation.
7. Machinery associated with historic agricultural operations encroaches within the Orcutt Road right-of-way damaging the shoulder. Recommended conditions will require a fence or other approved barrier be installed to keep machinery from damaging the public right-of-way.
8. Public Works is requesting a 10-foot offer of dedication for a roadway easement and a 5-foot PUE for relocation of utilities to accommodate future widening and bike lane improvements to Orcutt Road along the entire project frontage.
9. Proposed Parcel 2 appears to have five (5) points of access to Orcutt Road clustered about the existing "Ranch Headquarters". Public Works is recommending replacement of these 5 driveways with a single shared access driveway to serve all existing and future support buildings. This will limit the project site to two (2) access points, one for Parcel 2 and one for Parcels 1, 3 and 4. Restricted access to Orcutt Road is being requested for the remaining project frontage.
10. Public Works recommends that the shared access road for Parcels 1, 3 and 4 be realigned to intersect Orcutt Road at Cross Creek Way.

Recommended Public Works Conditions of Approval

Access and Improvements:

Road and/or streets to be constructed to the following standards, unless design adjustments are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:

- a. The proposed private access road serving Parcels 1, 3 and 4, as shown on the tentative map, shall be realigned to intersect Orcutt Road at Cross Creek Way and be designed and constructed in accordance with California Highway Design Manual Figure 405.7 and County sight distance standards.
- b. All existing driveways fronting proposed Parcel 2 shall be combined to a single shared access driveway and constructed in accordance with County standard B-1e (high speed driveway approach) and sight distance standards. All remaining driveways shall be demolished, scarified, revegetated and the Orcutt Road shoulder restored in accordance with county standards.
- c. A private access road serving Parcels 1, 3 and 4 shall be constructed to Cal Fire Standards within a minimum 30-foot private access and utility easement with additional width as necessary to contain all elements of the roadway prism. The access road shall terminate in a Cal Fire standard cul-de-sac or other Cal Fire approved terminus.
- d. To ensure agricultural operations do not encroach into the Orcutt Road right-of-way a fence or other County approved barrier shall be installed 30-feet from the described centerline of Orcutt Road fronting proposed Parcels 2 and 4 except at the two County approved access road locations.

Offers, Easements and Restrictions

The applicant shall offer for dedication the following right-of-way easements by certificate on the map or by separate document:

- a. For future road improvements 10-feet along Orcutt Road to be described as 30-feet from the recorded centerline along the entire project frontage.
- b. For future public utility realignment a 5-foot Public Utility Easement (PUE) fronting proposed Parcels 2 and 4.
- c. Except for locations approved by the Department of Public Works, access shall be denied to proposed Parcels 2 and 4 from Orcutt Road and this shall be by certificate and designation on the map.

The applicant shall reserve the following easements by certificate on the map or by separate document:

- a. A minimum 30-foot shared private access and utility for Parcels 1, 3 and 4 with additional width as required to include all elements of the roadway prism and the cul-de-sac or other Cal Fire approved road terminus.

Private Grading Plans:

Grading plans shall be prepared by a Registered Civil Engineer and submitted to the Department of Planning and Building for approval. The plan is to include, as applicable:

- a. Road plan and profile for the required onsite shared access road improvements.
- b. Drainage ditches, culverts, and other structures (if drainage calculations require).
- c. Erosion and Sedimentation control plan for road related improvements.

Public Improvement Plans:

Improvement plans shall be prepared in accordance with County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include, as applicable:

- a. Road plan and profile for the required intersection and driveway improvements to Orcutt Road
- b. Drainage ditches, culverts, and other structures (if drainage calculations require).
- c. Water plan (County Environmental Health).
- d. Sewer plan (County Environmental Health).
- e. Sedimentation and erosion control plan for encroachment related improvements.
- f. Public utility plan, showing all existing utilities and installation of new utilities to serve each lot.

The applicant shall enter into an agreement and post a deposit with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

The Registered Civil Engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

A final soils report by a Registered Civil Engineer shall be submitted for review prior to the final inspection of the improvements.

Drainage:

Storm flows associated with existing operations create flooding problems within the Orcutt Road right-of-way. Submit complete drainage calculations to the Department of Public Works for review and approval. If calculations so indicate, drainage from the project site must be redirected or detained onsite. The plan is to be approved by the Department of Public Works, in accordance with county standards.

If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:

- a. Submit a copy of all such permits to the Department of Public Works OR
- b. Document that the regulatory agencies have determined that said permit is not required.

The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

Utilities:

Electric, telephone and cable television distribution (service) shall be provided to each new parcel by either conduit installed underground or easements providing overhead service.

New gas distribution mains shall be installed along the project frontage(s) and gas service laterals shall be stubbed to each new parcel if gas service is reasonably available.

Additional Map Sheet:

The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

- a. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
- b. Notification to prospective buyers that the private access road serving Parcels 1, 3 and 4 within the subdivision is to be privately maintained, indicating the proposed maintenance mechanism.
- c. Notification to prospective buyers of access restriction to the Orcutt Road from Parcels 2 and 4.
- d. Notification to the prospective property owners of Parcels 1 and 2 they are to preserve and maintain the fence or other County approved barrier which prevents agricultural operations from encroaching within the Orcutt Road right-of-way.
- e. Notification to prospective buyers that future building permits will require drainage or flood hazard review prior to issuance.

- f. The limits of inundation from a 100 year storm over Parcels 1 and 2 from Villa Creek shall be shown on the additional map sheet and note the required building restriction on the sheet. All building permit submittals shall show compliance with County Code 22.14.060, Flood Hazard.

Miscellaneous:

This subdivision is also subject to the standard conditions of approval for all subdivisions using individual wells and septic tanks a copy of which is attached hereto and incorporated by reference herein as though set forth in full.

All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

The applicant shall apply to the Department of Planning and Building for approval of a new street name prior to the filing of the final parcel or tract map. The approved street name shall be shown on the final parcel or tract map.

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DEPARTMENT OF PUBLIC WORKS

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MEMORANDUM

Date: October 11, 2011

To: Brian Pedrotti, South County Team Planner

From: Glenn Marshall, Development Services Engineer

Subject: Public Works Comments and Recommended Conditions of Approval for SUB2011-00011, Parcel Map CO 11-0098, a Subdivision of 156 acres of Agricultural Zoned Land into 4 parcels. Orcutt Road, San Luis Obispo Fringe, APN 044-111-001

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

Public Works Comments:

1. At the time the project referral was received by Public Works on September 30, 2011, the application acceptance date had not been established. The attached recommended conditions of approval are subject to change based on Ordinances and Policies in affect at the date of application acceptance.
2. In accordance with the Grading and Drainage, Section 22.52.070 (B) (9) [Res. 3188 4/13/2010] onsite pad and access road grading is not exempt from a Grading Permit and therefore this work must be processed through the Planning and Building Department. Public Works recommends the access road work be completed prior to final map recordation [21.03.010 (d) (2)]
3. Recommend the following finding [per 21.050.045 (a-c)] be incorporated into Findings to ensure public improvements are constructed prior to recordation (or bonded for):

"In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within the time frame approved in the Subdivision Agreement and prior to issuance of a permit or other grant of approval for development on a parcel."
4. The project is located within an Agricultural Zone and is not a Cluster Subdivision. In accordance with Resolution 2008-0152 (supersedes Resolution 91-367) no frontage improvements along Orcutt Road are being recommended.
5. The project is under the Williamson Act, Document No. 2010064944.

6. The project site is known to direct storm water into the Orcutt Road right-of-way causing flooding and other safety issues. A condition is being recommended to correct this existing situation.
7. Machinery associated with historic agricultural operations encroaches within the Orcutt Road right-of-way damaging the shoulder. Recommended conditions will require a fence or other approved barrier be installed to keep machinery from damaging the public right-of-way.
8. Public Works is requesting a 10-foot offer of dedication for a roadway easement and a 5-foot PUE for relocation of utilities to accommodate future widening and bike lane improvements to Orcutt Road along the entire project frontage.
9. Proposed Parcel 2 appears to have five (5) points of access to Orcutt Road clustered about the existing "Ranch Headquarters". Public Works is recommending replacement of these 5 driveways with a single shared access driveway to serve all existing and future support buildings. This will limit the project site to two (2) access points, one for Parcel 2 and one for Parcels 1, 3 and 4. Restricted access to Orcutt Road is being requested for the remaining project frontage.
10. Public Works recommends that the shared access road for Parcels 1, 3 and 4 be realigned to intersect Orcutt Road at Cross Creek Way.

Recommended Public Works Conditions of Approval

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Road and/or streets to be constructed to the following standards, unless design adjustments are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:

- a. The proposed private access road serving Parcels 1, 3 and 4, as shown on the tentative map, shall be realigned to intersect Orcutt Road at Cross Creek Way and be designed and constructed in accordance with California Highway Design Manual Figure 405.7 and County sight distance standards.
- b. All existing driveways fronting proposed Parcel 2 shall be combined to a single shared access driveway and constructed in accordance with County standard B-1e (high speed driveway approach) and sight distance standards. All remaining driveways shall be demolished, scarified, revegetated and the Orcutt Road shoulder restored in accordance with county standards.
- c. A private access road serving Parcels 1, 3 and 4 shall be constructed to Cal Fire Standards within a minimum 30-foot private access and utility easement with additional width as necessary to contain all elements of the roadway prism. The access road shall terminate in a Cal Fire standard cul-de-sac or other Cal Fire approved terminus.
- d. To ensure agricultural operations do not encroach within the Orcutt Road right-of-way a fence or other County approved barrier shall be installed 30-feet from the described centerline of Orcutt Road fronting proposed Parcels 2 and 4 except at the two County approved access road locations.

Offers, Easements and Restrictions

The applicant shall offer for dedication the following right-of-way easements by certificate on the map or by separate document:

- a. For future road improvements 10-feet along Orcutt Road to be described as 30-feet from the recorded centerline.
- b. For future public utility realignment a 5-foot Public Utility Easement (PUE) fronting proposed Parcels 2 and 4.
- c. Except for locations approved by the Department of Public Works, access shall be denied to proposed Parcels 2 and 4 from Orcutt Road and this shall be by certificate and designation on the map.

The applicant shall reserve the following easements by certificate on the map or by separate document:

- a. A minimum 30-foot shared private access and utility for Parcels 1, 3 and 4 with additional width as required to include all elements of the roadway prism and the cul-de-sac or other Cal Fire approved road terminus.

Private Grading Plans:

Grading plans shall be prepared by a Registered Civil Engineer and submitted to the Department of Planning and Building for approval. The plan is to include, as applicable:

- a. Road plan and profile for the required onsite shared access road improvements.
- b. Drainage ditches, culverts, and other structures (if drainage calculations require).
- c. Erosion and Sedimentation control plan for road related improvements.

Public Improvement Plans:

Improvement plans shall be prepared in accordance with County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include, as applicable:

- a. Road plan and profile for the required intersection and driveway improvements to Orcutt Road
- b. Drainage ditches, culverts, and other structures (if drainage calculations require).
- c. Water plan (County Environmental Health).
- d. Sewer plan (County Environmental Health).
- e. Sedimentation and erosion control plan for encroachment related improvements.
- f. Public utility plan, showing all existing utilities and installation of new utilities to serve each lot.

The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

The Registered Civil Engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of

approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

A final soils report by a Registered Civil Engineer shall be submitted for review prior to the final inspection of the improvements.

Drainage:

Storm flows associated with existing operations create flooding problems within the Orcutt Road right-of-way. Submit complete drainage calculations to the Department of Public Works for review and approval. If calculations so indicate, drainage from the project site must be redirected or detained onsite. The plan is to be approved by the Department of Public Works, in accordance with county standards.

If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:

- a. Submit a copy of all such permits to the Department of Public Works OR
- b. Document that the regulatory agencies have determined that said permit is not required.

The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

Utilities:

Electric, telephone and cable television distribution (service) conduits shall be installed underground (in accordance with 22.10.160) and stubbed to each new parcel.

New gas distribution mains shall be installed along the project frontage(s) and gas service laterals shall be stubbed to each new parcel if gas service is reasonably available.

Additional Map Sheet:

The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

- a. The limits of inundation from a 100 year storm over Parcels 1 and 2 from Villa Creek shall be shown on the additional map sheet and note the required building restriction on the sheet. All building permit submittals shall show compliance with County Code 22.14.060, Flood Hazard.
- b. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
- c. Notification to prospective buyers that the private access road serving Parcels 1, 3 and 4 within the subdivision is to be privately maintained, indicating the proposed maintenance mechanism.
- d. Notification to prospective buyers of access restriction to the Orcutt Road right-of-way from Parcels 2 and 4.
- e. Notification to prospective buyers that future building permits may require drainage or flood hazard review prior to issuance.

- f. Notification to the prospective property owners that all existing and future gates shall be set back a minimum of 75-feet from the nearest edge of pavement along Orcutt Road.

Covenants, Conditions and Restrictions:

The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval, and shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure adequate private maintenance, acceptable to the Department of Planning & Building. The CC&Rs shall provide at a minimum the following provisions:

- a. Maintenance of the shared access road serving Parcels 1, 3 and 4 within the subdivision and in perpetuity.
- b. Notification to the prospective property owners that all existing and future gates shall be set back a minimum of 75-feet from the nearest edge of pavement along Orcutt Road.
- c. Notification to the prospective property owners of Parcels 1 and 2 they are to preserve and maintain the fence or other County approved barrier which prevents agricultural operations from encroaching within the Orcutt Road right-of-way.
- d. Notification to prospective buyers of access restriction to the Orcutt Road right-of-way from Parcels 2 and 4.
- e. The limits of inundation from a 100 year storm over Parcels 1 and 2 from Villa Creek shall be shown on an exhibit attached to the CC&Rs and note the required building restriction in the CC&Rs.
- f. Notification to prospective buyers that an additional map sheet was recorded with the final parcel map. The restrictions, conditions and standards set forth in the additional map sheet apply to future development. It is the responsibility of the prospective buyers to read the information contained on the additional map sheet.
- g. The developer shall form a property owners' association for the area within the subdivision, so as to administer the CC&Rs as noted above, and it shall conform to the requirements of the State Department of Real Estate.

Miscellaneous:

This subdivision is also subject to the standard conditions of approval for all subdivisions using individual wells and septic tanks a copy of which is attached hereto and incorporated by reference herein as though set forth in full.

All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

The applicant shall apply to the Department of Planning and Building for approval of a new street name prior to the filing of the final parcel or tract map. The approved street name shall be shown on the final parcel or tract map.



CAL FIRE
San Luis Obispo
County Fire Department

635 N. Santa Rosa • San Luis Obispo, CA 93405
Phone: 805-543-4244 • Fax: 805-543-4248
www.calfireslo.org



Robert Lewin, Fire Chief

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

Subject: Parcel Map Project # SUB2011-00011, CO11-0098 CHRISTENSEN

Dear Brian Pedrotti, South County Team,

I have reviewed the referral for the proposed 4-lot agriculture parcel map project, subdividing 156 acres located at 6255 Orcutt Road in San Luis Obispo, California on APN # 044-111-001. This project is located approximately 10 minutes from the closest CAL FIRE/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions shall apply to this project:

Access Road

An access road must be constructed to CAL FIRE/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:
 - **Parcels 20 acres or larger** **5280 feet**
- The road must be 20 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed 20%.
- All roads must be able to support a 20-ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

According to the submitted vesting tentative parcel map dated September 2011 the dead-end road length as measured from **Orcutt Road to the end is approximately 1,500 feet.**

Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

Driveway standards required:

- Driveway width for high and very high fire severity zones:
 - 0-49 feet, 10 feet is required
 - 50-199 feet, 12 feet is required
 - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.
- The driveway must be an all weather surface.
- If the driveway exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed 20%.
- All access driveways must be able to support a 20 ton fire engine.
- Vertical clearance of 13'6" is required.

Water Supply

The checked water supply is required:

This project will require a community water system which meets the minimum requirements of Appendix B & C of the California Fire Code.

A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

Building Set Back

All parcels over 1 acre in size requires a 30 foot set back.

Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 feet firebreak. An additional 70 feet of fuel reduction is required. This will provide a total of 100 feet of defensible space. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

The project application reviewed **does not** meet the above conditions. The applicant must modify the application plan and resubmit to CAL FIRE/San Luis Obispo County Fire Department for another review.

The project application as prepared **appears to meet** the conditions above. Any changes to the project should be resubmitted for review. Additional conditions may be added to the project in the future.

Final Inspection

This project shall require a final inspection by CAL FIRE/San Luis Obispo County Fire Department to ensure conditions are met. When the conditions have been met contact fire prevention at **543-4244 ext. 3429** and ask for a final inspection.

Respectfully,



Tina Rose
Fire Inspector

C: Christensen Family Trust
Jamie Kirk, Kirk Consulting



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SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 9/28/2011

TO:

Parks (Elizabeth Kavanaugh)

FROM: Brian Pedrotti, South County Team

PROJECT DESCRIPTION: SUB2011-00011, CO 11-0098 CHRISTENSEN- Parcel map subdividing 156 acres into a 4 lot agriculture parcel map. Site located off Orcutt Road in San Luis Obispo. APN: 044-111-001.

2011 SEP 30 PM 3:39
GENERAL SERVICES

Return this letter with your comments attached no later than: 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

PART I - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- YES (Please go on to PART II.)
- NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
- NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

Pay Quarry fees

10/31/11
Date

E. Kavanaugh
Name

781-4089
Phone



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 9/28/2011

From ~~TO~~ Cody Scheel

To ~~FROM~~: Brian Pedrotti, South County Team

PROJECT DESCRIPTION: SUB2011-00011, CO 11-0098 CHRISTENSEN- Parcel map subdividing 156 acres into a 4 lot agriculture parcel map. Site located off Orcutt Road in San Luis Obispo. APN: 044-111-001.

Return this letter with your comments attached no later than: 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- YES (Please go on to PART II.)
- NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
- NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

Applicant is required to apply for a new Road Name. The road name must be approved and recorded on final map.

Date 9/30/11

Name Cody Scheel

Phone #5157

BDP

SAN LUIS OBISPO COUNTY HEALTH AGENCY



Public Health Department

2191 Johnson Avenue
San Luis Obispo, California 93401
805-781-5500 • FAX 805-781-5543

Jeff Hamm
Health Agency Director

Penny Borenstein, M.D., M.P.H.
Health Officer

September 16, 2011

Kirk Consulting
8830 Morro Road
Atascadero, CA 93422

ATTN: SARAH STATON
RE: TENTATIVE PARCEL MAP CO 11-0098, CHRISTENSEN FAMILY TRUST
APN 044-110-001

Water Supply

This office is in receipt of satisfactory **preliminary** evidence of water. Please be advised that additional water well documentation will be required for **each** lot prior to approving the map for recordation. Adequate documentation will include, the well completion report, current well capacity (pump test) and current water quality testing ("current" is information not more than 5 years old). Please contact this office for details regarding required testing before initiating work. Any proposal to share a domestic water well would require consultation with Division staff prior to hearing.

Wastewater Disposal

Individual wastewater disposal systems are considered an acceptable method of disposal, provided County and State installation requirements can be met. This office is responsible for certifying that field investigations show that ground slopes and soil conditions will allow for satisfactory disposal by on-site septic systems. Soil testing, to include three percolation tests and one deep soil boring, shall be performed within the building envelopes and the proposed undeveloped parcels prior to recordation of the final map. Be advised that all septic system leach fields (and expansion areas) shall be installed at a minimum of 100 feet away from any domestic water wells or watercourse, 200 feet away from reservoir, shall be located in areas free from bedrock, and shall not be placed on natural slopes that exceed 30%. Should a wastewater disposal system be installed in an area with greater than 20% slope it must be designed and the installation certified by a registered civil engineer. The exhibit provided for preliminary approval reveals that proposed parcel 2 has existing development. Please provide information on any septic system(s) located on this parcel and documentation of any maintenance or problems that have occurred prior to hearing.

CO 11-0098 is approved for Environmental Health subdivision map processing.

LESLIE A. TERRY, R.E.H.S.
Environmental Health Specialist
Land Use Section

c: South County Team, County Planning



Fw: SUB2011-00011 CO 11-0098 CHRISTENSEN, South County E-Referral,
(PARCEL MAP/ SLO)

Craig Piper to: Brian Pedrotti
Cc: Richard Howell

09/29/2011 08:18 AM

Brian,

After reviewing the attached project referral I have just a couple comments.

For this particular project we don't see any issues as it pertains to the airport. However, based on the map contained in the referral there may potential issues needing to be addressed in the future.

The project identifies three 2 acre envelopes more or less centered in the original parcel. Although not exact, this location falls almost directly under the extended center line of the runway and is approximately 12, 800 feet from the end of the runway. The issues that may come up, should one or all three of these locations be developed with structures or residential use, include review by the FAA via the FAA Form 7460-1 and potentially an avigation easement. Also, because the locations fall extremely close to the extended center line there will be frequent overflight of aircraft approaching the airport.

In the past there was discussion of the County requiring disclosure statements and acknowledgements included in the sale and/or purchase of a property within the airport review area. Due to the location of these parcels, if the County does not have this type of disclosure/acknowledgement requirement, in this case it would be prudent to require one be included.

Thank you for sending the referral for our comment.

Craig Piper
Assistant General Manager
Airport Services
County of San Luis Obispo
805-781-4376

----- Forwarded by Craig Piper/GenSrvcs/COSLO on 09/29/2011 08:05 AM -----

From: Richard Howell/GenSrvcs/COSLO
To: Craig Piper/GenSrvcs/COSLO@Wings
Date: 09/29/2011 07:26 AM
Subject: Fw: SUB2011-00011 CO 11-0098 CHRISTENSEN, South County E-Referral, (PARCEL MAP/
SLO)

----- Forwarded by Richard Howell/GenSrvcs/COSLO on 09/29/2011 07:25 AM -----

From: Mail for PL_Referrals Group
To: Tim Tomlinson/PubWorks/COSLO@Wings, Glenn D Marshall/PubWorks/COSLO@Wings,
Wendell Wilkes/PubWorks/COSLO@Wings, Leslie Terry/PH/COSLO@Wings, Lynda
Auchinachie/AgComm/COSLO@Wings, Mike Isensee/AgComm/COSLO@Wings, Aeron Arlin
Genet/APCD/COSLO@Wings, Elizabeth Kavanaugh/GenSrvcs/COSLO@Wings, Cody
Scheel/Planning/COSLO@Wings, Richard Howell/GenSrvcs/COSLO@Wings, Janette
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Alyssa Roslan/APCD/COSLO@Wings