

**CEQA ADDENDUM TO THE
MITIGATED NEGATIVE DECLARATION FOR THE COMMERCIAL MEDICAL
MARIJUANA LAND USE ORDINANCE**

**Commercial Medical Marijuana Land Use Ordinance Mitigated Negative Declaration (MND)
(State Clearinghouse # 2015102005), January 2016**

APN 522-031-007; North side of State Highway 299, approximately 3 miles North from the intersection of State Highway 299 and Old Three Creeks Road, and approximately 2.2 miles North from the intersection of Old Three Creeks Road and a Private Drive on the property known to be in Section 30 of Township 07 North, Range 04 East, Section 29 of Township 07 North, Range 04 East, H. B. & M.

**Prepared By
Humboldt County Planning and Building Department
3015 H Street, Eureka, CA 95501**

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Background

Modified Project Description and Project History – The Commercial Medical Marijuana Land Use Ordinance (CMMLUO) established specific regulations for commercial cannabis operations in Humboldt County. These regulations were developed in concert with the Mitigated Negative Declaration (MND) that was adopted for the ordinance in order to implement the mitigation measures of the MND. The MND addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The MND specified that the regulations established in the CMMLUO 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. Commercial cannabis cultivation in existence as of December 31, 2015 was included in the environmental baseline for the MND and the MND states that “Bringing existing operations into compliance will help to attenuate potential environmental effects from existing cultivation activities, including aesthetic impacts resulting from improper operation or poor siting.” The current project was contemplated by the MND and compliance with the provisions of the CMMLUO will fully mitigate all environmental impacts of the project to a less than significant level.

The modified project involves a Conditional Use Permit for an existing 21,469 square feet (SF) outdoor cannabis cultivation operation, including 1,200 SF of ancillary propagation. Water sourced for cultivation from a permitted, confined aquifer well. Three (3) 3,500 gallon hard tanks totaling 10,500 gallons of water storage that is filled by the well. Estimated annual water use is 135,000 gallons. Outdoor cultivation occurs in the southeastern portion of the parcel consisting of two (2) cultivation areas. Processing, including drying and curing activities, occurs on-site in existing Shipping Containers. All other processing is done offsite by a 3rd party processing company. A maximum of three (3) employees may be utilized during peak operations. Power is provided by three (3) generators and solar power is used for the Well Pump. Outdoor cannabis cultivation activities anticipate one (1) harvest annually. Access to the operation is gated and locked, and trail cameras are placed along the gate, various buildings on the parcel, and cultivation areas. Additional security from a 3rd party neighborhood patrol service is in use during the months of September to November.

A Hydrological Report (*Hydrologic Isolation of Well WCR2013-008234 (Legacy well #e0186272) From Surface Waters, Old Three Creeks Road, Berry Summit, APN: 522-031-007*) was prepared by Lindberg Geologic Consulting in October 2022 (Attachment 3) to assess the well’s potential for hydrologic connectivity with any adjacent wetlands and surface waters, and if pumping the well could affect surface waters in nearby watercourse. Per the Report, the findings concluded the existing permitted well on the subject parcel has a low likelihood of being hydrologically connected to nearby surface waters in any manner that could affect adjacent wetlands, surface waters, springs, and/or nearby wells in the vicinity. Based on the Hydrological Report, the Humboldt County’s WebGIS shows four (4) watercourses within one (1) mile of the well site. Approximately, 1,600 feet to the northwest is one (1) ephemeral tributary of Minor Creek, and approximately 1,750 feet to the southwest is a second ephemeral tributary of Minor Creek. Southeast of the subject well approximately 3,100 feet is an ephemeral tributary of Three Creeks. The head of (perennial) Supply Creek is more than 3,500 feet east of the subject well. According to the Hydrological Report the well and Site Plan Map is located in the southwestern corner of the parcel. The well elevation is approximately 3,700 feet. The subject well is only cased and screened to 160 feet below the ground surface (bgs) and only cased and screened to 130 bgs. Therefore, the elevation of the bottom of the borehole is 3,540 feet, and the bottom of the well screen is 3,570 feet bgs. The Well Completion Report (Attachment 3), the well is 160 feet deep and drilled through Silty Clay Reddish Brown, Weathered Shist, and Highly Fractured Basalt. Per the Hydrological Report the well has a low potential

of having any direct connection to surface waters. The first water was encountered at 40 feet. In conclusion, per Well Completion Report, the well is estimated to yield approximately 4 gallons of water per minute and produce up to 21,600 gallons per day. As such, use of the well does not require additional water rights from the State Water Resources Control Board and is not subject to forbearance or water storage requirements. Conditions of approval also require the applicant to monitor water use from the well and water storage tanks annually to demonstrate there is sufficient water available to meet operational needs.

A Preliminary Biological Resource Assessment for APN 522-031-007, prepared by TransTerra Consulting on May 2020 (Attachment 3), analyzed biological resources based from on the field observations (conducted 5/4/20) and assessed from search of CNDDDB biological resources database. Results from database and field survey showed minimal suitable habitat on-site for plant species with a moderate or high potential to occur and no evidence for rare plant species was detected in the project area. Further results of the CNDDDB database showed no special-status species within a 1-mile radius. CNDDDB database found within a 3-mile a suitable habitat for special status species. No other special-status species have been documented on the project site within a 1-mile radius. The nearest known Northern spotted owl (NSO) activity center greater than 1.16-mile to the west of the cultivation site. The last positive observation was made in 2000 with only negative observations following in the CNDDDB database up to 2001; therefore, the cultivation site may not provide suitable foraging habitat. As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance and will not negatively impact NSO or other sensitive species. It is recommended from the Biological Assessment to follow all existing policies for minimizing impacts from the project operations plans and follow best management practices. It is recommended before any construction or alteration to watercourses a certified biologist survey area for listed amphibian species including northern red-legged frog adults, tadpoles, and/or eggs. Additionally, recommendations are before any further vegetation removal occurs a certified biologist survey the area for listed terrestrial plants and wildlife per survey recommendations.

No known significant archaeological resources are in the project area. A Cultural Resources Investigation was conducted by Archaeological Research and Supply Company in April 2021 (on file and confidential). No artifacts, features, or sites which would be considered a historical resource under CEQA were identified during the survey. Although the Cultural Resources Investigation concludes that it is not anticipated to encounter significant buried archaeological materials at this location during implementation of the permit, it is noted that the potential for inadvertent discovery of such resources exists. Ongoing conditions of approval are incorporated regarding the inadvertent discovery protocol to protect cultural resources.

A Less Than 3 Acre Conversion Exemption (Attachment 3) was prepared and signed off by the property owner 5/19/16 by not signed off by a Registered Forester for Timberland Resource Consultants. The Exemption Report identified that approximately 2.8 acres of unauthorized timberland conversions for cultivation-related purposes occurred on the subject property. The Exemption Report concludes the conversion activities conducted on the subject property do not comply with the standards set forth in the California Forest Practice Act and the California Forest Practice Rules. The project is conditioned to implement any remaining corrective actions identified in the Timber Conversion Evaluation Report. No additional tree removal is proposed or authorized by this permit.

Per a settlement and documentation (Attachment) with CAL FIRE found the Applicant to be in violation of the following: PRC 4581 Necessity of a Timber Harvest Plan; Public Resources Code (PRC) 4571(a) Necessity of License, 14CCR 1103.1(a) Prohibited Activity – Conversion Activities without Conversion

Permit; 14CCR 923.5(b) Landing Construction; and 14CCR 923.5(c) – Waste Organic Material shall not be buried in landing fills. During the site inspection for potential illegal conversion of timberland. The CAL FIRE inspection (1-14NON-019-HUM) found an area approximately 2 acres in size was observed to have been cleared. The conversion of timberland was conducted without a Timber Harvest Plan, Timber Conversion Permit, or a valid timber operator's license. The Applicant settled the violation with CAL FIRE in February 2015. Per the CAL FIRE inspection report (1-14NON-019-HUM) the completion of remediation work specified by the settlement between the Applicant and CAL FIRE has been completed. No further obligations exist related to the remediation work agreed between CAL FIRE and the Applicant. The report specifies that an approved valid harvest document is required prior to commencement of any commercial timber operations.

Furthermore, the project is conditioned to require the property be evaluated by a Registered Professional Forester (RPF) to determine the amount of timber conversion that occurred prior to and after the CMMLUO baseline date of January 1, 2016, and submit a Timber Conversion Report prepared by a RPF, to address previously unpermitted timber conversion. The applicant/owner will be responsible for mitigating the environmental impacts not analyzed in the environmental document prepared for the CMMLUO. The applicant/owner shall be required to re-stock an area onsite equivalent to the amount of area converted after the CMMLUO baseline date at a rate of 3:1. Additionally, the project is conditioned to require preparation of a Restocking Plan within 90 days of project approval and implement the Restocking Plan within a period of two (2) years, should any timber conversion be determined to have occurred after the CMMLUO baseline date. The Restocking Plan shall include details on the locations and total areas to be restocked, the type, number, and spacing of the plantings, and a monitoring plan for three (3) years which includes performance evaluations, performance standards, and contingency measures should performance standards not be met. The Report shall include monitoring and reporting requiring a minimum of 3 years of monitoring at an 85% success rate and submission of annual monitoring reports at the time of the annual inspection.

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Mitigated Negative Declaration (MND) 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 MND 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 MND 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 previous MND was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous MND; B) significant effect previously examined will be substantially more severe than shown in the previous MND; 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 previous MND 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 project is for 21,469 SF of existing outdoor cannabis cultivation, in addition to 1,200 SF of ancillary nursery space. The project will not significantly impact scenic vistas or public views as the project will occur within an existing open area that is surrounded by forested land. The project is consistent with the agricultural visual character of the area. The project will not create a source of light or glare. Less than significant impact.

Agriculture and Forestry Resources: The project involves an agricultural activity on a parcel zoned as Timber Production Zone (TPZ), in which all general agricultural uses are principally permitted. The project will not convert prime farmland or conflict with existing zoning for agricultural use or Williamson Act contract. The project will not result in the loss of forest land or conversion of forest land to non-forest use, as conditions of approval require post-2016 timber conversion to be properly mitigated and restocked at a 3:1 ratio, and no additional timber conversion is authorized under the permit. Less than significant impact.

Air Quality: No construction is proposed for the project. The project will not expose sensitive receptors to pollutants or create objectionable odors affecting a substantial number of people. The project would not result in significant sources of greenhouse gas emissions. The project does utilize a gravel road, and traffic on gravel roads contribute to PM₁₀, for which the North Coast Air Basin is already in non-attainment. However, there will be a maximum of three (3) people onsite during peak operations and a significant increase in traffic is not expected under the project. As such, the continued use of the mixed surfaced road for the project is not a substantial change or additional significant impact not considered under the MND for the CMMLUO. Less than significant impact.

Biological Resources: The project is in the Willow Creek area. The Water Resource Protection Plan (WRPP; WDID:1_12CC417126) was prepared for the State Water Resource Control Board (SWRCB, Order No. R1-2015-0023) in January of 2017 by Timberland Resources Consultants (see Attachment 3) identified seven (7) Class III drainages and two (2) Class II intermittent watercourses, which flows from north to south on the eastern and center portions of the parcel, with associated 100-foot Streamside Management Area (SMA) buffers. All the watercourses on the subject parcel are tributaries to Minor Creek, which is a tributary to Redwood Creek. All current and existing development including the cultivation and associated structures, are located outside the SMA buffers. that includes recommended best practices for erosion control and water quality protection consistent with the SWRCB Cannabis General Order R1-2015-0023.

Surrounding lands include Timber Production Zones (TPZ). As noted in the Water Resource Protection Plan (WRPP; WDID:1_112CC417126), prepared for the site, by Timberland Resource Consultants in January 2017, slopes of the onsite cultivation areas are located in less than 18%.

The onsite cultivation occurs within an existing open area on the subject site. occur in fields that have been in active agricultural operation. Per review of the Biological Resources Report in May 2020, there are no mapped sensitive species onsite and with the nearest NSO activity center located approximately 1.16 miles to the west of the cultivation site. The last positive observation was made in 2000 with only negative observations following in the CNDDDB database up to 2001; therefore, the cultivation site may not provide suitable foraging habitat. Conditions of approval require the applicant to describe how the operation will transition to use of 80% renewable energy (e.g., solar, wind, and/or hydropower) sources by the end of 2026, implement light and noise attenuation measures, refrain from using synthetic netting, ensure refuse is contained in wildlife proof storage, and refrain from using anticoagulant rodenticides to further protect 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: A Cultural Resource Survey was completed for the project area by Archaeological Research and Supply Company in April 2021. No archaeological or historic resources were identified. However, the project will adhere to the Inadvertent Discovery Protocol in the event of inadvertent discovery of resources. Less than significant impact.

Energy: The project is for outdoor cannabis cultivation with on-site drying and off-site processing. Although power is currently provided by a generator, the applicant has long-term plans for installation of a solar system. Conditions of approval require the applicant to describe how the operation will transition to use of 80% renewable energy (e.g., solar, wind, and/or hydropower) sources by the end of 2026. The project would continue to utilize a generator for emergency purposes which is not uncommon for agricultural operations in rural areas. Less than significant impact.

Geology and Soils: No new structures are proposed that would expose people to risk of life from earthquakes. The project occurs on less than 18%, as per the Water Resources Protection Plan (WRPP; WDID:1_12CC417126), and cultivation activities are limited to the immediate area. Additionally, irrigation runoff and erosion control measures are implemented. Less than significant impact.

Greenhouse Gas Emissions: The project currently utilizes a generator; however, the applicant has long-term plans for installation of a solar system. Conditions of approval require the applicant to describe how the operation will transition to use of 80% renewable energy (e.g., solar, wind, and/or hydropower) sources by the end of 2026. The project would continue to utilize a generator for emergency purposes which is not uncommon for agricultural operations in rural areas. Less than significant impact.

Hazards and Hazardous Materials: The project will store fertilizers, herbicides, and fuel in existing storage structures. All hazardous materials are stored in a locked area 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 high fire risk area; however, no significant wood framed structures will be constructed as part of this project. Additionally, conditions require fire-resistant materials be utilized for construction of the generator containment structures. The project would not impair emergency response or create a significant risk from wildfire. No project-related activities occur on-site during the months of November to March, when winter conditions occur. Less than significant impact.

Hydrology and Water Quality: The project is for 21,469 square feet of outdoor cannabis cultivation with ancillary propagation. The project will not degrade any water sources or contribute to sedimentation, as irrigation runoff, erosion control, and watershed protection measures are implemented by the project, as described in the Cultivation and Operations Plan. Less than significant impact.

Land Use and Planning: The project proposes an agricultural activity on a parcel zoned as Timber Production Zone (TPZ), in which all general agricultural uses are principally permitted. The project will 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: No mining is proposed. The project 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. The project will not result in the loss of availability of a locally important mineral resource recover site. No impact.

Noise: The project is located in a rural portion of the County in an existing open area, surrounded by forested and timberland area. The project will not result in the generation of excessive groundborne vibration or noise levels. Noise sources from the operation will include those of typical agricultural operations, and the use of the generator; however, the applicant has long-term plans to install a solar system onsite for the project. Drying and curing occurs onsite within four (4) shipping containers totaling 800 SF, with all other processing occurring offsite at a licensed processing or manufacturing facility. Less than significant impact.

Population and Housing: The project is for outdoor cannabis cultivation. No housing is proposed nor is any removal of housing proposed. Up to three (3) people may be onsite during peak operations. 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 project is for 21,469 square feet (SF) of cannabis cultivation with 1,200 SF ancillary propagation on a site where agriculture is the historical dominant use. The project will not increase the need for fire or law enforcement services. The project is not within 600 feet of a school, and no developed or designated recreational facilities are within 600 feet of the cultivation and propagation areas. Less than significant 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 three (3) people may be onsite during peak operations. Access to the site is by way of a private access via Unnamed Access Road off of Old Three Creeks Road accessed from State Route 299 (SR 299). A Road Evaluation Report prepared for a 2.0 mile segment of Old Three Creeks Road accessed directly off of SR 299 and the 2.1 mile segment of Old Three Creeks Road to the private access driveway. The Road Evaluation indicated the Old Three Creeks Road, and the Unnamed Access Road is maintained privately. According to referral comments from the Department of Public Works, State Highway 299 to Old Three Creeks Road (P.M. 2.8; End of County maintained) is a County maintained road. Old Three Creeks Road is included on the Approved List of County Maintained Roads that meet Road Category 4 standards for Cannabis Projects. The access road to the subject parcel is past the county maintained road. The Road Evaluation Report indicated the road segments are developed to the equivalent of a road Category 4 standard and are adequate for the proposed use. The submitted road evaluation included sufficient photographic evidence to verify the roadway condition as described, including roadway width and line of sight.

Due to the number of cultivation projects along Unnamed Access Road and Old Three Creeks Road, it is recommended by the Planning Department, the applicant shall take steps to form and implement a Road Maintenance Association (RMA). The project is located past the County maintained portion of Old Three Creeks Road. The subject project shall take the necessary to steps include sending notices to all

road users of the requirement to form a RMA and conducting a meeting with the users of the road, especially those engaged in commercial cannabis activities to discuss formation of the RMA. The applicant shall provide evidence, including notice, meeting minutes, and the decision as to whether a RMA is being formed to show this effort. In the event the applicant is unable to coordinate formation a RMA, the applicant shall pay fair-share cost for maintenance of the road to any road user engaged in maintaining the road. If the Applicant is currently enrolled in a RMA the project is conditioned to submit proof of enrollment and maintain enrollment for the life of the project. Less than significant impact.

Tribal Cultural Resources: A Cultural Resource Survey was completed for the project area by Archaeological Research and Supply Company in April 2021. No archaeological or historic resources were identified. However, the project will adhere to the Inadvertent Discovery Protocol in the event of inadvertent discovery of resources. Less than significant impact.

Utilities and Service Systems: Green waste material is composted onsite within a small area equipped with perimeter and top containment. Other materials, unsuitable for composting, are stored in conventional lid trash containers along with domestic waste, and hauled to an approved transfer station/disposal facility, as needed, as described in the Cultivation and Operations Plan. The project will provide portable toilets and handwashing stations for cultivation staff until permanent ADA accessible facilities are developed. Water for propagation and cultivation is sourced from an permitted groundwater well and associated storage tanks. Less than significant impact.

Wildfire: The project will not interfere with any evacuation plan. The project will not develop any significant new structures that will increase the risk of wildfire. Less than significant impact.

No changes are proposed for the original MND recommended mitigations. The proposal to authorize the continued operation of an existing cannabis cultivation site consisting of 21,469 square feet of outdoor cultivation with 1,200 SF ancillary propagation and drying activities is fully consistent with the impacts identified and adequately mitigated in the original MND. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for mitigation of all project related impacts to a less than significant level.

In reviewing the application for consistency with the adopted MND, the County considered the following information and studies, among other documents (see Attachment 3 for a complete listing of document):

1. Site Plan prepared by Green Road Consulting, dated 9/9/20.
2. Site Plan Overview and Cultivation and Operations Plan prepared by Green Road Consulting, received on 11/18/20.
3. Water Resource Protection Plan (WRPP; WDID:1_12CC417126) prepared by Timberland Resource Consultants, received 8/16/17 for the State Water Resource Control Board Order R1-2015-0023.
4. Hydrological Isolation of Well WCR2013-008234 (Legacy well #e0186272) From Surface Waters, Old Three Creeks Road, Berry Summit, APN: 522-031-007, prepared by Lindberg Geologic Consulting, received on 12/29/22.
5. Notice of Violation of Forest Practice Laws, Harvest Document (1-14NON-019-HUM), prepared by Department of Forestry and Fire Protection (CAL FIRE), received on 11/18/20.

6. Less than 3 Acre Conversion Exemption prepared by Timberland Resource Consultants, dated 5/26/16.
7. Focused Engineering Geologic Evaluation of Road Map Points for Supply Creek 2013 Project, Humboldt, CO., prepared by Oswald Geologic, dated 5/30/13.
8. Humboldt County department of Public Works Road Evaluation Report, prepared by Green Road Consulting (Applicant, Dominic Gabriel), dated 11/30/19 and received on 11/18/20.
9. Preliminary Biological Resource Assessment for APN 522-031-007, prepared by TransTerra Consulting, LLC., in May 2020, and received on 11/18/20.
10. A Cultural Resources investigation of the Willow Creek Gabriel Property Final Report. Prepared by Archaeological Research and Supply Company, dated April 2021 and received on 12/10/21 (on file and confidential).

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 MND was adopted.

Project impact analysis of conformance to the Mitigated Negative Declaration Substituted Mitigation Monitoring and Reporting Program

Mitigation Measure 1: Cannabis Cultivation on Forest Lands

- This project is for existing cultivation consistent with baseline conditions which is eligible in a Forestry Recreation (FR) zone. No new increased cultivation will occur. Based on review of historic aerial imagery dating back to 2004, it appears that the subject property contained a large open area within the southcentral corner portion of the site; however, it appears that a small amount of timber conversion has occurred onsite in order to accommodate the existing outdoor cultivation areas, and appears to have occurred between 2012 and 2014, 2014 and 2016. The project is conditioned to require the property be evaluated by a Registered Professional Forester (RPF) to determine the amount of timber conversion that occurred prior to and after the CMMLUO baseline date of January 1, 2016, submit a Timber Conversion Report prepared by a RPF to address previously unpermitted timber conversion, and re-stock an area onsite equivalent to the amount of area converted after the CMMLUO baseline date at a rate of 3:1. The project was referred to CAL FIRE for review and comment; however, CAL FIRE notice of violation on the project in October 2014.

Mitigation Measure 2: Generator Use (55.4.11(o)).

- The project currently utilizes a generator; however, the applicant has long-term plans for installation of solar, with a generator for emergency backup only. The project is conditioned to require the applicant to submit an energy use plan that describes the power demand for the project that includes a description of what power is required for (e.g., propagation, cultivation, and

processing) and how much power is required on a monthly and annual basis. The energy plan shall also include a description of the generator(s) used to meet the power demand and state how the size of the generator is reasonable based on the power demand. The generator(s) used to support operations shall not be larger than required to meet operational needs. The plan shall also describe how the operation will transition to use of 80% renewable energy (e.g., solar, wind, and/or hydropower) sources by the end of 2026. Additional conditions require that noise from the generator will not exceed 50 decibels at 100 feet or edge of clearing whichever is closer.

Mitigation Measure 3: Storage of Fuel (55.4.11(p)).

- The project is conditioned that fuel shall be stored and handled in compliance with applicable state and local laws and regulations and in such a way that no spillage occurs.

Based upon this review, the following findings are supported:

FINDINGS

1. The proposed project will permit an 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 project was approved have not changed substantially. There are no new significant environmental effects and no substantial increases in the severity of 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 MND was adopted as complete.

CONCLUSION

Based on these findings it is concluded that an Addendum to the certified MND 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 MND, remain in full force and effect on the original project.