



February 26, 2021

Rodney A Yandell
Humboldt County Planning and Building
3015 H Street
Eureka, CA 95501

Subject: Initial Study/Mitigated Negative Declaration (SCH#2021010337) – Arcata Land Company, LLC Commercial Cannabis Outdoor Light-Deprivation and Mixed-Light Cultivation Project

Dear Mr. Yandell:

Thank you for providing the California Department of Food and Agriculture (CDFA) CalCannabis Cultivation Licensing Division (CalCannabis) the opportunity to comment on the Initial Study/Mitigation Negative Declaration (IS/MND) (SCH#2021010337) prepared by the County of Humboldt for Arcata Land Company, LLC Commercial Cannabis Outdoor Light-Deprivation and Mixed-Light Cultivation Project (Proposed Project).

CDFA has jurisdiction over the issuance of licenses to cultivate, propagate and process commercial cannabis in California. CDFA issues licenses to outdoor, indoor, and mixed-light cannabis cultivators, cannabis nurseries and cannabis processor facilities, where the local jurisdiction authorizes these activities. (Bus. & Prof. Code, § 26012, subd. (a)(2).) All commercial cannabis cultivation within California requires a cultivation license from CDFA. For a complete list of all license requirements contained in the CalCannabis Licensing Program regulations, please visit: https://static.cdfa.ca.gov/MCCP/document/CDFA%20Final%20Regulation%20Text_01162019_Clean.pdf.

CDFA expects to be a Responsible Agency for this project because the project will need to obtain an annual cultivation license from CDFA. In order to ensure that the IS/MND is sufficient for CDFA's needs at that time, CDFA requests that a copy of the IS/MND, revised to respond to the comments provided in this letter, and a signed Notice of Determination be provided to the applicant, so the applicant can include them with the application package it submits to CDFA. This should apply not only to this



Proposed Project, but to all future California Environmental Quality Act (CEQA) documents related to cannabis cultivation applications in Humboldt County.

CDFA offers the following comments concerning the IS/MND.

General Comments (GCs)

GC 1: Acknowledgement of CDFA Regulations

The IS/MND acknowledges that CDFA is an agency whose approval may be required for the Proposed Project. CDFA is responsible for the licensing of cannabis cultivation and is responsible for the regulation of cannabis cultivation and enforcement, as defined in the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and CDFA regulations related to cannabis cultivation (Bus. & Prof. Code, § 26103(a)). The IS/MND's analysis would benefit from discussion of the protections for environmental resources provided by CDFA's regulations (Cal. Code Regs. tit.3, § 8000 et seq.). In particular, the impact analysis would be further supported by a discussion of the effects of state regulations on reducing the severity of impacts on the following resource topics:

- Aesthetics (See 3 California Code of Regulations § 8304(c); § 8304(g).)
- Air Quality and Greenhouse Gas Emissions (See § 8102(s); § 8304(e); § 8305; § 8306.)
- Biological Resources (See § 8102(w); § 8102(dd); § 8216; § 8304(a-c); § 8304(g).)
- Cultural Resources (See § 8304(d).)
- Hazards and Hazardous Materials (See § 8102(q); § 8106(a)(3); § 8304(f); § 8307.)
- Hydrology and Water Quality (See § 8102(p); § 8102(v); § 8102(w); § 8102(dd); § 8107(b); § 8216; § 8304(a and b); § 8307.)
- Noise (See § 8304(e); § 8306.)
- Utilities and Service Systems (See § 8102(s); § 8108; § 8308.)
- Energy (See § 8102(s); § 8305; § 8306.)
- Cumulative Impacts (related to the above topics).

GC 2: Proposed Project Description

In general, more detailed information related to Proposed Project operations and routine maintenance would be helpful to CDFA. This includes:

- the types of equipment and projected duration of use anticipated for operations and maintenance activities; and

- the source (equipment) and amounts of energy expected to be used in operating the cultivation facility, including any energy management and efficiency features incorporated into the Proposed Project.

Specific Comments and Recommendations

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

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	CDFA Comments and Recommendations
1	X	56	Hydrology and Water Quality	The IS/MND could be improved if the applicant provided proof of enrollment in or exemption from the applicable SWRCB or Regional Water Quality Control Board (RWQCB) program for water quality protection (Cal. Code Regs., tit. 3 § 8102(o)), and either a final copy of proof of a lake and streambed alteration agreement issued by the California Department of Fish and Wildlife (CDFW) or written verification that an agreement is not needed (Cal. Code Regs., tit. 3 § 8102(w)).
2	X(b)	58-59	Hydrology and Water Quality	The IS/MND would be improved if it provided additional information and analysis of whether the amount of water required for the Proposed Project would substantially decrease groundwater supplies or interfere substantially with groundwater recharge.
3	x(b)	58-59	Hydrology and Water Quality	<p>The IS/MND would be improved if it provided an analysis of whether there are sufficient groundwater supplies to serve the Proposed Project and reasonably foreseeable future development during normal, dry and multiple dry years.</p> <p>In addition, the document would be improved if it referenced the state's requirements regarding proposed water sources and groundwater use (Cal. Code Regs., tit. 3 §§ 8102(v), 8107(b)).</p>
4	X(e)	60	Hydrology and Water Quality	The document would be improved if it described any applicable water quality control plans and sustainable groundwater management plans, then provided an analysis of whether the Proposed Project would conflict with such plans.

Conclusion

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

Sincerely,

Lindsay Rains
Licensing Program Manager

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Making Conservation
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March 5, 2021

1- HUM- 101- 88.319
Arcata Land Use Co.
APPLICATION NO. 12255

Rodney Yandell, Senior Planner
Humboldt County
3015 H St.
Eureka, CA 95501

Dear Mr. Yandell,

Thank you for the opportunity to comment on the proposed Conditional Use Permit to allow approximately 22.9 acres of outdoor cannabis cultivation located at APN: 506-231-021 & 505-151-011. This project is located between 27th Street and Foster Avenue, west of the City of Arcata, in an unincorporated area of Humboldt County, California. We have the following comments:

District 1, concurs with all but one of the conclusions and recommendations in the Transportation Impact Study (TIS), made pertaining to the SHS, with the exception that we dispute the study's conclusion that collision rates are higher than statewide average at the intersections of Sunset Ave and US-101.

When collision rates are compared with the Statewide average, it is for a given segment of highway. Each on and off-ramp is considered as an individual highway segment. When the collisions for each ramp discussed in the study are individually compared to the statewide average, those collisions are significantly below the statewide average; ranging from 30% to 80% below the statewide average.

Because the collision rates for the ramps between Sunset Ave and US-101 are below statewide average, we consider the recommendation made in the TIS to notify drivers via signage to be inapplicable.

Mr. Rodney Yandell
March 5, 2021
Page 2

While the Caltrans District Planning staff telework, feel free to contact me regarding the above comments by email at: <jacob.rightnar@dot.ca.gov>.

Sincerely,

A handwritten signature in black ink, appearing to read "Jacob Rightnar". The signature is fluid and cursive, with the first name "Jacob" written in a more compact, stylized manner and the last name "Rightnar" written in a more extended, flowing script.

Jacob Rightnar
Transportation Planning
Caltrans District 1