



September 26, 2023

Steven Lazar, Senior Planner
Humboldt County Planning & Building Department
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Re: Initial Study/Mitigated Negative Declaration (SCH No. 2023080682) – Wood Ranch Cannabis Cultivation Project

Dear Mr. Lazar:

Thank you for providing the California Department of Cannabis Control (DCC) the opportunity to comment on the Initial Study/Mitigated Negative Declaration (IS/MND) prepared by Humboldt County for the proposed Wood Ranch Cannabis Cultivation Project (Proposed Project).

DCC has jurisdiction over the issuance of licenses to commercial cannabis businesses. DCC may issue a cultivation license to a business that meets all licensing requirements, and where the local jurisdiction authorizes these activities. (Bus. & Prof. Code, § 26012(a).) All commercial cannabis businesses within California require a license from DCC. For more information pertaining to commercial cannabis business license requirements, including DCC regulations, please visit: <https://cannabis.ca.gov/cannabis-laws/dcc-regulations/>.

DCC expects to be a Responsible Agency for this project under the California Environmental Quality Act (CEQA) because the project will need to obtain one or more annual cultivation licenses from DCC. In order to ensure that the amended IS/MND is sufficient for DCC's needs at that time, DCC requests that a copy of the document, revised to respond to the comments provided in this letter, and a signed Notice of Determination be provided to the applicant, so the applicant can include them with the application package it submits to DCC. This should apply not only to this Project, but to all future CEQA documents related to cannabis business applications in Humboldt County.

DCC offers the following comments concerning the IS/MND.

General Comments (GCs)

GC 1: Proposed Project Description

Certain comments provided in the specific comment table below relate to the need for additional detail regarding the description of the Proposed Project. In general, a more detailed project

description would be helpful to DCC. The following information would make the IS/MND more informative:

- 1) Any water efficiency equipment that would be used;
- 2) Details about proposed landscaping; and
- 3) Amounts of energy expected to be used in operating the cultivation facility.

GC 2: Requirements for Mitigation Measures

When a CEQA document identifies impacts that are potentially significant, CEQA requires the Lead Agency to propose mitigation measures, where feasible, that may avoid, reduce, and/or minimize these impacts. According to the CEQA Guidelines, mitigation measures must be practical, specific, enforceable, effective, and roughly proportional to project impacts. This requires a Lead Agency to clearly disclose potential impacts and be sufficiently specific about prescribed mitigation measures. In several instances throughout the document, mitigation measures are not sufficiently specific to establish how such measures would minimize significant adverse impacts as a result of Proposed Project activities.

GC 3: Acknowledgement of DCC Regulations

The analysis could benefit from discussion of the protections for environmental resources provided by DCC's regulations. The impact analysis for each of the following resource topics could be further supported by a discussion of the effects of state regulations on reducing the severity of impacts for each applicable topic:

- Aesthetics (See 4 California Code of Regulations §16304(a).)
- Air Quality and Greenhouse Gas Emissions (See §§ 15020(e); 16304(a)(4); 16305; 16306.)
- Biological Resources (See §§ 15006(i); 15011(a)(11); 16304(a).)
- Cultural Resources (See § 16304(a)(3).)
- Energy (See §§ 15006(h)(6); 15011(a)(5); 15020(e); 16305; 16306.)
- Hazards and Hazardous Materials (See §§ 15006(h)(5)(c); 15011(a)(4); 15011(a)(12); 16304(a)(5)); 16307; 16310.)
- Hydrology and Water Quality (See §§ 15006(h); 15011(a)(3); 15011(a)(7); 15011(a)(11); 16304(a)(1); 16307; 16311.)
- Noise (See §§ 16304(a)(4); 16306.)
- Public Services (See §§15011(a)(10); 15036; 15042.)
- Utilities and Service Systems (See §§ 16311; 17223.)
- Wildfire (See § 15011(a)(10).)
- Cumulative Impacts (related to the above topics)

GC 5: Site-Specific Reports and Studies

The IS/MND references several project-specific plans, studies, and reports, including a Botany Report, Water Management Plan, Biological Resources Assessment, Aquatic Impact Assessment, Wetland Delineation Report, and Hydrological Connectivity Report. To ensure that DCC has supporting documentation for the IS/MND, DCC requests that the County advise applicants to provide copies of all project-specific plans and supporting documentation with their

state application package for an annual cultivation license to DCC.

Specific Comments and Recommendations

In addition to the general comments provide above, DCC provides the following specific comments regarding the analysis in the IS/MND.

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Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	DCC Comments and Recommendations
1	1	16	Aesthetics	The IS/MND would be improved if it referenced DCC’s requirements that all outdoor lighting for security purposes must be shielded and downward facing, and that lights used in mixed-light cultivation activities must be fully shielded from sunset to sunrise to avoid nighttime glare (Cal. Code Regs., tit. 4 §§ 16304 (6) and (7)).
2	4	34	Biological Resources	The IS/MND would be more informative if it provided a list of the best management practices that would be employed, and an analysis of how they would reduce potential impacts to less than significant levels.
3	7	52	Geology and Soils	The IS/MND would be more informative if it provided a list of the best management practices that would be employed, and an analysis of how they would reduce potential impacts to less than significant levels.
4	10	63	Hydrology and Water Quality	The IS/MND would be improved if it provided a quantified analysis of water availability and test results, either in the text, as an attachment, or reference where this information may be found. In addition, the document would be improved if it referenced the state’s requirements regarding proposed water sources and groundwater use. (Cal. Code Regs., tit. 4 §16311).

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	DCC Comments and Recommendations
5			Hazards and Hazardous Materials	The IS/MND would be improved if it clearly identified and analyzed potential impacts resulting from the routine transport, use, and disposal of any hazardous materials during operations or routine maintenance at the site. This may include disclosure and discussion of anticipated hazardous materials to be used on site, predicted risk of upset conditions, and/or nearby sensitive receptors (e.g., schools, residences).
6			Hazards and Hazardous Materials	The IS/MND would be improved if it clearly identified and analyzed potential impacts resulting from reasonably foreseeable upset and accident conditions involving the release of any hazardous materials during operations or routine maintenance at the site.

Conclusion

DCC appreciates the opportunity to provide comments on the IS/MND for the Proposed Project. If you have any questions about our comments or wish to discuss them, please contact Kevin Ponce, Senior Environmental Scientist Supervisor, at (916) 247-1659 or via e-mail at Kevin.Ponce@cannabis.ca.gov.

Sincerely,

Lindsay Rains
Licensing Program Manager