

**ATTACHMENT 3**

**CEQA ADDENDUM TO THE  
FINAL ENVIRONMENTAL IMPACT REPORT FOR THE COMMERCIAL CANNABIS LAND USE  
ORDINANCE**

**Commercial Cannabis Land Use Ordinance Final Environmental Impact Report (EIR)  
(State Clearinghouse # 2017042022), January 2018**

**APN 308-131-012 and 308-131-020, Table Bluff area, County of Humboldt**

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**February 2025**

## **Background**

### **Modified Project Description and Project History –**

The Commercial Cannabis Land Use Ordinance (CCLUO) updated the County's existing Commercial Medical Marijuana Land Use Ordinance (Section 313-55.4 and 314-55.4 of Chapter 3 of Division 1 of Title III of the County Code) as well as repeal of the Medical Cannabis Testing and Research Laboratories provisions and on-site consumption prohibition found in Sections 313-55.3.15, 314-55.3.15, 313-55.3.11.7, and 314-55.3.11.7 of Division 1 of Title III of the County Code, respectively. These regulations establish land use regulations for the commercial cultivation, processing, manufacturing, distribution, testing, and sale of cannabis within Humboldt County. These regulations were developed in concert with the Final Environmental Impact Report (EIR) that was adopted for the ordinance in order to implement the mitigation measures of the EIR. The EIR addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The EIR specified that the regulations established in the CCLUO would mitigate the impacts of existing cannabis operations by establishing regulations for an existing unregulated land use to help prevent and reduce environmental impacts that are known to result from unpermitted baseline cultivation operations. The EIR prepared for the CCLUO also established local land use regulations to allow for continued commercial cannabis operations in the unincorporated area of the County that ensure the health and safety of residents, employees, County visitors, neighboring property owners and end users of cannabis. The proposed project is consistent with all regulations within the CCLUO and all mitigation measures of the EIR. Commercial cannabis cultivation in existence as of December 31, 2015, was included in the environmental baseline for the EIR. The current project was contemplated by the EIR and compliance with the provisions of the CCLUO will fully mitigate all environmental impacts of the project to a less than significant level.

The modified project involves a Conditional Use Permit and Coastal Development Permit for 28,656 sq. ft. of mixed light and 9,800 sq. ft of outdoor cultivation within existing greenhouses. The project will source water from existing permitted groundwater well and supplemented during peak demands with the recapture of water via dehumidifiers in the greenhouses. A total of 32 dehumidifiers are installed throughout the greenhouse areas, with a conservative estimate generating approximately 180 gallons per day. The total

projected water use is 266,300 gallons annually, with hand-watering as the primary method and drip irrigation used where needed. The project will store up to 20,000 gallons of water in storage tanks. Once the plants reach maturity, they will be harvested, dried, and cured on-site in the existing storage shed or greenhouses. Trimming and further processing will occur at a third-party licensed facility. Power is provided by PG&E and a generator is housed onsite to provide emergency energy if needed. During peak production, up to eight employees may be present. The project parcel is within the Lower Eel watershed. A review of WebGIS determined that the project setting is located on a parcel that has been determined to have relative stability and a Moderate fire hazard severity. Further analysis determined that the project parcel does not have any sensitive or critical habitats on site, and with no ground disturbing activities associated with this project, there are no expected negative impacts. The project will also comply with provision of the CCLUO intended to eliminate impacts to sensitive species from noise and from light and noise. Compliance with these and other measures of the CCLUO ensure consistency with the EIR.

**Purpose** - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Final Environmental Impact Report (EIR) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent EIR or Negative Declaration have occurred. Section 15162 states that when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous Final EIR; B) significant effects previously examined will be substantially more severe than shown in the Final EIR; C) mitigation measures or alternatives previously found not to be feasible would in fact

be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

### **Summary of Significant Project Effects and Mitigation Recommended**

A review of Appendix G impacts:

**Aesthetics:** The modified project is for an existing 28,656 sq. ft. of mixed light and 9,800 sq. ft of outdoor cultivation commercial cannabis cultivation. The EIR adopts as its baseline for analysis of impacts the existing environmental conditions that include the legacy of a half century of unregulated cannabis cultivation in remote and environmentally sensitive areas of Humboldt County. The modified project will not significantly impact scenic vistas or public views. The project is consistent with the visual character of the area. Per the performance standard of the CCLUO, the project will not create a source of light or glare. No impact.

**Agriculture and Forestry Resources:** The project parcel is zoned Agriculture Exclusive, and no new cultivation area is proposed. The project will utilize agricultural land for agricultural purposes. The project will not convert prime farmland or conflict with existing zoning for agricultural use or Williamson Act contract. No impact.

**Air Quality:** The modified project is for existing cultivation and will utilize existing facilities for cannabis related operations. The project will not expose sensitive receptors to pollutants or create objectionable odors affecting a substantial number of people. The project will utilize access road(s) that meet category 4 standards. The use of roads for this cannabis project is therefore not a substantial change or additional significant impact not considered under the EIR.

**Biological Resources:** Per review of CDFW's California Natural Diversity Database (CNDDDB), there are two mapped sensitive species with the vicinity of the subject parcel, the Siskiyou checkerbloom and Point Reyes salty bird's-beak. Additionally, the nearest Northern Spotted Owl (NSO) activity center is located within 3.45 miles of the site. The project is for an existing operation and is conditioned to require the applicant to implement light and noise attenuation measures, refrain from using synthetic netting, and ensure refuse is contained in wildlife. It was determined that the project and operations will have less than significant impacts with adherence to the recommended

conditions of approval. Less than significant impact.

**Cultural Resources:** The project was originally referred to the Northwest Information Center, Wiyot tribe, and the Tribal Historic Preservation Officer (THPO) of the Bear River Band. The THPO representative for the Bear River Band recommended approval with the inclusion of inadvertent discovery protocol. The project is conditioned as such. The project does not involve any known historical resource. No impact.

**Energy:** The project includes use of PG&E as a primary energy source with a generator present for emergency backup purposes only. No impact.

**Geology and Soils:** No new structures are proposed that would expose people to risk of life from earthquakes. The cultivation area will take place on existing graded flats. No new grading will occur. No impact.

**Greenhouse Gas Emissions:** The project is for cannabis cultivation with on-site ancillary propagation. Power is currently provided by PG&E with a generator used as emergency backup. Inclusion of a generator for emergency purposes is not uncommon for agricultural operations in rural areas and is part of the baseline conditions adopted in the EIR. The project would not result in significant sources of greenhouse gas emissions. Less than significant impact.

**Hazards and Hazardous Materials:** The project will appropriately store fertilizers, herbicides and fuel that is used for farm equipment and cultivation operations. All hazardous materials are stored properly with secondary containment in accordance with applicable regulations. The project does not expose the public to hazards. The project is in a rural area rated as a moderate fire risk, however no significant wood framed structures will be constructed as part of this project. The project would not impair emergency response or create a significant risk from wildfire. Less than significant impact.

**Hydrology and Water Quality:** The EIR adopts as its baseline for analysis of impacts the existing environmental conditions that include the legacy of a half century of unregulated cannabis cultivation in remote and environmentally sensitive areas of Humboldt County. The continued operation of 28,656 sq. ft. of mixed light and 9,800 sq. ft of outdoor cultivation will not degrade any water sources or contribute to sedimentation and conforms to the performance standards described in the CCLUO as well as State Water Resources Control Board General Order NO WQ 2019-0001-DWQ. The continued cultivation does not substantially alter the existing drainage pattern of the site or area and the project site is not located within a flood hazard or tsunami zone. No impact.

**Land Use and Planning:** The project will continue an existing operation and does not physically divide an established community or result in a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. No impact.

**Mineral Resources:** The project will continue an existing operation and will not result in the loss of availability of a known mineral resources that would be of value to the region and the residents of the state. No impact.

**Noise:** The project will continue an existing operation and will not increase existing noise levels from the operation which includes typical farm equipment. The project will not result in the generation of excessive ground borne vibration or noise levels. No impact.

**Population and Housing:** The modified project is for existing outdoor and mixed light cannabis cultivation. No housing is proposed nor is any removal of housing proposed. The project will not induce substantial unplanned population growth in an area nor displace substantial numbers of existing people or housing necessitating the construction of replacement housing. No impact.

**Public Services:** The continued operation of 28,656 sq. ft. of mixed light and 9,800 sq. ft of outdoor cannabis cultivation will not increase the need for fire or law enforcement services. The project is not within 600 feet of a park or a school. No impact.

**Recreation:** The project site is private property and contains no recreational facilities nor are recreational facilities accessed through the property. No impact.

**Transportation:** Up to 8 workers will be on-site during peak operations. The parcel is accessed from Table Bluff Road. A Road Evaluation Report dated October 2018 was prepared by Shasta Engineering and Consulting. The project is located on an existing Category 4 road (Table Bluff Road). The project site will also have adequate emergency access. Less than significant impact.

**Tribal Cultural Resources:** The project will adhere to the Inadvertent Discovery Protocol as recommended by local tribes. No impact.

**Utilities and Service Systems:** Solid waste is taken to the local waste management facility. Toilet and handwashing are available through portable facilities. Water for propagation and cultivation is sourced from a well. All water, utilities, and wastewater are handled onsite. No impact.

**Wildfire:** The project will not interfere with any evacuation plan. There will be no significant new structures that will increase the risk of wildfire. No impact.

No changes are proposed for the Final EIR recommended mitigations. The proposal to authorize the project and minor improvements necessary to bring the operation into compliance with the CCLUO is fully consistent with the impacts identified and adequately mitigated in the Final EIR. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the Final EIR.

In reviewing the application for consistency with the adopted EIR the County considered the following information and studies, among other documents:

- Cultivation and Operations Manual prepared by NorthPoint Consulting Group, dated January 2025
- Noise Source Assessment and Mitigation Plan prepared by NorthPoint Consulting Group, dated December 2024
- Site Plan prepared by NorthPoint Consulting Group, dated September 2024
- Groundwater Well Evaluation prepared by NorthPoint Consulting Group, dated December 2024
- Road Evaluation Report for Table Bluff Road prepared by Shasta Engineering and Consulting, dated October 2018
- Cultural Resources Investigation prepared by William Rich and Associates, dated October 2018

### **Other CEQA Considerations**

Staff suggests no changes for the revised project.

### **EXPLANATION OF DECISION NOT TO PREPARE A SUPPLEMENTAL MITIGATED NEGATIVE DECLARATION OR ENVIRONMENTAL IMPACT REPORT**

See **Purpose** statement above.

In every impact category analyzed in this review, the projected consequences of the current project proposal are either the same or less than significantly increased than the initial project for which the EIR was adopted.

### **Project impact analysis of conformance to the Final Environmental Impact Report Mitigation Monitoring and Reporting Program**

Mitigation Measure 3.3-4: Prohibit burning of cannabis and other vegetative material.

- Condition of project approval.

Mitigation Measure 3.4-1a: Pre-approval biological reconnaissance surveys.

- A review of CDFW's California Natural Diversity Database (CNDDDB) was considered and the use of existing permitted facilities will not pose a threat to any nearby occurrences of sensitive plants on adjacent properties. Ongoing conditions state that if any wildlife is encountered during the authorized activity, the Applicant shall not disturb the wildlife and shall allow wildlife to leave the work site unharmed. The project does not propose any operational expansion or development beyond the footprint of existing permitted facilities. No impact.

Mitigation Measure 3.4-1b: Special-status amphibian preconstruction surveys.

- There are no special-status amphibians within the project vicinity. The project does not propose any operational expansion or development beyond the footprint of existing permitted facilities. No impact.

Mitigation Measure 3.4-1c: Western pond turtle preconstruction surveys and relocation.

- No western pond turtle or associated habitat exists within the vicinity of the subject parcel. The project does not propose any operational expansion or development beyond the footprint of existing permitted facilities. No impact.

Mitigation Measure 3.4-1d: Nesting raptor preconstruction survey and establishment of protective buffers.

- There are no nesting sites within the project vicinity. The project does not propose any operational expansion or development beyond the footprint of existing permitted facilities. No impact.

Mitigation Measure 3.4-1e: Northern spotted owl preconstruction habitat suitability surveys and determination of presence or absence.

- Habitat for northern spotted owl was identified approximately 3.45 miles from the subject parcel. No tree removal is proposed as part of the project. In addition, the project is conditioned to limit noise generated from the project to 50db at 100' or at the nearest tree line, whichever is closer. The project does not propose any operational expansion or development beyond the footprint of existing permitted facilities. No impact.

Mitigation Measure 3.4-1f: Special-status nesting bird surveys and establishment of protective buffers.

- No presence or habitat was identified in the vicinity of the proposed project per the review of CDFW's California Natural Diversity Database (CNDDDB). The project does not propose any operational expansion or development beyond the footprint of existing permitted facilities. No impact.

Mitigation Measure 3.4-1g: Marbled murrelet preconstruction habitat suitability surveys and establishment of protective buffers.

- No presence or habitat was identified in the vicinity of the proposed project per the review of CDFW's California Natural Diversity Database (CNDDDB). The closest habitat exists approximately 6 miles away. The project does not propose any operational expansion or development beyond the footprint of existing permitted facilities. No impact.

Mitigation Measure 3.4-1h: Noise reduction.

- Pacific Gas and Electric supplies power the site. There is one generator on site for emergency use only. In addition, the project is conditioned to limit noise generated from the project to 50db at 100' or at the nearest tree line, whichever is closer. The project does not propose any operational expansion or development beyond the footprint of existing permitted facilities. No impact.

Mitigation Measure 3.4-1i: American badger preconstruction survey and establishment of protective buffers.

- The project does not propose any operational expansion or development beyond the footprint of existing permitted facilities. No impact.

Mitigation Measure 3.4-1j: Fisher and Humboldt marten preconstruction survey and preservation of active den sites.

- The project does not propose any operational expansion or development beyond the footprint of existing permitted facilities. No impact.

Mitigation Measure 3.4-1k: Preconstruction bat survey and exclusion.

- The project does not propose any operational expansion or development beyond the footprint of existing permitted facilities. No impact.

Mitigation Measure 3.4-1l: Preconstruction vole survey and relocation.

- The project does not propose any operational expansion or development beyond the footprint of existing permitted facilities. No impact.

Mitigation Measure 3.4-3a: Special-status plants.

- According to the California Natural Diversity Database (CNDDDB) Resource Map, the

Siskiyou checkerbloom was last viewed on the subject parcel in 1949, and the Point Reyes salty bird's-beak was located in 1912. The project does not propose any operational expansion or development beyond the footprint of existing permitted facilities. No impact.

Mitigation Measure 3.4-3b: Invasive plant species.

- The project includes an invasive species control plan that satisfies the requirements of this mitigation measure.

Mitigation Measure 3.4-4: Sensitive natural communities, riparian habitat, and wetland vegetation.

- The project site exhibits upland characteristics as shown by the 2017 National Wetland Inventory (NWI) mapping. A review of the Eel River Area Plan Resources map and County GIS shows that an adjacent parcel to the west of the project parcel contains seasonally flooded palustrine wetland. This is approximately 800 feet away from the project activities. The project does not propose any operational expansion or development beyond the footprint of existing permitted facilities. No impact.

Mitigation Measure 3.4-5: Waters of the United States.

- A review of the Eel River Area Plan Resources map and County GIS shows that an adjacent parcel to the west of the project parcel contains seasonally flooded palustrine wetland. This is approximately 800 feet away from the project activities. The project does not propose any operational expansion or development beyond the footprint of existing permitted facilities. No impact.

Mitigation Measure 3.4-6a: Implement Mitigation Measure 3.4-5: Waters of the United States.

- See Mitigation Measure 3.4-5 above.

Mitigation 3.4-6b: Retention of fisher and Humboldt marten habitat features.

- See Mitigation Measure 3.4-1j above.

Mitigation Measure 3.5-1: Protection of historic resources.

- There is an existing residence on the property that is not affiliated with the cannabis cultivation. The project does not propose any operational expansion or development beyond the footprint of existing permitted facilities and there is no proposal to remove or modify the residence. No impact.

Mitigation Measure 3.5-2: Avoid potential effects on unique archaeological resources.

- William Rich and Associates conducted a Cultural Resources Investigation in October 2018 and did not identify any archaeological or cultural resources within the project area and concluded that the project is therefore not anticipated to have an adverse effect on significant cultural or archaeological resources. Further, the project does not propose any operational expansion or development beyond the footprint of existing permitted facilities. Project conditions of approval are incorporated regarding an inadvertent discovery protocol to protect cultural and archaeological resources.

Mitigation Measure 3.6-5 Protection of discovered paleontological resources.

- See Mitigation Measure 3.5-2 above.

Mitigation Measure 3.7-2a: Prepare Environmental Site Assessments.

- The project does not propose any operational expansion or development beyond the footprint of existing permitted facilities. Project does not propose development of commercial cannabis facilities on existing commercial, business park, or industrial sites. No impact.

Mitigation Measure 3.7-2b: Prepare a Hazardous Materials Contingency Plan for Construction Activities.

- See Mitigation Measure 3.7-2a above.

Mitigation Measure 3.8-2: Minimum Size of Commercial Cultivation Activities.

- The subject parcel is 21.6 acres and exceeds the minimum parcel size for the proposed project per Section 55.4.6.1.2 of the Coastal Cannabis Land Use code.

Mitigation Measure 3.8-3: Annual groundwater monitoring and adaptive management.

- Water for this project is sourced from a permitted groundwater well and the applicant has provided a monthly and annual budget for water. As the parcel is under 40 acres in size and the well is within 400 feet of a property line, a groundwater drawdown test was completed. It was concluded that using the groundwater well for the proposed irrigation activities would not have an impact on the surrounding wells. The project has been conditioned to require metering and record keeping of water use.

Mitigation Measure 3.8-4: Provision of drainage facilities to attenuate increases in drainage flows.

- The cultivation activities will take place in the existing structures in an agricultural field on slopes less than 5%. Stormwater management for the remainder of the property is addressed in the SMP, which will also include recommendations for

road network maintenance. Existing and proposed structures are located over 50 feet from any watercourses, providing a sufficient buffer to prevent potential sediment or nutrient delivery. The SMP will include erosion and sediment control best practicable treatment controls (BPTCs) designed to prevent, contain, and reduce sources of sediment. Additionally, the SMP will include sitespecific corrective actions to ensure property maintenance and erosion control. Maintaining enrollment with the State Water Resources Control Board (SWRCB) General Order is a condition of project approval.

Mitigation Measure 3.8-5: Implement water diversion restrictions and monitoring and reporting requirements.

- No water diversion will be utilized for the proposed project.

Mitigation Measure 3.10-1: Implement construction-noise reduction measures.

- Condition of project approval.

Mitigation Measure 3.12-2: Proper design of highway access points.

- Project is accessed from a county-maintained Category 4 road.

Mitigation Measure 3.13-1a: Prepare a treatment program for all new indoor cultivation and non-cultivation activities.

- The proposed project is not for new commercial indoor cultivation or a non-cultivation cannabis operation. The project does not propose any operational expansion or development beyond the footprint of existing permitted facilities.

Mitigation Measure 3.13-1b: Verification of adequate wastewater service and necessary improvements for public wastewater systems.

- The property is not serviced by a public wastewater system.

Mitigation Measure 3.13-2: Verification of adequate water supply and service for municipal water service.

- The property is not serviced by a municipal water service.

Based upon this review, the following findings are supported:

**FINDINGS**

1. The proposed project will permit a previously existing cannabis operation and bring the operation into compliance with county and state requirements intended

to adequately mitigate environmental impacts.

2. The circumstances under which the former project was approved have not changed substantially. There are no new significant environmental effects and no substantial increases in the severity of any previously identified effects.
3. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted as complete.

## **CONCLUSION**

Based on these findings it is concluded that an Addendum to the previous Final EIR is appropriate to address the requirements under CEQA for the current project proposal. All of the findings, mitigation requirements, and mitigation and monitoring program of the EIR, remain in full force and effect on the original project.

There are no new significant environmental effects and no substantial increases in the severity of any previously identified effects. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted as complete.