Initial Study and Mitigated Negative Declaration

For

Natura Blue PLN-12003-CUP
4 Wheel Properties PLN-12398-CUP
Jennifer Dunn PLN-12402-CUP
Cali's Finest, LLC PLN-12410-CUP
Jennifer Dunn PLN-12413-CUP
Cali's Fines, LLC PLN-12991-CUP

Assessor Parcel Numbers 210-054-008; 210-062-007; and 210-071-001

Lead Agency:
Humboldt County Planning and Building Department
3015 H Street
Eureka CA 95501

November 2025

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BACKGROUND

1. **Project Title**: Conditional Use Permits and Special Permit for six applications: PLN-12003-CUP; PLN-12398-CUP; PLN-12410-CUP; PLN-12991-CUP; PLN-12402-CUP; and PLN-12413-CUP for a total of 56,256 square feet of existing commercial cannabis cultivation and 174,240 square feet (four acres) of new outdoor commercial cannabis cultivation on one legal parcel comprised of Assessor Parcel Numbers 210-062-00, 210-054-008, and 210-071-001.

2. **Lead Agency Name and Address**: Humboldt County Planning & Building Department, 3015 H Street, Eureka, CA 95501-4484; Phone: (707) 445-7541; Fax (707) 445-7446

3. **Contact Person and Phone Number**: Steven Santos, Senior Planner (707) 445-7541

4. **Project Location**: The project is in the Larabee Valley area on the south side of State Highway 36, approximately 1.56 miles west from the intersection of China Mine Road and State Highway 36 and further described as Assessor's Parcel Numbers 210-071-001, 210-062-007, and 210-054-008 on the properties known to be in Sections 23, 26 and 27, Township 01 North, Range 04 East.

5. Project Sponsor's Name and Addresses:

Applicants
Natura Blue, Inc PLN-12003-CUP APN 210-062-007
2248 Run Down Acres
Bridgeville CA 95526

4 Wheel Properties, LLC PLN-12398-CUP APN 210-054-008
PO Box 202
Carlotta CA 95528

Cali's Finest, LLC PLN-12410-CUP and PLN-12991-CUP APN 210-071-001
2248 Run Down Acres
Bridgeville CA 95526

Jennifer Dunn PLN-12402-CUP and PLN-12413-CUP APN 210-071-001
PO Box 202
Carlotta CA 95528

Property Owner
4 Wheel Properties, LLC
PO Box 202

Carlotta CA 95528

6. **General Plan Designation**: Agricultural Grazing (AG), Density 20-160 acres per unit; and Timberland (T), Density 40-160 acres per unit; Humboldt County General Plan, 2017; Slope Stability: Low Instability (1) and High Instability (3).

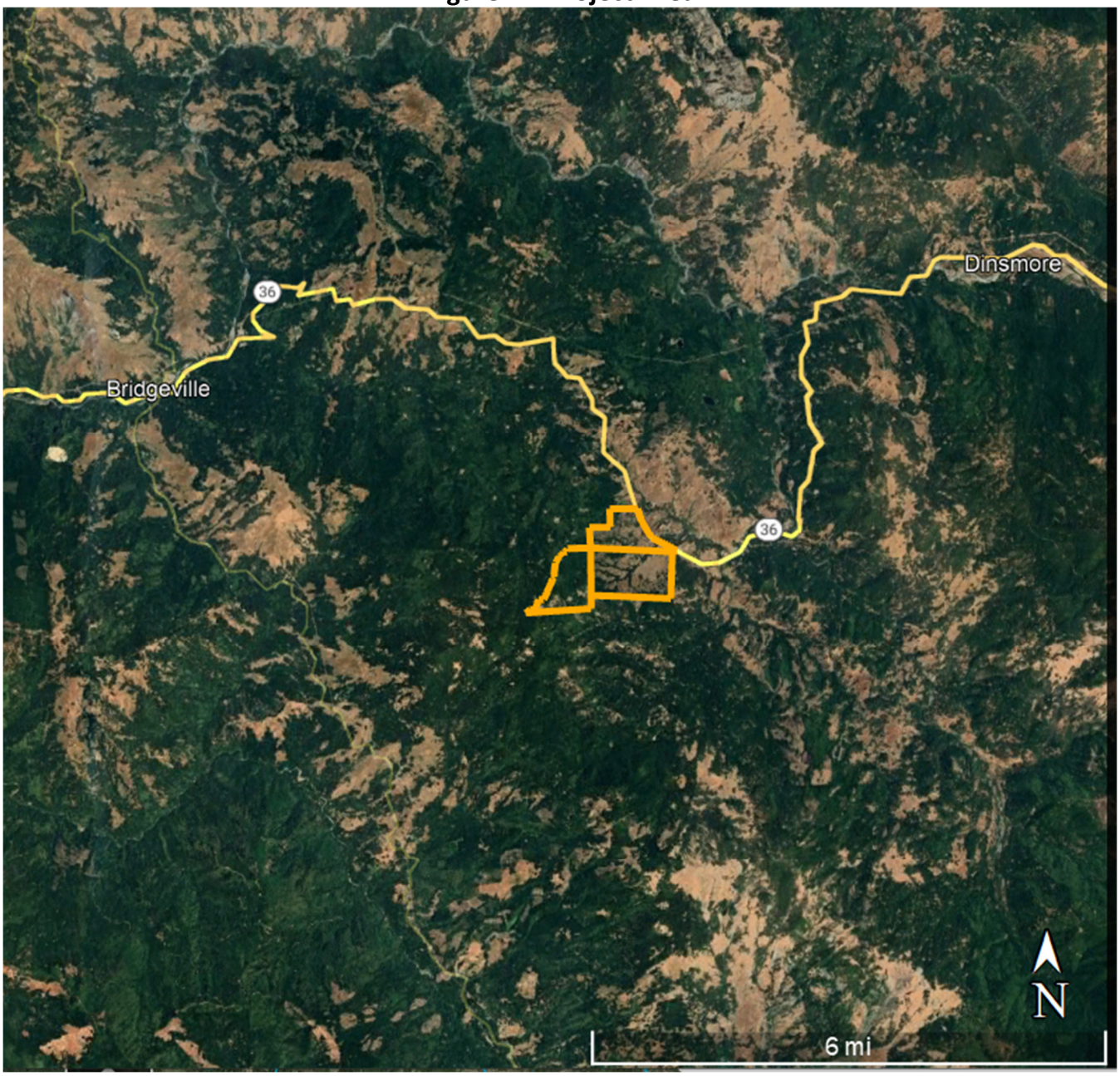
7. **Zoning**: Agriculture Exclusive (AE) and Timberland Production Zone (TPZ).

8. **Project Site:** The project area (Figure 1) is on the south side of State Highway 36, approximately 1.56 miles due west from the intersection of China Mine Road and State Highway 36 and approximately 10 miles east of Bridgeville. The parcel is approximately 812 acres in size.

After being utilized for a short time by rancher Henry Larrabee in the 1860s, much of this property was part of a land patent filed in 1874 by William Bankhead who, presumably occupied the former homestead of Larrabee, for whom the surrounding valley is named. Others who filed homestead claims on parts of this property included William Walker in 1875, James Terry in 1881 and Stephen Terry in 1885. The next documented landowner was Joseph O. Branstetter in 1911, who eventually made his home in Rohnerville. By 1922, rancher Samuel H. Stockhoff had acquired the parcel, and by 1949 the property was part of the ranch of John M. and Mary L. Victoria, who owned the property well into the modern period before splitting it into ranchettes in the 1980s. 4 Wheel Properties LLC acquired the project parcels in 2010.

The project parcels are currently being used for grazing, timber production, and existing cannabis cultivation. The subject parcels are surrounded by agricultural land, cannabis activities, and rural residential uses. The project parcels are in the inland unincorporated area of Humboldt County and are served by Pacific Gas and Electric. All water for cultivation is obtained from groundwater wells and rainwater catchment ponds. These wells and ponds are shown on each site map and correlated with each operations plan. APN 210-062-007 also has a spring that is for domestic and supporting use but not used for cultivation irrigation. Several unnamed creeks run through the project parcels, which are tributaries to Butte Creek which flow to the Little Van Duzen River.

Figure 1 – Project Area



9. Description of Project: Four separate applicants totaling six applications. Four applications for new commercial cannabis cultivation are on APN 210-071-001, one application for existing commercial cannabis cultivation is on APN 210-062-007, and one application for existing commercial cannabis cultivation is on APN 210-054-008. The projects involve a combination of existing and proposed structures with some sharing of facilities. The projects are described further by each parcel below. The individual site plans for the projects can be found in **Appendix 1.** The individual project Operations Plans can be found in **Appendix 2**.

APN 210-071-001:

PLN-12402-CUP Jennifer Dunn: A Conditional Use Permit for 43,560 square feet of new outdoor commercial cannabis cultivation, supported by a 4,350 square foot ancillary nursery. Estimated annual water usage is 958,320 gallons sourced by a permitted groundwater well (Well 2) and a proposed 2,000,000-gallon rainwater catchment pond (Pond 4). Well 1 is shared with application 12413. The pond is also shared with applications 12413 and 12410. Water storage consists of 75,000 gallons in proposed hard tanks and 30% of the pond (600,000 gallons). Drying is conducted on site (proposed Ag-Building 2) with additional processing such as trimming occurring off site. Proposed Ag-Building 2 is shared with application 12413. Power is provided by PGE and proposed solar reserving generators for emergencies only.

PLN-12410-CUP Cali's Finest, LLC: A Conditional Use Permit for 43,560 square feet of new outdoor commercial cannabis cultivation, supported by a 4,350 square foot ancillary nursery. Estimated annual water usage is 958,320 gallons sourced by a permitted groundwater well (Well 1) and a proposed 2,000,000-gallon rainwater catchment pond (Pond 4). The pond is also shared with applications 12402 and 12410. Water storage consists of 70,000 gallons in proposed hard tanks and 40% of the pond (800,000 gallons). Drying is conducted on site (existing Barn 2) with additional processing such as trimming proposed to occur offsite. Barn 2 is also used by application 12003 for drying. Power is provided by PGE and proposed solar reserving generators for emergencies only.

PLN-12413-CUP Jennifer Dunn: A Conditional Use Permit for 43,560 square feet of new outdoor commercial cannabis cultivation, supported by a 4,350 square foot ancillary nursery. Estimated annual water usage is 958,320 gallons sourced by a permitted groundwater well (Well 2) and a proposed 2,000,000-gallon rainwater catchment pond (Pond 4). Well 1 is shared with application 12402. The pond is also shared with applications 12402 and 12413. Water storage consists of 75,000 gallons in proposed hard tanks and 30% of the pond (600,000 gallons). Drying is conducted on site (proposed Ag-Building 2) with additional processing such as trimming occurring off site. Proposed Ag-Building 2 is shared with application 12402. Power is provided by PGE and proposed solar reserving generators for emergencies only.

PLN-12991-CUP Cali's Finest, LLC: A Conditional Use Permit for 43,560 square feet of new outdoor commercial cannabis cultivation, supported by a 4,000 square foot ancillary nursery. Estimated annual water usage is 958,320 gallons sourced by a permitted groundwater well (Well 3) and a 614,969-gallon rainwater catchment pond (Pond 3). Water storage consists of 70,000 gallons of proposed hard tanks and all of Pond 3. Drying is conducted on site (existing areas Dry 1 and Dry 2 and proposed Ag-Building 1). Further processing such as trimming will occur off site. Power is provided by PGE and proposed solar reserving generators for emergencies only.

Various facilities on APN 210-071-001 are shared. PLN-12402-CUP and PLN-12413-CUP share drying facilities in the structure on the Site Plan (**Appendix 1**) labeled Ag-Building 2. PLN-12410-CUP and PLN-12003-CUP share drying facilities in the structure labeled Barn 2. PLN-12402-CUP and PLN-12413-CUP share Well 1 as an irrigation source. PLN-12402-CUP, PLN-12410-CUP, and PLN-12413-CUP share Pond 4 as an irrigation source and storage. Additional details on structures and which are shared are described in the table below.

Summary of Structures on APN 210-071-001			
Application / Project	**<P> / <E>**	**Type**	**Total Area**
PLN-12402-CUP	Proposed	22 Cultivation Greenhouses 1 Immature Plan Area	43,560 square feet 4,050 square feet
PLN-12410-CUP	Proposed	22 Cultivation Greenhouses 1 Immature Plan Area	43,560 square feet 4,050 square feet
PLN-12413-CUP	Proposed	22 Cultivation Greenhouses 1 Immature Plan Area	43,560 square feet 4,050 square feet
PLN-12991-CUP	Proposed	22 Cultivation Greenhouses 1 Immature Plan Area	43,560 square feet 4,050 square feet
PLN-12410-CUP	Proposed	Ag-Building 1 (Drying / Storage)	3,500 square feet
PLN-12402-CUP PLN-12413-CUP	Proposed	Ag-Building 2 (Drying / Storage)	7,000 square feet
PLN-12402-CUP PLN-12410-CUP PLN-12413-CUP PLN-12991-CUP	Existing	2x Ag-Container (Storage)	640 square feet
PLN-12402-CUP PLN-12410-CUP PLN-12413-CUP PLN-12991-CUP	Existing	2x Chemical Ag Container (Storage)	320 square feet
PLN-12402-CUP PLN-12410-CUP PLN-12413-CUP	Existing	2x Admin Hold Container (Admin)	640 square feet

PLN-12991-CUP			
PLN-12991-CUP	Existing	Dry Building 1 (Drying / Storage)	1,728 square feet
PLN-12991-CUP	Existing	Dry Building 2 (Drying / Storage)	1,920 square feet
		TOTAL:	**206,188 square feet (4.73 acres)**

Water facilities for APN 210-071-001 consist of two ponds, Pond 4 and Pond 3 and three groundwater wells, Well 1, Well 3, and Well 6. There are also tank arrays associated with each project. The water facilities are summarized in the table below.

Summary of Water Facilities APN 210-071-001			
Application / Project	**<P> / <E>**	**Type**	**Total Size**
PLN-12402-CUP PLN-12410-CUP PLN-12413-CUP	Proposed	Pond 4 – Rainwater Catchment	2,000,000 gallons
PLN-12991-CUP	Existing	Pond 3 – Rainwater Catchment	614,969 gallons
PLN-12402-CUP	Proposed	15x 5,000-gallon tanks	75,000 gallons
PLN-12410-CUP	Proposed	14x 5,000-gallon tanks	70,000 gallons
PLN-12413-CUP	Proposed	15x 5,000-gallon tanks	75,000 gallons
PLN-12991-CUP	Proposed	14x 5,000-gallon tanks	70,000 gallons
PLN-12402-CUP PLN-12413-CUP	Existing	Well 1	N/A
PLN-12991-CUP	Existing	Well 3	N/A

APN 210-062-007:

PLN-12003-CUP Natura Blue, Inc: A Conditional Use Permit for 36,256 square feet of existing outdoor commercial cannabis cultivation supported by a 3,600 square foot ancillary nursery. Estimated annual water usage is 364,900 gallons. Irrigation water is sourced from a rainwater catchment pond and a permitted well. Water storage consists of a 1,343,000-gallon pond and 42,600 gallons in hard tanks. Processing, including trimming is proposed to occur onsite. Power is provided by generators with a proposal to transition to solar with generators reserved for emergency use only.

Some structures and uses associated with PLN-12003-CUP are located on and described with APNs 210-071-001 and 210-062-008. A summary of structures on APN 210-062-007 are described in the table below.

Summary of Structures on APN 210-062-007			
Application / Project	**<P> / <E>**	**Type**	**Total Area**

PLN-12003-CUP	Existing	Greenhouse 1	5,280 square feet
	Existing	Greenhouse 2	5,280 square feet
	Existing	Greenhouse 3	5,852 square feet
	Existing	Greenhouse 4	4,488 square feet
	Existing	Greenhouse 5	4,488 square feet
	Existing	Greenhouse 6	5,016 square feet
	Existing	Greenhouse 7	5,852 square feet
	Existing	Nursery 1	1,600 square feet
	Existing	Nursery 2	1,600 square feet
	Existing	Nursery 3	400 square feet
	Existing	3x Cargo Container (Storage)	960 square feet
		TOTAL:	**40,816 square feet (0.94 acres)**

Water facilities for APN 210-062-007 consist of a pond, a water diversion from a spring, and a groundwater well, Pond 4 and Pond 3 and three groundwater wells, Well 1, Well 3, and Well 6. There are also tank arrays associated with each project. The water facilities are summarized in the table below.

Summary of Water Facilities APN 210-062-007			
Application / Project	**<P> / <E>**	**Type**	**Total Size**
PLN-12003-CUP	Existing	Pond Rainwater Catchment	1,343,000 gallons
	Existing	4x 5,000-gallon tanks	20,000 gallons
	Existing	4x 3,000-gallon tanks	12,000 gallons
	Proposed	14x 500-gallon tanks	7,000 gallons
	Proposed	2x 300-gallon tanks	600 gallons
	Proposed	15x 5,000-gallon tanks	75,000 gallons
	Existing	Point of Diversion	N/A
	Existing	Well 6	N/A

APN 210-054-008:

PLN-12398-CUP 4 Wheel Properties, LLC: A Conditional Use Permit for 20,000 square feet of existing outdoor commercial cannabis cultivation supported by a 2,000 square foot ancillary nursery. Irrigation water is sourced from a rainwater catchment pond (Pond 1) and a permitted well (Well 7). Estimated annual water usage is 440,000 gallons. Water storage is provided by the 310,773-gallon pond (Pond 1) and 70,000 gallons in hard tanks for a total of 380,773 gallons. Drying and storage occurs in Barn 1. A 5,000 square foot commercial building is proposed for onsite processing including trimming and packaging. Electricity is provided by PGE and solar with generators reserved for emergencies only. The project includes onsite

relocation and restoration, consolidating three current cultivation areas into one new central area with restoration occurring in the three current locations and a fourth historic location. The project also includes a Special Permit for restoration within streamside management areas.

A summary of structures on APN 210-054-008 are described in the table below.

Summary of Structures on APN 210-054-008			
Application / Project	**<P> / <E>**	**Type**	**Total Area**
PLN-12398-CUP	Proposed	10x 2,000 Square Foot Cultivation Greenhouses	20,000 square feet
	Proposed	Nursery Greenhouse	2,000 square feet
	Proposed	Commercial building for processing	5,000 square feet.
	Existing	Barn 1 (Drying / Storage)	2,336 square feet
	Existing	Connex Container (Admin Hold)	320 square feet
	Existing	Connex Container (Storage)	320 square feet
	Existing	Connex Container (Storage)	320 square feet
	Existing	Connex Container (Storage)	320 square feet
	Existing	Greenhouse 1 – To Be Removed	2,100 square feet
	Existing	Greenhouse 2 – To Be Removed	1,700 square feet
	Existing	Greenhouse 3 – To Be Removed	1,700 square feet
	Existing	Greenhouse 4 – To Be Removed	744 square feet
	Existing	Greenhouse 5 – To Be Removed	972 square feet
	Existing	Greenhouse 6 – To Be Removed	1,032 square feet
	Existing	Greenhouse 7 – To Be Removed	900 square feet
	Existing	Greenhouse 8 – To Be Removed	852 square feet
	Existing	Nursery Greenhouse – To Be Removed	1,000 square feet
	Existing	Cultivation Area 1 – To Be Restored	4,600 square feet
	Existing	Cultivation Area 2 – To Be Restored	5,400 square feet
PLN-12410-CUP PLN-12003-CUP	Existing	Barn 2 (Drying / Storage)	6,300 square feet
PLN-12003-CUP	Existing / Proposed	Residential Structure Conversion to Commercial for Processing	3,688 square feet
PLN-12003-CUP	Existing	Harvest Storage	532 square feet
PLN-12003-CUP	Proposed	Harvest Storage	530 square feet
PLN-12003-CUP	Proposed	Ag Storage	696 square feet
		TOTAL:	**58,862 square feet**

	(1.35 acres)

Water facilities for APN 210-054-008 consist of ponds and several groundwater well, and storage tanks. Only some of these existing water facilities are associated with the proposed project which are summarized in the table below.

Summary of Water Facilities APN 210-054-008			
Application / Project	**<P> / <E>**	**Type**	**Total Size**
PLN-12398-CUP	Existing	Pond 1 Rainwater Catchment	310,773 gallons
	Existing	14x 5,000-gallon tanks	70,000 gallons
	Existing	Well 4	N/A
PLN-12410-CUP	Existing	Well 6	N/A

Hours/Days of Operation and Number of Employees

The proposed cannabis cultivation operations will generally occur from March to November and be winterized December through March. The proposed cannabis activities will have typical operating hours occurring from 7 AM to 7 PM. There will be up to 12 full time employees across all projects: Eight full-time employees for the cannabis operations on APN 210-071-001, three full-time employees for APN 210-062-007, and one full-time employee for APN 210-054-008. Temporary workers will also be utilized during push times such as planting, leafing, harvesting, winterizing. There is a caretaker on site year-round.

Soils

Applications PLN-12402-CUP, PLN-12410-CUP, PLN-12413-CUP, and PLN-12991-CUP on APN 210-071-001 are for new cultivation and located in areas mapped as prime soils with soils type Et5 and a Storie index of 58. There are approximately 77.4 acres of prime soils on the parcel. The proposal is for four acres of new outdoor commercial cannabis cultivation represents approximately 5% of the total prime soils. This coverage is less than the 20% total limit described in section 55.3.8.2.1 of the Commercial Medical Marijuana Land Use Ordinance.

Access Roads/Parking

The project parcels are currently accessed from State Route 36 from three separate driveways on APN 210-054-008 that are gated. For the purposes of this document, the three driveways are referred to as the western driveway, central driveway, and eastern driveway. The central and most used driveway to access the project parcels is located at SR 36-mile marker 33.5. The three access driveways are graded, rocked, and rolled. The western driveway is approximately 22 feet wide and the distance from the edge of SR 36 to the entrance gate is approximately 75 feet. The central driveway is approximately 18 feet wide and the distance from the edge of SR 36 to the entrance gate is approximately 100 feet. The eastern driveway is approximately 80 feet wide at the edge of SR 36 and gradually narrows to 18 feet wide at the gate, which is approximately 60 feet from the edge of SR 36. Each driveway gate is 16 feet wide and the main access roads

through the property are at least 18 feet wide with easily accessible turnaround areas. The three access driveways will remain gated during project operations to prevent unauthorized entry into the sites.

Existing unpaved parking areas are located near Barn 1 and Barn 2 and existing residences on APN 210-054-008 and residence on APN 210-071-001. ADA parking will be required for the proposed processing facility and APN 210-054-008.

Traffic

The employees are expected to result in approximately 24 vehicle trips daily during operations. Deliveries, temporary workers, and waste disposal are estimated to add an additional six daily trips.

Security

An on-site caretaker resides on APN 210-054-008 and assists with general maintenance and security for all three parcels. Security features include locked entrance gates, cultivation area fencing, reinforced entry points and access controls for each building, and electronic surveillance.

Odors

During ongoing cannabis operations, there is the potential to impact air quality due to odors generated by the cannabis cultivation, drying, and processing activities. Project design and location components minimize potential odor impacts due to: 1) the rural location and size of the project parcel (812 acres); 2) low-density of residences or other sensitive receptors near the project parcels which are approximately one-quarter mile away at the closest point; and 3) other surrounding properties with residences are also conducting cannabis cultivation activities and would be more accustomed to the odor of cannabis than the general public.

Landscaping

No new landscaping (besides seasonal cannabis cultivation) is proposed as part of the project.

Lighting

The project parcels currently contain minimal outdoor lighting that consists of a small number of light fixtures on the outside of existing residential and agricultural structures (e.g., porch lights, etc.).

The only new outdoor lighting would be small, wall-mounted light fixtures on some of the new structures that are proposed by the projects (e.g., processing building). Otherwise, all new lighting will be contained within the existing and proposed structures. All lighting, including security lighting, will comply with International Dark Sky Association Standards. Light shall not escape at a level that is visible between sunset and sunrise. If structures have transparent roofs,

blackout system would be employed such that no light could escape between sunrise and sunset. All Proposed Project lighting would be designed and located so that does not disturb wildlife or neighboring parcels.

Stormwater Management

Upon implementation of the proposed cannabis projects, the impervious surfaces on the project parcels will be 285,750 square feet (6.56 acres). This includes existing and proposed greenhouses and buildings and ADA parking spaces. One new access road of 150 feet will be created by applying rock to the existing surface and will not be graded or excavated. Cultivation areas at the project site are mostly flat with surface flow in the wet season generally draining from the west to the east.

PLN-12003-CUP and PLN-12398-CUP, which are for existing cultivation, have Site Management Plans and are enrolled in accordance with State Water Resources Control Board General Order No. WQ 2019-0001-DWQ. PLN-12402-CUP, PLN-12410-CUP, PLN-12413-CUP, and PLN-12991-CUP on APN 210-054-008 will need to develop Site Management Plans and provide a Notices of Applicability demonstrating enrollment. Site Management Plans implement best practical treatment or control (BPTC) measures listed in Attachment A of the State Water Resources Control Board Cannabis General Order. These measures include, but are not limited to, site maintenance, erosion control, drainage features, access road maintenance and improvements, stream crossing maintenance and improvements, chemical storage, spill prevention, and waste management. Compliance with the requirements of the Cannabis General Order will minimize the potential stormwater runoff and water quality impacts from the proposed cannabis operations.

Riparian Habitat and Wetlands

Riparian habitat exists along several unnamed drainages throughout all three project parcels. According to the Sordal Wetland Delineation (Hohman & Associates September 2018 **Appendix 3**) there are three locations on the project parcels that contain wetlands. These areas were further studied in the Sordal Property Aquatic Resources Delineation Report (Foster Consulting, June 2019 **Appendix 4**), approximately 4.853 acres of potentially jurisdictional aquatic resources were identified in the study area consisting of 14 streams, three ponds, and six wetlands. A total of 1.861 acres of wetlands were identified in the study area consisting of wetland swales (0.464 acre), emergent wetland (0.147 acre), and seasonal wetland (1.125). Three types of non-wetland waters were identified and mapped in the survey area consisting of intermittent streams (2.013 acres), ephemeral streams (0.134 acre), and ponds (0.845 acres). These areas are mapped as drawings A1 through B3 in **Appendix 4.**

The project does not propose any activities that will have an adverse effect on the federally protected (3-parameter) seasonal wetlands or other jurisdictional areas identified in the Aquatic Resources Delineation Report. As depicted in the Site Plans in **Appendix 1** the cannabis

operations will maintain setbacks from the delineated streams and wetland areas on the project parcels consistent with the State Water Resources Control Board Cannabis General Order and the County of Humboldt Streamside Management Areas and Wetlands Ordinance.

Floodplain

According to the Flood Insurance Rate Map (Community Panel Number 06023C1525F; Revised Nov. 4, 2016), the project site is within Zone X (Area of Minimal Flood Hazard), well outside the nearest 100-year flood hazard area (Zone A) for Butte Creek, a tributary to the Little Van Duzen River. Therefore, the County's Flood Damage Prevention regulations (Humboldt County Code Section 335-1 et seq) are not applicable to the proposed projects.

Water Usage

Estimated annual water usage for the individual applications and parcels is summarized in the table below.

Summary of Water Usage		
APPLICATION	**APN**	**GALLONS**
PLN-12402-CUP	210-071-001 (3,833,280 gallons total)	958,320 gallons
PLN-12410-CUP		958,320 gallons
PLN-12413-CUP		958,320 gallons
PLN-12991-CUP		958,320 gallons
PLN-12003-CUP	210-062-007	364,900 gallons
PLN-12398-CUP	210-062-007	444,000 gallons
		TOTAL: 4,638,180 Gallons

Groundwater Wells

Five groundwater wells are used in this project. These wells were evaluated by Lindberg Geologic Consulting and determined to be hydrologically disconnected from surface waters (**Appendix 5**). The wells are summarized in the table below and include the Well Completion Report (WCR) number, Division of Environmental Health (DEH) Permit number and the gallons per minute (GPM) as described on the WCR.

APPLICATION	APN	LINDBERG REPORT WELL #	WCR and DEH PERMIT #	GPM
PLN-12402-CUP PLN-12413-CUP	210-071-001	Well 2	WCR: 2017-005364 DEH: 16/17-0172	30
PLN-12991-CUP	210-071-001	Well 3	WCR: 2019-011143 DEH: 19/20-0026	15
PLN-12003-CUP	210-062-007	Well 6	WCR: 2017-008401 DEH: 18/19-0066	15

PLN-12410-CUP	210-054-008	Well 1	WCR: 2022-005784 DEH: 20/21-1185	8
PLN-12398-CUP	210-054-008	Well 7	WCR: 2022-005782 DEH: 20/21-1183	25

The productivity of the individual groundwater wells are sufficient to serve the individual irrigation needs of the associated cannabis cultivation projects. Additionally, irrigation water will be supplemented by rainwater catchment discussed further below.

Rainwater Catchment

There are three existing and one proposed rainwater catchment ponds associated with the proposed project. Rainwater catchment analyses for the ponds are provided in **Appendix 6**. The various rainwater catchment analyses show that in average rainfall years, enough rainfall can be captured to provide the annual irrigation water needs of the various cultivation operations. In drought years, approximately one half of annual irrigation needs can be captured through rainfall. Combined with groundwater sources and water storage, there is sufficient irrigation water to serve the project.

APPLICATION	APN	POND	CAPACITY GALLONS	AVERAGE RAINFALL COLLECTION GALLONS	DROUGHT RAINFALL COLLECTION GALLONS
PLN-12402-CUP PLN-12410-CUP PLN-12413-CUP	210-071-001	Proposed Pond 4	2,000,000	2,169,286	1,371,846
PLN-12991-CUP	210-071-001	Existing Pond 3	614,969	650,786	411,554
PLN-12003-CUP	210-062-007	Existing Pond	1,398,000	455,550	351,497
PLN-12398-CUP	210-054-008	Existing Pond 1	310,337	368,779	233,214

Noise

Applications PLN-12003-CUP and PLN-12398-CUP are subject to the noise performance standards of the Commercial Cannabis Land Use Ordinance (Humboldt County Code 314-55.4.12.6) which limits noise from cultivation and related activities to no more than three decibels above existing ambient noise levels. A noise assessment was provided (**Appendix 7**) establishing the ambient sound level.

Applications PLN-12402-CUP, PLN-12410-CUP, PLN-12413-CUP, and PLN-12991-CUP are subject to the standards of the Commercial Medical Marijuana Land Use Ordinance and associated

Department Policy Statements which limit noise to 50 decibels at 100 feet or the forest edge, whichever is closer.

Timber Conversion

The historic commercial cannabis operations associated with PLN-12398-CUP on APN 210-054-008 involved some conversion of timberlands according to a Less Than Three Acre Conversion Mitigation Plan conducted by Hohman & Associates (**Appendix 8**). According to that report a total of 2.67 acres was converted across six sites. The report recommends a total of six mitigations at four of the sites.

Onsite Relocation and Restoration

Historic commercial cannabis operations PLN-12398-CUP on APN 210-054-008 originally occurred in three locations. One location was abandoned and relocated to an interim area. The project proposal for PLN-12398-CUP is to consolidate all cultivation into a new single area. The three historic and one interim cultivation areas will be restored to their pre-cultivation condition in accordance with the relocation analysis and restoration plan provided (**Appendix 9**).

Wastewater

Wastewater for the project will be provided through a combination of onsite wastewater collection systems (OWTS) and portable restrooms. All commercial structures will have ADA accessible bathrooms. Below is a summary of how wastewater will be addressed for each project parcel.

APPLICATION	APN	WASTEWATER SUMMARY
PLN-12402-CUP PLN-12410-CUP PLN-12413-CUP PLN-12991-CUP	210-071-001	A new OWTS is proposed with a design capacity for up to 10 employees in addition to two portable toilets and hand washing stations to accommodate eight employees.
PLN-12003-CUP	210-062-007	One portable restrooms and hand washing station.
PLN-12398-CUP	210-054-008	Two commercial structures for processing are proposed. These structures will either install new OWTS or connect into existing OWTS.

Electrical Service

The proposed cannabis projects will use a combination of electrical service from solar power, and Pacific Gas and Electric (PGE). Generators will be reserved for emergency use only. New buildings proposed by the project are required to comply with the Title 24 standards for energy efficiency in the California Code of Regulations. Below is a summary of the electrical service that would be provided to the project parcels.

APPLICATION	APN	ELECTRICAL SERVICE SUMMARY
PLN-12402-CUP PLN-12410-CUP PLN-12413-CUP PLN-12991-CUP	210-071-001	Proposed to connect to PGE. It is also proposed to install a solar energy system. Electrical service will primarily be used for the nurseries.
PLN-12003-CUP	210-062-007	Electricity is used for fans, motors for deprivation tarps, and supplemental lighting in nurseries. Service is provided by a solar system.
PLN-12398-CUP	210-054-008	Electricity is provided by an existing PGE connection and used primarily for the nursery.

10. Surrounding Land Uses and Setting: The project site is in the Larabee Valley on parcels historically used for agricultural activities and rural residential uses and have recently been used for cannabis operations. The project parcels are currently being used for grazing, timber production, and existing cannabis cultivation. The project parcels are surrounded by agricultural land, timberland, rural residential uses, and cannabis cultivation operations. Surrounding zoning, as seen in the figure below, includes Timberland Production Zone, Agriculture Exclusive, Unclassified, and Forestry Recreation. Surrounding land use designations, as seen in the following figure, include Timberland, Agricultural Grazing, and Residential Agriculture.

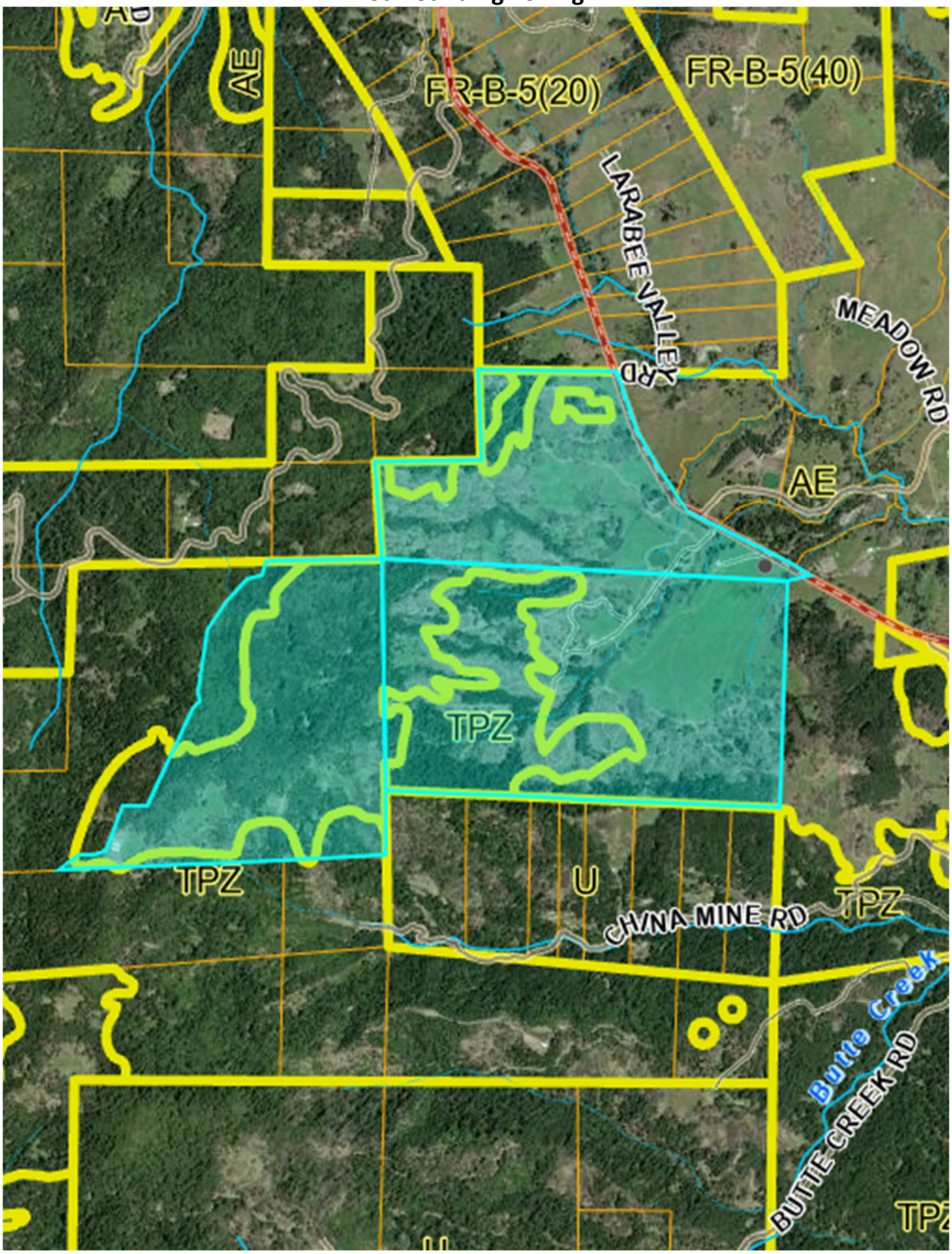
11. Other Public Agencies Whose Approval is Required (e.g., permits, financing approval, or participation agreement):

- California Department of Fish & Wildlife (Region 1) – Lake and Streambed Alteration Agreement
- Department of Cannabis Control – Cannabis Cultivation Licenses
- Humboldt County Building Inspection Division – Building Permits
- Humboldt County Division of Environmental Health – Onsite Sewage Disposal System Permits
- State Water Resources Control Board – Cannabis General Order Waste Discharge Requirements
- North Coast Regional Water Quality Control Board – Construction General Permit (CGP) under the Construction Stormwater Program may be required.

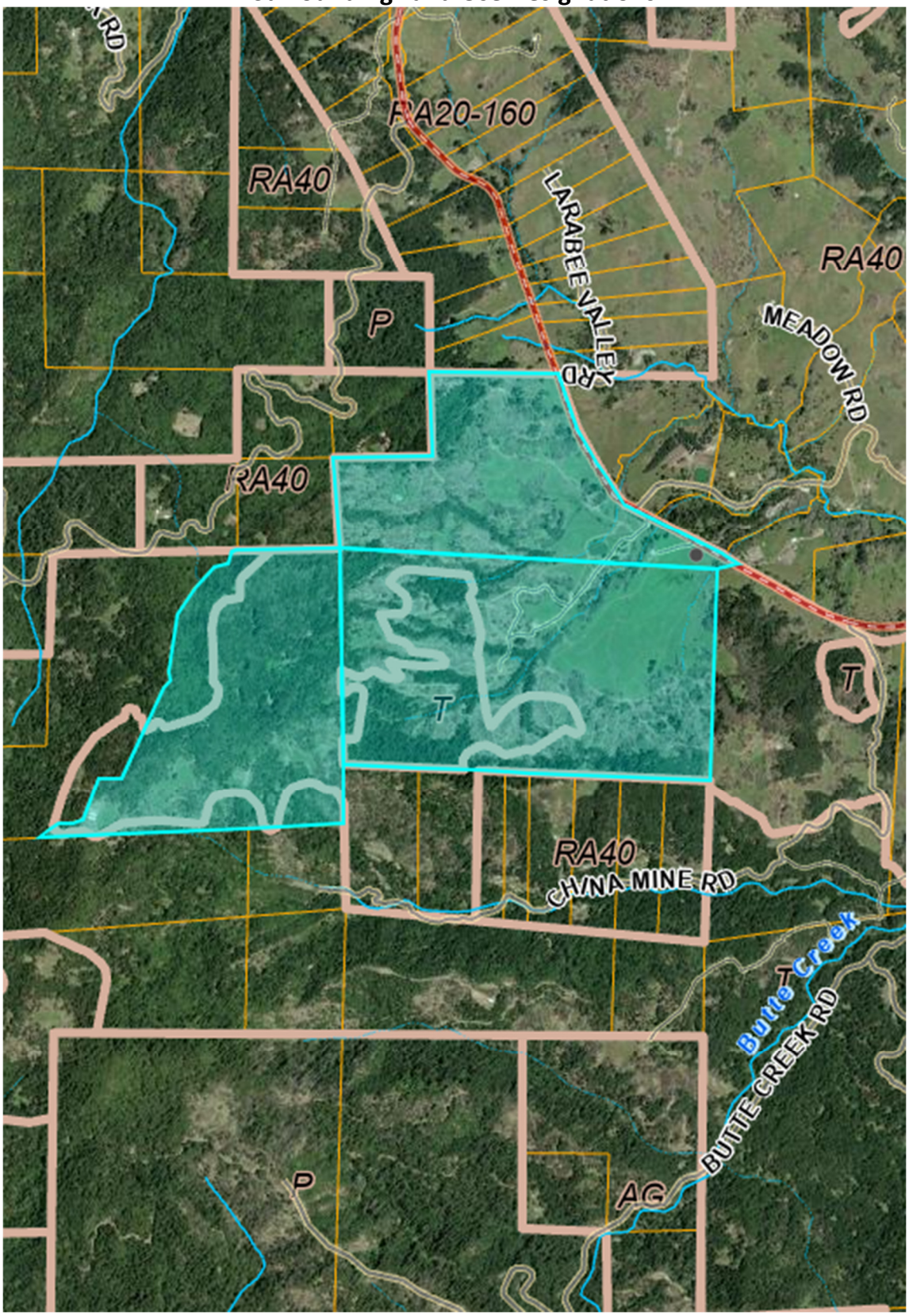
12. Have California Native American Tribes Traditionally and Culturally Affiliated with the Project Area Requested Consultation Pursuant to Public Resources Code Section 21080.3.1? Consultation with Native American tribes traditionally and culturally associated with the project area has been an ongoing part of the process. Specifically, an invitation for Tribal Consultation pursuant to AB 52 was sent to all tribes identified as potentially being affected by the NAHC on January 28, 2021. No tribes responded to request consultation. A series of cultural resources

reports have been prepared by a qualified archaeologist which identified some cultural resources on the property and recommended measures to protect those resources, which are incorporated into the mitigation measures.

Surrounding Zoning



Surrounding Land Use Designations



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics	☒	Agriculture and Forestry Resources	☒	Air Quality
☒	Biological Resources	☒	Cultural Resources		Energy
	Geology / Soils		Greenhouse Gas Emissions		Hazards and Hazardous Materials
	Hydrology / Water Quality		Land Use / Planning		Mineral Resources
☒	Noise		Population / Housing		Public Services
	Recreation		Transportation / Traffic	☒	Tribal Cultural
	Utilities / Service Systems		Wildfire	☒	Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency) On the basis of this initial evaluation:

☐ I find that the project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the project COULD have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the project COULD have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required.

Steven A. Santos — 11/24/25

Signature — Date

Steven Santos, Senior Planner — Humboldt County Planning & Building Department

Evaluation of Environmental Impacts Definitions

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must consider the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 23, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

    a) Earlier Analysis Used. Identify and state where they are available for review.

    b) Impacts Adequately Addresses. Identify which effects from the above checklist were within the scope of and adequately analyze in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c) Mitigation Measures. For effects that are "Less Than Significant with Mitigation Measures Incorporated,:" describe the mitigation measures which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plan, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats, however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue identifies:

   a) The significant criteria or threshold, if any, used to evaluate each question; and

   b) The mitigation measure identified, if any, to reduce the impact to less than significant.

13. CHECKLIST, DISCUSSION OF CHECKLIST RESPONSES, PROPOSED MITIGATION

13.1 AESTHETICS Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Setting:

The project parcels (APNs 210-071-001, 210-062-007, 210-054-008) cover approximately 812 acres in the Larabee Valley, an unincorporated area in eastern Humboldt County. The project parcels have historically been used for livestock grazing and timberland production. It is

surrounded by agricultural, timber, rural residential land, and cannabis cultivation operations. The site is accessed from State Route 36.

The open grasslands and forested hillsides of the project parcels can partially be viewed from SR 36. Figures 6-9 below shows the views from SR 36 at the three project parcels driveway entrances. The existing visual character of the project parcels are similar to the surrounding landscape including valley grasslands and forested hillsides (see Figure 2 – Aerial Map of Project Site). The project parcels currently contain minimal outdoor lighting that consists of a small number of light fixtures on the outside of existing residential and agricultural structures (e.g., porch lights, etc.).

Agricultural operations, including cannabis cultivation, surround the project parcels. Several of these operations contain greenhouse structures that are visible from SR 36. In their present condition, the project parcels and surrounding landscape would generally be considered to possess low visibility.

SR 36 does not have any scenic vista points or available areas for drivers to stop (e.g., pullouts) within the vicinity of the project parcels. According to the California Scenic Highway Mapping System, SR 36 is listed as an "Eligible State Scenic Highway" but is not officially designated as a State Scenic Highway (Caltrans, 2020). According to National Wild and Scenic River System website, there are no rivers in the project vicinity designated under the Wild and Scenic Rivers Act (NWSRS, 2020).

Although no scenic highways have been officially designated per Caltrans, the Humboldt County General Plan (2017) Scenic Resources Section includes a Standard (SR-S6) that states "Until such a time as a General Plan Scenic Highway Roadway Map is prepared and adopted, Humboldt County Highways listed in Sections 263.1 through 263.8 of the California Streets and Highways Code shall be considered to be Scenic Highways pursuant to Policy SR-P3, Scenic Highway Protection, and the County shall address the potential for significant impacts to scenic resources during ministerial and discretionary permit review" (Humboldt County General Plan, 2017, Part 3, Chapter 10. Conservation and Open Space, 10.7.4 Scenic Resources Standards).

State Route 36 from State Highway 101 near Alton to Route 3 near Peanut is listed in Section 263.3 of the California Streets and Highways Code and therefore shall be considered a Scenic Highway for the purposes of discretionary review, until such a time as a General Plan Scenic Highway Roadway Map is prepared and adopted by Humboldt County.

The Commercial Cannabis Land Use Ordinance (CCLUO) and the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) include Performance Standards for Light Pollution Control, including the requirement for all mixed-light cultivation and nurseries to be shielded so that no

light escapes between sunset and sunrise. The proposed project has been designed to meet all CCLUO Performance Standards.

Analysis:

a) **Finding:** Have a substantial adverse effect on a scenic vista? **Less than significant impact**.

Discussion: The proposed project is not located near any designated scenic vistas. The project is located along State Highway 36, considered a Scenic Highway by Humboldt County until such a time that a General Plan Scenic Highway Roadway Map is prepared and adopted, and within a segment of State Highway 36 eligible for designation as a California State Scenic Highway (California Department of Transportation, 2023).

Impacts to aesthetic resources resulting from the project would be limited to partial views of the proposed cultivation areas (e.g., greenhouses) and associated perimeter fencing while traveling on SR 36. For drivers on these roadways and other Larabee Valley residents, the low elevation setting of the valley where SR 36 runs through does not provide an extensive aerial view of the project parcels (see Figures 6 through 9). In addition, several properties in the project area are also being used for cannabis cultivation and contain similar improvements as proposed by the project. As such, the proposed projects would be consistent with the existing aesthetic baseline.

Therefore, the proposed projects will not have a substantial adverse effect on a scenic vista and impacts from the project would be less than significant.

b) **Finding:** Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway? **No impact**.

Discussion: The project site does not have specifically designated scenic resources. In addition, no trees, rock outcroppings, or buildings are proposed to be removed because of the proposed project. Therefore, the Proposed Project would not substantially damage scenic resources within a state scenic highway. Therefore, no impact would occur. In addition, the project parcels were historically used for livestock grazing and timberland production area and do not contain any landmark trees, rock outcroppings, or buildings of historical significance.

Therefore, the proposed projects would have no impact and will not substantially damage scenic resources within a State scenic highway.

c) **Finding:** In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area,

would the project conflict with applicable zoning and other regulations governing scenic quality? **Less than significant impact**.

Discussion: Sensitive viewer groups typically include residents and recreationists. As noted in the setting, the existing visual character of the project parcels are consistent with the surrounding landscape including valley grasslands and forested hillsides and other cannabis farms. The project site is surrounded by agricultural land, timberland, rural residential uses, and cannabis cultivation operations. Agricultural operations, including cannabis cultivation, surround the project parcels. In their present condition, the project parcels and surrounding landscape would generally be considered to possess high visual quality.

Construction

During the project's temporary construction period, construction equipment, supplies, and construction activities may be partially visible on the project parcels from SR 36. All construction equipment will be removed from the project parcels following completion of the project's construction activities. Due to its temporary nature, the project's construction activities would not be considered to substantially degrade the existing visual character or quality of public views of the site and its surroundings.

Operation

Development of the project parcels with the proposed cannabis operations would not significantly alter public views of the parcels from SR 36 by introducing greenhouses, buildings, outdoor cultivation areas, and fencing.

Most of the improvements proposed by the projects would not be visible to drivers on SR 36. For drivers on these roadways and other Larabee Valley residents, the low elevation setting of the valley where SR 36 runs through does not provide an extensive aerial view of the project parcels. In addition, several properties in the project area are also being used for cannabis cultivation and contain similar improvements as proposed by the project but much closer to the highway. As such, the proposed projects would be consistent if not be beneficial with the existing aesthetic baseline and would not substantially degrade existing public views of the project parcels from SR 36.

Therefore, the proposed projects will not substantially degrade the existing visual character or quality of the site and its surroundings and impacts from the project would be less than significant.

d) **Finding:** Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? **Less than significant impact**.

Discussion: As noted in the setting, existing outdoor lighting at the project parcels consists of typical porch lighting at the existing residences. The only new outdoor lighting would be small, wall-mounted light fixtures on some of the new structures that are proposed by the project. Otherwise, all new lighting will be contained in the proposed structures including the cabin (APN 210-062-007), processing buildings (APNs 210-071-001 and 210-062-007), and mixed-light nursery greenhouses (APNs 210-071-001, 210-062-007, and 210-054-008) and the 10,000sq mixed light on 210-054-008. The project does not propose to construct buildings with any materials that would result in substantial sources of glare.

Pursuant to 3 CCR § 8304(c), all outdoor lighting used for security purposes must be shielded and downward facing. Artificial lighting is proposed to be low watt LED lights (6 watts per square foot of cultivation) and is what the nursery currently use on 210-054-008, portions of the year. To ensure that light does not escape from the greenhouse structures at night, the illuminated area within the structures will be covered with breathable woven poly tarping or similarly effective materials when the artificial lighting is in use. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise. This will ensure the project is compliant with Dark Sky Association standards in the CCLUO and CMMLUO which requires lights be shielded from sunset to sunrise to avoid nighttime glare. As proposed and in compliance with existing regulatory requirements, the new lighting proposed by the cannabis operations would not result in adverse impacts.

Therefore, the proposed projects will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area and impacts would be less than significant impact.

Mitigation:
None required.

Findings:
The project would have a **Less than significant impact** on Aesthetics.

13.2 AGRICULTURE AND FORESTRY RESOURCES Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☒	☐	☐
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or	☐	☐	☐	☒

conversion of forest land to
non-forest use?

Setting:
The project parcels (APNs 210-071-001, 210-062-007, 210-054-008) are designated Agricultural Grazing (AG) and Timberland (T) and zoned Timberland Production Zone (TPZ) and Agriculture Exclusive (AE). As shown in Figure 2 (Aerial Map of Project Site), the project parcels are surrounded by agricultural land, timberland, rural residential uses, and cannabis cultivation operations. The project parcels total approximately 812-acres and located in the unincorporated Larabee Valley area in eastern Humboldt County. This project area has historically and is currently used for agricultural grazing, timberland production, and cannabis cultivation. Portions of the project parcels are developed with existing roads, barns, two residences, accessory buildings, electrical infrastructure (APN 210-054-008), ponds, wells, and existing cannabis cultivation activities. The elevation of the project parcels is approximately 2490-2600 feet above mean sea level.

According to Humboldt County Web GIS System, a portion of APNs 210-071-001 and 210-054-008 are mapped as Prime Agricultural Soils (Et5). None of the proposed project will place cultivation on prime soils on APN 210-054-008. There are approximately 77.4 acres of prime soils on APN 210-071-001. The proposal includes four acres of new outdoor commercial cannabis cultivation on prime soils on APN 210-071-001. The Commercial Medical Marijuana Land Use ordinance requires new cultivation be placed on prime soils but limits coverage to 20%. The proposed four acres represent 5% of the total prime soils which is less than the 20% total limit.

According to the USDA-NRCS Web Soil Survey, the project parcels contain soils classified as the following (USDA NRCS, 2021):

- Frostvalley-Mulecreek complex (1002 - Farmland of State Importance)
- Pasturerock Coyoterock-Maneze complex (4426 – Not prime farmland)
- Tannin-Burgsblock-Rockyglen complex (469 - Not prime farmland)
- Rockyglen-Tannin complex (4416 – Not prime farmland)
- Highyork-Elkcamp-Airstrip complex (4421 – Not prime farmland)
- Chalkmountain-Hoagland complex (4418 – Not prime farmland)

According to the USDA NRCS, the Frostvalley-Mulecreek complex is classified as “Farmland of Statewide Importance.” The other soil complexes are classified as “Not Prime Farmland.” The portion of the project parcels containing the Frostvalley-Mulecreek complex corresponds closely with the portions of parcels 210-071-001 and 210-054-008 shown by the Humboldt County Web GIS System to contain prime agricultural soils.

Three separate existing cannabis cultivation areas totaling approximately 20,000 square feet and a 2,000 square foot nursery, within APN 210-054-008 are to be restored and relocated to one proposed cannabis cultivation area that is environmentally superior (e.g. not within riparian buffers, outside of timberlands, on areas less than 15% slope, etc.) for cannabis cultivation compared to the existing sites.

Site One: The proposed move would be to an environmentally superior location, further away from a creek. This site would benefit from having PGE power rather than small gas generators that produce higher greenhouse gas and noise pollution that disturbs wildlife.

Site Two**:** The proposed move would be to an environmentally superior location out of the Timberland Production Zone and into the Agriculture General zone. The move will eliminate the needs for generators and lower greenhouse gas emissions.

Site Three: The proposed move would be to an environmentally superior location out of timberlands. The consolidation will eliminate generator use, make use of existing utilities, and lower noise and greenhouse gas emissions.

The Z'berg-Warren-Keene-Collier Forest Taxation Reform Action 1979 requires counties to provide for the zoning of land used for growing and harvesting timber as timberland preserve. The project site is partially zoned Timberland Production Zone (TPZ). All existing cultivation activities are being relocated out of the TPZ.

The historic commercial cannabis operations associated with PLN-12398-CUP on APN 210-054-008 involved some conversion of timberlands according to a Less Than Three Acre Conversion Mitigation Plan conducted by Hohman & Associates (**Appendix 8**). According to that report a total of 2.67 acres was converted across six sites. The report recommends a total of six mitigations at four of the sites.

Analysis:

a) **Finding:** The project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. **No Impact**.

Discussion: The Farmland Mapping and Monitoring Program has not mapped Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) in Humboldt County. As described in the setting, the project parcels (APNs 210-071-001 and 210-054-008 are shown by several sources to contain prime agricultural soils (Humboldt County, 2020, and USDA NRCS, 2021). According to these sources of information, it

appears that all proposed new cultivation activity will occur on prime agricultural soils. All existing cultivation activities will not occur on prime soils.

As discussed in the Project Description, the project proposes cannabis cultivation activity including outdoor cultivation and accessory nurseries. Cannabis is defined by the State of California (Health and Safety Code Section 11362.777(a) and Business and Professions Code Section 26067(a)) as an agricultural product and, therefore, cultivation activities on prime soils would not result in conversion of prime soils to a nonagricultural use.

Therefore, the proposed projects will not convert prime or unique farmland or farmland of statewide importance to non-agricultural use. No impact would occur.

b) Finding: The project will not conflict with existing zoning for agricultural use, or a Williamson Act contract. **No impact**.

Discussion: The project parcels (APNs 210-071-001, 210-062-007, 210-054-008) are zoned Agriculture Exclusive (AE) and Timberland Production Zone (TPZ) (Humboldt County, 2021). According to the Humboldt County Web GIS System (Humboldt County, 2020), there are no Williamson Act contracts applicable to the project parcels. The projects propose agricultural activities on areas zoned for agricultural use, which is consistent with the zoning for the project parcels.

Therefore, the proposed projects will not conflict with existing zoning for agricultural use or a Williamson Act contract and no impact would result.

c) **Finding:** The project will not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526). **No Impact.**

Discussion: The project parcels (APNs 210-071-001, 210-062-007, 210-054-008) are zoned Agriculture Exclusive (AE) and Timberland Production Zone (TPZ) (Humboldt County, 2021). The projects do not propose rezoning of any areas zoned for timberland production. The proposed cultivation areas would be located on the portions of the project parcels that are zoned AE. As such, the proposed cannabis activity would not conflict with existing zoning for forest land or timberland.

Therefore, the proposed projects will not conflict with existing zoning for, or cause rezoning of, forest land or timberland. No impact would occur.

d) **Finding:** The project will not result in the loss of forestland or conversion of forest land to non-forest use. **Less Than Significant Impact with Mitigation Incorporated**.

Discussion: Portions of the project parcels are forested, and the parcels are zoned Agriculture Exclusive (AE) and Timberland Production Zone (TPZ) (Humboldt County, 2021a). The proposed cultivation areas would be located on the portions of the project parcels that are zoned AE, which are primarily open grasslands. Proposed remedial actions will bring the conversion areas into compliance with provisions of the California Forest Practice Rules. As such, the proposed expansion of cannabis operations on the project parcels would not result in the loss or conversion of forest land beyond the existing baseline condition.

The historic commercial cannabis operations associated with PLN-12398-CUP on APN 210-054-008 involved some conversion of timberlands according to a Less Than Three Acre Conversion Mitigation Plan conducted by Hohman & Associates (**Appendix 8**). According to that report a total of 2.67 acres was converted across six sites. The report recommends a total of six mitigations at four of the sites.

With implementation of Mitigation Measure AFR-1 there will be no net-loss of forestland and the proposed project would have a less than significant impact on the loss of forest land or conversion of forest land into non-forest use.

e) **Finding:** The project will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. **No impact.**

Discussion: As discussed above, implementation of the proposed projects would not result in a conversion of farmland to non-agricultural use or forest land to non-forest use beyond the existing baseline condition. The projects propose agricultural activities on areas zoned for agricultural use, which is consistent with the zoning for the project parcels. The proposed projects will not produce significant growth inducing or cumulative impacts that have the potential to result in the conversion of farmland or forest land. Growth-inducing impacts are generally caused by projects that have a direct or indirect effect on economic growth, population growth, or land development. The project will employ up to 11 persons and temporary farm workers; economic benefits would not be such that people might be attracted to the area as a result.

Therefore, the project would not result in a conversion of farmland to non-agricultural use or forest land to non-forest use in the area surrounding the project parcels. No impact would occur.

Mitigation:

AFR-1: Less Than Three Acre Conversion Mitigation Plan

[As described in Appendix 8]

Site B:

a) Remove existing pond outlet and relief culvert structures. Replace pond inlet by forming a rock armored channel to allow class III watercourse to enter pond. Install new 36" outlet culvert to convey 100-year flow directly above old class III channel. Armor outlet with full culvert along fill slope connected with an elbow culvert and 12" - 18" diameter rock at outlet.
b) Slash piles. Remove all wood debris piles by lope and scatter, pile and burn, or chip to reduce fire potential and pest habitat.

Site E:

a) Pull back gardens and remove all cultivation related materials 100' from the nearby watercourse.

Site F:

a) Surface erosion. Install 2" to 4" diameter rock 30' past knick-point and outer fill.
b) Outlet surface erosion forming a channel. Rock access approximately 125' from main road to vegetation around pond and along 2' channel.

Site I:

a) Slash piles. Remove all wood debris piles by lope and scatter, pile and burn, or chip to reduce fire potential and pest habitat.

Findings:

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Agriculture and Forestry Resources.

13.3 AIR QUALITY Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?	☐	☒	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Setting:

The project site is in eastern Humboldt County, which lies within the North Coast Air Basin (NCAB). The NCAB extends for 250 miles from Sonoma County in the south to the Oregon border and encompasses approximately 7,767 square miles. The climate of NCAB is influenced by two major topographic units: the Klamath Mountains and the Coast Range provinces. The climate is typical of inland northern California with warm, dry summers, and cool, wet winters. Average annual precipitation in the project area is approximately 68 inches of rain and 20 inches of snow with the majority falling between October and April (WRCC, 2021). Predominate wind direction is typically from the northwest during summer months and from the southwest during storm events occurring during winter months.

Project activities are subject to the authority of the North Coast Unified Air Quality Management District (NCUAQMD) and the California Air Resources Board (CARB). The NCUAQMD is listed as "attainment" or "unclassified" for all the federal and State ambient air quality standards except

for the State 24-hour particulate (PM10) standard, which relates to concentrations of suspended airborne particles that are 10 micrometers or less in size. In the NCUAQMD, particulate matter has been determined to be primarily from vehicles, with the largest source of fugitive emissions from vehicular traffic on unpaved roads.

In determining whether a project has significant air quality impacts on the environment, agencies often apply their local air district's thresholds of significance to project in the review process. The district has not formally adopted specific CEQA significance thresholds but rather recommends use of the Best Available Control Technology (BACT) emissions rates for stationary sources as defined and listed in the NCUAQMD Rule and Regulations, Rule 110 – New Source Review (NSR) and Prevention of Significant Deterioration (PSD), Section 5.1 – BACT (NCUAQMD, 2021a). The emissions thresholds for PM10 in Rule 110 are 80 pounds per day (lbs/day) and 15 tons per year (tons/year).

Sensitive receptors (e.g. children, senior citizens, and acutely or chronically ill people) are more susceptible to the effect of air pollution than the general population. Land uses that are considered sensitive receptors typically include residences, schools, parks, childcare centers, hospitals, convalescent homes, and retirement homes. The project parcels are surrounded by agricultural land, timberland, rural residential uses, and cannabis cultivation operations. The nearest sensitive receptors (residences) are located approximately ¼-mile from the proposed cultivation areas.

Criteria air pollutants and toxic air contaminants are regulated by the NCUAQMD, CARB, and the Environmental Protection Agency (EPA). Exposure to criteria air pollutants and toxic air contaminants can cause a myriad of adverse health effects in humans. Human health effects of criteria air pollutants are summarized below in Table 4.

The U.S. Geological Survey (USGS, 2011) has published mapping identifying areas that are known to contain naturally occurring asbestos (NOA). The California Department of Conservation (DOC, 2000) has also published mapping of areas more likely to contain naturally occurring asbestos. These mapping sources indicate that there are several locations within Humboldt County that are known to contain NOA, which are primarily in the eastern portion of the County. The project parcels are in Larabee Valley along State Route 36, which is not identified as an area that is known to contain or likely to contain NOA. The closest areas containing NOA are located over 1 mile from the project parcels (USGS, 2011; DOC, 2000).

Analysis:

a) Finding: Conflict with or obstruct implementation of the applicable air quality plan? **Less Than Signficant Impact.**

Discussion: A potentially significant impact on air quality would occur if the project conflicted with or obstructed the implementation of the applicable air quality management or attainment plan. Therefore, it is necessary to assess the project's consistency with these plans.

The California Clean Air Act (CCAA) requires the NCUAQMD to achieve and maintain state ambient air quality standards for PM10 by the earliest practicable date. The NCUAQMD prepared the *Particulate Matter Attainment Plan - Draft Report*, in May 1995. This Report includes a description of the planning area (North Coast Unified Air District), an emissions inventory, general attainment goals, and a listing of cost-effective control strategies. The NCUAQMD's Attainment Plan established goals to reduce PM10 emissions and eliminate the number of days in which standards are exceeded. The Plan includes three areas of recommended control strategies to meet these goals: (1) transportation, (2) land use, and (3) burning. Control measures for these areas are included in the Attainment Plan. The project design incorporates control measures identified in the PM10 Attainment Plan appropriate to this type of project. The project would be located at a site with existing cannabis cultivation activities. For the existing cannabis farms, vehicle miles traveled are not anticipated to increase. The increase in vehicle miles for the proposed new cultivation may result in an incremental increase in air emissions but are offset through the elimination of using generators by the existing cultivation operations.

The project would apply water in construction areas to control dust. Paved and gravel access roads would control dust. The project involves a commercial cannabis cultivation and processing operation. The Humboldt County General Plan designates the project area as "Agricultural Grazing" (AG). The AG designation applies to dry-land grazing areas in relatively small land holdings that support cattle ranching or other grazing supplemented by timber harvest activities that are part of the ranching operation, and other non-prime agricultural lands. Particulate emissions from the proposed project would be appropriate for its General Plan Designation. The proposed project's cannabis operation does not include any burning and would not employ wood stoves for heat.

The proposed project would not obstruct implementation of the NCUAQMD Attainment Plan for PM10. A less than significant impact would occur.

b) **Finding**: Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard? ***Less than significant impact with mitigation incorporated***.

Discussion: As noted in the setting, the NCUAQMD is listed as "attainment" or "unclassified" for all the federal and State ambient air quality standards except for the State 24-hour particulate (PM10) standard. In the NCUAQMD, particulate matter has been

determined to be primarily from vehicles, with the largest source of fugitive emissions from vehicular traffic on unpaved roads. Construction and operation of the proposed cannabis projects have the potential to generate PM10 emissions in the form of vehicular/equipment emissions, stationary sources, and fugitive dust.

Construction

Mobile sources of emissions during project construction include equipment used during short-term construction activities. According to NCUAQMD Rule 102.D, the Air District does not currently require permits for the self-propelled mobile construction equipment (except pavement burners) (NCUAQMD, 2021). There are no "target" air quality standards/limits in this area; however, heavy equipment is generally subject to off-road equipment emission standards from the California Air Resources Board (CARB) and exceeding those standards may constitute a "nuisance" condition and can be mitigated by proper equipment maintenance. Emissions from construction equipment will occur for a limited period and the equipment will be maintained to meet current emissions standards as required by the CARB.

During the proposed construction activity, there is the potential for the generation of fugitive dust, especially during site preparation and grading activity. All activities at the project site are required to meet NCUAQMD Air Quality standards, including Regulation 1, which prohibits nuisance dust generation and is enforceable by the district. The NCUAQMD currently restricts dust emissions according to the CA Health and Safety Code (Section 41701) which limits visible dust emissions that exceed 40% density to a maximum of 3 minutes for any one-hour period. NCUAQMD District Rule 104.D states that "*reasonable precautions shall be taken to prevent particulate matter from becoming airborne*." To prevent fugitive dust from becoming airborne during construction activities, standard conditions for controlling dust emissions have been included as Mitigation Measure AQ-1.

Operation

Mobile sources of emissions during operation of the proposed projects include vehicle/truck traffic and light-duty equipment. Vehicle/truck trips from the proposed cannabis operations would be generated by employees, import of materials to the site, and the export of cannabis products and solid waste. The maximum daily trips estimated at peak operations is 24. This number of daily vehicle trips would be like the number of trips that could occur from four single-family residences (estimated 9 daily trips per residential unit) and is not expected to result in significant emissions of PM10, especially on such a large parcel.

Stationary sources of emissions during operation of the proposed projects include emergency generators. The proposed cannabis activities will be provided electrical

service from a proposed solar systems and PGE. Any generators used by the proposed cannabis operations will be required to comply with 3 CCR § 8306, which establishes specific requirements for the use and registration of generators rated below and above fifty horsepower. These requirements ensure that generators used for cannabis activities meet certain emissions standards to reduce potential air quality impacts. In compliance with these regulatory requirements, the generator use proposed by the cannabis operations is not expected to result in significant emissions of PM10.

The greatest potential for PM10 emissions from the proposed projects would occur from vehicle traffic on the onsite unpaved access roads. As indicated above, this level of traffic (24 vehicle/truck trips daily at peak) would be like the amount generated by four single-family residences. The use of unpaved roads for access to 4-8 residential units would not typically be considered to generate substantial quantities of fugitive dust and exceed the emissions thresholds for PM10 in NCUAQMD Rule 110 (80 lbs/day and 15 tons/year). The zoning of the project parcels and many of the surrounding properties permits private residential uses, as well as residential uses in support of agriculture or timber management. The number of potential vehicle trips associated with these uses can be viewed to be like the proposed cannabis operations on the project parcels as well as consistent with the allowed agricultural activities. Therefore, the resulting emissions have been considered as part of the regulatory baseline, which already anticipates and allows for private residential development within these areas. As such, it is expected that the fugitive dust generated from using unpaved roads for the proposed cannabis operations would not result in a cumulatively considerable net increase of PM10.

As discussed above, Mitigation Measure AQ-1 has been included for the project to control fugitive dust during construction activities. This mitigation measure is consistent with the recommended burning control strategy related to open burning in the NCUAQMD PM10 Attainment Plan.

Therefore, the proposed projects as designed, mitigated, and in compliance with existing regulatory requirements, would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment, and impacts would less than significant with mitigation incorporated.

c) **Finding:** Expose sensitive receptors to substantial pollutant concentrations? **Less than significant impact**.

Discussion: Sensitive receptors (e.g., children, senior citizens, and acutely or chronically ill people) are more susceptible to the effect of air pollution than the general population. Land uses that are considered sensitive receptors typically include residences, schools, parks, childcare centers, hospitals, convalescent homes, and retirement homes. The

project parcels are surrounded by agricultural land, timberland, rural residential uses, and cannabis cultivation operations. The nearest sensitive receptors (residences) are located approximately ¼-mile from the proposed cultivation areas.

Construction

Construction of the improvements for the proposed cannabis operations would involve the use of diesel-powered equipment that emit diesel particulate matter. Sensitive receptors within the immediate vicinity of construction activities would be at the greatest risk for exposure to heavy equipment emission diesel exhaust during construction. Concentrations of mobile source emissions of diesel particulate matter are typically reduced by 60 percent at approximately 300 feet (Zhu et al., 2002) and 70 percent at approximately 500 feet (CARB, 2005). Due to the short-term duration of the proposed construction activity and the distance to the nearest residences (¼-mile), it is not anticipated that sensitive receptors in the project area would be subject to substantial pollutant concentrations.

Operation

The operation of the proposed cannabis projects would not include any major sources of toxic air contaminants. Limited amounts of diesel particulate matter may be generated by mobile (e.g., light-duty equipment such as pickup trucks or quads) and stationary equipment (e.g., emergency generators). As discussed above, diesel particulate matter is typically reduced by 70 percent at 500 feet (CARB, 2005). The closest sensitive receptors are approximately 0.25 miles from the proposed cultivation areas and are, therefore, not expected to be subject to substantial concentrations of diesel particulate matter.

As part of the proposed cultivation activity, pesticides could possibly be used. Pesticide application is often required to be administered a minimum of 300 feet from sensitive receptors (e.g., residences) in the case of dry pesticides and 200 feet in the case of wet pesticides. Generally, pesticide application should occur at low wind velocities (less than 10 mph). The closest sensitive receptors are approximately 0.25 miles from the proposed cultivation areas and are, therefore, not expected to be subject to substantial concentrations of pesticides.

Additionally, the CMMLUO and CCLUO require a 300-foot setback between cultivation areas and adjacent residences. In the environmental review conducted for the adoption of these ordinances, the County has determined that this setback is adequate to ensure that residences are not subject to substantial pollutant concentrations. Since the nearest sensitive receptors are approximately 0.25 miles from the proposed cultivation areas, this finding is also applicable to the proposed projects.

Therefore, the proposed projects will not expose sensitive receptors to substantial pollutant concentrations, and impacts would be less than significant.

d) **Finding**: Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? **Less than significant impact**.

Discussion: Considering the distance from the proposed cultivation areas to the nearest residences (0.25 miles), the use of exhaust-emitting equipment for the construction and operation of the proposed projects would not result in the exposure of a substantial number of people to objectionable odors.

During long-term operation of the proposed cannabis operations, there is the potential for the generation of objectionable odors in the form of cannabis cultivation, drying, and processing activities. The potential for odors to be perceived and considered objectionable depends on the size of a cannabis operation, the receptors, the strain of cannabis being cultivated/processed, the presence of nearby vegetation, and topographic and atmospheric conditions. As a result, an appropriate buffer distance at which odors could not be perceived is dependent on site-specific conditions. Project design and project location elements that would minimize potential odor impacts from cannabis activities include: 1) rural location and size of the project parcels (812 acres); 2) low-density of residences or other sensitive receptors near the project parcels; 3) nearest residences are approximately 0.25 miles from the proposed cultivation areas and there is intervening vegetation and topography; and 4) other surrounding properties with residences are also conducting cannabis cultivation activities and would be more accustomed to the odor of cannabis than the general public. Based on these factors, it is not anticipated that the proposed projects would result in the exposure of a substantial number of people to objectionable odors from cannabis cultivation, drying, and processing.

If the proposed cannabis operations were to burn excess plant material from the cultivation and processing activities, there is a greater potential for the odors to be detected by nearby receptors and for the odors to be considered objectionable. Burning plant matter and green waste is prohibited by the CMMLUO and CCLUO.

Therefore, based on the location and design of the proposed projects and the proposed mitigation, the proposed cannabis operations will not create objectionable odors affecting a substantial number of people, and impacts would be less than significant with mitigation incorporated.

Mitigation:

AQ-1. Dust Control Measures. During construction activities, the following dust control measures shall be implemented to reduce fugitive dust generation:

a) All active construction areas (e.g., staging areas, soil stockpiles, graded areas, etc.) shall be watered a minimum of two times per day during the dry season.
b) Hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
c) Dust-generating activities shall be limited during periods of high winds (over 15 mph).
d) All haul trucks transporting soil, sand, or other loose material, likely to give rise to airborne dust, shall be covered.
e) All vehicle speeds shall be limited to 15 miles per hour within the construction area.
f) Promptly remove earth or other tracked out material from paved streets onto which earth, or other material has been transported by trucking or earth-moving equipment.
g) Access of unauthorized vehicles onto the construction site during non-working hours shall be prevented.

Findings:

The project would have **Less Than Significant Impact with Mitigation Incorporated** on Air Quality.

13.4 BIOLOGICAL RESOURCES Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Have a substantial effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local of regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan,	☐	☐	☐	☒

Natural Community, Conservation Plan,
or other approved local, regional, or
State habitat conservation plan?

Setting:
The project parcels (APNs 210-071-001, 210-062-007, 210-054-008) total approximately 812-acres and are in the unincorporated Larabee Valley area in eastern Humboldt County. Two of the project parcels (APNs 210-071-001 and 210-054-008) have frontage on State Route 36. The project parcels have historically and are currently used for livestock grazing and timberland production. Portions of the project parcels are developed with existing roads, barns, two residences, accessory buildings, PGE electrical infrastructure, ponds, wells, and existing cannabis cultivation activities. The projects propose to develop portions of the project parcels for agricultural production, including the development of additional infrastructure for 174,240 square feet (4 acres) of new outdoor commercial cannabis cultivation, relocation of 20,000 square feet of existing outdoor commercial cannabis cultivation and accessory uses, and an additional 36,256 square feet of existing commercial cannabis cultivation. The project includes 22,650 square feet of ancillary nursery and various other accessory structures for storage and processing. The project parcels are surrounded by agricultural land, timberland, rural residential uses, and cannabis cultivation activities.

The climate in the project area is typical of northern California with warm, dry summers, and cool, wet winters. Annual average precipitation in the vicinity of the project parcels is approximately 68 inches of rain and 20 inches of snow per year. Elevations at the project parcels range from 2,475 to 3,850 feet above sea level with very gentle to steep slopes. The aspect of the parcels varies but is primarily east facing.

According to and Aquatic Resources Delineation Report (Foster Consulting, 2019, **Appendix 4**), approximately 4.853 acres of potentially jurisdictional aquatic resources were identified in the study area consisting of 14 streams, 3 ponds, and 6 wetlands. A total of 1.861 acres of wetlands were identified in the study area consisting of wetland swales (0.464 acres), emergent wetlands (0.147 acres), and seasonal wetlands (1.125 acres). Three types of non-wetland waters were identified and mapped in the study area consisting of intermittent streams (2.013 acres), ephemeral streams (0.134 acres), and ponds (0.845 acres).

A Biological Assessment (**Appendix 10**) was prepared for all three project parcels by Kelsey McDonald in 2019. The Biological Assessment evaluated habitats and potentially occurring special-status animals on the project parcels identified potential impacts of cannabis-related activities on biological resources. A list of special-status animal species was downloaded from CNDDB for the Larabee Valley 9-quad area. Potential habitats on the parcel and within the Biological Assessment Area for species occurring in the in the 9-quad areas were evaluated. The potential for the project to impact each species was evaluated based on the potential for the

species to occur in the study area and sensitivity of the species to potential loss of habitat, disturbance, or other effects of operations. Surveys and mitigations needed are specified for species that could incur significant impacts. Attachment A in the Assessment contains a vegetation map showing the CALVEG (Classification and Assessment with LANDSAT of Visible Ecological Groupings) dominant vegetation alliances for the parcels and surrounding area, which was used to assess habitat in the surrounding area. Attachment B in the Assessment shows nearby occurrences of special status taxa as mapped in CNDDB. In Section 4.3.2 of the Assessment, potential impacts are evaluated for potentially occurring threatened, endangered, rare and sensitive animal species that have been documented in the surrounding 9-quad area. Other species with potential habitat in the surrounding area were added to the list for consideration.

A Botanical Survey was prepared for the project site by Kelsey McDonald in 2019 (**Appendix 11**). Surveys were spread throughout the spring and summer to identify early blooming and late-blooming species. Surveys covered cultivation areas, roads, and other areas potentially affected by cannabis-related activities on the property. Approximately 55 field hours were spent on surveys. Surveys included systematic assessment of all potential habitats in the area based on maps, aerial photos, and visible environmental features such as canopy cover, slope, soil texture, aspect, hydrologic features, and associated vegetation. This survey protocol is based on the Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. Attachment A in the Report contains a list of potential rare and limited-distribution plants found within the 9-quad area from CDFW BIOS and CNPS Inventory of Rare and Endangered Plants. Attachment B in the Report provides details on potential rare plants. Attachment C in the Report contains photos of the property, including photos of vegetation communities and other observations. Attachment D in the Report lists all plants identified from botanical surveys. Attachment E in the Report contains a map of the botanical survey routes, a USFS CalVeg Vegetation Map, and a NRCS Custom Soil Map. Attachment F in the Report contains rare plant rank definitions. No threatened, endangered, or CNPS rare plants on list 1 or 2 were found on the project parcels during botanical surveys.

Raptor surveys (**Appendix 12**) were conducted on project parcels by Hohman and Associates in May 2019. A suspected Red-tailed Hawk nest location was reported to exist on APN 210-062-007, over 1 kilometer from the proposed project improvements. Additionally, red-shouldered hawk and red-tailed hawk calls were heard several times on the property. Northern Spotted Owl (*Strix occidentalis caurina*) protocol surveys (USFWS, 2012) were conducted by Tallman Wildlife & Forestry in 2019 and 2020 (**Appendix 13**). This included nine survey stations positioned throughout the three project parcels with survey coverage out to 0.7 miles, which resulted in no Northern Spotted Owl responses or observations.

The project area is primarily mixed coniferous forest dominated by Douglas fir (*Pseudotsuga menziesii*) and tanoak (*Notholithocarpus densiflorus*) (Rank G3 S3), with large meadows that

support many native species and a fringe of high-quality oak woodlands. Serpentine outcrops also occur on the property, and these areas support a diversity of uncommon native plants that are specially adapted to these conditions. Lower elevation areas contain open grasslands, riparian woodlands, and seasonal and perennial wetlands mapped by Wetland Ecologist Jonathan Foster (Foster Consulting, 2019).

Section 55.4.11 of the CMMLUO provide noise standards specific to cannabis uses, including generator use. As stated in this section: "*The noise produced by a generator used for cannabis cultivation shall not be audible by humans from neighboring residences. The combined decibel level for all noise sources, including generators, at the property line shall be no more than 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species, when generator use is to occur in the vicinity of potential habitat. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary"* (Humboldt County 2016). This standard was further clarified in Department Policy Statement 16-005 which requires a noise standard for generators to be 50dB at 100 feet or forest edge, whichever is closer. PLN-12402-CUP, PLN-12410-CUP, PLN-12413-CUP, and PLN-12991-CUP are subject to the CMMLUO.

Section 55.4.12.6 of the CCLUO sets performance standards for noise at 3dB above ambient noise levels. A nose assessment was provided in **Appendix 7**. PLN-12003-CUP and PLN-12398-CUP are subject to the CCLUO.

Both the CMMLUO and CCLUO require adherence to Dark Sky standards for light pollution.

Analysis:

a) **Finding:** Have a substantial effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? **Less than significant impact with mitigation incorporated.**

Discussion: The project is proposed to occur on rural ranch land in Larabee Valley that was historically and is currently used for livestock grazing and timberland production. The project parcels are zoned Agriculture Exclusive (AE) and Timberland Production Zone (TPZ) (Humboldt County, 2021). The project parcels are surrounded by agricultural land, timberland, rural residential uses, and cannabis cultivation activities. Portions of the project parcels are developed with existing roads, barns, a residence, accessory buildings, electrical infrastructure (APN 210-054-008), ponds, wells, and existing cannabis cultivation activities.

Less Than 3 Acre Conversion Mitigation Plans have been implemented for APNs 210-071-001 and 210-062-007 (**Appendix 8**) but need a monitoring report from a registered professional forester. A Cannabis Cultivation Restoration Plan will be implemented for APN 210-054-008 (**Appendix 9**). Compliance with the regulatory requirements described in the Settings section and implementation of the mitigation and restoration plans will reduce potential impacts of past development on the project parcels and improve habitat conditions for special status animal species and native plants.

Potentially Present Special Status Species

Based on the Biological Assessment prepared by Kelsey McDonald (**Appendix 10**), one special-status animal species has been observed on the project parcels, the western pond turtle (*Emys marmorata*). Several other special-status animal species have the potential to occupy the project parcels based on the available habitat. According to the Botanical Survey Report prepared by Kelsey McDonald (**Appendix 11**), no Threatened, Endangered, or CNPS rare plants on list 1 or 2 were found during botanical surveys at the project site.

Due to the potential for special-status species to exist at the project site, the Biological Assessment provided several recommendations for additional biological surveys or mitigation measures to minimize potentially significant impacts. The Table below lists the surveys that have already been completed and the mitigation measures that must be implemented to reduce impacts of the proposed projects to less than significant.

Recommended Biological Surveys and Mitigation Measures

Survey/Mitigation	Description	Status/Timing
Wetland Delineation and Setbacks	A wetland delineation has been completed and all sites have been designed to meet the wetland setbacks required by the SWRCB Cannabis General Order.	Completed by Foster Consulting in 2019.
Botanical Surveys	Botanical surveys were completed based on the Protocol for Surveying and Evaluating Impacts to Special Status native Plant Populations and Natural Communities (CDFW, 2018).	Completed by Hohman and Associates in 2019.
Raptor Scan	The area will be surveyed for nesting/roosting raptors by scanning the property and surrounding area from a prominent location.	Completed by Hohman and Associates in 2019-2022.
Nesting Bird Survey	The footprint of the project will be searched for nesting birds prior to any vegetation removal.	Surveys will occur prior to any additional clearing of native vegetation between Feb

		1 and Aug 31. This has been included as Mitigation Measure BR-1 for the proposed projects.
Northern Spotted Owl (NSO) Surveys	USFWS Northern Spotted Owl Protocol surveys (2012).	Completed by Tallman Wildlife & Forestry in 2019- 2022.
Foothill Yellow Legged Frog (FYLF) Visual Encounter Survey	An individual qualified to identify FYLF adults, tadpoles, and eggs shall walk at least 100 feet upstream and downstream of any crossings while visually scanning for FYLF and other amphibians. Any amphibians encountered shall be identified to species level and documented.	Completed by SHN in 2020 during the CESA candidacy period, which has since ended. The local population ('North Coast Clade') was determined unwarranted for listing and continued surveys at this level are not expected to be required by CDFW.
American Bullfrog Surveys	The American bullfrog (*Lithobates catesbeianus*) is an invasive non-native species in California and poses a significant threat to California's native fish and wildlife resources. Ponds that are not completely drawn down by the end of the dry season must be surveyed for invasive American Bullfrogs.	Surveys will occur if ponds are not completely drawn down by the end of the dry season annually. This has been included as Mitigation Measure BR-2 for the proposed projects.
Restoration, Invasive Plant Removal, and Monitoring	Remediation areas shall be restored by planting native vegetation and removing invasive plants	Restoration, invasive plant removal, and monitoring.

The Biological Assessment does not identify the potential for marbled murrelet to occur in the vicinity of the projects. Northern spotted owl (NSO) may potentially occur within the forested portions of the project parcels and operations might be a source of disturbance within potential breeding and foraging habitat. Three years of protocol NSO surveys resulted in no NSOs detected within 0.7 miles of the project parcels and ongoing. However, there is the potential for NSO to move into the project area due to the availability of breeding and foraging habitat.

According to the USFWS auditory disturbance guidance (USFWS, 2020), disturbance occurs when sound levels resulting from project-based sound sources exceed ambient conditions by relatively substantial levels, or when those sound sources exceed a high absolute threshold. This guidance document includes steps to determine the estimated distance to disturbance based on pre-project ambient sound levels, anticipated sound levels of project -related activities or equipment, and project site topographic features that may contribute to amplification or attenuation of noise. In this guidance document, "*Moderate*" sound levels are defined as:

> "*Typically 71-80 dB, generally characterized by the presence of passenger vehicles, small trail cycles (not racing), small gas-powered engines (e.g., lawn mowers, Stihl 025 chainsaws, 25 KVA or less generators, and power lines)*."

According to the guidance document, if pre-project ambient sound levels are less than 50 decibels and project generated noise levels are 71-80 decibels (measured 50 feet from the source), the disturbance distance is estimated at out to 165 feet from the noise source. If pre-project ambient noise levels are already between 51 and 90 decibels and project generated noise levels are 71-80 decibels (measured 50 feet from the source), the disturbance distance is estimated at out to 0 feet from the noise source (no noise effect at any distance).

To ensure that the use of generators by the proposed projects comply with the CMMLUO noise standards and the USFWS auditory disturbance guidance, the requirement for generators to be housed within an enclosed structure that provides adequate sound attenuation has been included as Mitigation Measure BR-4 for the proposed projects.

Therefore, with implementation of the proposed mitigation measures and Site Management Plans, the proposed projects will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS. Therefore, impacts would be less than significant with mitigation incorporated.

b) **Finding:** Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local of regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? ***Less than significant impact with mitigation incorporated***.

Discussion: According to the Aquatic Resources Delineation Report (**Appendix 10**), approximately 4.853 acres of potentially jurisdictional aquatic resources were identified in the study area consisting of 14 streams, 3 ponds, and 6 wetlands. A total of 1.861 acres

of wetlands were identified in the study area consisting of wetland swales (0.464 acres), emergent wetlands (0.147 acres), and seasonal wetlands (1.125 acres). Three types of non-wetland waters were identified and mapped in the study area consisting of intermittent streams (2.013 acres), ephemeral streams (0.134 acres), and ponds (0.845 acres).

The projects do not propose any improvements that will have an adverse effect on the federally protected (3-parameter) seasonal wetlands or other jurisdictional areas identified in the Aquatic Resources Delineation Report (Foster Consulting, 2019). As shown on the project plans prepared for the three project parcels (**Appendix 1**) and the Cannabis Cultivation Restoration Plan for APN 210-054-008 (**Appendix 9**), the project has been designed to comply with the stream and wetland setbacks in the State Water Resources Control Board (SWRCB) Cannabis General Order. These regulations require a 100-foot setback from Class II intermittent watercourses or wetlands and a 50-foot setback from ephemeral watercourses (SWRCB, 2019).

The project area is primarily mixed coniferous forest dominated by Douglas fir (*Pseudotsuga menziesii*) and tanoak (*Notholithocarpus densiflorus*) (Rank G3 S3), with large meadows that support many native species and a fringe of high-quality oak woodlands. Most oak woodlands on the property are highly diverse, with black oak (*Quercus kellogii*), canyon live oak (*Quercus chrysolepis*), Oregon white oak (*Quercus garryana*), and madrone (*Arbutus menziesii*). (G4 S4), with some areas of strong Oregon white oak dominance (G4 S3). The invasive species management mitigation will reduce the potential for the establishment of invasive plant species in riparian habitat areas on the project parcels. This has been included as Mitigation Measure BR-3 for the proposed project.

Therefore, the project as proposed, mitigated, and in compliance with existing regulatory requirements, will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Therefore, impacts would be less than significant with mitigation incorporated.

c) **Finding:** Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? ***Less than significant impact.***

Discussion: According to the Aquatic Resources Delineation Report (**Appendix 4**), a total of 1.861 acre of wetlands were identified in the study area consisting of wetland swales (0.464 acres), emergent wetlands (0.147 acres), and seasonal wetlands (1.125 acres).

The project does not propose any improvements that will have an adverse effect on the federally protected (3-parameter) wetlands or other jurisdictional areas identified in the Aquatic Resources Delineation Report (Foster Consulting, 2019). As shown on the project plans prepared for the three project parcels (**Appendix 1**) and the Cannabis Cultivation Restoration Plan for APN 210-054-008 (**Appendix 9**), the projects have been designed to comply with the wetland setbacks in the SWRCB Cannabis General Order and the County Streamside Management Areas and Wetlands Ordinance. These regulations require a 100-foot setback from wetlands (SWRCB, 2019) and 50 to 150 feet (County of Humboldt SMAO).

Therefore, the project as proposed and in compliance with existing regulatory requirements, will not have a substantial adverse effect on federally protected wetlands through direct removal, filling, hydrological interruption, or other means. Therefore, impacts would be less than significant.

d) **Finding:** Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? **Less than significant impact with mitigation incorporated**.

Discussion: Wildlife corridors on the project site include areas around the streams identified in the Aquatic Resources Delineation Report (**Appendix 4**). As shown on the project Site Plans and Restoration Plan (**Appendix 1 and 9**), the projects have been designed to comply with the stream and wetland setbacks in the State Water Resources Control Board Cannabis General Order and County Streamside Management Areas and Wetland Ordinance. No fencing or other physical features that may impede wildlife movement are proposed along the riparian corridors on the project parcels. Following recommendations from the Biological Assessment (**Appendix 10**), mitigation measure BR-3, requires removal of invasive plants, planting native vegetation, and removal of cannabis infrastructure in remediation/restoration to a pre-cultivation natural condition.

The shrubs and grasses within the project parcels could be used by nesting migratory birds. Nesting migratory birds are protected under the Federal Migratory Bird Treaty Act and the California Department of Fish and Wildlife (CDFW) code. Consistent with the recommendations from the Biological Assessment (McDonald, 2019), nesting bird surveys will occur for any vegetation clearing that is proposed to occur during the reproductive season. This has been included as Mitigation Measure BR-1 for the proposed project and will prevent potentially significant impacts to nesting migratory bird species.

Therefore, as designed, mitigated, and in compliance with existing regulatory requirements, the proposed projects will not interfere substantially with the movement

of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Therefore, impacts are considered less than significant with mitigation incorporated.

e) **Finding**: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? **Less than significant impact with mitigation incorporated**.

Discussion: This project does not conflict with local policies or ordinances protecting biological resources. The portions of the project involving existing cultivation have separate Site Management Plans filed with the State Water Resources Control Board.

In addition to the general biological resources policies in the 2017 General Plan, the County maintains Streamside Management Areas (SMAs) to protect sensitive fish and wildlife habitats and minimize erosion, runoff, and other conditions detrimental to water quality. The SMA extends 50-100 feet to both sides of any stream, depending on the location (inside or outside of an urban area) and the nature of the stream (perennial or seasonal) and may extend up to 200 feet to include riparian vegetation.

A Lake and Streambed Alteration Agreement (LSAA) exist for the existing cultivation operations, PLN-12003-CUP and PLN-12398-CUP. LSAA will be required for the new cultivation operations if requested by CDFW. Conditions of approval will require the applicant to comply with all CDFW standards to obtain and maintain the LSAA agreement.

As described above, the projects have been designed to comply with the stream and wetland setbacks in the State Water Resources Control Board (SWRCB) Cannabis General Order, which provides consistency with the policies of the Humboldt County General Plan (Section 10.3 – Biological Resources of the Conservation and Open Space Element) and requirements of the Streamside Management Areas and Wetlands Ordinance (County Code Section 314-61.1). Additionally, the mitigation measures required for the project will also provide consistency with County General Plan policies related to the protection of special status animal species and native plants.

Therefore, as designed, mitigated, and in compliance with existing regulatory requirements, the proposed projects will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, impacts would be less than significant with mitigation incorporated.

f) **Finding:** Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community, Conservation Plan, or other` approved local, regional, or State habitat conservation plan? **No impact**.

Discussion: According to the U.S. Fish & Wildlife Service Environmental Conservation Online System (ECOS), the project parcels are not located within the boundaries of a Habitat Conservation Plan. Habitat Conservation Plans in Humboldt County include the following: 1) Green Diamond Resource Company California Timberlands & Northern Spotted Owl (formerly Simpson Timber Company); 2) Humboldt Redwood Company (formerly Pacific Lumber, Headwaters); and 3) Regli Estates (USFWS, 2021).

According to the California Department of Fish & Wildlife (CDFW) website, the project site is not located in the boundaries of a Natural Community Conservation Plan. The conservation plans for Humboldt County listed on California Regional Conservation Plans Map on the CDFW website include the Green Diamond and Habitat Conservation Plans (CDFW, 2021).

Therefore, the proposed projects will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved plan applicable to the project area. Therefore, no impact would occur.

Mitigations:

BR-1. Nesting Bird Surveys. If project-related development activities cannot occur outside the bird (including raptors) nesting season (February 1 – August 31), the following steps shall be taken to prevent the abandonment of active nests:

a) A qualified biologist shall conduct surveys no more than 7 days prior to each phase of construction activity on the project parcels.
b) If an active nest is located during the survey, a no-disturbance buffer shall be established around the nest by the qualified biologist, in consultation with California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service.
c) Protective buffers (no-disturbance area around the nest) will be established at a distance determined by the biologist based on the nesting species, its sensitivity to disturbance, and type of and duration of disturbance expected. Protective buffers shall remain in place until young have fledged.
d) Construction activities outside buffers may proceed while active nests are being monitored, at the discretion of the qualified biologist. If active nests are found to be at risk due to construction activities, construction activities shall be delayed until the qualified biologist determines that the young have fledged.

BR-2. Bullfrog Management. Project ponds shall be completely drained in the dry season (September-October) or monitored for bullfrog presence on an annual basis with a minimum of five total surveys, no less than two weeks apart, throughout the months of May-July. If bullfrogs are encountered, removal efforts must be made that year.

BR-3. Invasive Plant Management, Restoration, and Monitoring Plan.
The following Invasive Plant Management must be followed for the life of the project:

a) Invasive plants around project areas should be monitored once or twice a year to remove black locust, Scotch broom, Himalayan blackberry, yellow star thistle, and bull thistle.
b) Native grass seed shall be applied to remediation sites such as California brome (*Bromus carinatus*), blue wild rye (*Elymus glaucus*), small fescue (*Festuca microstachys*), and tomcat clover (*Trifoium willdenovii*).
c) All bare soil is to be covered in straw mulch.

BR-4. Generator Sound Attenuation. To ensure that the use of generators by the proposed projects complies with the CMMLUO noise standards and the USFWS auditory disturbance guidance for Northern spotted owl, generators used by the proposed cannabis operations shall be housed in structures that provide adequate sound attenuation.

Findings:
The project would have **Less Than Significant Impact with Mitigation Incorporated** Biological Resources.

13.5 CULTURAL RESOURCES Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Setting:

Archaeological research in the north coast region of California has shown evidence of Native American occupation over the last 8,000 years. The project parcels are in an area of Humboldt County which historically was occupied by the Nongatl Tribe and later was part of a homestead established by Henry Larabee in the 1860's. By 1922, rancher Samuel H. Stockhoff had acquired the property and multiple others in the area, and by 1949 the property was part of the ranch of John M. and Mary L. Victoria, dairy ranchers who lived in Alton. Following the death of John Sr., his son John Victoria Jr. and his wife Ayn owned the property well into the modern period before splitting it into ranchettes in the 1980s. 4 Wheel Properties, LLC acquired the property in 2010. Separate Cultural Resource Investigations were completed for each project parcel, which are discussed below:

APN 210-071-001: In the winter of 2017 and fall of 2019, William Rich and Associates (WRA) conducted investigations for cultural resources on this parcel and prepared two Cultural Resource Investigation Reports. The investigation included a record search at the Northwest Information Center (NWIC), correspondence with the Native American Heritage Commission (NAHC), tribal representatives, and other knowledgeable individuals, and a comprehensive field survey over the entire project area encompassing approximately 117.2 acres. The survey resulted in an updated to known site P-12-001107 and the establishment of one new sites (WRA-

01, 02, and 03). A site visit by the Bear River Tribal Historic Preservation officer resulted in recommendations incorporated as mitigation measure CR-2.

APN 210-062-007: During the summer of 2018, Archaeological Research and Supply Company conducted investigations for cultural resources on this parcel and prepared a Cultural Resources Investigation Report. The investigation included a record search at the NWIC, correspondence with the NAHC, tribal representatives, and other knowledgeable individuals, and a comprehensive field survey over all areas of existing disturbance on the parcel (including 600-foot buffers and any slopes less than 35%). The investigation determined that no historic or prehistoric archaeological resources, or pre-existing resources, were identified on the parcel.

APN 210-054-008: During the winter and spring of 2018 William Rich and Associates investigated for cultural resources on this parcel and prepared a Cultural Resources Investigation Report. The investigation included a record search at the NWIC, correspondence with the NAHC, tribal representatives, and other knowledgeable individuals, and a comprehensive field survey over the entire project area. The investigation resulted in the identification of one isolated biface and an extension of the previously recorded site P-12-001106/CA-HUM-849.

Analysis:

a) **Finding:** The project will not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5. **Less than significant impact with mitigation incorporated**.

Discussion: The cultural resource investigations discussed in the Settings section resulted in an update to known resource areas and the identification of new isolate areas. There is always the possibility that previously unknown historic resources exist below ground surface. There is the potential for subsurface excavation activities to uncover previously unknown subsurface archaeological resources. Implementation of a standard cultural resource construction mitigation measure regarding inadvertent discovery, CR-1, would reduce potential impacts to a level that is less than significant. The implementation of mitigation measure CR-2 will protect known resource areas P-12-001106 and isolate areas WRA 01, 02, and 03.

Therefore, the proposed project as mitigated will not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 and impacts would be less than significant with mitigation incorporated.

b) **Finding:** The project will not cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5. **Less than significant impact with mitigation incorporated.**

Discussion: See discussion under subsection a) above.

The recommendation for implementation of an inadvertent discovery protocol has been included as Mitigation Measure CR-1 for the proposed project.

c) **Finding:** The project will not disturb any human remains, including those interred outside of formal cemeteries. **Less than significant impact with mitigation incorporated.**

Discussion: As discussed in the setting, separate Cultural Resource Investigation was completed for each project parcel. As indicated in the Cultural Resource Investigation Reports which included a records search at the NWIC, there are no known human remains on the project parcels. However, due to the potential to discover unknown human remains during the proposed construction activities, an inadvertent discovery protocol for human remains has been included as Mitigation Measure CR-1 for the proposed project.

Therefore, the proposed projects as mitigated will not disturb any human remains, including those interred outside of formal cemeteries, and impacts would be less than significant with mitigation incorporated.

Mitigation:

CR-1. Inadvertent Discoveries of Cultural Resources and Human Remains Protocol – Cultural Resources.

If cultural resources, such as lithic materials or ground stone, historic debris, building foundations, and/or human remains are discovered during ground-disturbance activities, work shall be stopped within 20 meters (66 feet) of the discovery, per the requirements of CEQA (January 1999 Revised Guidelines, Title 14 CCR 15064.5 (f)). Work near the archaeological finds shall not resume until a professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines, has evaluated the materials and offered recommendations for further action.

Prehistoric materials which could be encountered include obsidian and chert debitage or formal tools, grinding implements (e.g., pestles, hand stones, bowl mortars, slabs), locally darkened midden, deposits of shell, faunal remains, and human burials. Historic materials which could be encountered include ceramics/pottery, glass, metals, can and bottle dumps, cut bone, barbed wire fences, building pads, structures, trails/roads, etc.

If human remains are discovered during project construction, work would stop at the discovery location, within 20 meters (66 feet), and any nearby area suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner would be contacted to determine if the cause of death must be investigated. If the coroner determines

that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner would contact the NAHC. The descendants or most likely descendants of the deceased would be contacted, and work would not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.

CR-2. Updated Site P-12-001107 and Isolate Areas WRA 01, 02, and 03

Additional consultation with the Bear River Band of the Rohnerville Rancheria resulted in the following mitigation:

a) Updated Site P-12-001107 setback reduction is allowed. The cannabis project must occur at least 100 feet from the resource boundary.
b) Isolate Areas WRA 01, WRA 02, and WRA 03 can be used if there is no ground disturbance and the areas are capped. Capping means adding 6 inches of base rock.
c) Existing Barn Within P-12-001107 can be used for drying if there is no ground disturbance of surrounding areas. Existing parking, areas and roads are to be capped with 6 inches of base rock. Use of barn for trimming is not allowed because of ground disturbance from required ADA parking spaces and septic system.

Findings:

The project would have **Less Than Significant Impact with Mitigation Incorporated** for Cultural Resources.

13.6 ENERGY Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☒	☐	☐
b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?	☐	☒	☐	☐

Setting:
In Humboldt County, energy is used as a transportation fuel and as electrical and heat energy in homes, businesses, industries, and agriculture. Most of the energy used in Humboldt County is imported, except for biomass energy. Although most of the electricity is generated in the county, a large portion of it is generated using natural gas. The county imports about 90% of its natural gas; the rest is obtained locally from fields in the Eel River valley (Schatz Energy Research Center, 2005). Essentially all the county's transportation fuels are imported.

Humboldt County is remotely located at the end of the electrical and natural gas supply grids, and this limits both energy supply options and system reliability. PGE owns the natural gas and electricity transmission and distribution systems in Humboldt County. There is one major natural gas supply line that serves the county and four electrical transmission circuits (Schatz Energy Lab, 2005).

Below is a description of the existing energy infrastructure on the project parcels:

APN 210-071-001: PGE and proposed solar infrastructure will be used for nursery, well, and irrigation. An emergency generator will also be onsite.

APN 210-062-007: A solar system is proposed reserving generators for emergency use only.

APN 210-054-008: This parcel is currently served by an existing Pacific Gas and Electric (PGE) service line, proposed solar and one emergency generator.

Analysis:

a) **Finding:** Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? **Less than significant impact.**

Discussion:

Energy consumption associated with the proposed projects will occur during both the construction and operational activities.

Construction

During construction of the proposed projects, energy would be consumed in the form of petroleum-based fuels used to power off-road construction vehicles and equipment on the project parcels, construction worker travel to and from the project parcels, as well as delivery truck trips.

Any relevant vehicle or machine use associated with the project will be subject to CARB standards. The CARB In-Use-Off-Road Diesel Vehicle Regulation applies to certain off-road diesel engines, vehicles, or equipment greater than 25 horsepower. The regulations: 1) imposes limits on idling, requires a written idling policy, and requires a disclosure when selling vehicles; 2) requires all vehicles to be reported to CARB (using the Diesel Off-Road Online Reporting System, DOORS) and labeled; 3) restricts the adding of older vehicles into fleets starting on January 1, 2014; and 4) requires fleets to reduce their emissions by retiring, replacing, or repowering older engines, or installing Verified Diesel Emission Control Strategies, VDECS (i.e., exhaust retrofits). The requirements and compliance dates of the Off-Road regulation vary by fleet size, as defined by the regulation.

There are no unusual project characteristics that would necessitate the use of construction equipment or practices that would be less energy efficient than at comparable construction sites in the region or State. Therefore, it is expected that construction energy consumption associated with the proposed projects would not be any more inefficient, wasteful, or unnecessary than other similar construction projects of this nature.

Operation

During operation of the proposed cannabis projects, energy would be directly consumed for lighting, space heating and cooling, mobile and stationary equipment use, and electric powered facilities. Indirect energy consumption would be associated with the generation of electricity at power plants and other energy facilities for those operations that connect

to the electrical grid. Transportation-related energy consumption includes the use of fuels to power vehicles/trucks transporting materials and employees to the project parcels. Fuels consumed during operation of the projects would include gasoline, diesel, and propane.

One sources of energy use from cannabis cultivation is the use of lights in nurseries and fans for temperature control. Another potential source of significant energy use from cannabis operations is transportation-related energy consumption. Some of the cannabis operations in the County are located several miles off major roadways, which can significantly increase the vehicle miles traveled and fuel consumption for transportation to and from the operations. Two of the project parcels (APNs 210-071-001 and 210-054-008) have near proximity to State Route 36 and most activities proposed by the cannabis projects will be near the highway.

As required by State regulations, new buildings constructed for the proposed projects (e.g., processing buildings, cabin, etc.) would be required to meet the most recently adopted edition of California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24, Part 6, of the California Code of Regulations), which will reduce energy use associated with the long-term operation of the projects. It has generally been the presumption throughout the State of California that compliance with Title 24, as well as compliance with other federal and State regulations, ensures that projects will not result in the inefficient, wasteful, and unnecessary consumption of energy.

The project parcels that are connected to the electrical grid APNs 210-071-001 and 210-054-008 would also be installing solar power. These parcels will contain most of the cannabis activities proposed by the projects. 210-062-007 would also be installing a solar energy system.

Therefore, based on the location, design, compliance with State regulations, and provision of electrical service, construction and operation of the proposed projects would not result in inefficient, wasteful, and unnecessary use of energy. Therefore, impacts would be less than significant.

b) **Finding:** Conflict with or obstruct a State or local plan for renewable energy or energy efficiency? **Less than significant impact.**

Discussion: see discussion in section 1) above.

Therefore, the proposed projects as designed, in compliance with State regulations, and being provided electrical service via solar power and PGE as well as reserving generator

use for emergencies only, would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Therefore, the proposed projects would result in a less than significant impact.

Mitigation:
None required.

Findings:
The project would have **Less Than Significant Impact** for Energy.

13.7 GEOLOGY AND SOILS Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☒	☐
i) Rupture of a known earthquake, fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publications 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially	☐	☐	☒	☐

result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic features.	☐	☐	☒	☐

Setting:

The project parcels are in Larabee Valley, an alluvial terrace along State Route 36 in eastern Humboldt County. Mountainous areas encircle the valley. To the northwest is McClellan Mountain (elevation 3,042 feet), a high point in the ridge that runs eastward to the South Fork Van Duzen Canyon. Buck Mountain (elevation 5,199 feet) lies east of the river canyon and forms the high point of the mountains east of the valley. The western and southern edges of the valley are bounded by the Larabee Buttes (highest elevation 4,237 feet) (WRA, 2018a). The project parcels have varying topography that ranges from relatively flat valley grasslands in Larabee Valley to sloping forested hillsides near the Larabee Buttes. Elevations on the project parcels range from approximately 2,475 to 3,850 feet.

Regional geology is within the Franciscan Range and incorporates a wide variety of rock types. Published geologic maps of the project parcels indicate that most of the proposed cannabis activities would be located on a Quaternary age alluvial terrace. The terrace represents the valley floor of Larabee Valley and consists of valley fill sediments (intermixed alluvium and slope-

derived colluvium). As the site occurs along the western margin of the valley, the sediments underlying the site are expected to be associated with a higher concentration of slope-derived colluvial materials. Sediments originating on surrounding slopes are derived from Franciscan Complex materials (SHN, 2020).

According to the Humboldt County Web GIS system, the geologic conditions on the project parcels include the following (Humboldt County, 2020):

- Not located within an Alquist-Priolo Special Studies Zone
- The closest fault zone is the Eaton Roughs fault zone approximately 4 miles to the east.
- Not located within areas of potential liquefaction
- The flat valley grasslands are rated as low instability, and the sloping hillsides are rated as high instability.
- No historical landslides are mapped within the project parcels.

Regional soils are typically acidic clay loams due to the presence of dense forests throughout time. The open grassland/oak woodland areas generally harbor a more balanced pH clay loam soil. The project parcels are within a typically balanced open prairie and acidic forested zone of the Franciscan Range (ARSC, 2018). According to the USDA-NRCS Web Soil Survey, the project parcels contain soils classified as the following (USDA NRCS, 2021):

- Frostvalley-Mulecreek complex (1002)
- Pasturerock Coyoterock-Maneze complex (4426)
- Tannin-Burgsblock-Rockyglen complex (469)
- Rockyglen-Tannin complex (4416)
- Highyork-Elkcamp-Airstrip complex (4421)
- Chalkmountain-Hoagland complex (4418)

Most of the development proposed on the project parcels would occur on soils classified as Frostvalley-Mulecreek complex, Rockyglen-Tannin complex, and Pasturerock Coyoterock-Maneze complex. These soil complexes are well drained to moderately well drained and primarily consist of clay/gravelly loams.

Analysis:

a) i) **Finding:** Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving the rupture of a known earthquake, fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publications 42: **Less than significant impact**.

Discussion: Seismically induced ground rupture is defined as the physical displacement of surface deposits in response to an earthquake's seismic waves. The magnitude and nature

of fault rupture can vary for different faults or even along different strands of the same fault. Surface rupture can damage or collapse buildings, cause severe damage to roads and pavement structures, and cause failure of overhead as well as underground utilities.

According to the Humboldt County Web GIS system, the project parcels are not located within an Alquist-Priolo Earthquake Fault Zone. The closest fault zone is the Eaton Roughs fault zone approximately 4 miles to the east of the project parcels (Humboldt County, 2020). Since the project parcels are not traversed by a known active fault and are not within 200 feet of an active fault trace, surface fault rupture is not considered to be a significant hazard for the development proposed on the project parcels.

Therefore, the project will not expose people or structures to substantial adverse effects from a fault rupture, and a less than significant impact would occur.

a) ii) **Finding:** Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. **Less than significant impact.**

Discussion: The project parcels are located within a seismically active area of Northern California in which large earthquakes may be expected to occur during the anticipated lifespan of any development on the parcels. Great, very large earthquakes are possible. Strong seismic shaking is a regional hazard and is not specific to the site. According to the Humboldt County Web GIS system, the project parcels are not located within an Alquist-Priolo Earthquake Fault Zone. The closest fault zone is the Eaton Roughs fault zone approximately 4 miles to the east of the project parcels (Humboldt County, 2020).

The State of California provides minimum standards for building design through the California Building Code (CBC). Specific minimum seismic safety and structural design requirements are set forth in CBC Chapter 16. The CBC identifies seismic factors that must be considered in structural design. New development on the project parcels would be required to comply with State and local regulations related to seismic hazards (e.g., building codes and other applicable regulations). Adherence to existing State and County seismic building standards will avoid or significantly reduce potential impacts to people or structures from strong seismic ground shaking.

Therefore, the proposed projects would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. Therefore, impacts would be less than significant impact.

a) iii) **<u>Finding</u>:** Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction? **Less than significant impact.**

<u>Discussion</u>: Liquefaction is a phenomenon whereby unconsolidated and/or near-saturated soils lose cohesion and are converted to a fluid state as a result of severe vibratory motion. The relatively rapid loss of soil shear strength during strong earthquake shaking results in temporary, fluid-like behavior of the soil. Soil liquefaction causes ground failure that can damage roads, pipelines, underground cables, and buildings with shallow foundations.

According to the Humboldt County Web GIS system, the project parcels are not located within an area of potential liquefaction (Humboldt County, 2020). Adherence to existing State and County seismic building standards will avoid or significantly reduce potential impacts to people or structures from seismic-related ground failure, including liquefaction.

Therefore, the proposed projects will not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. Therefore, impacts would be less than significant.

a) iv) **<u>Finding</u>:** Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides: **Less than significant impact**.

<u>Discussion</u>: Slope failures, commonly referred to as landslides, include many phenomena that involve the downslope displacement and movement of material, either triggered by static (i.e., gravity) or dynamic (i.e., earthquake) forces. Earthquake motions can induce significant horizontal and vertical dynamic stresses in slopes that can trigger failure. Earthquake-induced landslides can occur in areas with steep slopes that are susceptible to strong ground motion during an earthquake. The youthful and steep topography of the coast range is known for its potential for landslides.

As noted in the setting, the project parcels have varying topography that ranges from relatively flat valley grasslands in Larabee Valley to sloping forested hillsides near the Larabee Buttes. Elevations on the project parcels range from approximately 2,475 to 3,850 feet. The majority of development proposed by the cannabis projects will occur on the relatively flat valley grasslands that are rated as low instability. Portions of the project, including the additional development proposed on APN 210-062-007, will occur in the higher elevation portions of the project parcels. According to the Humboldt County Web GIS system, no historic landslides are mapped within the project parcels (Humboldt County, 2020).

The State of California provides minimum standards for building design through the California Building Code (CBC). Specific minimum seismic safety and structural design requirements are set forth in CBC Chapter 16. The CBC identifies seismic factors that must be considered in structural design. Chapter 18 of the CBC regulates the excavation of foundations and retaining walls, while Chapter 18A regulates construction on unstable soils, such as expansive soils and areas subject to liquefaction. Appendix J of the CBC regulates grading activities, including drainage and erosion control. The CBC contains a provision that provides for a preliminary soil report to be prepared to identify "…the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects" (CBC Chapter 18 Section 1803.1.1.1). New development on the project parcels would be required to comply with State and local regulations related to seismic hazards (e.g., building codes and other applicable regulations). Adherence to existing State and county seismic building standards will avoid or significantly reduce potential impacts to people or structures from landslides.

Therefore, the proposed projects will not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides. Therefore, impacts would be less than significant impact.

b) **Finding:** The project will not result in substantial soil erosion or the loss of topsoil. **Less than significant impact**.

Discussion: The projects propose new development on the project parcels including, but not limited to, construction of greenhouses, buildings (e.g., processing buildings, etc.), infrastructure (e.g., water lines, septic systems, solar energy systems, etc.), and a water storage pond.

Construction

Construction of the improvements proposed by the projects would include grading, excavation, trenching, and other ground disturbing activities. The projects do not involve the removal of any major vegetation outside of the project footprints that could result in erosion. The proposed construction activities would be subject to the requirements of the Humboldt County Grading, Excavation, Erosion, and Sedimentation Control Ordinance (Section 331-12), which sets forth rules and regulations to control excavation, grading, and earthwork construction, including fills and embankments and erosion and sedimentation controls. In addition to providing a plan that identifies the location of the work, applications for grading permits shall also include a site-specific erosion and sediment control plan. The ordinance contains a list of minimum requirements for erosion

and sedimentation control. Grading activities are also required to conform to grading standards, including slope cut, fill material, setbacks, terracing, and drainage. If applicable, some of the projects may require obtaining a SWRCB Construction General Permit, which requires the development of a Stormwater Pollution Prevention Plan (SWPPP). In some cases, a SWPPP may be submitted to the County in lieu of the erosion and sediment control plan required by the grading ordinance. Adherence to existing County and State grading and erosion control regulations would prevent substantial soil erosion and the loss of topsoil from the proposed construction activities.

Operation

During operation of the proposed cannabis project, potential soil erosion and loss of topsoil would be prevented through compliance with State and county requirements. The CMMLUO and CCLUO require applicants to submit cultivation and operations plans that meets or exceeds legal standards for the management of runoff and erosion control, among other requirements. The projects will also be subject to the State Water Resources Control Board (SWRCB) Cannabis General Order, which requires the preparation of Site Management Plans that address erosion and sediment control, among other issues. As described in the Site Management Plans for each cannabis operation, the projects propose to implement best practical treatment or control (BPTC) measures listed in Attachment A of the State Water Resources Control Board (SWRCB) Cannabis General Order. These measures include BPTCs for erosion control. Adherence to existing County and State erosion control standards would prevent substantial soil erosion and the loss of topsoil from the proposed cannabis operations.

Therefore, the proposed projects would not result in substantial soil erosion, or the loss of topsoil and impacts would be less than significant.

c) **Finding**: The project will not be located on a geologic unit or soil that is unstable, or that would become unstable because of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. **Less than significant impact.**

Discussion: As noted in the setting, the project parcels have varying topography that ranges from relatively flat valley grasslands in Larabee Valley to sloping forested hillsides near the Larabee Buttes. Elevations on the project parcels range from approximately 2,475 to 3,850 feet. Most of the development proposed by the cannabis projects will occur on the relatively flat valley grasslands that are rated as low instability. Portions of the project, including the additional development proposed on APN 210-062-007, will occur in the higher elevation portions of the project parcels. According to the Humboldt County Web GIS system, no historic landslides are mapped within the project parcels and

the parcels are not located within an area of potential liquefaction (Humboldt County, 2020).

The State of California provides minimum standards for building design through the California Building Code (CBC). Specific minimum seismic safety and structural design requirements are set forth in CBC Chapter 16. The CBC identifies seismic factors that must be considered in structural design. Chapter 18 of the CBC regulates the excavation of foundations and retaining walls, while Chapter 18A regulates construction on unstable soils, such as expansive soils and areas subject to liquefaction. The CBC contains a provision that provides for a preliminary soil report to be prepared to identify "…the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects" (CBC Chapter 18 Section 1803.1.1.1). New development on the project parcels would be required to comply with State and local regulations related to seismic hazards (e.g., building codes and other applicable regulations). Adherence to existing State and County seismic building standards will avoid or significantly reduce potential impacts to people or structures from unstable soils, landslides, lateral spreading, subsidence, liquefaction, and/or collapse.

Therefore, the areas proposed for development on the project parcels will not become unstable because of the projects, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. Therefore, impacts would be less than significant.

d) **Finding:** The project will not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property. **Less than significant impact**.

Discussion: Expansive soils possess a "shrink-swell" characteristic. Shrink-swell is the cyclic change in volume (expansion and contraction) that occurs in fine-grained clay sediments from the process of wetting and drying. Structural damage may occur over a long period of time due to expansive soils, usually the result of inadequate soil and foundation engineering or the placement of structures directly on expansive soils.

According to the USDA-NRCSD Web Soil Survey, most of the development proposed on the project parcels would occur on soils classified as Frostvalley-Mulecreek complex, Rockyglen-Tannin complex, and Pasturerock Coyoterock-Maneze complex. These soil complexes are well drained to moderately well drained and consist of clay/gravelly loams (USDA NRCS, 2021).

The State of California provides minimum standards for building design through the California Building Code (CBC). Chapter 18A regulates construction on unstable soils, such

as expansive soils and areas subject to liquefaction. The CBC contains a provision that provides for a preliminary soil report to be prepared to identify "…the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects" (CBC Chapter 18 Section 1803.1.1.1). New development on the project parcels would be required to comply with State and local regulations related to geologic hazards (e.g., building codes and other applicable regulations). Adherence to existing State and County building standards will avoid or significantly reduce potential impacts to life or property from expansive soils.

Therefore, in compliance with existing regulatory requirements, the proposed projects will not be located on expansive soils creating substantial direct or indirect risks to life or property. Therefore, impacts would be less than significant impact.

e) **Finding:** The project will not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. **Less than significant impact.**

Discussion: The project parcels are in Larabee Valley, in an area of the County that is not served by a community or municipal wastewater system. APN 210-054-008 has an existing onsite wastewater treatment system (OWTS) that serves an existing residence. APN 210-071-001 has an existing onsite wastewater treatment system (OWTS) that serves an existing residence and an additional (OWTS) serving a small cabin. New OWTS are proposed on APNs 210-071-001. The suitability of these parcels for an OWTS is discussed below.

APN 210-071-001: An OWTS is proposed on this parcel to serve the proposed processing building. The OWTS is designed for up to 10 people and would be located on flat ground to the north/northwest of the proposed processing building. An OWTS Design Report was prepared for the proposed system by Lindberg Geologic Consulting (2021a). For preparation of the Report, subsurface exploration and materials testing was performed in January 2021. The explorations demonstrated that sufficient suitable area exists for development of a primary drain field for the OWTS, as well as a 100 percent reserve area. The materials testing determined that site soils are classified as Zone 2, which are adequate for supporting the use of an OWTS. Zone 2 soils provide adequate percolation rates and filtration of effluent. They are suitable for use of a conventional system without further testing. Based on the results of the exploration and testing, the Report indicates that there is sufficient area on site for either an infiltrator or a conventional gravel-filled trench OWTS. Therefore, the soils on parcel 210-071-001 are suitable for the development of an OWTS (Lindberg Geologic Consulting, 2021).

Therefore, the proposed projects will not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. Therefore, impacts would be less than significant.

f) **Finding:** Directly or indirectly destroy a unique paleontological resource or site or unique geologic features. **Less than significant impact.**

Discussion: The proposed project area is not located in an area considered likely to have paleontological resources present. Previous disturbance from cultivation has taken place at the project site. Fossils of plants, animals, or other organisms of paleontological significance have not been discovered within the project area, nor within the general vicinity. In this context, the project would not result in significant impacts to paleontological resources or unique geologic features. Therefore, impacts would be less than significant.

Mitigation:
No mitigations required.

Findings:
The project would have **Less Than Significant Impact** for Geology and Soils.

13.8 GREENHOUSE GAS EMISSIONS Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Generate greenhouse gas emission, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Setting:

Greenhouse gases (GHGs) are gases in the atmosphere that absorb and emit radiation. The greenhouse effect traps heat in the troposphere through a three-fold process, summarized as follows: short wave radiation emitted by the sun is absorbed by the Earth; the Earth emits a portion of this energy in the form of longwave (thermal) radiation, and GHGs in the upper atmosphere absorb and emit this longwave radiation into space and toward the Earth. This "trapping" of the longwave radiation emitted back toward the Earth is the underlying process of the greenhouse effect. Other than water vapor, the primary GHGs contributing to global climate change include the following gases:

- Carbon dioxide (CO2), primarily a byproduct of fossil fuel combustion in stationary and mobile sources.
- Nitrous oxide (N2O), a byproduct of fuel combustion and also associated with agricultural operations such as the fertilization of crops.
- Methane (CH4), commonly created by off-gassing from agricultural practices (e.g., livestock), wastewater treatment, and landfill operations.
- Chlorofluorocarbons (CFCs), which were used as refrigerants, propellants, and cleaning solvents, although their production has been mostly prohibited by international treaty.
- Hydrofluorocarbons (HFCs), which are now widely used as a substitute for chlorofluorocarbons in refrigeration and cooling.
- Perfluorocarbons (PFCs) and sulfur hexafluoride (SF6) emissions, which are commonly created by industries such as aluminum production and semiconductor manufacturing.

Global climate change is not confined to a particular project area and is generally accepted as the consequence of GHG emissions from global industrialization over the last 200 years. A typical project, even a very large one, does not generate enough GHG emissions on its own to influence global climate change significantly; hence, the issue of global climate change is, by definition, a cumulative environmental impact.

California passed Assembly Bill 32 (Global Warming Solutions Act) in 2006, mandating a reduction in greenhouse gas (GHG) emissions and Senate Bill 97 in 2007, evaluating and addressing GHG under CEQA. On April 13, 2009, the Governor's Office of Planning and Research (OPR) submitted to the Secretary for Natural Resources its proposed amendments to the State CEQA Guidelines for GHG emissions, as required by Senate Bill 97 {Chapter 185, 2007} and they became effective March 18, 2010. As a result of these revisions to the CEQA Guidelines, lead agencies are obligated to determine whether a project's GHG emissions significantly affect the environment and to impose feasible mitigation to eliminate or substantially lessen any such significant effects. A lead agency is not responsible for wholly eliminating all GHG emissions from a project; the CEQA standard is to mitigate to a level that is "less-than-significant" or, in the case of cumulative impacts, less than cumulatively considerable (SMAQMD, 2018).

The Global Warming Solutions Act (AB 32) also directed CARB to develop the Climate Change Scoping Plan (Scoping Plan), which outlines a set of actions to achieve the AB 32 goal of reducing GHG emissions to 1990 levels by 2020, and to maintain such reductions thereafter. CARB approved the Scoping Plan in 2008 and first updated it in May 2014. The second update in November 2017 also addresses the actions necessary to achieve the further GHG emissions reduction goal of reducing GHG emissions to 40 percent below 1990 levels by 2030, as described in Senate Bill 32 (SB 32). In addition, the 2017 Scoping Plan looks forward to the reduction goal of reducing emissions 80 percent under 1990 levels by 2050, as described in Executive Order S-3-05 (EO-S-3-05) (CARB, 2017). According to CARB, in 2019, emissions from GHG emitting activities statewide were 418.2 million metric tons of carbon dioxide equivalent ($MMTCO_2e$), 7.2 $MMTCO_2e$ lower than 2018 levels and almost 13 MMTCO2e below the 2020 GHG limit of 431 $MMTCO_2e$ (CARB, 2021).

The project parcels are in the North Coast Air Basin and are under the jurisdiction of the North Coast Unified Air Quality Management District (NCUAQMD). Neither Humboldt County nor the NCUAQMD have adopted quantitative thresholds for determining the significance of GHG emissions in environmental documents. In the absence of adopted thresholds specific to Humboldt County or the NCUAQMD, environmental practitioners often use the thresholds and guidance adopted by other air districts in the State.

In January 2012, as part of the General Plan Update, Humboldt County prepared a Draft Climate Action Plan (CAP) to reduce GHG emissions in the unincorporated County (Humboldt County 2012). The plan contains GHG reduction strategies designed to achieve the target of reducing

greenhouse gas emissions to 1990 emissions levels by 2020. The 2012 Draft CAP also set an additional target to achieve no net increase of GHG emissions compared to building-as-usual emissions from the 1984 General Plan for new residential development within the County by the year 2025. To comply with SB 32, the County is in the process of adopting a county-wide GHG emissions targets for the year 2030 (and possibly also 2040) as part of a Regional Climate Action Plan that will incorporate an updated 1990 GHG Inventory.

Analysis:

a) **Finding:** The project will not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. **Less than significant impact**.

Discussion: There are several unique challenges to analyzing GHG emissions and climate change largely because of the global nature of climate change. Most environmental analyses examine the "project specific" impacts that a particular project is likely to generate. Regarding global warming, however, it is generally accepted that while the magnitude of global warming effects is substantial, the contribution of an individual project is so small that direct project specific impacts are highly unlikely.

The projects propose to develop portions of the project parcels for agricultural production, including the development of infrastructure for a total of 56,256 square feet of existing commercial cannabis cultivation and 174,240 square feet (four acres) of new outdoor commercial cannabis cultivation. The project parcels are surrounded by agricultural land, timberland, rural residential uses, and cannabis cultivation activities.

As noted in the setting, neither the NCUAQMD nor Humboldt County has established thresholds of significance for evaluating a project's GHG emissions. Since there are no applicable thresholds for projects in the Air District or Humboldt County, environmental practitioners often use the thresholds and guidance adopted by other air districts in the State such as the Bay Area Air Quality Management District (BAAQMD). The BAAQMD has developed project screening criteria to provide lead agencies and project applicants with a conservative indication of whether a project could result in potentially significant impacts related to greenhouse gas emissions. Projects below the applicable screening criteria would not exceed the GHG threshold of 1,100 metric tons (MT) of CO_2e ($MTCO_2e$) per year established by the BAAQMD for land use projects, other than permitted stationary sources (BAAQMD, 2017). The 1,100 $MTCO_2e$ threshold is also used by several other air districts in northern California (e.g., Sacramento Metropolitan Air Quality Management District and Mendocino Air Quality Management District) and is one of the most used thresholds in the State for analyzing the potential impacts of construction and operational GHG emissions. However, the BAAQMD and other air district have not established screening criteria for agricultural uses such as crop production. The BAAQMD screening criteria focuses on residential, commercial, industrial, and public facility

projects. As noted in the CARB Scoping Plan, quantitative thresholds for the exchange of CO_2 between the atmosphere and California's natural and working lands (e.g., natural ecosystems and agricultural lands) have not been developed (CARB, 2017). Typical emission sources considered for quantitative thresholds of significance involve construction and ongoing operational emissions from stationary industrial projects with high rates of combustion emissions (e.g., refineries, power plants, other processing that uses industrial boilers) or the construction and increased power and transportation needs from newly constructed residential or commercial projects.

Construction

During construction of the proposed projects, GHGs would be emitted by construction equipment, haul trips transporting equipment and materials, and commute trips by construction workers. The construction activities required for development of the proposed improvements are not anticipated to generate a significant amount of GHG emissions. For comparison, a project proposing the construction of 100 single-family residences would fall well below the 1,100 $MTCO_2e$ annual threshold (CAPCOA, 2017).

Operation

During operation of the proposed projects, emissions of GHGs would occur from employee commute trips, trips from the import of materials and export of cannabis products, equipment use, and emergency generators. Electricity would be consumed for lighting, space heating, stationary equipment, and to power water pumps that would supply irrigation water for ancillary nursery operations. Due to the design, location, and nature of the proposed projects, it is not anticipated that the projects would result in the generation of substantial GHG emissions and would not have a significant impact on the environment.

Typically, the most significant source of GHG emissions from land use projects is mobile emissions. Some of the cannabis operations in the County are located several miles off major roadways, which can significantly increase the vehicle miles traveled and resulting GHG emissions for transportation to and from the operations. Two of the project parcels (APNs 210-071-001 and 210-054-008) have frontage or are very close to frontage, on State Route 36 and most activities proposed by the cannabis projects will be in proximity to the highway. As discussed in Section 13.17 - Transportation, the proposed projects are estimated to generate up to 24 trips per day. The number of trips and VMT from the project is minimal and would not be expected to generate significant GHG emissions. For comparison, a project that generates 300 daily trips would not exceed the 1,100 $MTCO_2e$ annual threshold (CAPCOA, 2017).

For cannabis cultivation activities, one of the more significant sources of energy use and GHG emissions is the use of artificial lighting. At full buildout of the proposed projects,

there will be approximately 5.83 acres of cultivation on the project parcels, including immature plant areas. Limiting the use of generators for emergencies only significantly reduces the potential GHG emissions from cultivation activities.

As required by State regulations, new buildings constructed for the proposed projects (e.g., processing buildings, etc.) would be required to meet the most recently adopted edition of California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24, Part 6, of the California Code of Regulations), which will reduce energy use and potential GHG emissions associated with the long-term operation of the projects.

The project parcels that are connected to the electrical grid (APNs 210-071-001 and 210-054-008) are provided with electricity from existing PGE. These parcels will contain most of the cannabis activities proposed by the projects. Additionally, it is proposed to install solar energy systems on APNs 210-071-001, 210-054-008 and 210-062-007 to provide onsite primary sources of renewable energy.

Therefore, based on the location, design, compliance with State regulations, and provision of electrical service from the applicants, construction and operation of the proposed projects will not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. Therefore, impacts would be less than significant.

b) **Finding:** The project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. **Less than significant impact.**

The projects are subject to a myriad of State and local regulations applicable to project design, construction, and operation that would reduce GHG emissions, increase energy efficiency, and provide compliance with the California Air Resources Board (CARB) Climate Change Scoping Plan (CARB, 2017). The State of California has the most comprehensive GHG regulatory requirements in the United States, with laws and regulations requiring reductions that affect project emissions. Legal mandates to reduce GHG emissions from vehicles, for example, reduce project-related vehicular emissions. Legal mandates to reduce per capita water consumption and impose waste management standards to reduce methane and other GHGs from solid wastes are all examples of mandates that reduce GHGs. It is noted that according to CARB, in 2019, emissions from GHG emitting activities statewide were 418.2 million metric tons of carbon dioxide equivalent ($MMTCO_2e$), 7.2 $MMTCO_2e$ lower than 2018 levels and almost 13 MMTCO2e below the 2020 GHG limit of 431 $MMTCO_2e$ (CARB, 2021).

As noted in the CARB Scoping Plan, quantitative thresholds for the exchange of CO_2 between the atmosphere and California's natural and working lands (e.g., natural ecosystems and agricultural lands) have not been developed (CARB, 2017). The CARB

Scoping Plan focuses on the rehabilitation and maintenance of natural and working lands to increase and/or maintain carbon sequestration as part of the state's climate solution. The Scoping Plan notes that natural and working lands have potential for carbon sequestration. The Scoping Plan also notes that some natural and working lands may be sources of GHG emissions; however, reductions in these emissions are not part of the state's strategy for achieving the longer-term GHG reductions targets for 2030 and 2050 (CARB, 2017).

As described above, due to the design, location, and nature of the proposed projects, it is not anticipated that the projects would result in the generation of substantial GHG emissions during either construction or operation. The potential GHG emissions from construction activities, vehicle trips, and electricity use would be minimal and are anticipated to fall below the 1,100 $MTCO_2e$ annual threshold used by the BAAQMD and other air districts in the State (e.g., MCAQMD, SMAQMD, etc.) to determine whether GHG emissions would be significant. As noted above, approximately 90% of the cultivation area at full buildout of the projects would occur without the use of artificial lighting, which significantly reduces the potential GHG emissions from cultivation activities. In addition, most of the the proposed cannabis activities would be provided electrical service through solar energy systems and existing PG&E on APNs 210-071-001, 210-054-008 and 210-062-007.

Therefore, the proposed projects will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs and impacts would be less than significant.

Mitigation:
None required.

Findings:
The project would have **Less Than Significant Impact** for Greenhouse Gas Emissions.

13.9 HAZARDS AND HAZARDOUS MATERIALS Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan	☐	☐	☐	☒

has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☒	☐

Setting:

Hazards are those physical safety factors that can cause injury or death, and while by themselves in isolation may not pose a significant safety hazard to the public, when combined with development of projects can exacerbate hazardous conditions. Hazardous materials are typically chemicals or processes that are used or generated by a project that could pose harm to people working at the site or in adjacent areas. Many of these chemicals can cause hazardous conditions to occur should they be improperly disposed of or accidentally spilled as part of project development or operations. Hazardous materials are also listed as hazardous pursuant to Government Code Section 65962.5.

The project parcels (APNs 210-071-001, 210-062-007, 210-054-008) cover approximately 812 acres and are in Larabee Valley, an unincorporated community in eastern Humboldt County. The project parcels are accessed from State Route 36 and have historically been used for livestock grazing and timberland production. The project parcels are surrounded by agricultural land, timber land, rural residential uses, and cannabis cultivation operations.

Government Code Section 65962.5 requires that the California Department of Toxic Substances Control (DTSC) compile and update a list of hazardous waste facilities; land designated as hazardous waste property; hazardous waste disposals on public land; sites that contain potential

hazards to public health, safety or the environment, the risk of fire or explosion, and toxic hazards; and all sites included in the Abandoned Site Assessment Program. This law is commonly referred to as the "Cortese List." CalEPA maintains a list of data resources ("Cortese List Data Resources") that provide information regarding facilities or sites identified as meeting the "Cortese List" requirements (CalEPA, 2021). These include the DTSC Envirostor database, State Water Resources Control Board (SWRCB) Geotracker database, a list of solid waste disposal sites from which there is a known migration of hazardous waste, and a list of cease-and-desist orders (CDO)/cleanup and abatement orders (CAO) for other sites where environmental releases have occurred. According to DTSC, the project parcels are not identified as containing hazardous materials contamination or the storage of hazardous materials (DTSC, 2021). According to the SWRCB, the project parcels are not identified as a LUST site or other cleanup site (SWRCB, 2021b). Additionally, according to the Cortese List Data Resources, there are no known sites within 1 mile of the project parcels that contain hazardous materials contamination.

The closest school to the project parcels is Bridgeville Elementary School, approximately 10 miles west of the project parcels on SR 36. The project parcels are not located within an airport land use plan and are not within two miles of a public airport or public use airport (Humboldt County, 2021). The project parcels are located approximately 5.5 aerial miles southwest of the end of the runway at Dinsmore Airport.

Fire protection in Humboldt County is provided by local fire districts, cities, and the California Department of Forestry and Fire Protection (CALFIRE). The project parcels are in a State Responsibility Area (SRA), which is identified as areas within the State in which CALFIRE assumes primary financial responsibility for preventing and suppressing fires. The project parcels have varying topography that ranges from relatively flat valley grasslands in Larabee Valley to sloping forested hillsides near the Larabee Buttes. The CALFIRE Fire and Resource Assessment Program (FRAP) designates lands in three general classifications, "Moderate", "High" and "Very High" Fire Hazard Severity Zones (FHSZ). APNs 210-071-001, 210-062-007 and 210-054-008 are within a High Fire Hazard Severity Zone. The closest CALFIRE fire station is the Bridgeville Cal Fire station, 10 miles west. The next largest being Cal fire in Fortuna, approximately 38 miles to the west of the project parcels. Other fire stations in the project area include the USFS Mad River Fire Station (~14 miles east on SR 36) and the Bridgeville Volunteer Fire Department Station (~10 miles west on SR 36).

Analysis:

a) **Finding:** The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. **Less than significant impact**.

Discussion: The proposed cannabis projects would involve transport, use, and disposal of hazardous materials during both construction and operation.

Construction

Construction of the improvements for the proposed projects would involve the transport and use of materials that are generally regarded as hazardous, such as gasoline, diesel fuel, hydraulic fluids, paint, and other similar materials. The risks associated with the routine transport, use, and storage of these materials during construction are anticipated to be relatively small. With appropriate handling and disposal practices in compliance with applicable federal, State, and local regulations, there is relatively little potential for an accidental release of hazardous materials during construction, and the likelihood is minimal that workers and the public would be exposed to health hazards. Storage and handling of hazardous materials during construction would employ BMPs including provisions for safely refueling equipment and spill response and containment procedures.

Operation

Operation of the proposed cannabis projects would involve the use of small amounts of hazardous materials (e.g., petroleum and other chemicals used to operate and maintain equipment and generators, fertilizers, pesticides, etc.). Additionally, the nursery cultivation activity would include the use of lighting and the solar energy systems may include the use of batteries, which could contain hazardous components that would require proper disposal at the end of their useful life. Compliance with existing laws and regulations related to the transport, use, and disposal of hazardous materials would avoid creating significant hazard to the public or the environment. Laws and regulations addressing hazardous materials that the proposed cannabis operations would be subject to include, but are not limited to, the following:

- Section 55.4.11(j) of the CMMLUO addresses the storage and use of hazardous materials, which states the following (Humboldt County, 2016):
    - Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
    - Hazardous materials and waste from agricultural businesses are regulated by the Humboldt County Environmental Health Division that administers the Hazardous Materials program as one of the Certified Unified Program Agencies (CUPA). This includes application, inspection, enforcement, and reporting under the program requirements and standards set by the California Environmental Protection Agency (CalEPA).
    - Any uses of pesticide products shall be in compliance with the State pesticide laws and regulations enforced by the County Agricultural Commissioner's Office and the California Department of Pesticide Regulation.
- Section 55.4.12.1.13.2 of the CCLUO states:

"Where project-related activities involve storage and use of hazardous materials at a reportable quantity, applicants shall prepare a materials management plan which details: operating procedures and processes, associated equipment and cleaning procedures, chemical requirements and reactions, waste volumes, storage areas, chemical handling procedures, and emergency equipment." The project permit applications contain materials management plans within the operations plans.

- The proposed cannabis operations would be subject to the requirements of the State Water Resources Control Board (SWRCB) Cannabis General Order, which include measures for the storage, use, and disposal of hazardous materials (SWRCB, 2019a). As described in the Site Management Plans for each cannabis operation. The projects propose to implement best practical treatment or control (BPTC) measures listed in Attachment A of the Cannabis General Order. These measures include, but are not limited to, site maintenance, erosion control, drainage features, access road maintenance and improvements, stream crossing maintenance and improvements, chemical storage, spill prevention, and waste management.
- Pesticide use for the proposed cultivation activities would be required to comply with the regulations of the California Department of Pesticide Regulation (CDPR). This includes using pesticide products that CDPR has approved for use on cannabis and complying with the pest management practices for cannabis growers (CDPR, 2021). The proposed projects would also be required to comply with 3 CCR § 8307, which among other requirements, includes pesticide application and storage protocols.
- Under CCR Title 22 and the California Hazardous Waste Control Law, DTSC regulates the generation, transportation, treatment, storage, and disposal of hazardous waste. California's Universal Waste Rule allows individuals and businesses to transport, handle, and recycle certain common hazardous wastes, termed universal wastes, in a manner that differs from the requirements for most hazardous wastes. Universal wastes include televisions, computers, and other electronic devices, as well as batteries, fluorescent lamps, mercury thermostats, and other mercury-containing equipment.
- The proposed cannabis operations would be required to comply with OSHA and CalOSHA requirements, such as providing personal protective equipment, as necessary, to protect the health of workers.

With appropriate storage, handling, and application practices that comply with federal, State, and local laws and regulations, it is not anticipated that the use of hazardous materials by the proposed cannabis operations will pose a significant hazard to the public or the environment.

Therefore, the proposed projects will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials and impacts would be less than significant.

b) **Finding**: The project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. **Less than significant impact.**

Discussion: The proposed cannabis projects could result in impacts related to the use of hazardous materials during both construction and operation.

Construction

Construction of the improvements for the proposed cannabis operations would involve the use of hazardous materials such as gasoline, diesel fuel, hydraulic fluids, paint, and other similar materials. The most common incidents involving construction-related hazardous materials would be minor spills or drips. Small fuel or oil spills are possible but would have a negligible impact on public health. Hazardous materials spills or releases, including petroleum products such as gasoline, diesel, and hydraulic fluid, regardless of quantity spilled, must be immediately reported if the spill has entered or threatens to enter a water of the State, including a stream, lake, wetland, or storm drain, or has caused injury to a person or threatens injury to public health. With appropriate handling and disposal practices in compliance with applicable federal, State, and local regulations, there is relatively little potential for a significant hazard to the public or environment from the release of hazardous materials during construction.

Operation

Operation of the proposed cannabis projects would involve the use of small amounts of hazardous materials (e.g., petroleum and other chemicals used to operate and maintain equipment and generators, fertilizers, pesticides, etc.). Numerous existing laws and regulations are designed to prevent spills of hazardous materials and limit damage if such materials are released. The proposed cannabis projects would not make intensive use of hazardous materials and existing regulations effectively reduce the potential for the projects to create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials (also see subsection a) above).

Therefore, the proposed projects will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Therefore, impacts would be less than significant.

c) **Finding**: The project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. **No impact**.

Discussion: The closest school to the project parcels is Bridgeville Elementary School, approximately 10 miles west of the project parcels on SR 36. Compliance with existing laws and regulations related to transport, use, and disposal of hazardous materials would prevent any potential impacts to existing or proposed schools.

Therefore, the proposed projects will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Therefore, no impact would result from the proposed projects.

d) **Finding:** The project will not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment. **No impact**.

Discussion: Pursuant to 3 CCR § 8102, a hazardous materials record search was completed for the project parcels. CalEPA maintains a list of data resources ("Cortese List Data Resources") that provide information regarding facilities or sites identified as meeting the "Cortese List" requirements (CalEPA, 2021). These include the DTSC Envirostor database, the SWRCB Geotracker database, a list of solid waste disposal sites from which there is a known migration of hazardous waste, and a list of cease-and-desist orders (CDO)/cleanup and abatement orders (CAO) for other sites where environmental releases have occurred. According to DTSC, the project parcels are not identified as containing hazardous materials contamination or the storage of hazardous materials (DTSC, 2021). According to the SWRCB, the project parcels are not identified as a LUST site or other cleanup site (SWRCB, 2021b). Additionally, according to the Cortese List Data Resources, there are no known sites within 1 mile of the project parcels that contain hazardous materials contamination. As such, the proposed projects are not located on a site which is included on a list of hazardous materials sites and would not create a significant hazard to the public or the environment.

As noted in the setting, the project parcels have historically been used for livestock grazing and timberland production and are surrounded by agricultural land, timber land, rural residential uses, and cannabis cultivation operations. Some of the project parcels are also currently used for cannabis cultivation (APN 210-062-007 and 210-054-008). As such, the project parcels are not known to contain existing or previous land uses that would result in significant hazardous materials contamination (e.g., commercial, business park, or industrial sites). As discussed above, the data resources available through the

CalEPA Cortese List Data Resources indicate that the project parcels do not contain any known hazardous materials contamination. For this reason, it was determined that a Phase I Environmental Site Assessment and a Hazardous Materials Contingency Plan for Construction Activities were not required for the proposed projects.

Therefore, the project is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would not create a significant hazard to the public or the environment. Therefore, no impact would result from the proposed projects.

e) **Finding:** For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, the project would not result in a safety hazard or excessive noise for people residing or working in the project area. **No impact.**

The project parcels are not located within an airport land use plan and are not within two miles of a public airport or public use airport (Humboldt County, 2021b). The project parcels are located approximately 5.5 aerial miles southwest of the end of the runway at Dinsmore Airport.

Therefore, the proposed projects will not result in a safety hazard or excessive noise for people residing or working in the project area and no impact would result.

f) **Finding:** The project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. **Less than significant impact**.

The project parcels (APNs 210-071-001, 210-062-007, 210-054-008) cover approximately 812 acres and are in the Larabee Valley, an unincorporated area in eastern Humboldt County. The project parcels are accessed from State Route 36 and have historically been used for livestock grazing and timberland production.

Construction

Construction of the improvements for the proposed projects would result in increased truck traffic for the import of materials to the project parcels. Truck traffic has the potential to slow or stop emergency vehicles while entering/exiting the project parcels, which could temporarily increase emergency response times. However, it is expected that the proposed temporary construction activities would not substantially hinder emergency response activities or physically interfere with established evacuation routes.

Operation

The proposed projects will be required to comply with Chapter 10 (Fire Safe Regulations) of the Humboldt County Code, which requires that private roadways and access driveways be designed to meet the Category 4 road standards and other emergency access standards. The Fire Safe Regulations provide specific standards for roads providing ingress and egress for emergency vehicles and evacuation concurrently and signing of streets and buildings. Prior to the commencement of operations, the access roads will be required to be brought into compliance with the county's road standards if they are not already. Any required road improvements will be reviewed by the relevant County departments (e.g. Planning & Building Department, Engineering Department, Public Works Department, etc.) and constructed to the County's standards to ensure that adequate emergency access is provided. Compliance with existing standards related to emergency access and evacuation will ensure that impacts to emergency response are minimized.

The three access driveways to the project parcels from SR 36 will be gated to prevent unauthorized entry. A Knox Lock or other similar rapid entry system will be installed on the gates to allow emergency responders to have access to the site in case of an emergency (e.g., fire, medical emergency, etc.).

Therefore, the proposed projects will not impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, impacts would be less than significant.

g) **Finding:** The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires? **Less than significant impact**.

The cannabis activities and facilities proposed by the projects have the potential to increase risk of fire and/or introduce ignition sources or flammable materials to the project parcels. According to the owner of the project parcels, an operable 4,200-gallon water truck is available onsite for fire suppression needs. In addition, fire protection agencies would have access to the water storage ponds and tanks on the project parcels in the case of an emergency.

Fire protection in Humboldt County is provided by local fire districts, cities, and the California Department of Forestry and Fire Protection (CAL FIRE). The project parcels are in a State Responsibility Area (SRA), which is identified as areas within the State in which CALFIRE assumes primary financial responsibility for preventing and suppressing fires. The project parcels have varying topography that ranges from relatively flat valley grasslands in Larabee Valley to sloping forested hillsides near the Larabee Buttes. The

CALFIRE Fire and Resource Assessment Program (FRAP) designates lands in three general classifications, “Moderate”, “High” and “Very High” Fire Hazard Severity Zones (FHSZ). APNs 210-071-001, 210-062-007 and 210-054-008 are within a High Fire Hazard Severity. The closest CALFIRE fire station is the Bridgeville Cal-Fire unit, followed by Humboldt Del Norte Unit station in Fortuna, approximately 38 miles to the west of the project parcels. Other fire stations in the project area include the USFS Mad River Fire Station (~14 miles east on SR 36) and the Bridgeville Volunteer Fire Department Station (~10 miles west on SR 36).

Under State regulations, areas within Very High Fire Hazard Severity Zones must comply with specific building and vegetation management requirements intended to reduce property damage and loss of life within these areas. The California Building Code was amended in 2005 to add additional protections for buildings in wildfire hazard zones. The proposed cannabis operations will also be subject to the California Fire Code, which includes safety measures to minimize the threat of wildfire. Title 14 of the CCR sets forth the minimum development standards for emergency access, fuel modification, setback, signage, and water supply, which help prevent damage to structures or people by reducing wildfire hazards. In addition, Humboldt County applies standards to proposed development within the SRA to reduce the risk of fire. These standards are a locally adopted alternative version of the state’s SRA Fire Safe Regulations (Humboldt County Code Title III, Div 11) as authorized by Section 4290 of the Public Resources Code and have been approved by CAL FIRE as meeting or exceeding State regulations. New development in the SRA is subject to Fire Safe regulations, and the appropriate clearance of vegetation around such development is inspected by CAL FIRE and potentially by Humboldt County with other improvements at the time of construction (Humboldt County, 2017). The proposed projects would be reviewed by State and local agencies to ensure they comply with building, electrical, and fire codes, which would avoid or minimize the potential for the projects to cause wildland fires.

While the project parcels are in areas designated as High Fire Hazard Severity Zones, which could expose workers and structures on the parcels to risk of loss from wildfire, this hazard would not be substantially different than that for other types of land uses in the project area.

Therefore, the proposed projects would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. Therefore, impacts would be less than significant.

Mitigation:
None required.

<u>Findings</u>:
The project would have **Less Than Significant Impact** for Hazards and Hazardous Materials.

13.10 HYDROLOGY AND WATER QUALITY Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
iii) Create or contribute runoff water which would exceed the	☐	☐	☒	☐

capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or				
iv) Impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Setting:

Hydrology in the project area is influenced by weather patterns and the Little Van Duzen watershed. The Little Van Duzen River is a fourth order stream and has approximately 19.8 miles of blue line stream, according to the USGS Larabee Valley 15-minute quadrangle. The Little Van Duzen River and its tributaries drain a basin of approximately 60.3 square miles. The tributary system has a total of 44.5 miles of blue line stream. Elevations in the watershed range from about 2,000 feet at the confluence with the mainstem Van Duzen River to 4,500 feet in the headwater areas. Grass, oak, and Douglas fir forest dominate the watershed.

The climate in the project area is typical of inland northern California with warm, dry summers, and cool, wet winters. Average annual precipitation in the area is approximately 68 inches of rain and 20 inches of snow, with the majority falling between October and April (WRCC, 2021). Seasonal rainfall is often high in intensity and results in surface water runoff. Consequently, stream flows are typically high in the winter, and many of the small streams in the project area have little flow in late summer.

Flood zones are geographic areas that the Federal Emergency Management Agency (FEMA) has defined according to varying levels of flood risk. These zones are depicted on a community's Flood Insurance Rate Map (FIRM). Each flood zone reflects the anticipated type of flooding in the area. According to FEMA Community Panel # 06023C1525F (Effective Date: November 4, 2016), the project parcels are located within an area of minimal flood hazard (Zone X) (FEMA, 2016).

According to the Humboldt County GIS system, the project parcels are not mapped within a dam failure inundation area (Humboldt County, 2021). The project parcels are located approximately 35 aerial miles inland from the coast and, therefore, are not at risk from a tsunami. The project parcels are also not located near a large body of water capable of producing a seiche.

The project parcels are not connected to a municipal or community water system, wastewater system, or stormwater drainage system. The water source for the project parcels are groundwater wells and rainwater catchment ponds. Wastewater infrastructure on the project parcels includes an onsite wastewater treatment system (OWTS) and portable toilets. Stormwater runoff on the project parcels currently infiltrates into the ground or surface flows to stormwater features and BMPs (e.g., water-bars, rocked rolling dips, inside ditches, vegetated drainage swales, straw wattles, etc.) prior to discharge to drainages on the project parcels (APNs 210-071-001 and 210-054-008.

On September 16, 2014, Governor Jerry Brown signed into law a three-bill legislative package, composed of AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley), collectively known as the Sustainable Groundwater Management Act (SGMA). SGMA requires governments and water agencies of high and medium priority basins to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans. For critically over drafted basins, that will be 2040. For the remaining high and medium priority basins, 2042 is the deadline. The California Department of Water Resources (DWR) prioritizes groundwater basins in accordance to the provisions of California Water Code Section 10933(b). According to the Department of Water Resources (DWR) SGMA Basin Prioritization Dashboard, the project parcels are within or adjacent to a groundwater basin (Larabee Valley) that is classified as very low priority (DWR, 2021).

Analysis:

a) **Finding:** The project will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. **Less than significant impact**.

Discussion: For this analysis, potential impacts to water quality are divided into two phases of the project; construction and operation.

Construction

Construction of the proposed projects will require the placement of fill, grading, operation of heavy equipment, and the storage and use of construction materials. During construction, soil particulate has the potential to become entrained in stormwater, resulting in turbidity and the discharge of sediment from the project parcels. In addition,

stormwater discharge may include debris, particulate, and petroleum hydrocarbons because of improper storage of construction materials, improper disposal of construction wastes, discharges resulting from construction, and spilled petroleum products. Precautions will be taken such as equipment and fuels will be set back from water courses more than 50 feet, spill kits will be onsite, proper storage of materials, any debris are pulled back at least 50 feet from watercourses.

The proposed construction activities would be subject to the requirements of the Humboldt County Grading, Excavation, Erosion, and Sedimentation Control Ordinance (Section 331-12), which sets forth rules and regulations to control excavation, grading and earthwork construction, including fills and embankments and erosion and sedimentation controls. In addition to providing a plan that identifies the location of the work, applications for grading permits shall also include a site-specific erosion and sediment control plan. The ordinance contains a list of minimum requirements for erosion and sedimentation control. Grading activities are also required to conform to grading standards, including for cut slope, fill material, setbacks, terracing, and drainage. If applicable, some of the projects may require obtaining a SWRCB Construction General Permit, which requires the development of a Stormwater Pollution Prevention Plan (SWPPP). In some cases, a SWPPP may be submitted to the county in lieu of the erosion and sediment control plan required by the grading ordinance. Adherence to existing county and State grading and erosion control regulations would prevent the discharge of sediment during the proposed construction activities. Additionally, with appropriate storage, handling, and disposal practices in compliance with applicable federal, State, and local regulations, there is relatively little potential for the discharge of debris, petroleum hydrocarbons, etc. into nearby surface waters during construction.

Operation

During operation, the proposed cannabis projects have the potential to degrade water quality from stormwater runoff, use of hazardous materials (e.g., petroleum and other chemicals used to operate and maintain equipment and generators, pesticides, fertilizers, etc.), and use of OWT systems.

Pursuant to 3 CCR § 8102, the applicants will be required to provide evidence of enrollment and compliance with the SWRCB Cannabis General Order, or any subsequent water quality standards, to the California Department of Food and Agriculture (CDFA). As described in the Site Management Plans for each cannabis operation, the projects propose to implement best practical treatment or control (BPTC) measures listed in Attachment A of the State Water Resources Control Board (SWRCB) Cannabis General Order. These measures include, but are not limited to, site maintenance, erosion control, drainage features, access road maintenance and improvements, stream crossing maintenance and improvements, chemical storage, spill prevention, and waste

management. Compliance with the requirements of the Cannabis General Order will minimize the potential stormwater runoff and water quality impacts from the proposed cannabis operations.

Pesticide use for the proposed cultivation activities would be required to comply with the regulations of the California Department of Pesticide Regulation (CDPR). This includes using pesticide products that CDPR has approved for use on cannabis and complying with the pest management practices for cannabis growers (CDPR, 2021). The proposed projects would also be required to comply with 3 CCR § 8307, which among other requirements, includes pesticide application and storage protocols that would be effective for protecting surface water and groundwater. As discussed in Section 13.9 – Hazards and Hazardous Materials, other hazardous materials that will be used by the proposed projects (e.g., petroleum and other chemicals used to operate and maintain equipment and generators, fertilizers, etc.), will be required to be stored, handled, and used in compliance with applicable federal, State, and local regulations. Adherence to existing regulations would prevent the substantial degradation of surface or groundwater quality.

The project parcels are in a rural area of Humboldt County with no wastewater collection services. APN 210-054-008 has an existing residence with an OWTS, APN 210-071-001 has an existing residence with an OWTS and new OWTSs are proposed to be installed on APNs 210-071-001 and 210-062-007. Site-specific designs have been prepared for the proposed OWTSs in compliance with the requirements of the Humboldt County Division of Environmental Health (Lindberg Geologic Consulting). As such it is not anticipated that the use of these systems for the proposed projects will violate any water quality standards or waste discharge requirements.

Therefore, the proposed project as designed and in compliance with existing regulatory requirements, would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Therefore, impacts would be less than significant.

b) **Finding:** The project will not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impede sustainable groundwater management of the basin. **Less than significant impact.**

Discussion: The project parcels (APNs 210-071-001, 210-062-007, 210-054-008) cover approximately 812 acres and are in the Larabee Valley groundwater basin. The current water sources for the project parcels include six groundwater wells and three existing rainwater catchment ponds. Proposed is a 2,000,000-gallon storage pond to be shared between PLN-12402-CUP, PLN-12413-CUP, and PLN-12410-CUP (APN 210-071-001). The

closest land uses to the project parcels include residential uses that are located approximately 0.25 miles from the proposed cultivation areas.

According to the DWR SGMA Basin Prioritization Dashboard, the project parcels are within or adjacent to a groundwater basin (Larabee Valley) that is classified as very low priority (DWR, 2021). According to the well logs completed for the various groundwater wells on the project parcels, the wells and storage (i.e., ponds and water tanks) have sufficient capacity to supply the proposed cannabis cultivation projects. As described in the Project Description, the groundwater wells on the project parcels can produce over 40 million gallons of water annually, and the estimated water use for the proposed projects is less than 5 million gallons annually. Based on the large size of the project parcels (812-acres), the production capability of the existing groundwater wells, the very low priority status of the Larabee Valley groundwater basin, and the distance to the nearest land uses 0.25 miles), it is not anticipated that the proposed projects would substantially decrease groundwater supplies such that the projects would impede sustainable groundwater management of the basin.

The proposed projects will result in a total area of impermeable surface within the project parcels of 285,750 square feet (6.56 acres). Due to the large size of the project parcels (812-acres) relative to the amount of new impervious surface, it is not expected that the proposed projects would substantially interfere with groundwater recharge.

Therefore, the proposed projects will not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impede sustainable groundwater management of the basin. Therefore, impacts would be less than significant.

c) i) **Finding**: The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site. **Less than significant impact**.

Discussion: According to the Aquatic Resources Delineation Report (**Appendix 4**), approximately 4.853 acres of potentially jurisdictional aquatic resources were identified in the study area consisting of 14 streams, 3 ponds, and 6 wetlands. A total of 1.861 acres of wetlands were identified in the study area consisting of wetland swales (0.464 acres), emergent wetland (0.147 acres), and seasonal wetland (1.125 acres). Three types of non-wetland waters were identified and mapped in the survey area consisting of intermittent streams (2.013 acres), ephemeral streams (0.134 acres), and ponds (0.845 acres). The project does not propose any activities that will have an adverse effect on the federally protected (3-parameter) seasonal wetlands or other jurisdictional areas identified in the

Aquatic Resources Delineation Report (Foster Consulting, 2019). The cannabis operations will maintain setbacks from the delineated streams and wetland areas on the project parcels consistent with the SWRCB Cannabis General Order. These regulations require a 100-foot setback from Class II intermittent watercourses or wetlands and a 50-foot setback from ephemeral watercourses (SWRCB, 2019). As such, the proposed projects would not involve the alteration of the course of a stream or river.

Several culvert replacements (upsizing) and installations have been made on the project parcels to comply with the requirements of the California Department of Fish & Wildlife (CDFW Lake Streambed Alteration Agreement Notification Number 1600-2018-0318-R1 and 1600-2018-0570-R1). These stream crossing improvements will improve the overall drainage patterns at the site and will reduce the potential for erosion and siltation impacts during operation of the proposed cannabis projects.

The project parcels collectively contain approximately 52,000 square feet (1.2 acres) of existing impervious surfaces, which consists of structures and concrete. Upon implementation of the proposed cannabis projects, total area of impermeable surface within the project parcels will be 285,750 square feet (6.56 acres) which primarily includes greenhouses, buildings, and other structures. This increase in impermeable surface has the potential to increase the rate and volume of runoff generated during storm events. The increase in stormwater runoff has the potential to increase erosion and the presence of sediment in stormwater runoff. Pursuant to 3 CCR § 8102, the applicants will be required to provide evidence of enrollment and compliance with the SWRCB Cannabis General Order, or any subsequent water quality standards, to the California Department of Food and Agriculture (CDFA). As described in the Site Management Plans for each cannabis operation), the projects propose to implement best practical treatment or control (BPTC) measures listed in Attachment A of the State Water Resources Control Board (SWRCB) Cannabis General Order. These measures include, but are not limited to, site maintenance, erosion control, drainage features, access road maintenance and improvements, and stream crossing maintenance and improvements. Compliance with the requirements of the Cannabis General Order will minimize the potential erosion and siltation impacts from the proposed cannabis operations.

Therefore, the proposed projects will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site. Therefore, impacts would be less than significant.

c) ii) **Finding:** The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate

or amount of surface runoff in a manner which would result in flooding on- or off-site. **Less than significant impact**.

Discussion: As discussed above under subsection c) i), the proposed projects will comply with the setback requirements of the SWRCB Cannabis General Order and avoid direct physical impacts to onsite streams and wetlands. As such, the proposed projects would not involve the alteration of the course of a stream or river.

All culvert replacements (upsizing) and installations have already been made on the project parcels to comply with the requirements of the CDFW under Streambed Alteration Agreement Notification Number 1600-2018-0318-R1 and 1600-2018-0570-R1. These stream crossing improvements will improve the overall drainage patterns at the site and will reduce the potential for flooding impacts during winter seasons and operation of the proposed cannabis projects.

Therefore, the proposed projects will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Therefore, impacts would be less than significant.

c) iii) **Finding:** The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. **Less than significant impact**.

Discussion: The project parcels are not connected to a municipal or community stormwater drainage system. Stormwater runoff on the project parcels currently infiltrates into the ground or surface flows to stormwater features and BMPs (e.g., water-bars, rocked rolling dips, inside ditches, vegetated drainage swales, straw wattles, etc.) prior to discharge to drainages on the project parcels. As such, the proposed projects would not create or contribute runoff that would exceed the capacity.

As discussed above under subsection c) i), the proposed projects will comply with the setback requirements of the SWRCB Cannabis General Order and avoid direct physical impacts to onsite streams and wetlands. As such, the proposed projects would not involve the alteration of the course of a stream or river.

All culvert replacements (upsizing) and installations have already been made on the project parcels to comply with the requirements of the CDFW under Streambed Alteration Agreement Notification Number 1600-2018-0318-R1 and 1600-2018-0570-R1, these stream crossing improvements will improve the overall drainage patterns at the site and will reduce the potential for flooding impacts during winter seasons and operation of the proposed cannabis projects.

As discussed above under subsection c) i), the proposed cannabis projects will increase the impervious surfaces on the project parcels. This increase in impermeable surface has the potential to increase the rate and volume of runoff generated during storm events. Pursuant to 3 CCR § 8102, the applicants will be required to provide evidence of enrollment and compliance with the SWRCB Cannabis General Order, or any subsequent water quality standards, to the California Department of Food and Agriculture (CDFA). As described in the Site Management Plans for each cannabis operation, the projects propose to implement best practical treatment or control (BPTC) measures listed in Attachment A of the State Water Resources Control Board (SWRCB) Cannabis General Order. These measures include, but are not limited to, site maintenance, erosion control, drainage features, access road maintenance and improvements, stream crossing maintenance and improvements, chemical storage, spill prevention, and waste management. Compliance with the requirements of the Cannabis General Order will minimize the potential impacts from stormwater runoff and polluted runoff from the proposed cannabis operations.

Therefore, the proposed projects will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, impacts would be less than significant.

c) iv) **Finding:** The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows. **Less than significant impact**.

Discussion: See discussion in c) (i)

According to FEMA Community Panel # 06023C1525F (Effective Date: November 4, 2016), the project parcels are located within an area of minimal flood hazard (Zone X) (FEMA, 2016). As such, there is a low risk that the improvements proposed by the cannabis projects would impede or redirect flood flows.

Therefore, the proposed projects will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows. Therefore, impacts would be less than significant.

d) **Finding:** In flood hazard, tsunami, or seiche zones, the project will not risk release of pollutants due to project inundation. **Less than significant Impact**.

Discussion: According to FEMA Community Panel # 06023C1525F (Effective Date: November 4, 2016), the project parcels are located within an area of minimal flood hazard (Zone X) (FEMA, 2016). According to the Humboldt County GIS system, the project parcels are not mapped within a dam failure inundation area (Humboldt County, 2021). The project parcels are located approximately 35 aerial miles inland from the coast and, therefore, are not at risk from a tsunami. The project parcels are also not located near a large body of water capable of producing a seiche. As such, there is a low risk that the proposed projects will locate structures or materials at risk of releasing pollutants in areas subject to inundation.

Therefore, the proposed projects will not risk releasing pollutants due to project inundation within flood hazard, tsunami, or seiche zones. Therefore, impacts would be less than significant.

e) **Finding:** The project will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. **Less than Significant Impact**.

Discussion: For this analysis, the potential to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan are discussed separately.

Water Quality Control Plan

As discussed above, pursuant to 3 CCR § 8102, the applicants will be required to provide evidence of enrollment and compliance with the SWRCB Cannabis General Order, or any subsequent water quality standards, to the California Department of Food and Agriculture (CDFA). The SWRCB Cannabis General Order (Order WQ 2019-0001-DWQ) addresses water quality impacts from cannabis cultivation and associated activities. The SWRCB and the regional boards are the principal State agencies with primary responsibility for the coordination and control of water quality. Nonpoint source pollution, also known as polluted runoff, is the leading cause of water quality impairments on the North Coast. Most of the streams in the North Coast are impacted by excess sediment, nutrients, and elevated temperatures. The problems are often associated with poorly planned forest

clearing, earth-moving activities, and other land use management practices, resulting in polluted stormwater runoff to streams. Dry-season surface water diversions intensify these water quality impacts. The Cannabis General Order has several components including a Waiver of Waste Discharge Requirements, third party programs, inspections, enforcement, and education and outreach.

Standard conditions to protect water quality, in conjunction with a list of BMPs, provide a framework for cultivators to assess their sites for appropriate tiers and determine what management measures are necessary to protect water quality. All BMPs in the Cannabis General Order are considered enforceable conditions under the Order as applicable to a given site. The Order includes standard conditions related to:

- Site maintenance, erosion control and drainage features.
- Stream crossing maintenance and improvement.
- Stream and wetland buffers.
- Spoils management.
- Water storage and use.
- Irrigation runoff.
- Fertilizers and soil amendments.
- Pesticides.
- Petroleum products and other chemicals.
- Cultivation-related wastes.
- Refuse and human waste.
- Remediation, cleanup, and restoration activities.

Adherence to the requirements of the Cannabis General Order, in addition to other laws and regulations protecting water quality, will ensure that the proposed projects will not conflict with or obstruct implementation of a water quality control plan.

Sustainable Groundwater Management Plan

The project parcels (APNs 210-071-001, 210-062-007, 210-054-008) cover approximately 812 acres and are located within and adjacent to the Larabee Valley groundwater basin. The Sustainable Groundwater Management Act (SGMA) requires local Groundwater Sustainability Agencies (GSAs) in high- and medium-priority basins to develop and implement Groundwater Sustainability Plans (GSPs) or to develop Alternatives to GSPs. According to the DWR SGMA Basin Prioritization Dashboard, the project parcels are within a groundwater basin (Larabee Valley) that is classified as very low priority (DWR, 2021). As such, a sustainable groundwater management plan has not been prepared for the Larabee Valley groundwater basin.

Therefore, the proposed projects will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Therefore, impacts would be less than significant.

Mitigation:
None required.

Findings:
The project would have **Less Than Significant Impact** for Hydrology and Water Quality.

13.11 LAND USE AND PLANNING Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Setting:
The project parcels (APNs 210-071-001, 210-062-007, 210-054-008) total approximately 812-acres and are in the unincorporated area of Larabee Valley in eastern Humboldt County. Two of the project parcels (APNs 210-071-001 and 210-054-008) have frontage on State Route 36. The project parcels have historically and are currently used for livestock grazing and timberland production. Portions of the project parcels are developed with existing roads, barns, two residences, accessory buildings, PGE electrical infrastructure, ponds, wells, and existing cannabis cultivation activities. The projects propose to develop portions of the project parcels for agricultural production, including the development of additional infrastructure for 4 acres of new outdoor commercial cannabis cultivation and the continued operation of 56,256 square feet of existing outdoor commercial cannabis cultivation. The project parcels are surrounded by agricultural land, timberland, rural residential uses, and cannabis cultivation activities.

The project parcels (APNs 210-071-001, 210-062-007, 210-054-008) are designated Agricultural Grazing (AG) and Timberland (T) and zoned Timberland Production Zone (TPZ) and Agriculture Exclusive (AE) (Humboldt County, 2021). The cannabis uses proposed on the project parcels are subject to the requirements of the Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO) and the Commercial Cannabis Land Use Ordinance (CCLUO).

Analysis:

a) **Finding:** The project will not physically divide an established community. **No impact**.

Discussion: The projects propose cannabis uses on parcels that have historically been used for livestock grazing and timber production in the unincorporated community of Larabee Valley in eastern Humboldt County. The project parcels are surrounded by agricultural land, timberland, rural residential uses, and cannabis cultivation activities. The closest land uses to the project parcels include residences, which are approximately 0.25 miles from the proposed cultivation areas. The projects do not propose large infrastructure improvements (e.g., highway, canal, etc.) that have the potential to physically divide an existing community.

Therefore, the proposed projects will not physically divide an established community and no impact would occur.

b) **Finding:** The project will not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. **Less than significant impact**.

Discussion: Commercial cannabis is one of the most regulated agricultural uses in the State. The proposed cannabis projects will be required to comply with a myriad of federal, State, and local regulations that are designed to protect public health and safety and minimize potential impacts to the environment. The proposed projects compliance with applicable regulations and the resulting reduction in potential impacts is discussed throughout this document. In all instances where potentially significant impacts have been identified, mitigation is provided to reduce each impact to less than significant levels.

The analysis contained in this document addresses the potential conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect including, but not limited to, Humboldt County General Plan, Humboldt County CMMLUO, SWRCB Cannabis General Order, and CDFA regulations.

Therefore, based on the analysis in this document, it was determined that the proposed projects will not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, impacts would be less than significant.

Mitigation:
None required.

Findings:
The project would have **Less Than Significant Impact** on Land Use.

13.12 MINERAL RESOURCES Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Setting:
The project parcels are in Larabee Valley where no known important mineral resources exist. The mineral resources in the Larabee Valley area are primarily aggregate deposits in the Van Duzen River (Humboldt County, 2020).

Analysis:

a) **Finding:** The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State. **No impact**.

Discussion: The project parcels are in Larabee Valley along State Route 36 and are surrounded by agricultural land, timberland, rural residential uses, and cannabis cultivation operations. The mineral resources in the Larabee Valley area are primarily aggregate deposits in the Van Duzen River, the closest extraction operation being approximately 8 aerial miles away. No known mineral resources have been identified on the project parcels (Humboldt County, 2020). The mineral resources available in the Van Duzen River will not be impacted by the proposed projects.

Therefore, the proposed projects will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State, and no impact will occur.

b) **Finding:** The project will not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. **No impact**.

Discussion: The project parcels are in Larabee Valley along State Route 36 and are surrounded by agricultural land, timberland, rural residential uses, and cannabis cultivation operations. Figure 10-1 (Rock and Mineral Extraction Sites) of the Conservation and Open Space Element of the County General Plan does not identify the project parcels as a rock and mineral extraction site. No known mineral resources have been identified on the project parcels (Humboldt County, 2017).

Therefore, the proposed projects will not result in the loss of availability of a locally-important mineral resource site delineated on a local general plan, specific plan or other land use plan, and no impact will occur.

Mitigation:
None required.

Findings:
The project would have **No impact** on Mineral Resources.

13.13 NOISE Would the project result in:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b) Generation of excessive ground borne vibration or ground borne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Setting:

The project parcels (APNs 210-071-001, 210-062-007, 210-054-008) total approximately 812-acres in the unincorporated Larabee Valley area of Humboldt County. Two of the project parcels (APNs 210-071-001 and 210-054-008) have frontage on State Route 36. The project parcels have historically and are currently used for livestock grazing and timberland production. Portions of the project parcels are developed with existing roads, barns, two residences, accessory buildings, electrical infrastructure (APN 210-054-008), ponds, wells, and existing cannabis cultivation activities. Ambient noise levels in the vicinity of the project parcels are primarily influenced by traffic on State Route 36. According to the County General Plan Noise Element, the 60 dBA CNEL

contour for traffic noise levels along SR 36 (post mile 7.7) is approximately 94 feet from the roadway. Nearby agricultural operations also contribute to ambient noise in the project area. The project parcels are approximately 5.5 miles southwest of Dinsmore Airport. The nearest sensitive receptors are residences located approximately 0.25 miles from the proposed cultivation areas.

The General Plan Noise Element (Chapter 13) contains noise compatibility standards, which are found in Table 13-C (Land Use/Noise Compatibility Standards). The standards in Table 13-C are based on the Community Noise Equivalent Level (CNEL) or Day-Night Noise Level (Ldn). CNEL is a 24-hour energy equivalent level derived from a variety of single-noise events, with weighting factors of 5 and 10 dBA applied to the evening (7PM to 10 PM) and nighttime (10PM to 7AM) periods, respectively, to allow for the greater sensitivity to noise during those hours. Ldn is the average sound level in decibels, excluding frequencies beyond the range of the human ear, during a 24-hour period with a 10dB weighting applied to nighttime sound levels. Since CNEL and Ldn are a daily average, allowable noise levels can increase in relation to shorter periods of time. Table 13-C provides the maximum interior and exterior noise levels by land use category. For single-family residences, 60 dBA CNEL/Ldn is considered a normally acceptable exterior noise level. As stated on page 13-6 of the Noise Element: "*A standard construction wood frame house reduces noise transmission by 15 dBA. Since interior noise levels for residences are not to exceed 45 dBA, the maximum exterior noise level for residences is 60 dBA without requiring additional insulation*."

Section 55.4.11 of the CMMLUO provide noise standards specific to cannabis uses, including generator use. As stated in this section: "*The noise produced by a generator used for cannabis cultivation shall not be audible by humans from neighboring residences. The combined decibel level for all noise sources, including generators, at the property line shall be no more than 60 decibels* (Humboldt County, 2016). This standard is further defined in Department Policy Statements requiring generator noise to be no greater than 50dB at 100 feet or forest edge, whichever is closer, whenever northern spotted owl habitat is in the vicinity.

Section 55.4.12.16 of the CCLUO provide performance standards for noise at cultivation sites: *"Noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise levels at any property line of the site."*

A noise assessment was conducted (**Appendix 7**) on August 25, 2025 that resulted in the following measurements summarized in the table below. PLN-12003-CUP and PLN-12398-CUP are subject to the noise performance standards of the CCLUO. These operations may not exceed noise emission more than 3dB of the measurements shown in the table below.

LOCATION	MEASUREMENT
Relocation Area for 12398 (East)	55dB
Pond 1 on APN 210-054-008 (North)	48dB
Western property line cultivation area of APN 210-062-007 (West)	42dB
Property line between APN 210-054-008 and 210-062-007 (South)	40dB

Analysis:

a) **Finding:** The project will not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project more than standards established in the local general plan or noise ordinance, or applicable standards of other agencies. **Less than significant impact with mitigation incorporated**.

Discussion: The projects propose cannabis activities including outdoor commercial cannabis cultivation, nursery, and processing of cannabis products.

Construction

During the construction phases of the proposed projects, noise from construction activities would temporarily add to the ambient noise environment in the immediate project vicinity. Activities involved in construction would generate maximum noise levels, as indicated in Table 6, ranging from 80 to 87 dB at 50 feet.

Construction Equipment Noise

Type of Equipment	Maximum Level, dB at 50 feet
Bulldozers	87
Heavy Trucks	88
Backhoe	85
Pneumatic Tools	85

Source: FHWA, 2006

Construction activities would be transitory (occurring intermittently over the construction period) and temporary. However, to reduce potential nuisance noise impacts during construction, construction activities will not occur during noise-sensitive times of the day (i.e., early morning or nighttime) or on more sensitive days (i.e., Sundays and holidays). In addition, it will also be required for all stationary and mobile construction equipment to be maintained in good working order. These requirements for construction activity have been included as Mitigation Measure NO-1 for the proposed projects and require the following: 1) Construction activities will be limited to the hours between 8:00 a.m. and 5:00 p.m. Monday through Friday, and between 9:00 a.m. and 5:00 p.m. on

Saturdays; 2) Construction activity will not occur on Sunday or holidays; and 3) All stationary and mobile construction equipment will be maintained in good working order.

Operation

Cannabis operations on the project parcels will occur typically from 7 a.m. to 7 p.m. Noise sources during peak hours would include vehicle traffic, equipment use, and generators. Typical cannabis cultivation operations are not considered a significant noise generation source because the daily activities are generally hand operations with minimal equipment use. Additionally, other cannabis activities such as processing would occur within structures. Cannabis operations are described in the individual Operations Plans in **Appendix 2**. Generator use can often be the most significant source of noise from cannabis operations. The cannabis operation on APN 210-062-007 proposes to use solar as a primary source of power and have generators for emergency backup. Additionally, it is expected that the cannabis operations on the other project parcels, APNs 210-071-001 and 210-054-008, have backup generators of the same size.

Section 55.4.11 of the CMMLUO provide noise standards specific to cannabis uses, including generator use. As stated in this section: "*The noise produced by a generator used for cannabis cultivation shall not be audible by humans from neighboring residences. The combined decibel level for all noise sources, including generators, at the property line shall be no more than 60 decibels* (Humboldt County, 2016). To ensure that the use of generators by the proposed project complies with the CMMLUO noise standard, the requirement for generators to be housed within an enclosed structure that provides adequate sound attenuation has been included as Mitigation Measure BR-4 for the proposed projects (see Biological Resources). Considering the ambient noise levels from SR 36 and the project's compliance with the CMMLUO noise standard, the proposed projects are not expected to result in a significant increase in temporary or permanent ambient noise levels.

Additionally, adherence to the noise performance standards in the CCLUO for the existing cultivation operations the project is not expected to result in a significant increase in temporary or permanent ambient noise level.

Therefore, as mitigated the proposed projects will not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project more than standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Therefore, impacts of the proposed projects would result in a less than significant impact with mitigation incorporated.

b) **Finding:** The project will not generate excessive ground borne vibration or ground borne noise levels. **Less than significant impact.**

Discussion: The closest land uses potentially impacted from groundborne vibration or groundborne noise levels from the proposed cannabis projects are the closest residential units located to the east, approximately 0.25 miles from the proposed cultivation areas. The proposed cannabis operations are not a type of land use that could generate significant groundborne vibration or groundborne noise levels. The use of heavy equipment during construction activity is the portion of the projects with the greatest potential for generating groundborne vibration or noise. Ground vibrations from construction activities do not often reach the levels that can damage structures. Pile-driving generates the highest levels of vibration; however, pile-driving will not occur during construction of the proposed projects. With respect to the impacts of vibration on persons, vibration from the proposed construction activity would be of short duration and would occur during daytime hours, when residents are less likely to be home.

As discussed under subsection a), construction activity will be required to comply with Mitigation Measure NO-1, which places limitations on the days and hours of construction activities to ensure that nearby residents are not disturbed by the early morning or late-night activities. In addition to reducing construction noise levels, compliance with these requirements also minimizes the potential impacts of vibration on residents in the project area.

Therefore, the proposed projects will not expose persons to or generate excessive groundborne vibration or groundborne noise levels, and a less than significant impact will occur.

c) **Finding:** The project will not, for a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels. **No impact**.

Discussion: The project parcels are not located within two miles of a public airport or public use airport. The closest airport to the project parcels is Dinsmore Airport, approximately 5.5 aerial miles to the east.

Therefore, the proposed projects will not expose people residing or working in the project area to excessive noise levels, and no impact would occur.

Mitigation:

NO-1. Construction Noise Restrictions. The following shall apply to construction noise from tools and equipment:

a) The operation of tools or equipment used in construction, drilling, repair, alteration, or demolition shall be limited to between the hours of 8 AM and 5 PM Monday through Friday, and between 9 AM and 5 PM on Saturdays.
b) No heavy equipment related construction activities shall be allowed on Sundays or holidays.
c) All stationary and mobile construction equipment shall be maintained in good working order.

Findings:
The project would have **Less than significant impact with mitigation incorporated** for Noise.

13.14 POPULATION AND HOUSING Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Setting:

Humboldt County is a rural county with a large land area and low population density. According to the California Department of Finance (CA DOF), the county's estimated 2021 population is 130,851, which represents a decrease of 1.5% from 2020 (CA DOF, 2021). According to CA DOF, Humboldt County is estimated to contain a total of 63,697 housing units. This includes 28,566 units in the incorporated portions of the County and 35,131 units in the unincorporated portions (CA DOF, 2021).

Analysis:

a) **Finding:** The project will not induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). **Less than significant impact**.

Discussion: The projects propose cannabis activities including cultivation, nursery, and processing. The proposed projects would provide employment for 11 persons, and seasonal temp farm workers. Operation of the proposed cannabis operations are not of

the nature to result in substantial population growth. Infrastructure and utilities (e.g., electrical service, septic systems, etc.) will be constructed to serve some of the project and will not result in additional capacity that would be growth inducing. Growth inducing impacts are generally caused by projects that have a direct or indirect effect on economic growth, population growth, or when the project taxes community service facilities which require upgrades beyond the existing remaining capacity.

Therefore, the proposed projects will not induce substantial population growth in an area either directly or indirectly and impacts would be less than significant.

b) Finding: The project will not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. **No impact**.

Discussion: The projects propose cannabis activities and would not displace people or housing. The existing residences (2) on the project parcels would remain.

Therefore, the proposed projects will not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. Therefore, no impacts would result from the proposed projects.

Mitigation:
None required.

Findings:
The project would have **Less than significant impact** for Population and Housing.

13.15 PUBLIC SERVICES Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Fire protection?	☐	☐	☒	☐
b) Police protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☐	☒
e) Other public facilities?	☐	☐	☐	☒

Setting:

The project parcels, APNs 210-071-001, 210-062-007, and 210-054-008, total approximately 812-acres and in the unincorporated area of Larabee Valley in eastern Humboldt County. One of the project parcels, APN 210-054-008, has frontage on State Route 36. The project parcels are historically and currently used for livestock grazing and timberland production. Portions of the project parcels are developed with existing roads, barns, a residence, accessory buildings, electrical infrastructure, ponds, wells, and existing cannabis cultivation activities.

Fire protection in Humboldt County is provided by local fire districts, cities, and the California Department of Forestry and Fire Protection (CAL FIRE). The project parcels are in a State Responsibility Area (SRA), which is identified as areas within the State in which CAL FIRE assumes primary financial responsibility for preventing and suppressing fires. The project parcels have varying topography that ranges from relatively flat valley grasslands in Larabee Valley to sloping forested hillsides near the Larabee Buttes. The CAL FIRE Fire and Resource Assessment Program (FRAP) designates lands in three general classifications, “Moderate”, “High” and “Very High” Fire

Hazard Severity Zones (FHSZ). APNs 210-071-001, 210-062-007 and 210-054-008 are within a High Fire Hazard Severity Zone. The closest CAL FIRE station is in Bridgeville. The next largest station is in Fortuna in, approximately 38 miles to the west of the project parcels. Other fire stations in the project area include the USFS Mad River Fire Station approximately 14 miles east on SR 36 and the Bridgeville Volunteer Fire Department Station approximately 10 miles west on SR 36.

The Humboldt County Sheriff's Office is responsible for law enforcement in the unincorporated areas of the County. The Humboldt County Sheriff's Office provides a variety of public safety services countywide (court and corrections services) and law enforcement services for the unincorporated areas of the County. The California Highway Patrol is responsible for enforcing traffic laws on roadways within the unincorporated areas and on State highways throughout the county. The Sheriff's Office Operations Bureau is made up of seven units under the command of the Undersheriff. The most visible of these units is the Patrol Unit. Sheriff's Deputies assigned to the Patrol Unit are responsible for responding to emergency calls for service, criminal investigations, and crime prevention through neighborhood and beat patrols.

The closest school to the project parcels is the Bridgeville Elementary School which is approximately 10 miles west bound on SR 36 from the project parcels. Bridgeville School serves grades K-8. The closest recreational facilities to the project parcels are Grizzly Creek Redwoods State Park (17 miles) and Ruth Lake (24 miles). The closest hospital to the project parcels is Redwood Memorial Hospital in Fortuna, which is approximately 38 miles to the west of the project parcels.

Portions of the project parcels are developed with existing roads, barns, a residence, accessory buildings, electrical infrastructure, ponds, wells, and existing cannabis cultivation activities. The proposed project would provide employment for 12 persons, seasonal temp farm workers and would not induce substantial population growth in the project area. No employee housing is proposed as part of the project.

Analysis:

a) **Finding:** The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for fire protection. **Less than significant impact**.

Discussion: The proposed cannabis operations could increase the demand for fire protection services, but due to the nature of the proposed activities, are not expected to require new or physically altered fire protection facilities. The proposed projects will be

required to comply with building and fire code regulations as well as Chapter 10 (Fire Safe Regulations) of the Humboldt County Code. The Fire Safe Regulations provide specific standards for roads providing ingress and egress, signing of streets and buildings, minimum water supply requirements, and setback distances for maintaining defensible space. Compliance with these requirements would provide an adequate level of fire prevention and access such that fire protection services and response times would not be substantially affected.

Due to the nature of the proposed cannabis uses and required compliance with regulatory requirements, it is not anticipated that the projects will result in a significant increase in the number of calls for service. As such, the proposed projects will not result in the need for new or physically altered fire protection facilities and impacts would be less than significant.

b) **Finding:** The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for police protection. **Less than significant impact.**

Discussion: The proposed cannabis operations could increase the demand for law enforcement services, but it is not expected that it would require new or physically altered law enforcement facilities. The CMMLUO and CCLUO requires that commercial cannabis operations submit and implement a security plan that identifies specific security measures. To address potential security issues, the operations will implement various security measures that are detailed in each of the Operations Plans. Some of the security features that will be implemented for the projects include locked entrance gates, cultivation area fencing, reinforced entry points and access controls for each building, and electronic surveillance. Additionally, an on-site caretaker resides on APN 210-054-008 and assists with general maintenance and security for all three parcels. Implementation of the security measures for each cannabis operation will minimize impacts on law enforcement such that the proposed projects would not require the need for new or physically altered law enforcement facilities.

Therefore, in compliance with the requirements of the CMMLUO and CCLUO, it is not anticipated that the projects will result in a significant increase in the number of calls for service. As such, the proposed projects will not result in the need for new or physically altered law enforcement facilities and impacts would be less than significant.

c) **Finding:** The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for schools. **No impact**.

Discussion: Since the proposed projects do not propose residential development and will not significantly increase the population in the project area, the projects would not create a need for new schools or increase any school population.

Therefore, the proposed projects would not result in the need for new or physically altered schools and no impact would occur.

d) **Finding:** The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for parks. **No impact**.

Discussion: Since the proposed projects do not propose residential development and will not significantly increase the population in the project area, the projects would not create a need for new parks.

Therefore, the proposed projects would not result in the need for new or physically altered parks and no impact would occur.

e) **Finding:** The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for other public facilities. **No impact**.

Discussion: Since the proposed projects do not propose residential development (other than one cabin) and will not significantly increase the population in the project area, the projects would not create a need for new public facilities including public health services.

Therefore, the proposed projects would not result in the need for new or physically altered public facilities and no impact would occur.

Mitigation:
None required.

Findings:
The project would have **Less than significant impact** for Public Services.

13.16 RECREATION	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Setting:
The project parcels approximately 812-acres and located in the unincorporated area of Larabee Valley in eastern Humboldt County. The project parcels are surrounded by agricultural land, timberland, rural residential uses, and cannabis cultivation activities. The closest recreational facilities to the project parcels are Grizzly Creek Redwoods State Park approximately 10 miles westbound on State Route 36 and Ruth Lake approximately 24 road miles east of the project.

Analysis:

a) **Finding:** The project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. **No impact**.

Discussion: The project proposes cannabis activities including cultivation, nursery, and processing. Portions of the project parcels are developed with existing roads, barns, a residence, accessory buildings, electrical infrastructure, ponds, wells, and existing cannabis cultivation activities. The proposed projects would provide employment for a

maximum of 12 persons and would not induce substantial population growth in the project area. No employee housing is proposed as part of the project. As such, the proposed projects are not of the nature to substantially increase the use of recreational facilities in the project area.

Therefore, the proposed projects would not increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Therefore, no impact would result from the proposed projects.

b) **Finding:** The project will not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. **No impact**.

Discussion: See discussion in section a) above.

Mitigation:
None required.

Findings:
The project would have **No impact** for Recreation.

13.17 TRANSPORTATION Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

Setting:

The project parcels consist of approximately 812 acres within the unincorporated area of Larabee Valley, which was used historically for livestock grazing and timber production. The project parcels are currently accessed from State Route 36 from three separate driveways on APN 210-054-008 that are gated. SR 36 is a two- and one-lane highway extending from US 101, south of Fortuna to Trinity County and eventually connects with I-5 in Red Bluff. For the purposes of this document, the three driveways are referred to as the western driveway, central driveway, and eastern driveway. The central and most used driveway to access the project parcels is located at SR 36-mile marker 33.5. The three access driveways are graded, rocked, and rolled. The western driveway is approximately 22 feet wide and the distance from the edge of SR 36 to the entrance gate is approximately 75 feet. The central driveway is approximately 16 feet wide and the distance from the edge of SR 36 to the entrance gate is approximately 100 feet. The eastern driveway is approximately 80 feet wide at the edge of SR 36 and gradually narrows to 18 feet wide at the gate, which is approximately 60 feet from the edge of SR 36. Each driveway

gate is 16 feet wide and the main access roads through the property are at least 18 feet wide with easily accessible turnaround areas. The three access driveways will remain gated during project operations to prevent unauthorized entry into the sites.

Due to the rural nature of the project area, there is currently no public transit or infrastructure for alternative modes of transportation such as bicycle or pedestrian facilities.

Analysis:

a) **Finding:** The project will not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? **Less than significant impact.**

Discussion: The project parcels are currently accessed from State Route 36 from three separate driveways on APN 210-054-008 that are gated. SR 36 is a two- and one-lane highway extending from US 101, south of Fortuna to Trinity County and eventually connects with I-5 in Red Bluff. As noted in the setting, the main access roads through the project parcels are minimum 18 feet wide with easily accessible turn-around areas. The 24 daily trips by the employees are consistent with the proposed agricultural operations as well as the operations in the Larabee Valley area. Any potential added traffic would not exceed the capacity of SR 36, a state-maintained highway.

Construction

Construction traffic for the project would result in a minor, short-term increase in construction-related vehicle trips on SR 36, which has low traffic volumes relative to its capacity. Construction would result in vehicle/truck trips by construction workers and haul-truck trips for delivery and disposal of construction materials and spoils to and from construction areas. Since construction of the proposed improvements on the project parcels would be temporary, construction activities would not be expected to result in adverse traffic impacts to the local roadway system or transit, bike, and pedestrian facilities.

Operation

Vehicle/truck trips from the proposed cannabis operations would be generated by employees, import of materials to the site, and the export of cannabis products and solid waste. It is proposed that the 12 employees for the cannabis operations on the parcels will be carpooling to and from the site daily. The onsite property caretaker would be responsible for vehicle counts and checking employee and delivery personnel ID. The employees are estimated to result in 24 vehicle trips daily. Additional trips would include import of materials required for the cannabis activities bringing the average daily trips to 30.

Due to the limited number of trips that would be generated daily and the lack of infrastructure for alternative modes of transportation in the project area, it is not expected that the proposed cannabis operations would result in adverse traffic impacts to the local roadway system or transit, bike, and pedestrian facilities.

Therefore, the proposed projects will not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Impact of the proposed cannabis operations would be Less than significant.

b) **Finding:** The project will not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? **Less than significant impact.**

Discussion: Amended CEQA Guidelines (Section 15064.3) have replaced level of service (LOS) with vehicle miles traveled (VMT) as the most appropriate measure of a project's transportation impacts. For a land use project, VMT exceeding an applicable threshold of significance may indicate a significant impact. The average VMT per employee (HBW) in Humboldt County is 14.70 and the HBW for the census block for the project parcels is 19.69. Therefore, the project does not screen out for CEQA threshold. Due to high variability between projects, significance thresholds for commercial cannabis cultivation projects are to be determined on a case-by-case basis. For projects in urban areas within 3 miles of a shopping center, it would be appropriate to apply the 15% below the current level threshold used for residential and office projects. Otherwise, the analysis should compare project VMT to the baseline VMT in the TAZ where the project is located. Additional VMT would come only from the additional employees from the proposed new cultivation as the employees associated with the existing operations are part of baseline. Additionally, there are two existing residences on the property and the employees living on site would not generate any employee VMT and offset the VMT generated by additional employees. Accordingly, the proposed project is anticipated to result in a qualitatively minor increase in VMT associated with employees. Potential impacts resulting from the proposed project would be less than significant in nature.

Construction

As discussed above, construction would result in vehicle/truck trips by construction workers and haul-truck trips for delivery and disposal of construction materials and spoils to and from construction areas. Since construction of the proposed improvements on the project parcels would be temporary, construction activities would not be expected to result in significant impacts related to vehicle miles traveled.

Operation

The Governor's Office of Planning and Research (OPR) has developed a screening threshold to determine when detailed analysis is needed due to the potential for a project to generate a potentially significant level of VMT. The threshold states that projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact (OPR, 2018). As noted above, the proposed cannabis operations are estimated to generate approximately 30 vehicle/truck round trips per day, at three entrances, which is well below the screening threshold recommended by OPR. Even in the worst-case scenario, where all 12 fulltime employees drive their own vehicle to work each day, and one temp agency van, it is estimated that the cannabis operations would result in 30 vehicle/truck round trips daily, at three entrances. For this reason, a detailed analysis of VMT impacts is not included in this Initial Study and it is determined that the projects would result in less than significant transportation impacts during operation.

Therefore, the project will not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) and impacts of the proposed cannabis operations would be **Less than significant impact.**

c) **Finding:** The project will not substantially increase hazards due to a geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). **Less than significant impact**

Discussion: The project parcels are currently accessed from State Route 36 from three separate driveways on APN 210-054-008 that are gated. As noted in the setting, the main access roads through the project parcels are minimum 18 feet wide with easily accessible turn-around areas. Additionally, the distances between the edge of SR 36 and the entrance gates, provides adequate queuing distance for vehicles/trucks if multiple vehicles need ingress simultaneously. The projects besides that do not propose any new public roads and do not propose any significant realignment of existing roads that might cause hazards due to a geometric design feature.

The access roads on the project parcels must comply with or are equivalent in function to the County's Category 4 road standards, which address a variety of roadway elements including safety and hazards. For example, the Category 4 road standard requires 18-to 20-foot-wide travel lanes, 2-foot-wide bladed shoulders, 25 to 40-mile per hour design speed, and sight distance requirements for safe passage. Any required road improvements will be reviewed by the relevant County departments (e.g. Planning & Building Department, Public Works Department) and constructed to the County's standards to ensure that no hazardous design features will be developed as part of the projects.

In compliance with requirements of the County's roadway standards, the proposed projects will not substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersection) or incompatible uses (e.g. farm equipment). Therefore, a less than significant impact will occur.

d) **Finding:** The project will not result in inadequate emergency access. **Less than significant impact.**

Discussion: The proposed projects would use SR 36 to access the project parcels. The three access driveways to the project parcels from SR 36 will be gated to prevent unauthorized entry. A Knox Lock or other similar rapid entry system will be installed on the gates to allow the Bridgeville Fire Protection District and other emergency responders to have access to the site in case of an emergency (e.g., fire, medical emergency, etc.).

The projects will be required to comply with Chapter 10 (Fire Safe Regulations) of the Humboldt County Code, which requires that private roadways and access driveways be designed to meet the Category 4 road standards and other emergency access standards. The Fire Safe Regulations provide specific standards for roads providing ingress and egress for emergency vehicles and evacuation concurrently and signing of streets and buildings.

Therefore, in compliance with the County's Fire Safe Regulations, the proposed projects will not result in inadequate emergency access and potential impacts would be less than significant.

Mitigation:
None required.

Findings:
The project would have **Less than significant impact** for Transpiration.

13.18 TRIBAL CULTURAL RESOURCES Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Cause a substantial adverse change in the significance of a tribal cultural resource listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code §5020.1(k)?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of a tribal cultural resource determined by the lead agency to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1?	☐	☒	☐	☐

Setting:

Archaeological research in the north coast region of California has shown evidence of Native American occupation over the last 8,000 years. The project parcels are in an area of Humboldt County which historically was occupied by the Nongatl Tribe and later was part of a homestead established by Henry Larabee in the 1860's. By 1922, rancher Samuel H. Stockhoff had acquired the property and multiple others in the area, and by 1949 the property was part of the ranch of John M. and Mary L. Victoria, dairy ranchers who lived in Alton. Following the death of John Sr., his son John Victoria Jr. and his wife Ayn owned the property well into the modern period before splitting it into ranchettes in the 1980s. 4 Wheel Properties, LLC acquired the property in 2010. Separate Cultural Resource Investigations were completed for each project parcel, which are discussed below:

APN 210-071-001: In the winter of 2017 and fall of 2019, William Rich and Associates (WRA) conducted investigations for cultural resources on this parcel and prepared two Cultural Resource Investigation Reports. The investigation included a record search at the Northwest Information Center (NWIC), correspondence with the Native American Heritage Commission (NAHC), tribal representatives, and other knowledgeable individuals, and a comprehensive field survey over the entire project area encompassing approximately 117.2 acres. The survey resulted in an updated to known site P-12-001107 and the establishment of one new sites (WRA-01, 02, and 03). A site visit by the Bear River Tribal Historic Preservation officer resulted in recommendations incorporated as mitigation measure CR-2.

APN 210-062-007: During the summer of 2018, Archaeological Research and Supply Company conducted investigations for cultural resources on this parcel and prepared a Cultural Resources Investigation Report. The investigation included a record search at the NWIC, correspondence with the NAHC, tribal representatives, and other knowledgeable individuals, and a comprehensive field survey over all areas of existing disturbance on the parcel (including 600-foot buffers and any slopes less than 35%). The investigation determined that no historic or prehistoric archaeological resources, or pre-existing resources, were identified on the parcel.

APN 210-054-008: During the winter and spring of 2018 William Rich and Associates investigated for cultural resources on this parcel and prepared a Cultural Resources Investigation Report. The investigation included a record search at the NWIC, correspondence with the NAHC, tribal representatives, and other knowledgeable individuals, and a comprehensive field survey over the entire project area. The investigation resulted in the identification of one isolated biface and an extension of the previously recorded site P-12-001106/CA-HUM-849.

Analysis:

a) **Finding:** The project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). **Less than significant impact with mitigation incorporated.**

Discussion: As described in the setting section above, a separate Cultural Resource Investigation Report was completed for each project parcel. The project design avoids significant resource areas. The project design also includes laying a base rock layer to cap known isolate areas.

The recommendation for implementation of an inadvertent discovery protocol and capping of isolate areas have already been included as Mitigation Measures CR-1 and CR-2 for the propose projects.

Therefore, the proposed project as designed, mitigated, and in compliance with existing regulatory requirements, would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). Therefore, impacts would be less than significant impact.

b) **Finding:** The project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. **Less than significant impact with mitigation incorporated.**

Discussion: See discussion in section a) above.

Mitigation:
No additional mitigation required. See mitigations CR-1 and CR-2 in section 13.5 Cultural Resources.

Findings:
The project would have **Less than significant impact with mitigation incorporated** for Tribal Cultural Resources.

13.19 UTILITIES AND SERVICE SYSTEMS Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or	☐	☐	☒	☐

otherwise impair the attainment of solid waste reduction goals?				
e) Comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Setting:

The project parcels total approximately 812-acres and are in the unincorporated area of Larabee Valley in eastern Humboldt County. Two of the project parcels (APNs 210-071-001 and 210-054-008) have frontage on State Route 36. The project parcels have historically and are currently used for livestock grazing and timberland production. Portions of the project parcels are developed with existing roads, barns, two residence, accessory buildings, electrical infrastructure, ponds, wells, and existing cannabis cultivation activities.

Limited public utilities and service systems are provided and available in the project area. The project parcels are not connected to a municipal or community water system, wastewater system, or stormwater drainage system. The water source for the project parcels are groundwater wells and rainwater catchment ponds. Wastewater infrastructure on the project parcels includes an onsite wastewater treatment system (OWTS) and portable toilets. Stormwater runoff on the project parcels currently infiltrates into the ground or surface flows to stormwater features and BMPs (e.g., water-bars, rocked rolling dips, inside ditches, vegetated drainage swales, straw wattles, etc.) prior to discharge to drainages on the project parcels.

Below is a description of the existing energy infrastructure on the project parcels:

APN 210-071-001: PGE and proposed solar infrastructure will be used for nursery, well, and irrigation. An emergency generator will also be onsite.

APN 210-062-007: A solar system is proposed reserving generators for emergency use only.

APN 210-054-008: This parcel is currently served by an existing Pacific Gas and Electric (PGE) service line, proposed solar and one emergency generator.

The project parcels do not currently have solid waste disposal pick-up. Solid waste is primarily transported by the operators as needed to the Recology Eel River waste transfer station in Fortuna, CA. The solid waste is then transported to Anderson Landfill in Anderson, CA or other regional landfills (Potrero Landfill and Dry Creek Landfill). The Anderson Landfill has the existing

capacity of 10,409,132 cubic yards and is permitted to receive a maximum of 1,850 tons of solid waste per day. It is estimated that operation of Anderson Landfill will cease in January 2093 (CalRecycle, 2021).

Analysis:

a) **Finding:** The project will not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. **Less than significant impact.**

Discussion: Limited public utilities and service systems are provided and available in the project area. The project parcels are not connected to a municipal or community water system, wastewater system, or stormwater drainage system. The water source for the project parcels are groundwater wells and rainwater catchment ponds. Wastewater infrastructure on the project parcels includes an onsite wastewater treatment system (OWTS) and portable toilets. Stormwater runoff on the project parcels currently infiltrates into the ground or surface flows to stormwater features and BMPs (e.g., water-bars, rocked rolling dips, inside ditches, vegetated drainage swales, straw wattles, etc.) prior to discharge to drainages on the project parcels. Electric power to the project parcels is provided existing PGE service lines to APN 210-054-008 and 210-071-001. 210-062-007 is proposed to have solar as a primary power source but have three emergency backup generators. Gas service to the project parcels is provided by propane tanks and is trucked in by Sequioa Gas company.

Therefore, the proposed project as designed and mitigated, will not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. Therefore, impacts would be **less than significant impact.**

b) **Finding:** Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. **Less than significant impact**.

Discussion: The current water sources for the project parcels include six groundwater wells and three existing and one proposed rainwater catchment pond. The closest land uses to the project parcels include residential uses that are located approximately 0.25 miles from the proposed cultivation areas.

According to the DWR SGMA Basin Prioritization Dashboard, the project parcels are within or adjacent to a groundwater basin (Larabee Valley) that is classified as very low priority

(DWR, 2021). As such, a sustainable groundwater management plan has not been prepared for the Larabee Valley groundwater basin. According to the well logs completed for the various groundwater wells on the project parcels, the wells and storage (i.e., ponds and water tanks) have sufficient capacity to supply the proposed cannabis cultivation projects. As described in the Project Description, the groundwater wells on the project parcels can produce adequate water annually when compared to estimated water use for the proposed project. Based on the large size of the project parcels (812-acres), the production capability of the existing groundwater wells, the very low priority status of the Larabee Valley groundwater basin, and the distance to the nearest land uses (0,25 miles), it is expected that the projects will have sufficient water supplies for the proposed cannabis activities. More water is expected to recharge the aquifer than over the property than is proposed to be pumped. Rainfall catchment analysis shows that the ponds can collect sufficient water in average years and 50% of the estimated annual water in drought years.

Therefore, there would be sufficient water supplies available to serve the proposed projects and reasonably foreseeable future development during normal, dry, and multiple dry years. Therefore, impacts would be less than significant.

c) **Finding:** The project will not result in a determination by the wastewater treatment provider which services or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. **No impact**.

Discussion: As discussed in the setting, the project parcels are not connected to a municipal or community wastewater system. As such, the proposed projects will not cause a wastewater treatment provider to determine that it does not have adequate capacity to the serve the proposed cannabis operations.

The proposed projects will not result in a determination by the wastewater treatment provider which services or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. Therefore, no impact is expected.

d) **Finding:** The project will not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. **Less than significant impact**.

Discussion: The proposed project may generate solid waste from various materials and containers used during cultivation (e.g., nutrient containers, soil bags, etc.), as well as household trash from employees, miscellaneous agricultural refuse and debris, and

cannabis waste. Solid waste produced by the proposed projects will be transported by the operators as needed to the Recology Eel River waste transfer station in Fortuna, CA. The solid waste will then be transported to the Anderson Landfill in Anderson, CA or other regional landfills (Potrero Landfill and Dry Creek Landfill). The Anderson Landfill has the existing capacity of 10,409,132 cubic yards and is permitted to receive a maximum of 1,850 tons of solid waste per day. It is estimated that operation of the Anderson Landfill will cease in January 2093 (CalRecycle, 2021). The Recology Eel River transfer station and the Anderson Landfill have sufficient capacity for the foreseeable future to accommodate the solid waste generated by the proposed projects.

For cannabis waste, a Cannabis Waste Management Plan will be prepared for the proposed projects pursuant to 3 CCR § 8108 and submitted to the California Department of Food and Agriculture. Cannabis waste will be stored and managed at the project parcels at a designated composting area pursuant to 3 CCR § 8308.

Therefore, in compliance with existing laws and regulations, the proposed projects will not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Therefore, a less than significant impact will occur.

e) **Finding:** The project will comply with Federal, State, and local management and reduction statutes and regulations related to solid waste. **Less than significant impact**.

Discussion: The California Integrated Waste Management Act of 1989 (Public Resources Code Division 30), enacted through Assembly Bill (AB) 939 and modified by subsequent legislation, required all California cities and counties to implement programs to divert waste from landfills (Public Resources Code Section 41780). Compliance with AB 939 is determined by the Department of Resources, Recycling, and Recovery (Cal Recycle).

The construction and operational activities from the proposed project would be required to comply with all federal, State, and local statutes related to solid waste, including AB 939. This would include compliance with recycling, hazardous waste, and composting programs in the County to comply with AB 939. For cannabis waste, a Cannabis Waste Management Plan will be prepared for the proposed projects pursuant to 3 CCR § 8108 and submitted to the California Department of Food and Agriculture. Cannabis waste will be stored and managed at the project parcels at a designated composting area pursuant to 3 CCR § 8308.

Therefore, the proposed projects would comply with Federal, State, and local management and reduction statutes and regulations related to solid waste. Therefore, impacts would be less than significant.

Mitigation:
No mitigations required.

Findings:
The project would have **Less than significant impact** for Utilities and Service Systems.

13.20 WILDFIRE If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

Setting:
Fire protection in Humboldt County is provided by local fire districts, cities, and the California Department of Forestry and Fire Protection (CAL FIRE). The project parcels are in a State Responsibility Area (SRA), which is identified as areas within the State in which CAL FIRE assumes primary financial responsibility for preventing and suppressing fires. The project parcels have varying topography that ranges from relatively flat valley grasslands in Larabee Valley to sloping forested hillsides near the Larabee Buttes. The CAL FIRE Fire and Resource Assessment Program (FRAP) designates lands in three general classifications, "Moderate", "High" and "Very High" Fire Hazard Severity Zones (FHSZ). APNs 210-071-001, 210-062-007 and 210-054-008 are partially within a High Fire Hazard Severity Zone. The closest CALFIRE fire station is the Bridgeville CAL FIRE station in Bridgeville, approximately 10 miles to the west of the project parcels. Other fire stations in the project area include the USFS Mad River Fire Station approximately 14 miles east and the Bridgeville Volunteer Fire Department Station approximately 10 miles west, and Fortuna station 38 miles away.

Analysis:

a) **Finding:** The project will not substantially impair an adopted emergency response plan or emergency evacuation plan. **Less than significant impact**.

Discussion: The project is in the Mad-Van Duzen Wildfire Planning Unit (Unit 11). In the event of wildfire, evacuees would travel east or west on SR 36. As described in the setting there are several stations in the vicinity.

Construction
Construction of the improvements for the proposed projects would result in increased truck traffic for the import of materials to the project parcels. Truck traffic has the potential to slow or stop emergency vehicles while entering/exiting the project parcels, which could temporarily increase emergency response times. However, it is expected that the proposed temporary construction activities would not substantially hinder emergency response activities or physically interfere with established evacuation routes.

Operation
The proposed projects will be required to comply with Chapter 10 (Fire Safe Regulations) of the Humboldt County Code, which requires that private roadways and access driveways are designed to meet or be equivalent to the Category 4 road standards and other emergency access standards. The Fire Safe Regulations provide specific standards for roads providing ingress and egress for emergency vehicles and evacuation concurrently and signing of streets and buildings. Prior to the commencement of operations, the access roads will be required to be brought into compliance with the county's road standards if they are not already. Any road improvements required will be

reviewed by the relevant County departments (e.g. Planning & Building Department, Public Works Department, etc.) and constructed to the County's standards to ensure that adequate emergency access is provided. Compliance with existing standards related to emergency access and evacuation will ensure that impacts to emergency response are minimized.

The three access driveways to the project parcels from SR 36 will be gated to prevent unauthorized entry. A Knox Lock or other similar rapid entry system will be installed on the gates to allow emergency responders to have access to the site in case of an emergency (e.g., fire, medical emergency, etc.).

Therefore, the proposed projects as designed and in compliance with existing laws and regulations, will not substantially impair an adopted emergency response plan or emergency evacuation plan. Therefore, impacts would be less than significant.

b) **Finding:** The project will not exacerbate wildfire risks, due to slope, prevailing winds, and other factors and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. **Less than significant impact.**

Discussion: The cannabis activities and facilities proposed by the projects have the potential to increase risk of fire and/or introduce ignition sources or flammable materials to the project parcels. Most of the cannabis activities proposed by the projects will occur on portions of APNs 210-071-001 and 210-054-008 that are relatively flat valley grasslands and are designated as a High Fire Hazard Severity Zone. The proposed improvements to these parcels will be located away from surrounding vegetation (i.e., trees and shrubs) and on slopes that are less than 15. According to CAL FIRE, growing and drying of cannabis is generally an agricultural operation unless it also involves manufacturing extracts and concentrates (CAL FIRE, 2017). The projects do not propose manufacturing activities and are not proposing significant changes to the project parcels that would substantially exacerbate wildfire risks.

Under State regulations, areas within Very High Fire Hazard Severity Zones must comply with specific building and vegetation management requirements intended to reduce property damage and loss of life within these areas. The California Building Code was amended in 2005 to add additional protections for buildings in wildfire hazard zones. The proposed cannabis operations will also be subject to the California Fire Code, which includes safety measures to minimize the threat of wildfire. Title 14 of the CCR sets forth the minimum development standards for emergency access, fuel modification, setback, signage, and water supply, which help prevent damage to structures or people by reducing wildfire hazards. In addition, Humboldt County applies standards to proposed development within the SRA to reduce the risk of fire. These standards are a locally

adopted alternative version of the state's SRA Fire Safe Regulations (Humboldt County Code Title III, Div 11) as authorized by Section 4290 of the Public Resources Code and have been approved by CAL FIRE as meeting or exceeding State regulations. New development in the SRA is subject to Fire Safe regulations, and the appropriate clearance of vegetation around such development is inspected by CAL FIRE and potentially by Humboldt County with other improvements at the time of construction (Humboldt County, 2017b). The proposed projects would be reviewed by State and local agencies to ensure they comply with building, electrical, and fire codes, which would avoid or minimize the potential for the projects to exacerbate wildfire risks. Currently there are more than enough SRA turn arounds, wide rocked roads, all culverts up to date (steel).

While the project parcels are in areas designated as High Fire Hazard Severity Zones, which could expose employees to pollutant concentrations or the uncontrolled spread of a wildfire, these hazards would not be substantially different than that for other types of land uses in the project area.

Therefore, the proposed projects as designed and in compliance with existing laws and regulations, will not exacerbate wildfire risks, due to slope, prevailing winds, and other factors and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Therefore, impacts would be less than significant.

c) **Finding:** The project will not require the installation or maintenance of associated infrastructure such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. **Less than significant impact**.

Discussion: The projects do not propose the development of any additional access roads or fuel breaks. As noted in the project description, the project has several existing and new infrastructure improvements related to wildfire including:

- Water: 4,323,306 gallons in capacity from ponds and 402,600 gallons of capacity from tanks.
- Electrical service: The existing PGE electrical service line that is currently serving Barn 1 on APN 210-054-008 will be extended underground, to serve the proposed cannabis activities on APN 210-071-001 where cannabis activities are proposed. PGE service upgrades are not expected. Additionally, it is proposed to install solar energy systems on APNs 210-071-001, 210-054-008 and 210-062-007 to provide onsite sources of renewable energy and use as the primary source of power.

Most of the proposed improvements have minimal potential to increase the risk of wildfires due to the proposed locations away from surrounding vegetation and the lack

of ignition sources and flammable materials. The proposed improvements that have the greatest potential to exacerbate fire risks include the extension of electrical infrastructure on APNs 210-071-001 and 210-054-008. Electrical infrastructure would be extended underground to portions of these parcels that are relatively flat grasslands near SR 36. This infrastructure would be designed and maintained in compliance with PGE's Community Wildfire Safety Program, which includes expanded and enhanced design requirements to reduce potential wildfire risk (e.g., vegetation and fire safety standards, stronger power poles, covered power lines, targeted undergrounding, etc.) and routine safety inspections in high fire threat areas (PGE, 2021). Due to the proposed location and short distance of this infrastructure, and compliance with current PGE requirements, it is not anticipated that the proposed electrical infrastructure would substantially exacerbate fire risk being underground.

Therefore, the proposed projects will not require the installation or maintenance of associated infrastructure such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. Therefore, impacts would be less than significant.

d) **Finding:** The project will not expose people or structures to significant risks, including downslope or downstream flooding or landslides, post-fire slope instability, or drainage changes. **Less than significant impact.**

Discussion: According to FEMA Community Panel # 06023C1525F the project parcels are located within an area of minimal flood hazard (Zone X) (FEMA, 2016). According to the Humboldt County Web GIS system, there are no historical landslides mapped within the project parcels. Additionally, there are no sheer or unstable cliffs near the location of the proposed cannabis operations. Water courses on the project parcels have been mapped (**Appendix 4**) and cannabis operations will maintain setbacks from the delineated streams and wetland areas on the project parcels consistent with the SWRCB Cannabis General Order and the County Streamside Management Areas and Wetlands Ordinance. These regulations require various setbacks ranging from 50 to 200 feet depending on the class of stream and other site-specific factors. The project plans place operations adequately set back from these resources. As such, the proposed projects would not involve changes to the drainages on the project parcels.

Based on the location of the proposed projects and compliance with existing laws and regulations, it is not expected that people or structures will be subject to significant risks due to runoff, post-fire instability, or drainage changes. Therefore, the proposed projects would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, post-fire slope instability, or drainage changes. Therefore, impacts would be less than significant.

Mitigation:
None required.

Findings:
The project would have **Less than significant impact** for Wildfire.

13.21 MANDATORY FINDINGS OF SIGNIFICANCE Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) The project will not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.	☐	☒	☐	☐
b) The project will not have impacts that are individually limited, but cumulatively considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects?	☐	☒	☐	☐
c) The project is not of a type or located in an area that will cause substantial adverse effects on human beings?	☐	☒	☐	☐

Setting:
The project has been reviewed in Sections 13.1 through 13.20 and determined to have no potentially significant unmitigated impact. With implementation of proposed mitigation measures AFR-1, AQ-1, BR-1 through BR-4, CR-1 and CR-2, and NO-1 all potentially significant impacts would be reduced to less than significant.

Analysis:

a) **Finding:** The project will not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number, or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. **Less than significant impact with mitigation incorporated.**

Discussion: All impacts to the environment, including impacts to habitat for fish and wildlife species, fish and wildlife populations, plant and animal communities, rare and endangered plants and animal species, and historical and prehistorical resources were evaluated as part of the analysis in this document. Where impacts were determined to be potentially significant, mitigation measures have been imposed to reduce those impacts to less than significant levels. In other instances, the project design and compliance with existing laws and regulations would reduce impacts of the projects to less than significant levels. Therefore, the proposed projects as designed, mitigated, and in compliance with existing regulatory requirements, would not substantially degrade the quality of the environment and impacts would be less than significant with mitigation incorporated.

b) **Finding:** The project will not have impacts that are individually limited, but cumulatively considerable. ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects). **Less than significant impact with mitigation incorporated.**

Discussion: This mitigated negative declaration documents the project's design features and clear, specific mitigation measures that eliminate the project's potential, project-specific impacts on the environment or mitigates its potential impacts to a less-than-significant level. A "lead agency may determine in an initial study that a project's contribution to a significant cumulative impact would be rendered less than cumulatively considerable and thus is not significant." (CEQA Guidelines, § 15064(h)(2).)

When making this determination, the lead agency may conclude that the effects of a project under review would not be cumulatively considerable where "there is no evidence of any individual potentially significant effect." (Sierra Club v. West Side Irrigation District (2005) 128 Cal.App.4th 690, 701-702 (Sierra Club), citing Leonoff v. Monterey County Board of Supervisors (1990) 222 Cal.App.3d 1337, 1358 (Leonoff). Importantly, the "mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the Proposed Project's incremental effects are cumulatively considerable." (CEQA Guidelines § 15064(h)(4).)

A lead agency's analysis of cumulative impacts in a mitigated negative declaration is not the same as the analysis required in an EIR. In the mitigated negative declaration context, the lead agency's obligation is to determine whether the incremental effects of the project under review are "considerable". (San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus (1996) 42 Cal.App.4th 608, 624-635 (San Joaquin Raptor).) A lead agency's investigation of this question, further, does not require "some sort of grand statistical analysis" or other detailed inquiry of the type that could be appropriate in an EIR. (San Joaquin Raptor, p. 625.) A lead agency, as noted, can correctly conclude that the impacts of a project under review are not cumulatively considerable when there is no substantial evidence that any incremental impacts of the project are potentially significant. (San Joaquin Raptor, p. 624, citing Leonoff, at p. 1358.)

As discussed throughout this document, implementation of the Proposed Project has the potential to result in impacts to the environment that are individually limited, however, mitigation has been incorporated to reduce any potentially significant impacts that are individually limited to a less than significant level.

An analysis of cumulative impacts considers the potential impacts of the project combined with the incremental effects of other approved, proposed, and reasonably foreseeable similar projects in the vicinity. The proposed project area is in the Van Duzen Planning Watershed, which under Resolution 18-43 by the Humboldt County Board of Supervisors is limited to 425 total permits and 146 total acres of commercial cannabis cultivation (Humboldt County Board of Supervisors, 2018). If the proposed project is implemented, additional cultivation would be within the limits set by the Board of Supervisors.

This document includes specific, effective mitigation measures that reduce the proposed project's potential environmental impacts to a less-than-significant level. Regarding biological resources impacts, the proposed project's impacts were analyzed through a site-specific biological study, botanical study, wetlands delineation, raptor surveys, northern spotted owl surveys, and database searches. This document incorporates mitigation measures that require preconstruction surveys and noise and light

performance standards, among other measures and proposed project design features. Regarding cultural resources and tribal cultural resources impacts, the proposed project was analyzed through site specific cultural resource investigations and consultation and site visits by the Bear River Tribal Historical Preservation Officer. These measures reduce the proposed project's individual impacts to a less-than-significant level.

The proposed project's consistency with the CMMLUO and associated adopted mitigated negative declaration and consistency with the CCLUO and associated programmatic FEIR, and its incorporation of required mitigation measures and conditions of approval, provide another basis for the County to determine that the proposed project would not result in cumulatively considerable impacts. In all instances where the project has the potential to contribute to cumulatively considerable impacts to the environment (including the resource categories biological resources and cultural resources) mitigation measures have been imposed to reduce the potential effects to less than significant levels. As such, with incorporation of the mitigation measures imposed throughout this document, the proposed project would not contribute to environmental effects that are individually limited, but cumulatively considerable, and impacts would be less than significant with mitigation.

Therefore, the proposed projects as designed, mitigated, and in compliance with existing regulatory requirements, would not result in impacts that are individually limited, but cumulatively considerable. Therefore, impacts would be less than significant with mitigation incorporated.

c) **Finding:** The project will not have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly. **Less than significant impact with mitigation incorporated.**

Discussion: The potential for the proposed projects to result in environmental effects that could adversely affect human beings, either directly or indirectly, has been discussed throughout this document. In instances where the proposed projects have the potential to result in direct or indirect adverse effects to human beings, including impacts to air quality, cultural resources, and noise, mitigation measures have been applied to reduce the impact to below a level of significance. In other instances, the project design and compliance with existing laws and regulations would reduce impacts of the projects to less than significant levels. Therefore, the proposed projects as designed, mitigated, and in compliance with existing regulatory requirements, would not have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly. Therefore, impacts would be less than significant with mitigation incorporated.

Mitigation:
Mitigation Measures AFR-1, AQ-1, BR-1 through BR-4, CR-1 and CR-2, and NO-1 discussed in this document shall apply.

Findings:
The proposed project would have a **Less than significant impact with mitigation incorporated** on Mandatory Findings of Significance.

13.22 DISCUSSION OF MITIGATION MEASURES, MONITORING, AND REPORTING PROGRAM

The Department found that the project could result in potentially significant adverse impacts unless mitigation measures are required. A list of Mitigation that addresses and mitigates potentially significant adverse impacts to a level of non-significance follows. A Mitigation and Monitoring Report is attached.

Mitigations:

AFR-1: Less Than Three Acre Conversion Mitigation Plan
[As described in **Appendix 8**]

Site B:

a) Remove existing pond outlet and relief culvert structures. Replace pond inlet by forming a rock armored channel to allow class III watercourse to enter pond. Install new 36" outlet culvert to convey 100-year flow directly above old class III channel. Armor outlet with full culvert along fill slope connected with an elbow culvert and 12" - 18" diameter rock at outlet.
b) Slash piles. Remove all wood debris piles by lope and scatter, pile and burn, or chip to reduce fire potential and pest habitat.

Site E:

a) Pull back gardens and remove all cultivation related materials 100' from the nearby watercourse.

Site F:

a) Surface erosion. Install 2" to 4" diameter rock 30' past knick-point and outer fill.
b) Outlet surface erosion forming a channel. Rock access approximately 125' from main road to vegetation around pond and along 2' channel.

Site I:

a) Slash piles. Remove all wood debris piles by lope and scatter, pile and burn, or chip to reduce fire potential and pest habitat.

AQ-1. Dust Control Measures. During construction activities, the following dust control measures shall be implemented to reduce fugitive dust generation:

a) All active construction areas (e.g., staging areas, soil stockpiles, graded areas, etc.) shall be watered a minimum of two times per day during the dry season.
b) Hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
c) Dust-generating activities shall be limited during periods of high winds (over 15 mph).
d) All haul trucks transporting soil, sand, or other loose material, likely to give rise to airborne dust, shall be covered.

e) All vehicle speeds shall be limited to 15 miles per hour within the construction area.
f) Promptly remove earth or other tracked out material from paved streets onto which earth, or other material has been transported by trucking or earth-moving equipment.
g) Access of unauthorized vehicles onto the construction site during non-working hours shall be prevented.

BR-1. Nesting Bird Surveys. If project-related development activities cannot occur outside the bird (including raptors) nesting season (February 1 – August 31), the following steps shall be taken to prevent the abandonment of active nests:

a) A qualified biologist shall conduct surveys no more than 7 days prior to each phase of construction activity on the project parcels.
b) If an active nest is located during the survey, a no-disturbance buffer shall be established around the nest by the qualified biologist, in consultation with California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service.
c) Protective buffers (no-disturbance area around the nest) will be established at a distance determined by the biologist based on the nesting species, its sensitivity to disturbance, and type of and duration of disturbance expected. Protective buffers shall remain in place until young have fledged.
d) Construction activities outside buffers may proceed while active nests are being monitored, at the discretion of the qualified biologist. If active nests are found to be at risk due to construction activities, construction activities shall be delayed until the qualified biologist determines that the young have fledged.

BR-2. Bullfrog Management. Project ponds shall be completely drained in the dry season (September-October) or monitored for bullfrog presence on an annual basis with a minimum of five total surveys, no less than two weeks apart, throughout the months of May-July. If bullfrogs are encountered, removal efforts must be made that year.

BR-3. Invasive Plant Management, Restoration, and Monitoring Plan.
The following Invasive Plant Management must be followed for the life of the project:

a) Invasive plants around project areas should be monitored once or twice a year to remove black locust, Scotch broom, Himalayan blackberry, yellow star thistle, and bull thistle.
b) Native grass seed shall be applied to remediation sites such as California brome (*Bromus carinatus*), blue wild rye (*Elymus glaucus*), small fescue (*Festuca microstachys*), and tomcat clover (*Trifoium willdenovii*).
c) All bare soil is to be covered in straw mulch.

BR-4. Generator Sound Attenuation. To ensure that the use of generators by the proposed projects complies with the CMMLUO noise standards and the USFWS auditory disturbance guidance for Northern spotted owl, generators used by the proposed cannabis operations shall be housed in structures that provide adequate sound attenuation.

CR-1. Inadvertent Discoveries of Cultural Resources and Human Remains Protocol – Cultural Resources.

If cultural resources, such as lithic materials or ground stone, historic debris, building foundations, and/or human remains are discovered during ground-disturbance activities, work shall be stopped within 20 meters (66 feet) of the discovery, per the requirements of CEQA (January 1999 Revised Guidelines, Title 14 CCR 15064.5 (f)). Work near the archaeological finds shall not resume until a professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines, has evaluated the materials and offered recommendations for further action.

Prehistoric materials which could be encountered include obsidian and chert debitage or formal tools, grinding implements (e.g., pestles, hand stones, bowl mortars, slabs), locally darkened midden, deposits of shell, faunal remains, and human burials. Historic materials which could be encountered include ceramics/pottery, glass, metals, can and bottle dumps, cut bone, barbed wire fences, building pads, structures, trails/roads, etc.

If human remains are discovered during project construction, work would stop at the discovery location, within 20 meters (66 feet), and any nearby area suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner would be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner would contact the NAHC. The descendants or most likely descendants of the deceased would be contacted, and work would not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.

CR-2. Updated Site P-12-001107 and Isolate Areas WRA 01, 02, and 03

Additional consultation with the Bear River Band of the Rohnerville Rancheria resulted in the following mitigation:

d) Updated Site P-12-001107 setback reduction is allowed. The cannabis project must occur at least 100 feet from the resource boundary.
e) Isolate Areas WRA 01, WRA 02, and WRA 03 can be used if there is no ground disturbance and the areas are capped. Capping means adding 6 inches of base rock.
f) Existing Barn Within P-12-001107 can be used for drying if there is no ground disturbance of surrounding areas. Existing parking, areas and roads are to be capped with 6 inches of base rock. Use of barn for trimming is not allowed because of ground disturbance from required ADA parking spaces and septic system.

NO-1. Construction Noise Restrictions. The following shall apply to construction noise from tools and equipment:

d) The operation of tools or equipment used in construction, drilling, repair, alteration, or demolition shall be limited to between the hours of 8 AM and 5 PM Monday through Friday, and between 9 AM and 5 PM on Saturdays.
e) No heavy equipment related construction activities shall be allowed on Sundays or holidays.
f) All stationary and mobile construction equipment shall be maintained in good working order.

14. EARLIER ANALYSES

Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 16063(c)(3)(D). In this case a discussion should identify the following on attached sheets:

a) Earlier analyses used. Identify earlier analyses and state where they are available for review.

1) Humboldt County General Plan (2017)
2) Humboldt County General Plan Update Environmental Impact Report (SCH# 2007012089)
3) Humboldt County Medical Marijuana Land Use Ordinance Mitigated Negative Declaration
4) Humboldt County Commercial Cannabis Land Use Ordinance Final Environmental Impact Report
5) Humboldt County Zoning Ordinance

The above documents area available for review at the Humboldt County Planning and Building Department or on the Humboldt County website.

b) Impacts Adequately Addressed. Some of the effects from the above checklist were within the scope of and adequately analyzed in the document(s), pursuant to applicable legal standards.

c) Mitigation Measures. It was not necessary to include mitigation measures, which were incorporated or refined from the document(s) described above to reduce effects that are "Less than Significant with Mitigation Incorporated,"

15. SOURCE / REFERENCE LIST

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