



California Environmental Quality Act
Public Review Document
Initial Study & Proposed Mitigated Negative
Declaration

June 2021
MDF Enterprises
APN 210-250-022
Application #s12095-ZCC; 12253-ZCC; 12288-ZCC

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California Environmental Quality Act
Public Review Document
Initial Study & Proposed Mitigated Negative Declaration

MDF Enterprises Cannabis Cultivation Project
(APN:210-250-022,
Permit Application #s ZCC-12095; ZCC-12253; 12288-ZCC)

Prepared for:



County of Humboldt
Planning and Building
Department
3015 H St.
Eureka, CA 95501

Prepared by:



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INTEGRATED ENVIRONMENTAL SERVICES

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Acronyms and Abbreviations

AOB Alternative Owner Builder

AE Agricultural Exclusive

BACT Best Available Control Technology

BMPs Best Management Practices

C Candidate

CA Cultivation Area

CARB California Air Resource Board

CCC California Conservation Corps

CCLUO Commercial Cannabis Land Use Ordinance

CDFW California Department of Fish and Wildlife

CEQA California Environmental Quality Act

CUP Conditional Use Permit

CMMLUO Commercial Medical Marijuana Land Use Ordinance

CRHR California Register of Historic Resources

CWA Clean Water Act

D Delisted

E Endangered

FEIR Final Environmental Impact Report

FR Forest Recreation

GHG Greenhouse Gas

IS Initial Study

MDF MDF Enterprises

MND Mitigated Negative Declaration

NCAB North Coast Air Basin

NCRWQCB North Coast Regional Water Quality Control Board

NCUAQMD North Coast Unified Air Quality Management District

RA Residential Agriculture
RCEA Redwood Coast Energy Association
ROWD Report of Waste Discharge
RWQCB Regional Water Quality Control Board
RRR Retirement, Remediation, and Relocation Program
RUSLE Revised Universal Soil Loss Equation
SMA Streamside Management Area
SWRCB State Water Resource Control Board
T Threatened
TPZ Timberland Production
THPO Tribal Historic Preservation Officer
USACE United States Army Corps of Engineers
USDA United States Department of Agriculture
USGS United States Geological Survey
USLE Universal Soil Loss Equation
VFG Valley and Foothill Grassland
WRA William Rich and Associates
WRPP Water Resource Protection Plan
ZCC Zone Clearing Certificates

Project Overview

1. **Project Title:** MDF Enterprises Cannabis Cultivation Project
2. **Lead Agency:** Humboldt County Department of Planning 3015 H St. Eureka, CA 95501
3. **Contact Person:** -Desmond Johnston 707-441-2622
4. **Project Location:**

The MDF Enterprise Cannabis Cultivation (MDF) project is located within Humboldt County near the community of Bridgeville, California. MDF Enterprises LLC is the owner of the property with assessor's parcel number (APN) 210-250-022. Based on County of Humboldt Geographical Information System (GIS), the parcel totals 31.85 acres.

5. **Applicants Name and Address:** MDF Enterprises, Inc. 101 Larabee Valley Rd Bridgeville, CA 95536
6. **General Plan Designation:** The current General Plan Designation is RA40 (Residential Agriculture).

7. **Zoning:**

The current zoning for the site is AE (Agriculture Exclusive). Based on the current zoning and the general plan description the sites are eligible for cannabis cultivation and facilities for processing.

8. **Project Description**

The current project is a cannabis cultivation area of 60,000 ft² (1.377 ac) from three different Zoning Clearance Certificates (ZCC). Refer to section 1.1-1.7 for more detail.

9. **Surrounding land use**

The parcels immediately surrounding the parcel are located within the AE (Agriculture Exclusive) zoning districts. Uses for these include agriculture, timber product processing plant, nurseries, and greenhouses.

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement).**

Humboldt County is the lead agency for the proposed project and has discretionary authority over the primary project proposal. To implement this project, the applicant may need to obtain, at a minimum, the following discretionary permits/approvals from other agencies:

- Humboldt County Department of Environmental Health
- CalFire
- California Department of Fish and Wildlife (Region 1)
- California Regional Water Quality Control Board

11. Tribal Consultation:

Tribal referrals pursuant to AB 52 were initiated May 12, 2021 with the Native American Heritage Commission and the Bear River Band of Rohnerville Rancheria Tribe of Northern California. (Expressed interest in any survey findings), and the Cher-Ae Heights Indian Community of the Trinidad Rancheria. Neither tribe responded with a request to initiate consultation under AB 52. See Appendix D.

12. Purpose of this Document:

This document seeks to analyze the environmental impacts of development of the proposed uses of Cannabis Cultivation and related facilities.

1. INTRODUCTION

1.1 Introduction and Regulatory Guidance

This document is an Initial Study (IS) that summarizes the technical studies prepared for the proposed MDF Enterprises (MDF) Zoning Clearance Certificates (ZCC) project and provides justification for a Mitigated Negative Declaration (MND). This document has been prepared in accordance with the current California Environmental Quality Act (CEQA), Public Resources Code Section 21,000 et seq., and the State CEQA Guidelines. The purpose of this document is to evaluate the potential environmental impacts of the proposed MDF Cannabis Conditional Use Permit project. Mitigation measures have been proposed to avoid or minimize any significant impacts that were identified.

The project under study consists of 60,000 sq. ft. of cannabis cultivation authorized through three Zoning Clearance Certificates (“ZCC”) pursuant to Humboldt County’s Retirement, Relocation and Remediation program (“RRR”) found at Humboldt County Zoning Ordinance #2559 Section 314-55.4.14.3-314-55.4.14.4. MDF also proposes 6,000 sq. ft. of additional proposed nursery space and a cannabis processing facility. Previous land use approvals for the premises where the proposed project is located include two ZCC’s¹ (PLN #12091-ZCC; 12093-ZCC) consisting of 30,000 sq. ft. of cultivation and a building/grading permit (BLD #2018-48293) to construct a 1,500,000-gallon rainwater catchment pond. Additional building permit approvals are pending to construct an additional 2,400 sq. ft. metal building and to permit an existing 1,500 sq. ft. building (BLD#2019-49708) and associated infrastructure including a septic permit to service the existing and proposed structures.

1.2 Purpose and Need

CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects. An Initial Study is a public document used by the decision-making lead agency to determine whether a project may have a significant impact on the environment. If the agency finds that the proposed project may have a significant impact on the environment, but that these impacts will be reduced to a less than significant level through revisions to the project and/or implementation of specific mitigation measures, a Mitigated Negative Declaration shall be prepared.

This IS/MND is a public information document that describes the proposed project, existing environmental setting at the project site, and potential environmental impacts of construction and operation of the proposed project. It is intended to inform the public and decision-makers of the proposed project’s potential environmental impacts and to document the lead agency’s compliance with CEQA and the State CEQA Guidelines.

1.3 Review Process

This IS/MND is being circulated for public and agency review as required by CEQA. Because state agencies will act as responsible or trustee agencies, the County will circulate the IS/MND to the State Clearinghouse of the Governor’s Office of Planning and Research for distribution and a 30-

¹ Initial Study for the MDF Enterprises Cannabis Cultivation Project. Leopardo Wildlife Associates (LWA). May 2019

day review period.

During the review period, written comments provided to the County of Humboldt must be considered before adoption of the MND. Comments can be submitted to:

Planning and Building
Department 3015 H St.
Eureka, CA 95501

Contact Person: Desmond Johnston

1.4 Project Location and Biological Setting

1.4.1 Location

MDF is located near the community of Bridgeville, 13 miles east of Redcrest, California in Humboldt County. The assessor's parcel number for the property on which the proposed project would be developed is 210-250-022, with a parcel centroid location of latitude 40.4453 and longitude -123.6859 and a total area of 31.85 acres. The site is in Section 23, Township 1N, Range 4E, Humboldt Base & Meridian. The property is located in the Larabee Valley California USGS 7.5-minute quadrangle map. (Figure 1)

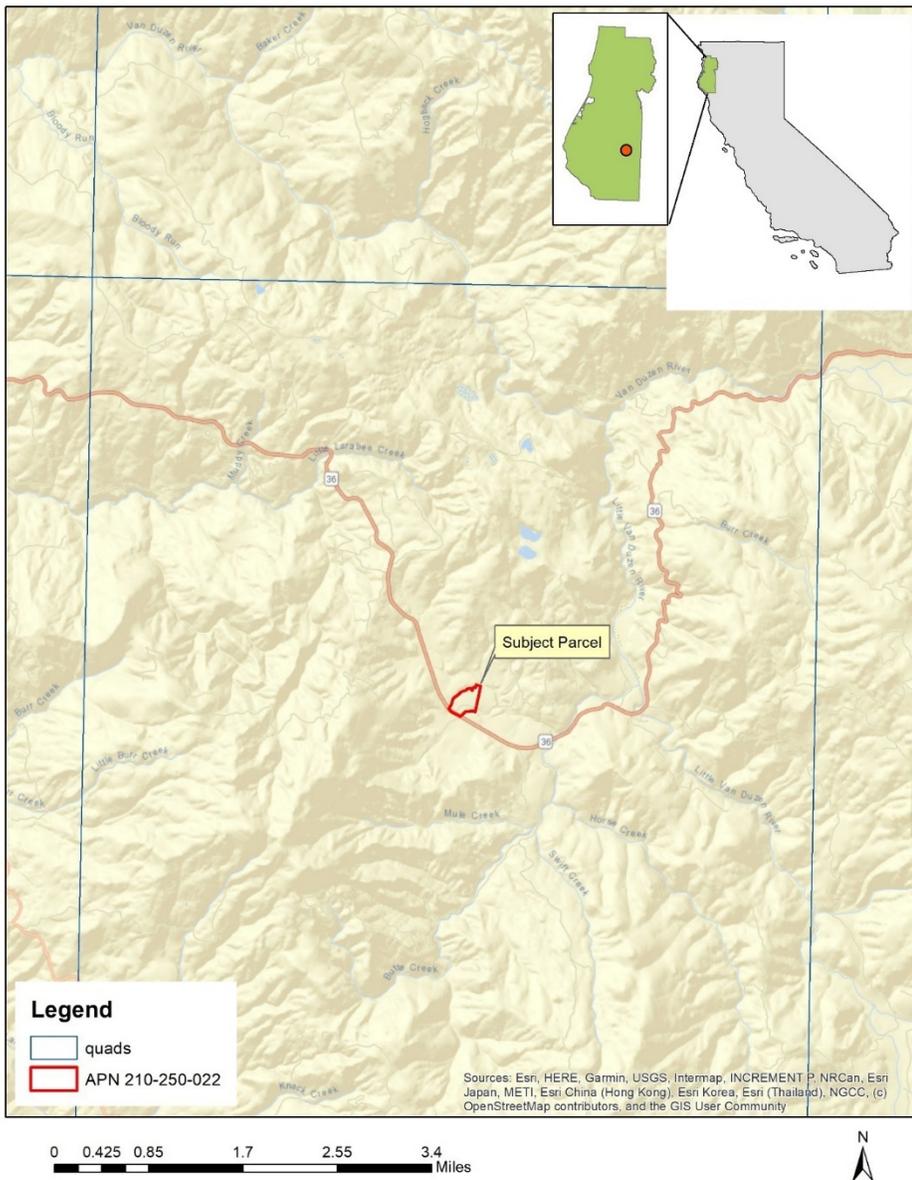


Figure 1. Map of Humboldt County APN 210-250-022.

1.4.2 Climate

The climate at the project site is Mediterranean. Virtually all precipitation falls as rain from October to May. The elevation of the project location is approximately 2480-2490 feet (756-758 meters), with little snowfall occurring annually. The average annual amount of precipitation for Bridgeville is 53.9 inches. The month with the most precipitation on average is December with 9.9 inches of precipitation, with the summer months having less than 1.0 inches of precipitation. (Figure 2)

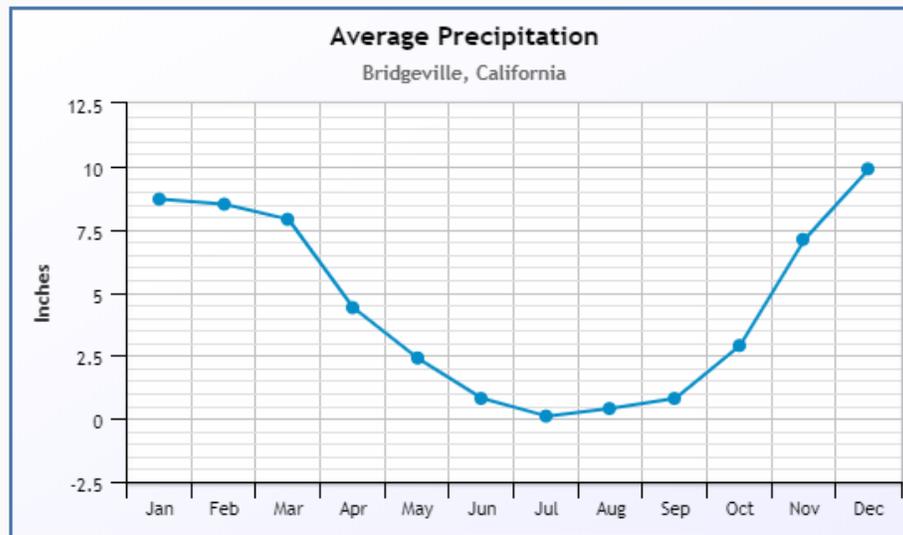


Figure 2. Monthly precipitation averages for Bridgeville, CA. Average annual precipitation is 53.9 inches².

The average temperature for the year in Bridgeville is 52.6°F (11.4°C). The warmest months, on average, are August and July with an average temperature of 73.1°F (23.8°C). The coolest month on average is December, with an average temperature of 36.7°F (2.6°C). The highest recorded temperature in Bridgeville is 95.0°F (35.0°C), which was recorded in July. The lowest recorded temperature in Bridgeville is 16.0°F (-8.9°C), which was recorded in December (Weatherbase, 2019).

1.4.3 Biological Setting

The project area is generally Valley and Foothill Grassland and Mixed Evergreen (Broadleafed Upland Forest). Riparian vegetation as well as other wetland vegetation is also present adjacent to the streams. Ornamental trees are scattered around the property and primarily consist of a planted non-native pine (*Pinus* sp.).³ The proposed project areas are set in Perennial Grassland

²Weatherbase, 2019. (<https://www.weatherbase.com/weather/weather.php?s=746340&cityname=Bridgeville-California-United-States-of-America&units=us>)

³Initial Study for the MDF Enterprises Cannabis Cultivation Project. Leopardo Wildlife Associates (LWA) May 2019

areas.

Vegetation communities are described in detail in the Biological Resources section of this document (3.4.1). Nomenclature follows the most current scientific names in The Jepson Manual of Higher Plants of California Second Edition to the greatest degree feasible.⁴

The main soil types within the project area are of the Frostvalley (1001), Frostvalley-Mulecreek complex (1002), and Pasturerock-Coyoterock-Maneze complex (4426) (Figure 3). These soil types are not considered hydric. They are considered moderately to well-drained soil complexes that are usually found on slopes ranging from 0 to 2, 2 to 9, and 15 to 50 percent respectively.⁵

A wetland study was conducted on the project site by Jack A Henry with Timberland Resource Consultants. The results of the study indicate that there were no wetland features on site. Refer to the included appendix for the full report (Appendix G)⁶



Figure 3. Soil map for the proposed project area showing the dominant soil types (labeled 1001, 1002, and 4426) of Frostvalley, Frostvalley-Mulecreek complex, and Pasturerock-Coyoterock-Maneze complex.⁷

⁴ *The Jepson Manual: Higher Plants of California Second Edition*. University of California Press. January 2012. <http://ucjeps.berkeley.edu/jepman.html>.

⁵ *Web Soil Survey*. Natural Resources Conservation Service, United States Department of Agriculture. 2019. <https://websoilsurvey.sc.egov.usda.gov/>.

⁶ *Aquatic Resource Delineation, APN: 210-250-022*. Jack A Henry, Timberland Resource Consultants. July 1, 2020

⁷ *Web Soil Survey*. Natural Resources Conservation Service, United States Department of Agriculture. 2019.

1.5 Project Description

MDF Enterprises, Inc. is proposing mixed light cultivation on the 31.85-acre property associated with the APN: 210-250-022. The proposed project cultivation area will total 60,000 sq. ft. of mixed light cultivation. The proposed project includes 6,000 sq. ft. of additional ancillary propagation space and an additional 2,400 sq. ft. metal building for processing activities. Two cannabis projects have already been approved for this site (PLN #12091-ZCC; 12093-ZCC) consisting of 30,000 sq. ft. of mixed light cultivation with an additional 3,000 sq. ft. of ancillary propagation space. A 1,500,000-gallon rainwater catchment pond has been constructed on the site to service the existing cultivation pursuant to building permit number 49283. There is an existing 1500 sq. ft. metal building on the property which is pending approval for a permit (BLD#2019-49708) to be used for processing activities. This existing development is therefore the existing baseline under which the project should be analyzed. The total nursery area will equal 10% of the total permitted cultivation area on site or 9,000 sq. ft. Cultivation areas include the following greenhouses.

1. (10) Existing 27'x100' greenhouses
2. (1) Existing 27'x111' greenhouses
3. (8) Proposed 25'x100' greenhouses
4. (16) Proposed 25'x100' greenhouses

Total nursery area will include the following structures.

1. (2) Existing 30'x96' greenhouses
 2. (1) Proposed 30'x108' nursery building
- ZCC #12095, for 20,000 s.f. of cannabis, to be transferred from the APN 210-141-011 Retirement site,
 - The last two ZCCs #12253 and #12288 each involve 20,000 ft² of proposed RRR Receiving cultivation from Retirement APNs 104-192-001 and 104-192-019 respectively.

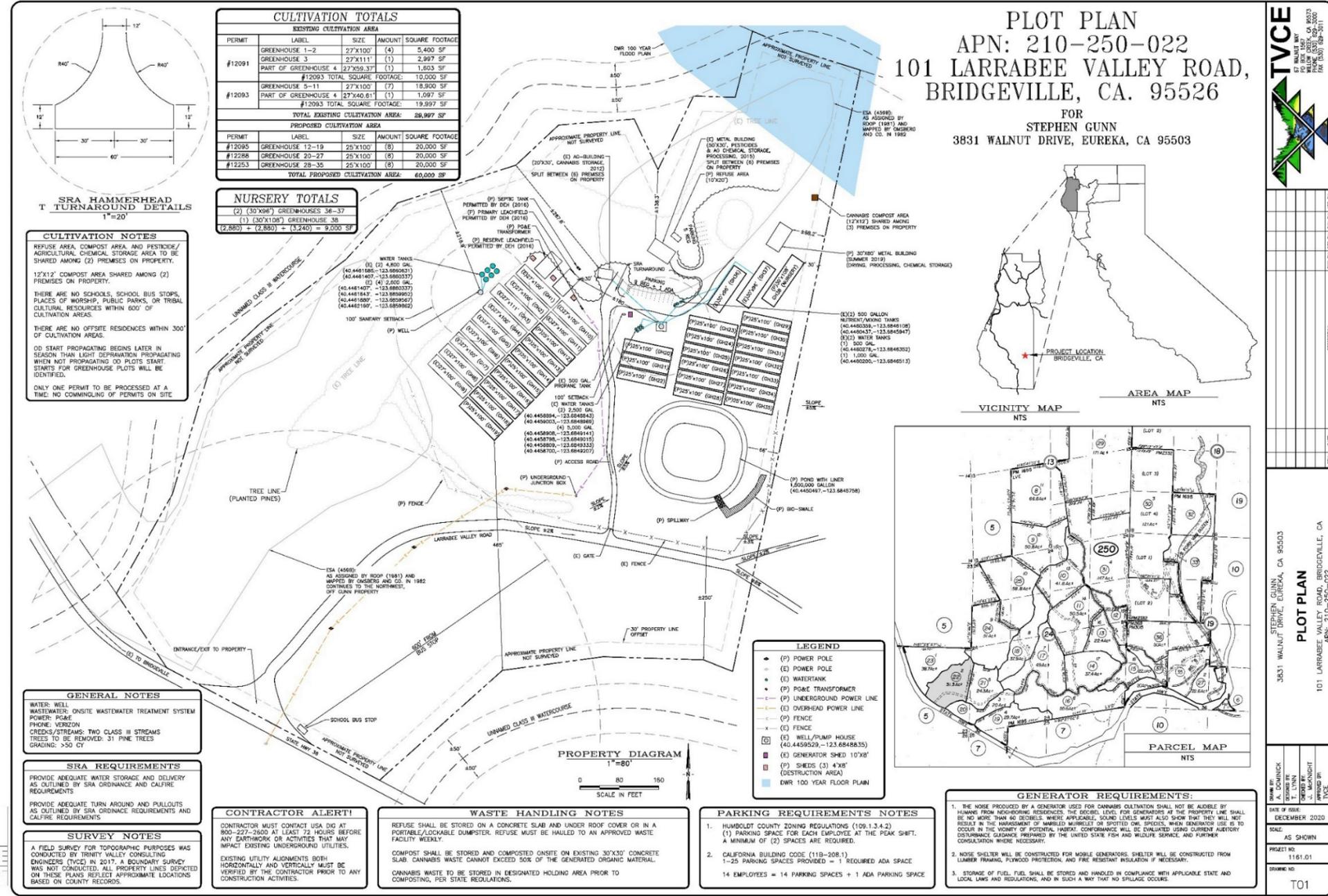


Figure 4. Plot plan for MDF, cultivation and processing areas, access roads, and water storage (Project map created by Trinity Valley Consulting Engineers).

1.6 PROJECT CONSTRUCTION

MDF has completed a site plan to strategize the development of the cannabis cultivation site and ancillary buildings in accordance with environmental safety and local and state regulations. MDF is applying for 60,000 sq. ft. of proposed mixed light cultivation. The application includes a proposed 2,400 sq. ft. agricultural building used for the storage of pesticides, hazardous materials storage, and processing of products. Additional structures including a refuse area, compost area, and various greenhouses are being proposed. There will be a new PGE drop for electricity and proposed PGE transformer and power poles. Fourteen parking spots are proposed plus 1 ADA compliant parking area. The driveway will have an SRA type T turnaround. MDF has contracted with a licensed professional to develop a strategy for project construction. A pond has been designed and implemented on site to the standards specified by Trinity Valley Consulting Engineers, Inc. and is in line with the MDF's strategy for minimum impact on the surrounding environment. This strategy outlines procedures for development and provide adequate setbacks of the cultivation areas, plan to maintain roads utilized for access of the cultivation area, ancillary buildings, and protect biological resources. The strategy outlines measures, if necessary, to maintain roadways with the installation of rolling dips, water bars and culverts to ensure that all waterways are protected from sedimentation and road failure.

Proposed nursery space is 6,000 sq. ft. which is in addition to the existing 3,000 sq. ft. of nursery space as part of prior project approvals at the project site. Cultivation areas include the following greenhouses.

5. (10) Existing 27'x100' greenhouses
6. (1) Existing 27'x111' greenhouses
7. (8) Proposed 25'x100' greenhouses
8. (16) Proposed 25'x100' greenhouses

Total nursery area will include the following structures.

1. (2) Existing 30'x96' greenhouses
2. (1) Proposed 30'x108' nursery building

1.7 Project Operation

Energy Sources

The mixed light cultivation power is currently sourced from generator use. MDF has applied for a PG&E Agricultural Drop in order to obtain grid power on site. The greenhouses will be sufficiently covered to ensure no light is affecting the surrounding area. MDF will comply with the International Dark Sky Association standards for lighting as provided in the CMMLUO Performance Standards for mixed light cultivation.

Employees

Cannabis related processing will be done at the project site in the proposed processing buildings. MDF anticipates hiring six (6) employees for the cultivation operation. MDF will comply with all performance standards for employees including providing sufficient potable water and bathroom facilities (ADA compliant portables). Parking will be provided as designated on the site plan with sufficient vehicle space for anticipated number of employees. An additional six (6) employees may be added once additional cultivation is approved and applicant is operating 90,000 ft² of cultivation. To mitigate increased road traffic to and from the site, applicant is proposing hours of operation between 9 AM and 9 PM with employees working split shifts, with the first shift beginning at 9 AM and ending at 5:30 PM, and the second shift beginning at 12:30 PM and ending at 9:00 PM. Deliveries shall be planned around shift schedules to reduce overall traffic volume at one time to the cultivation site. Carpooling will be encouraged to further reduce traffic volume. Applicant will comply with all required Employee Safety Practices including preparing an emergency action response plan as necessary, accident reporting and investigation policies, fire prevention, maintaining MSDS sheets on site, provide training on materials handling and maintain personal protective equipment. Further, operating manager, emergency responder, and poison control contacts will be maintained at the site.

Security

MDF has installed 6' privacy fencing located on the interior of the property with a view guard around the perimeter of the cultivation area. Access gates are locked to prevent unauthorized access. One main driveway entrance is the only access point for vehicles. The main driveway entrance has a locked gate leading to the cultivation site. The keys to access the gate will be held by MDF's manager. Only authorized visitors will be allowed access by the Manager. MDF installed video monitoring devices on Highway 36 and grid power will be supplied to the property. Each licensed premises will be surveilled at all times. Applicant will keep signage warning of video surveillance and denoting restricted access areas. The property is rural and although it is fronted by Highway 36, the cultivation areas are kept out of sight from traveling motorists. The applicant will keep a manager on site 24 hours per day. Cameras are placed as to confirm all secure access doors are monitored on both the interior and exterior of the building and secure storage. The main access road and entry gate will also be monitored by cameras for both entry and exit from the site. Security cameras and a locking vault will be on site to protect any stored cash and product prior to shipping. The cultivation area will also be monitored at the rear of the greenhouse area along the fence line used to secure the area.

Hazardous Materials

All fertilizers, pesticides, and amendments will be located in the multi-use building on the parcel. Pesticides and fertilizers are applied only during dry days, when the threat of runoff is lowest, and is applied at agronomic rates to minimize any runoff. Pesticides and fertilizers are applied via hand watering. Applicant uses sealed plastic bags placed inside of large, plastic indoor cultivation trays as secondary containment for fertilizers, pesticides, and soil amendments to minimize escapement. The secondary containers are

stored off ground in pallets to prevent leaching. All labels shall be kept, and directions followed when nutrients are applied. MDF has taken measures that are not required and provides spill prevention and counter measures in case of an unforeseeable accident. Clean up materials are located in the generator shed. These include gloves, spill absorber, and towels/rags which are contained in bins.

The following are utilized for the cultivation site: Pesticides:

- Green Clean: single container
- Neem Oil: single container
- Sodium Bicarbonate: single container
- Azatrol EC Insecticide: single container
- Fertilizers:
- Botanicare: Pure Blend Pro Bloom 1-4-5: 5-gallon containers
- Botanicare: Pure Blend Pro Grow 3-2-4: 5-gallon containers
- Botanicare: Liquid Karma 0.1-0.1-0.5:
- Botanicare: Cal-Mag Plus 2-0-0:
- Botanicare: Silica Blast 0-0-0.5:
- Technaflora: Thrive Alive: 1-gallon container
- Nutrilife: SM 90: 1-gallon container
- Dyna Gro: Pro Tekt 0-0-3:
- SN-12, 12-0-0: Compost teas, brewed on-site
- Soil Amendments:
- Earthworm castings: yard tote
- Royal Gold: Re-Amendo: bulk tote broken down on-site into lidded plastic 5-gallon buckets
- Anasasi Gold: Humic Acid:

Gasoline is stored in five-gallon plastic containers which are stored in large totes for secondary containment. MDF has registered with California Environmental Reporting System (CERS) and has had inspectors to property to view storage and existing environment where these events take place. Additional 4x8 hard plastic totes act as further containment for any hard-plastic petroleum containers on-site. Garbage will be removed on a weekly basis and taken to Humboldt Waste Management along with any residual waste such as recycling. The trash cans are covered from rain to prevent garbage and contaminant runoff. MDF intends to reuse grow bags and grow pots and soil will be reamended and reused in cultivation. Plant waste is composted in containers to prevent escapement to watercourses or is burned. If the waste cannot be recycled, it is put in garbage cans and disposed of properly. MDF stores soil spoils on the property. Soil piles are allowed to become naturally vegetated, preventing soil from being blown into surface waters.

Water Storage and Use

Two permitted wells are located on the site. The first well has a production rate of 4-gallons per minute. The well's depth is 120-feet and is used for both domestic and irrigation purposes. The second well has an estimated yield of 10-gallons per minute and has a total depth of boring of 180 feet. Current water storage on the property consists of the following:

- (3) 500-gallon tanks

- (2) 2500-gallon tanks
- (4) 2600-gallon tanks
- (4) 5000-gallon tanks
- (2) 4800-gallon tanks
- (1) 1000-gallon tank
- (1) 1.5-million-gallon pond

Total Volume of Water Storage: 1,547,500-gallons

The water tanks are properly placed such that they will not release into waters of the state in the event of a containment failure. The County of Humboldt has previously permitted a 1,500,000-gallon rainwater catchment pond on the property to service the previously approved cultivation projects (ZCC #12091 and 12093) The total volume of the lined pond is approximately 1.5 million gallons. MDF is also coordinating with CalFire to install a rapid fill pump to be used for fire water by CalFire in the case of emergencies. Usage will be intermittent and only be in response to wildfire emergencies.

MDF has installed drip irrigation to irrigate cannabis on site. Timers are used to prevent overwatering and manual shutoff prevents watering during cool days when less water is needed. Water is applied at agronomic rates and Applicant intends to install water meters to accurately monitor water usage. Additional watering is done by hand as needed.

Winterization

It is required that winterization measures be completed annually before the onset of the winter season. The SWRCB has defined the winter season as beginning November 1st through April 1st. Winterization measures are intended to prepare the site for an extended rainy season and heavy precipitation during which frequent access, monitoring and maintenance can be challenging or infeasible. The intention is to reduce erosion and prevent delivery of sediment or chemicals to sensitive waterways.

Techniques of winterization include stabilizing all bare soils with cover crop and/or native seed and straw (mulch). No heavy machinery or vehicles shall be driven on seasonal roads to avoid degradation of saturated roadways and unstable surfaces. Any stockpiles shall be covered (6 mil plastic sheeting or mulch) and perimeter controls (i.e., fiber roll/straw bales) applied. All trash and refuse must be thoroughly cleaned up before the winter season. All fertilizers, both liquid and solids and petroleum/petroleum containing machinery shall be placed in the appropriate location as described in the previous section and placed in secondary containment when necessary.

Schedule of Activities with Noise Generation

January

- Repair and Maintenance Activities
- Less than one (1) hour of generator use per day

February through October

- Repair and Maintenance Activities
- At least 18 hours of generator use per day

October

- Twenty-four (24) hours of generator use per day

November

- At least eighteen (18) hours of generator use per day
- Winterization activities

December

- Winterization activities

2. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

Aesthetics	<input type="checkbox"/>	Agriculture/Forestry Resources	<input checked="" type="checkbox"/>	Air Quality	<input type="checkbox"/>
Biological Resources	<input checked="" type="checkbox"/>	Cultural Resources	<input checked="" type="checkbox"/>	Energy	<input checked="" type="checkbox"/>
Geology/Soils	<input checked="" type="checkbox"/>	Greenhouse Gas Emissions	<input checked="" type="checkbox"/>	Hazards and Hazardous Materials	<input checked="" type="checkbox"/>
Hydrology/Water Quality	<input checked="" type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>
Noise	<input checked="" type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services	<input type="checkbox"/>
Recreation	<input type="checkbox"/>	Transportation	<input type="checkbox"/>	Tribal Cultural Resources	<input checked="" type="checkbox"/>
Utilities/Service System	<input checked="" type="checkbox"/>	Wildfire	<input checked="" type="checkbox"/>	Mandatory Findings of Significance	<input type="checkbox"/>

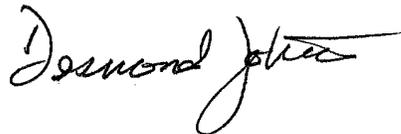
Determination. (To be completed by the Lead Agency.) On the basis of this initial evaluation:

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

I find that although the proposed 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 proposed 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 proposed 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 proposed project, nothing further is required.



Desmond Johnston
Senior Planner,
Planning and Building Department
County of Humboldt

Date 7/16/2021

3. EVALUATION OF ENVIRONMENTAL IMPACTS

This section identifies the environmental impacts of this project by answering questions from Appendix G of the CEQA Guidelines, the Environmental Checklist Form. The environmental issues evaluated are listed in Section 2 above.

For the evaluation of potential impacts, the questions in the Initial Study Checklist are stated and an answer is provided according to the analysis undertaken as part of the Initial Study. The analysis considers the long-term, direct, indirect, and cumulative impacts of the development. To each question, there are four possible responses:

No Impact. The development will not have any measurable impact on the environment.

Less Than Significant Impact. The development will have the potential for impacting the environment, although this impact will be below established thresholds that are considered to be significant.

Potentially Significant Impact Unless Mitigation Incorporated. The development will have the potential to generate impacts which may be considered as a significant effect on the environment, although mitigation measures or changes to the development's physical or operational characteristics can reduce these impacts to levels that are less than significant.

Potentially Significant Impact. The development will have impacts which are considered significant, and additional analysis is required to identify mitigation measures that could reduce these impacts to less than significant levels.

All answers must consider the whole action involved, including potential off- and on-site, indirect, direct, construction, and operation, except as provided for under State *CEQA Guidelines* Section 15183 and State *CEQA Statute* Section 21083. The setting discussion under each resource section in this chapter is followed by a discussion of impacts and applicable mitigation measures.

4. SUMMARY OF MITIGATION MEASURES

Below is a list of mitigation measures that are identified in the following checklist and would be recommended as conditions of project approval.

1. Aesthetics

- The project will have less than a significant impact on aesthetic resources, and mitigation measures are therefore not required.

2. Agricultural and Forestry Resources

- The project will have less than significant impact on agricultural and forestry resources, and mitigation measures are therefore not required.

3. Air Quality

- The project will have less than a significant impact on air quality resources, and mitigation measures are therefore not required.

4. Biological Resources

4.1 Mitigation Measure BIO-1: Special-status amphibian preconstruction surveys and relocation

- Forty-eight hours prior to proposed new development activities within 200 feet of any Streamside Management Area (SMA) or Other Wet Area, a preconstruction survey for special-status amphibians shall be conducted by a qualified biologist. The biologist shall be familiar with the life cycle of foothill yellow-legged frog, northern red-legged frog, Pacific tailed-frog, and southern torrent salamander, and will conduct appropriate surveys for the applicable life stages (i.e., eggs, larvae, adults).
- Preconstruction surveys for special-status amphibian species shall be conducted throughout the proposed construction area and a 400-foot buffer around the proposed development area. Surveys shall consist of “walk and turn” surveys of areas beneath surface objects (e.g., rocks, leaf litter, moss mats, coarse woody debris) for newts and salamanders, and visual searches for frogs.
- If red-bellied newt or southern torrent salamander or special status frogs are detected during the preconstruction survey, the proposed development area shall be relocated to be no closer than 200 feet from the occurrence(s) measured as a horizontal line perpendicular to, and moving away from, the SMA.
- Within 24 hours before beginning proposed new development activities within 200 feet of SMA or Other Wet Area, a qualified biologist shall survey areas of anticipated disturbance for the presence of western pond turtle. If pond turtles are found during the survey the proposed development area shall be relocated to be no closer than 200 feet from the occurrence(s) measured as a horizontal line perpendicular to, and moving away from, the SMA.

4.2. Mitigation Measure BIO-2: Special status preconstruction survey and establishment of protective buffers

- Prior to removal of any trees, or ground-disturbing activities between February 1 and August 31, a qualified biologist shall conduct preconstruction surveys for nesting raptors and shall identify active nests within 500 feet of the proposed development area. The surveys shall be conducted between February 1 and August 31.
- Impacts to nesting raptors shall be avoided by establishing appropriate buffers around active nest sites identified during preconstruction raptor surveys. The buffer areas shall be protected with construction fencing, and no activity shall occur within the buffer areas until a qualified biologist has determined, in coordination with CDFW, that the young have fledged, the nest is no longer active, or reducing the buffer would not likely result in nest abandonment. CDFW guidelines recommend

implementation of a 500-foot buffer for raptors, but the size of the buffer may be adjusted if a qualified biologist and the applicant, in consultation with CDFW, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist during and after construction activities will be required if the activity has potential to adversely affect the nest.

- Prior to removal of any vegetation or any ground disturbance between February 1 and August 31, a qualified biologist shall conduct preconstruction surveys for nests on any structure or vegetation slated for removal, as well as for potential special-status bird nesting habitat. The surveys shall be conducted no more than 14 days before construction commences. If no active nests or bank swallow colonies are found during focused surveys, no further action under this measure will be required. If active nests are located during the preconstruction surveys, the biologist shall notify the Planning Director and CDFW. If deemed necessary by the Planning Director in consultation with CDFW, modifications to the project design to avoid removal of occupied habitat while still achieving project objectives may be required. If the Planning Director determines in consultation with CDFW that avoidance is not feasible or conflicts with project objectives, construction shall be prohibited within a minimum of 100 feet of the nest to avoid disturbance until the nest or colony is no longer active.
- Trees shall not be removed during the breeding season for nesting raptors unless a survey by a qualified biologist verifies that there is not an active nest in the tree.

5. Cultural Resources

5.1. Mitigation Measure CUL-1

- It is specifically recommended that any excavations associated with grading for greenhouse development be monitored for archaeological materials by tribally approved individuals such as an archaeologist or tribal member. If significant archaeological finds are made all work shall stop in the immediate vicinity until a qualified archaeologist and tribal representative have offered recommendations for preservation, if warranted. A monitoring report should be prepared and submitted to the NWIC database.

6. Geology and Soils

- The project will have less than a significant impact on geology and soil resources, and mitigation measures are therefore not required.

7. Greenhouse Gas Emissions

- The project will have less than a significant impact on greenhouse gas emissions, and mitigation measures are therefore not required.

8. Hazards and Hazardous Materials

- The project will have less than a significant impact on hazards and hazardous materials, and mitigation measures are therefore not required.

9. Hydrology and Water Quality

- The project will have a less than significant impact on hydrology and water quality and mitigation measures are therefore not required.

10. Land Use and Planning

- The project will have no impact on land use and mitigation measures are therefore not required.

11. Mineral Resources

- The project will have no impact on mineral resources, and mitigation measures are therefore not required.

12. Noise

- The project will have less than a significant impact on noise, and mitigation measures are therefore not required.

13. Population and Housing

- The project will have less than a significant impact on population and housing, and mitigation measures are therefore not required.

14. Public Services

- The project will have less than a significant impact on public services, and mitigation measures are therefore not required.

15. Recreation

- The project will have less than a significant impact on recreation, and mitigation measures are therefore not required.

16. Transportation and Traffic

- The project will have no impact on transportation and traffic, and mitigation measures are therefore not required.

17. Tribal Cultural Resources

- 17.1 Mitigation Measure Tri-1: It is specifically recommended that any excavations associated with grading for greenhouse development be monitored for archaeological materials by tribally approved individuals such as an archaeologist or tribal member. If significant archaeological finds are made all work shall stop in the immediate vicinity until a qualified archaeologist and tribal representative have offered recommendations for preservation, if warranted. A monitoring report should be prepared and submitted to the NWIC database.

18. Utilities and Service Systems

- The project will have less than a significant impact on utilities and service systems, and mitigation measures are therefore not required.

19. Mandatory Findings of Significance

- The project will have no additional findings of significance, and mitigation measures beyond those already stated in previous sections are not required.

3.1.1 Aesthetics

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Figure 5. Aerial view of parcel with existing visual buffers. Image made using Google Earth Pro.

Setting: The project area is located outside of Bridgeville. It is comprised of a grassy meadow surrounded with intermittent conifer trees. Neighboring parcels with residents are slightly visible from the project area with a small tree buffer. Many neighboring parcels consist of and various structures associated with cannabis farming and other agriculture. These structures are a common sight throughout Humboldt County and along Highway 36. While the property is near California State Highway 36, the County has not designated specific scenic vistas in the project area and there are no designated state scenic highways or scenic highway corridors in the vicinity of the project (Caltrans). The Humboldt County General Plan states that Highway 36 from Fortuna to the Trinity County Line could be eligible for official designation (Humboldt County General Plan 2017). MDF intends to keep all greenhouse out of site from traveling motorists (MDF). Additional information regarding tree species and removal is located in sections 3.1.2 and 3.1.4 below for Forestry and Biological Resources.



Figure 6. View from Highway 36 available from Google Maps documenting grassland viewshed interrupted by encroaching conifers. (Image May 2018)

Discussion:

- a) **Less Than Significant Impact.** Scenic vistas are defined as expansive views of highly valued landscapes from publicly accessible viewpoints. Scenic vistas include views of natural features such as topography, water courses, outcrops, and natural vegetation, as well as a full view guard fence with green slats. California's Scenic Highway Program was created by the Legislature in 1963. Its purpose is to preserve and protect scenic highway corridors from changes that would diminish the aesthetic value of lands adjacent to highways. Though not officially designated, Highway 36 is considered eligible in the Humboldt County General Plan. Larabee Valley is somewhat unique along Highway 36 as much of the highway is bordered by dense conifer forest, Larabee Valley is more open with grassland and woodland views. Encroaching, invasive conifer species are currently restricting the historically open viewshed. There is a small tree line near this road that would help buffer the view of proposed structures while maintaining the "open space" views that make Larabee Valley unique along the corridor. There is also a fence that currently blocks the view of the cultivation areas from the roadway. There are no designated scenic vistas near the property.

- b) **Less Than Significant Impact.** Project development would have minimal short- or long-term visual effects on the immediate area surrounding the areas of development because the project area is buffered by some existing vegetation. The proposed project area is primarily composed of grasslands, so removal or loss of vegetation would be minimal with the

exception the removal of invasive conifer trees. There are no historic buildings within a state scenic highway on or near this property.

- c) **Less Than Significant Impact.** The proposed project is primarily set in the grassy meadow area with patches of non-native trees and encroaching conifers throughout the property. The Larabee Valley and other areas of the Van Duzen watershed have been severely impacted by conifer encroachment due to fire suppression. This phenomenon has altered the open grassland and woodland habitats. Removal of non-native conifer plants and encroaching forests would help to restore grassland and woodland habitat of the area. Maintaining the existing vegetation directly to the south of greenhouses as a buffer would reduce visual impacts of the constructed greenhouses.
- d) **Less Than Significant Impact.** Light pollution occurs when nighttime views of the stars and sky are diminished by an over-abundance of light coming from the ground. All light sources comply with the International Dark Sky Association (DSA) standards for Lighting Zone 0 (LZ0) and Lighting Zone 1 (LZ1). Light pollution is a potential impact from the operation of any light source at night and should be used consciously with regards to neighboring residents and animals. Minimal light use is proposed and all mixed light greenhouses will have covers installed during dark hours to help reduce light pollution (LWA, 2019). Project construction activities will occur during daylight hours. Security lighting is not proposed.

Findings: In the course of the above evaluation, impacts associated with Aesthetic Resources were found to be less than significant. Existing fencing along roadways effectively shield proposed operations from the road. As this project does not substantially change the viewshed of this locality, there is no need to mitigate Aesthetic Resources

BMPs include minimizing nighttime light use to lessen the impacts of light upon neighbors and animals in the vicinity, as well as keeping a visual buffer (e.g., trees) from the adjacent residence and State Highway 36. All light sources will comply with the Dark Sky Association standards.

Mitigation Measures: None Required

Documentation:

California Scenic Highway Mapping System. California Department of Transportation.

Cocking, Mathew, J Varner and E. Engber. Conifer Encroachment in California Oak Woodlands.

Proceedings from the 7th California Oak Symposium: Managing Oak Woodlands in a Dynamic World. (2014) available at <https://www.fs.fed.us/psw/publications/documents>

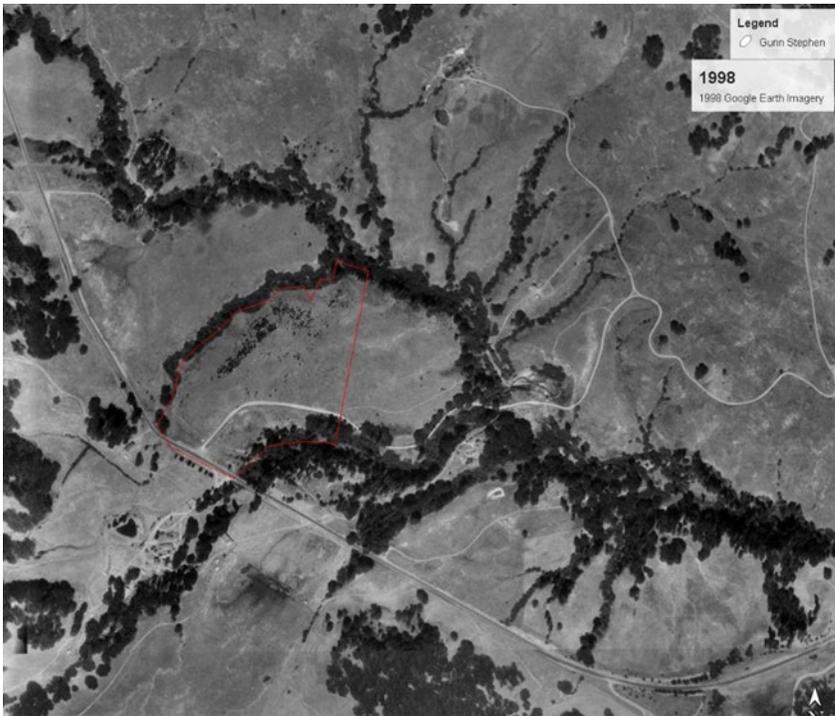
Humboldt County General Plan. Board of Supervisors et al., Humboldt County, Ca. October 2017.

Initial Study for the MDF Enterprises Cannabis Cultivation Project. Leopardo Wildlife Associates (LWA). May 2019.

MDF Enterprises, Inc. Cultivation, Operations, and Security Plan.

3.1.2 Agricultural and Forest Resources

<p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.</p>				
Would the project:	Significant and Unavoidable Impact	Less Than Significant 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



Setting: The County’s Zoning Classification of the parcel is AE, Agriculture Exclusive under the Resource district. The current General Plan Framework categorizes the parcel as Residential

Agriculture (RA40) Designations (2017). The parcel has approximately 926,535 ft² of prime agricultural soils mapped on the property per the Humboldt County GIS. The project does not propose using more than twenty percent of the prime agricultural soils on the property which is equivalent to 185,307 ft² (MDF). The subject parcel has historically been open grassland and woodland. Non-native trees including Monterey Pine have been planted on the property and the parcel is experiencing conifer encroachment or “prairie-ingrowth” which is occurring throughout the watershed due to fire suppression and is an ongoing threat to grassland and woodland species. Imagery from Google Earth below from 1998 to 2020 demonstrates invasive conifer encroachment in the natural grasslands throughout Larabee Valley and the subject parcel. The land is zoned as a response to California State Law that allows cannabis cultivation and distribution under permitted and controlled conditions. Humboldt County developed county- specific ordinances to regulate commercial cannabis cultivation, distribution and sales within the County.

Ordinance 2599, including section 314-55.4 titled “*Commercial Cultivation, Processing, Manufacturing, Distribution, Testing, and Sale of Cannabis Land Use Regulation for the Inland Area of the County of Humboldt*” (2018) is used in combination with the provisions of the General Plan and requirements of the Zoning Districts to determine appropriate land uses of cannabis operations in Humboldt County. The CCLUO land zoned as AE may receive RRR donor sites with a Zoning Clearance Certificate (Zoning Clearance Certificate).

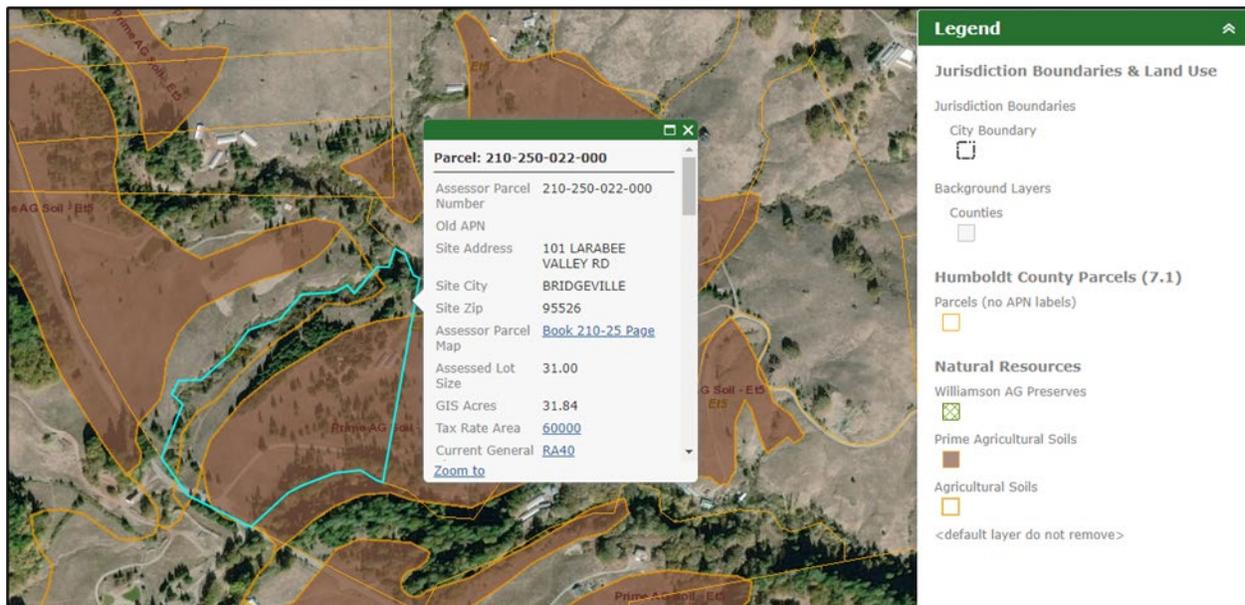


Figure 7. Humboldt County GIS Natural Resource Layer for Prime Agricultural Soils, Agricultural Soils, and Williamson AG Preserves.

Discussion:

- a) **No Impact.** The proposed site does possess soils that are considered ‘prime’ for agricultural production. The site is located within an area of Prime Farmland as identified by the California Department of Conservation’s Important Farmland Series Mapping and Monitoring Program as Et5 (Figure 7). Cannabis cultivation is a form of agriculture which utilize the prime agricultural soils denoted herein.
- b) **No Impact.** The proposed site is not under a current Williamson Act contract, while it does have a zone designation for agricultural use.
- c) **No Impact.** Under the current zoning of the property, AE, agriculture is a permitted use. This means that with proper requirements followed, cannabis cultivation would not conflict with any of the current zoning, 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) **Less Than Significant Impact.** The proposed project does not include any major loss of forest land on the property. The project area is primarily placed in a grassy meadow with the potential for minimal tree clearings with the proper approval. The trees that are located on the property are a combination of plantings and “prairie ingrowth”. Timber production is not a primary use of the parcel.
- e) **No Impact.** This project is not zoned TPZ (Timberland Production Zone). Google Earth Pro historical imagery (2019) confirmed that the meadow on the property has been present since 1998, but it is very likely that more of this area was forested before and was logged. Reestablishment of some trees on the property started around 1998 until present. The use of this area as a cultivation area could impose minor impacts due to the fact the original area was forested. However, since the meadowed area has been present for at least 20 years, habitat reversions may cause more damage to the current established ecosystem. Therefore, this project does not involve 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.

Findings: Based on information provided by the applicant, Humboldt County Web GIS, and observations made at the project site and in the vicinity, it is determined that the area would meet the conditions of agricultural use, as cannabis cultivation is a form of agriculture. Therefore, project implementation would not result in conflicts with existing zoning as agriculture is a permitted use under these allotted zones. A less than significant impact would occur.

Mitigation Measures: None required.

Documentation:

MDF Enterprises, Inc. Cultivation, Operations, and Security Plan.

Initial Study for the MDF Enterprises Cannabis Cultivation Project. Leopardo Wildlife Associates (LWA). May 2019.

Humboldt County General Plan. Board of Supervisors et al., Humboldt County, Ca. October 2017. Google Earth Pro. U.S. Geological Survey. 2019.

Farmland Series Mapping and Monitoring Program. California Department of Conservation (CDC). 2019.

3.1.3. Air Quality

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.				
Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting: MDF cultivation areas are in a relatively isolated area apart from a few neighboring houses approximately a fifth of a mile away. The project area is semi sheltered by existing trees. Although the project site is located in a rural area, it is adjacent to State Highway 36, a paved road. Crop cultivation is done in greenhouses. The use of generators is currently in place until a PG&E drop is approved.

Marijuana cultivation requires the use and application of chemical and organic fertilizers. MDF has listed the use of various fertilizers and pesticides that will be applied using proper protocols and

safety measures (MDF). Similarly, cultivation and processing of marijuana has a mild odor associated with it.

The project is located in Humboldt County, which is a part of the North Coast Air Basin (NCAB). The NCAB extends for 250 miles from Sonoma County in the south to the Oregon border. The climate of NCAB is influenced by two major topographic units: the Klamath Mountains and the Coast Range provinces (NCUAQMD 2018). The climate is moderate with the predominant weather factor being moist air masses from the ocean. Average annual rainfall in the area is approximately 53.9 inches with the majority falling in December (Weatherbase, 2019). 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 “nonattainment” or “unclassified” for all the federal and state ambient air quality in Humboldt County for particulate matter (PM₁₀). The only exception is for 24-hour particulate (PM₁₀) standards in Humboldt County, while the county is listed as “attainment” for fine particulate matter (PM_{2.5}). The nonattainment designation means that the air quality in this region is rated below the National Ambient Air Quality Standards in the Clean Air Act. With this designation higher regulations and requirements are put forth. Due to the large size of the NCUAQMD, it is well understood that particulate matter can travel from other areas into Humboldt County and affect air quality. 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 a project in the review process. The District has not formally adopted specific significance thresholds, but rather utilizes 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 (pages 8-9) (NCUAQMD, 2017). The Humboldt County EIR states that PM₁₀ emissions from individual cultivation sites would remain below recommended threshold levels and that the cumulative impacts of cannabis throughout the county are unavoidable.

Table 1. Federal and state ambient air quality standards.⁸

Pollutant	Federal	State
Ozone	Unclassified/Attainment	Attainment
Sulfur Dioxide	Unclassified	Attainment
Nitrogen Dioxide	Unclassified/Attainment	Attainment
Particulate Matter 2.5 Microns or Smaller (PM _{2.5})	Unclassified/Attainment	Attainment
Particulate Matter 10 Microns or Smaller (PM ₁₀)	Unclassified	Non-attainment
Sulfates	No Standard	Attainment
Lead	Unclassified/Attainment	Attainment
Hydrogen Sulfide	No Standard	Attainment
Vinyl Chloride	No Standard	Attainment
Carbon Monoxide	Unclassified/Attainment	Attainment

⁸ <https://humboldt.gov.org/DocumentCenter/View/58841/Section-312-Air-Quality-Revised-DEIR-PDF>

Table 2. Annual PM10 emissions estimated percent contribution by source.⁹

Source	PM ₁₀ Percent of Total
Service and Commercial	<0.1
Other Mobile Sources	0.6
Cooking	0.4
Farming Operations	0.5
Electric Utilities	0.5
Off-Road Equipment	0.5
Mineral Processes	1.1
Fugitive Windblown Dust	1.4
On-Road Vehicles	2.1
Construction And Demolition	3.8
Manufacturing And Industrial	2.0
Ocean Going Vessels	1.3
Wood And Paper	4.5
Paved Road Dust	5.0
Residential Fuel Combustion	7.8
Managed Burning And Disposal	8.6
Unpaved Road Dust	58.2
Service And Commercial	0.1
Other Mobile Sources	1.5
Electric Utilities	0.8
Cogeneration	0.4
Food And Agriculture	0.1
Farming Operations	0.6
Cooking	0.7
Total	100

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 nearest sensitive receptors to the project site are residential areas (0.18 miles) and the Buck Mountain School in Bridgeville (3.00 miles).

Discussion:

- a) Less Than Significant Impact.** Since Humboldt County is in nonattainment for state air quality standards in PM10, the project is subject to the Draft Particulate Matter Attainment Plan, May 1995. The proposed project would have minimal impact to air

⁹ <https://humboldt.gov.org/DocumentCenter/View/58841/Section-312-Air-Quality-Revised-DEIR-PDF>

quality and would not contribute substantially against any standards.

b-c) Less Than Significant Impact. While the proposed project is subject to an air quality plan, it is not likely to have a significant impact upon the air quality nor violate any standards of ozone thresholds or particulate matter due to the relatively small scale of the project. Vehicle use during operation of the project would be limited to light duty vehicles and truck traffic for distribution purposes, which would occur on both unpaved and paved roads. Being located near Highway 36 helps reduce the particulate and exhaust emissions as the paved roads are more easily travelled. Dust emissions would be minor and insignificant. Vehicle traffic associated with the project is not expected to generate dust emissions that would cause a substantial increase in PM10 within Humboldt County or the NCUAQMD. Reducing speeds on unpaved road will help to reduce dust emissions.

Construction activities proposed by the project may create minor amounts of dust from construction of greenhouses and processing facilities, but these activities are considered minor activities and would not create dust emissions that would require specialized abatement practices.

d) Less Than Significant Impact. There are potential sensitive receptors within a mile of the project area including residential areas (0.18 mi). There is a slight forested buffer between these locations which will help minimize the impact to these receptors.

e) Less Than Significant Impact. The primary odor of the proposed project would be due to outdoor cannabis cultivation activities. While the odor from flowering cannabis plants can be strong within the immediate vicinity of cultivation sites, the distance of the operation from sensitive receptors (0.18 mi) and the application of standard conditions of approval for cannabis cultivation, nursery development and distribution operations outlined in the County Cannabis Ordinances, will result in cannabis odors from the operations not being a significant issue to offsite sensitive receptors. The use of pesticides and other chemicals will follow applicable standards to reduce possible aerosol introduction.

Findings: Due to the size and nature of the project, particulate emissions will have a less than significant impact. Chemical applications will have a less than significant impact if used during low winds, indoors, and with proper application techniques. Naturally, cannabis has a distinct odor, especially during the processing phase. Processing would occur within an enclosed space, limiting the impact to less than significant. BMPs will be utilized to minimize impacts. Chemical and organic fertilizers will not be applied during high winds. An effort to contain processing odors will be implemented in the form of a sealed, insulated, and California compliant drying facility, as well as minimal driving on unpaved roads to reduce particulate and gas emissions.

Mitigation Measures: None required.

Documentation:

MDF Enterprises, Inc. Cultivation, Operations, and Security Plan.

Final Environmental Impact Report: Amendments to the Humboldt County Code Regulating Commercial Cannabis Activities. January 2018. Prepared by Ascent Environmental. (Accessed via <https://humboldt.gov.org/DocumentCenter/View/62689/Humboldt-County-Cannabis-Program-Final->

EIR- 60mb-PDF).

California Greenhouse Gas Emissions for 2000 to 2016, Trends of Emissions and Other Indicators. 8th Edition. California Air Resources Board (CARB). 2018.

Air Quality. North Coast Unified Air Quality Management District. 2018.

<http://www.ncuaqmd.org/index.php?page=air.quality>.

District Rules and Regulations. North Coast Unified Air Quality Management District. 2017.

<http://www.ncuaqmd.org/index.php?page=rules.regulations>.

Weatherbase, 2019. (<https://www.weatherbase.com/weather/weather.php3?s=746340&cityname=Bridgeville-California-United-States-of-America&units=us>).

3.1.4. Biological Resources

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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 California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) 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 US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting: The project is situated on lands historically used primarily for grazing. Various habitat types exist throughout the parcel including grasslands, riparian areas, and mixed evergreen forest. The site is occupied by wildlife and numerous rare species have been documented in the Van Duzen Watershed. The project area is approximately 2480-2490 feet (756-789 meters) in elevation and does not contain serpentine or volcanic soils or other unique geological features.

California Endangered Species Act

Pursuant to the California Endangered Species Act (CESA), a permit from CDFW is required for projects that could result in the “take” of a plant or animal species that is listed by the state as threatened or endangered. Under CESA, “take” is defined as an activity that would directly or indirectly kill an individual of a species, but the CESA definition of take does not include “harm” or “harass,” like the ESA definition does. As a result, the threshold for take is higher under CESA than under ESA. Authorization for take of state-listed species can be obtained through a California Fish and Game Code Section 2081 incidental take permit.

California Native Plant Protection Act (NPPA) of 1977

The NPPA (Fish and Game Code, Sections 1900-1913) prohibits importation of rare and endangered plants into California, take of rare and endangered plants, and sale of rare and endangered plants. The CESA defers to the NPPA, which ensures that state-listed plant species are protected when state agencies are involved, and projects are subject to CEQA. In this case, plants listed as rare under the NPPA are not protected under CESA, but rather may receive protection in response to potentially significant impacts, in accordance with CEQA

California Fish and Game Code Sections 3503 and 3503.5—Protection of Bird Nests

Section 3503 of the Fish and Game Code states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. Section 3503.5 of the California Fish and Game Code states that it is unlawful to take, possess, or destroy any raptors (i.e., species in the orders *Falconiformes* and *Strigiformes*), including their nests or eggs. Typical violations include destruction of active nests because of tree removal or disturbance caused by project construction or other activities that cause the adults to abandon the nest, resulting in loss of eggs and/or young.

California Fish and Game Code Section 1602—Streambed Alteration

All diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake in California that supports wildlife resources are subject to regulation by CDFW under Section 1602 of the California Fish and Game Code. Under Section 1602, it is unlawful for any

person, governmental agency, or public utility to do the following without first notifying CDFW:

- Substantially divert or obstruct the natural flow of, or substantially change or use any material from a bed, channel, or bank of any river, stream, or lake; or
- deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

The regulatory definition of a stream is a body of water that flows at least periodically or intermittently through a bed or channel that has banks and supports fish or other aquatic life. This definition includes watercourses with a surface or subsurface flow that supports or has supported riparian vegetation. CDFW's jurisdiction within altered or artificial waterways is based on the value of those waterways to fish and wildlife. A CDFW streambed alteration agreement must be obtained for any action that would result in an impact on a river, stream, or lake.

Oak Woodlands Conservation Act

The Oak Woodlands Conservation Act (Senate Bill [SB] 1334) was signed into California law on September 24, 2004. Section 21083.4 of the California Public Resources Code requires counties to determine if a project within their jurisdiction may result in conversion of oak woodlands that would have a significant adverse effect on the environment. If the County determines that a project would result in a significant adverse effect on oak woodlands, mitigation measures to reduce the significant adverse effect of converting oak woodlands to other land uses are required.

Discussion: Information on special-status plant species was compiled through a review and database searches. The CDFW and the CNPS recommend an assessment area for a project be a minimum of nine USGS quadrangles with the project located in the central quad. The assessment area was defined as the USGS 7.5' minute quadrangles in which the project is located and the surrounding quadrangles. The following sources were reviewed to determine which special-status natural communities, plant and wildlife species have been documented in the vicinity of the project alignment:

- A Manual of California Vegetation Second Edition (Sawyer et al. 2009)
- California Natural Diversity Database records (CNDDB) (CDFW 2019)
- CNPS Inventory of Rare and Endangered Vascular Plants (CNPS 2019)

A biological survey was prepared for the project by Leopard Wildlife Associates (2019) and three seasonally appropriate botanical surveys were conducted, and report prepared by Kyle Wear (Wear 2021). (See Appendix E) The evaluation found that the project area contains the following habitat types:

Valley and Foothill Grassland (VFG): Introduced, annual Mediterranean grasses and native herbs. On most sites the native bunch grass species, such as needle grass, have been largely or entirely supplanted by introductions. Stands rich in natives usually found on unusual substrates, such as serpentinite or somewhat alkaline soils. The grasslands adjacent to the project area are relatively homogenous and are dominated by sweet vernal grass (*Anthoxanthum odoratum*), European hairgrass (*Aira caryophyllea*), and other non-native herbaceous plants including sheep sorrel (*Rumex acetosella*) and rough cat's ear (*Hypochaeris radicata*). There is a native herbaceous component that includes miniature lupine (*Lupinus*

bicolor), California poppy (*Eschscholzia californica*), and cream cups (*Platystemon californicus*).

The stands of trees visible in aerial images on much of the parcel are predominantly non-native pines and appear to be Japanese black pine (*Pinus thunbergia*) or Manchurian pine (*Pinus tabuliformis*); the understory is devoid of herbaceous vegetation.

Riparian Forest: Broadleaved, winter deciduous trees, forming closed canopies, associated with low- to mid-elevation perennial and intermittent streams. Most stands even-aged, reflecting their flood-mediated, episodic reproduction. These habitats can be found in every county and climate in California. The riparian vegetation associated with the stream along the northern edge of the parcel is dominated by willows (*Salix* spp.).

Riparian Scrub: Streamside thickets dominated by one or more willows, as well as by other fast-growing shrubs and vines. Most plants recolonize following flood disturbance. This habitat is located along the streams on-site and areas with shallow ground water. This habitat type exists in small patches along the watercourses.

No special status plant species were encountered during field visits in the course of the botanical surveys. The three surveys were seasonally appropriate for the site and spanned the portion of the season where all special status plants on the scoping list that could occur in the project area would have been recognizable by the surveyors. Additionally, the surveys were conducted during a period when other plants were identifiable. Thus, the survey concluded, no plants listed under the ESA, CESA or CEQA would be impacted by the proposed project.

The non-native grassland and introduced pine stands described in the Wear botanical survey is inconsistent with any special status natural communities. California oatgrass was documented in the undisturbed portion of the parcel but was at less than 1% cover and occurred in a relatively small area. Cover of California oatgrass would need to be at least 10% to be considered Idaho fescue -California oatgrass grassland. Oregon white oak was recorded outside the project area along the edge of the property but was limited to isolated small stands or individual trees and is not Oregon white oak woodland and forest.

An Aquatic Resource Delineation was prepared for APN: 210-250-022 (Timberland Resource Consultants, 2020)¹⁰. The study corroborated that there are no wetland features on site based on 5 sampling points. No single point included all the factors necessary to be defined as a wetland.

- a) Less Than Significant with Mitigation Incorporated.** Multiple special-status wildlife species that were identified as having potential to occur within the nine-quad search were determined to be unlikely to occur in the project area upon review of species range, occurrence records, and biological surveys conducted by Leopardo and Wear. Other species will not likely be impacted as their habitat would not be affected by the proposed project.

¹⁰ Aquatic Resource Delineation, APN: 210-250-022-000, Timberland Resource Consultants. (July 2020)

Potential land use conversion and development proposed by this project and other projects in the vicinity could adversely affect several special-status wildlife species, including reptiles, amphibians, nesting birds, and mammals. Project implementation may include ground disturbance, vegetation removal, and overall conversion of wildlife habitat, which could result in the disturbance or loss of individuals and reduced breeding productivity of these species. Special-status wildlife species are protected under ESA, CESA, California Fish and Game Code, CEQA, or other regulations. The loss of special-status wildlife species and their habitat due to the cumulative impact projects in the county would be a potentially significant impact. Foothill yellow-legged frog, Northern red-legged frog, southern torrent salamander, Western Pond turtle, and Pacific tailed frog were listed in the nine-quad scooping. However, the Leopardo study concluded that these species are unlikely to occur on the site either because the site was not suitable habitat for such species or the project was located in an area where impacts from the project on potential habitat was less than significant.

Project implementation associated with potential impacts to habitat and vegetation removal could disturb nesting birds if they are present, potentially resulting in nest abandonment, nest failure, or mortality of chicks or eggs. Additionally, human presence associated with construction of cultivation sites, roads, and cultivation activities (generators and other equipment) could result in increased noise and visual disturbance to nesting birds. The potential loss of birds and their nests resulting from the cumulative impact of cannabis project in the county would be a potentially significant impact.

Conditions common to Northern Spotted Owl (NSO) habitat including larger decadent trees, downed woody debris, and lower ambient temperatures do not exist on the site of the proposed cannabis cultivation site. Further the adjacent stands of pine to the project location are unsuitable for NSOs and the nearest NSO activity center was determined to be 1.3 miles from this project.

Bald eagles (*Haliaeetus leucocephalus*) and ospreys (*Pandion haliaetus*) are fully protected, mainly fish-eating birds known to nest in large trees, nearby streams and rivers. Occupying the same niche as great blue herons (*Ardea Herodias*), although these birds are regularly observed in association with higher order streams, the CNDDDB does not record them nesting within 1.3 miles of this project. Although a peregrine falcon is reported inside 1.3 miles, given that this project does not involve habitat removal, or suitable nesting cliffs, it can reasonably be concluded that the proposed cannabis cultivation will not impact bald eagles, ospreys, or falcons. Consequently, pre-construction surveys and/or monitoring for these species is not recommended, as proposed cannabis cultivation is unlikely to affect nesting forest raptors and/or herons within 500' of this project.

In addition to the little willow flycatcher, the bank swallow (*Riparia riparia*), tricolored blackbird (*Agelaius tricolor*), western yellow-billed cuckoo (*Coccyzus americanus occidentalis*) and western snowy plover (*Charadrius nivosus nivosus*) are Humboldt County special-status birds potentially impacted by commercial cannabis development. Although this ownership does not contain habitat for the above-mentioned special status species, if construction,

grading, vegetation removal, or other project-related improvements are necessary during the migratory bird nesting season (February 1 through August 15), a focused survey for native nesting birds shall be conducted by a qualified biologist within 100'. Timed no more than seven days prior to the beginning of project-related activities, if a nest is found, the Permittee shall consult with CDFW regarding appropriate actions to comply with the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code.

This project is too far inland to constitute suitable white-footed vole (*Arborimus albipes*) habitat, and outside the geographic range of the Humboldt marten (*Martes americana humboldtensis*), although fishers are regularly observed in this region, these open pasturelands do not provide key habitat for mustelids. American badgers (*Taxidea taxus*) and Sonoma Tree Vole (*Arborimus pomo*), pallid bat (*Antrozous pallidus*) and Townsend's big-eared bat (*Corynorhinus townsendii*) are also special-status bats with ranges coinciding with this project.

As this project does not involve substantial habitat changes, it can reasonably be concluded that it will not significantly impact special-status mammals. The Leopardo survey included an investigation for signs of sensitive wildlife and concluded that suitable Townsend's big-eared bat roosting habitat or suitable bat nesting snags does not occur within 400'. No tree voles were observed within 200' and no potential badger dens in the development areas were observed. However, prior to establishing additional cultivation areas, a pre-construction survey is recommended to assure the continued absence of badgers in development areas. Furthermore, the use of monofilament netting should be avoided to reduce the risk of ensnaring wildlife, and installation of pond exits ramps to prevent wildlife entrapment is also advised.

All impacts to these species will be less than significant with implementation of the mitigation measure listed below.

- b) Less Than Significant.** Riparian areas are those vegetated areas adjacent to rivers, streams and lakes with specific overstory and/or understory plant species that meet the definition of riparian by the CDFW. Vegetated areas (scrub, woodland, and forest) adjacent to the Class II tributaries off of Butte Creek and other streams as well as isolated wetland can be considered riparian. These areas are important habitat for many species as well as for water quality protection.

The CDFW jurisdictional limits are not as clearly defined by regulation as those of the USACE. They include riparian habitat supported by a river, stream, or lake regardless of the presence or absence of hydric and saturated soils conditions. In general, the CDFW extends jurisdiction from the top of a stream bank or to the outer limits of the adjacent riparian vegetation (outer drip line), whichever is greater.

Other Sensitive Natural Communities as described by CDFW were not identified in the project area. There is no proposed development to riparian habitats identified on the property. There are currently streams present on site with which disturbances or alterations could have an effect on riparian species or habitats.

This application includes a report prepared by a qualified professional that assesses the site for wetlands and surface waters jurisdictional to the USACE and SWRCB based on Section 404 and 401 of the Clean Water Act. The report determines no waters of the U.S. and/or waters of the state, including wetlands, have been or will be impacted by proposed project actions. The project will not significantly directly impact jurisdictional waters and wetlands of the U.S. or State.

To the extent practicable, the discharge of dredged or fill material into “waters of the United States,” including wetlands, will be avoided (this also includes waters not subject to USACE jurisdiction, but subject to CDFW and RWQCB jurisdiction).

There are two streams located at the West, North, and South edges of the property and are both over 180 feet from the project area. The project does not propose direct removal, filling, hydrological interruption, or other means appearing to not have a substantial adverse effect on Federally protected wetlands as defined by Section 404 of the Clean Water Act.

- c) Less Than Significant.** Wildlife movement corridors are areas that connect suitable wildlife habitat areas in a region otherwise fragmented by rugged terrain, changes in vegetation, or human disturbance. Natural features such as canyon drainages, ridgelines, or areas with vegetative cover provide wildlife corridors. Wildlife movement corridors are important because they provide access to mates, food, and water; allow the dispersal of individuals away from high population density areas and facilitate the exchange of genetic traits between populations. The project does not include any features that would 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. The project would not preclude wildlife mobility, breeding, or reproduction. Following construction, the proposed project would not create an impediment to wildlife movement. No operational impact would occur. The proposed project is located primarily in the grassland area with intermittent forested areas. Species listed in Table 2 that potentially occupy habitat present in these areas could be impacted by the proposed activities. Deer, birds, and other wildlife may currently use the pasture and trees for foraging and habitat. This project could impact the availability of the pasture for this purpose but is not expected to impact wildlife corridors or mobility.
- d) Less Than Significant with Mitigation Incorporated.** Migratory birds are protected under the Migratory Bird Treaty Act, which makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory birds listed in 50 CFR Part 10. Loss of fertile eggs or migratory birds, or any activities resulting in migratory bird nest abandonment, would be an adverse effect. Construction and maintenance activities associated with the project could have a potentially significant effect on protected migratory birds. All impacts to these species would be less than significant with implementation of the mitigation measure listed below.
- e) Less Than Significant Impact.** The Humboldt County General Plan and Cannabis Ordinance

includes several policies to protect biological resources. The County includes a policy to avoid significant habitat modification or destruction consistent with federally adopted Habitat Recovery Plans or interim recovery strategies (Policy BR-P2); a policy for wetland identification (Policy BR-P7); a policy to protect oak woodlands (Policy BR- P9); and a policy to manage and control noxious and exotic invasive plant species (Policy BR-P10); a policy for projects requiring discretionary review to preserve large trees, where possible, and mitigate for carbon storage losses attributable to significant removal of trees (Policy AQ-P17). The County does not have a tree preservation policy or ordinance. The proposed project involves the removal of several trees on the property with proper approval. The project would not conflict with applicable Humboldt County General Plan policies protecting biological resources. The project does not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

f) Less Than Significant Impact. Currently there is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans that cover the project area.

Findings: In the course of the above evaluation, the proposed project could have potentially significant impacts associated with *Biological Resources*. The HCC DEIR and FEIR list performance standards for the protection of Biological Resources. With these performance standards and incorporated mitigation measures and included studies, the project is expected to have a less than significant impact.

Mitigation Measures:

Mitigation Measure BIO-1: special status amphibian pre-construction.

- Forty-eight hours prior to proposed new development activities within 200 feet of any Streamside Management Area (SMA) or Other Wet Area, a preconstruction survey for special-status amphibians shall be conducted by a qualified biologist. The biologist shall be familiar with the life cycle of foothill yellow-legged frog, northern red-legged frog, Pacific tailed-frog, and southern torrent salamander, and will conduct appropriate surveys for the applicable life stages (i.e., eggs, larvae, adults).
- Preconstruction surveys for special-status amphibian species shall be conducted throughout the proposed construction area and a 400-foot buffer around the proposed development area. Surveys shall consist of “walk and turn” surveys of areas beneath surface objects (e.g., rocks, leaf litter, moss mats, coarse woody debris) for newts and salamanders, and visual searches for frogs.
- If red-belliednewtorsoutherntorrentsalamanderorspecialstatusfrogsaredetected during the preconstruction survey, the proposed development area shall be relocated to be no closer than 200 feet from the occurrence(s) measured as a horizontal line perpendicular to, and moving away from, the SMA.

- Within 24 hours before beginning proposed new development activities within 200 feet of SMA or Other Wet Area, a qualified biologist shall survey areas of anticipated disturbance for the presence of western pond turtle. If pond turtles are found during the survey the proposed development area shall be relocated to be no closer than 200 feet from the occurrence(s) measured as a horizontal line perpendicular to, and moving away from, the SMA.

Implementation of Mitigation Measure BIO-1 is intended to reduce potential impacts to terrestrial species to less than significant.

Mitigation Measure BIO-2: Special status preconstruction survey and establishment of protective buffers

To minimize the potential for loss of nesting raptors, tree removal activities shall only occur during non-breeding season (September 1-January 31).

- Prior to removal of any trees, or ground-disturbing activities between February 1 and August 31, a qualified biologist shall conduct preconstruction surveys for nesting raptors and shall identify active nests within 500 feet of the proposed development area. The surveys shall be conducted between February 1 and August 31.
- Impacts to nesting raptors shall be avoided by establishing appropriate buffers around active nest sites identified during preconstruction raptor surveys. The buffer areas shall be protected with construction fencing, and no activity shall occur within the buffer areas until a qualified biologist has determined, in coordination with CDFW, that the young have fledged, the nest is no longer active, or reducing the buffer would not likely result in nest abandonment. CDFW guidelines recommend implementation of a 500-foot buffer for raptors, but the size of the buffer may be adjusted if a qualified biologist and the applicant, in consultation with CDFW, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist during and after construction activities will be required if the activity has potential to adversely affect the nest.
- Prior to removal of any vegetation or any ground disturbance between February 1 and August 31, a qualified biologist shall conduct preconstruction surveys for nests on any structure or vegetation slated for removal, as well as for potential special-status bird nesting habitat. The surveys shall be conducted no more than 14 days before construction commences. If no active nests or bank swallow colonies are found during focused surveys, no further action under this measure will be required. If active nests are located during the preconstruction surveys, the biologist shall notify the Planning Director and CDFW. If deemed necessary by the Planning Director in consultation with CDFW, modifications to the project design to avoid removal of occupied habitat while still achieving project objectives may be required. If the Planning Director determines in consultation with CDFW that avoidance is not feasible or conflicts with project objectives, construction shall be prohibited within a minimum of 100 feet of the nest to avoid disturbance until the nest or colony is no longer

active.

- Trees shall not be removed during the breeding season for nesting raptors unless a survey by a qualified biologist verifies that there is not an active nest in the tree.

Implementation of Mitigation Measure BIO-2 is intended to reduce potential impacts to nesting raptors and other special status birds to less than significant.

Documentation:

National Wetland Inventory. California Department of Fish and Wildlife. May 2019.

MDF Enterprises, Inc. Cultivation, Operations, and Security Plan.

Humboldt County General Plan. Board of Supervisors et al., Humboldt County, Ca. October 2017.

A Manual of California Vegetation Second Edition. California Native Plant Society. Sawyer et al. 2009.

Initial Study for the MDF Enterprises Cannabis Cultivation Project. Leopardo Wildlife Associates (LWA). May 2019.

Botanical Survey Results Kyle Wear Botanical Consultant June 2021

USACE 1987 Manual, Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coastal Regions. Version 2.0. USACE 2010.

California Natural Diversity Database. California Department of Fish and Wildlife. 2019.

<https://www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data>.

Inventory of Rare and Endangered Vascular Plants. California Native Plants Society. 2018.

<http://rareplants.cnps.org/>.

Commercial Medical Marijuana Land Use Ordinance. Board of Supervisors, Humboldt County, Ca. Ord no. 2559, Sept 2016.

California Cannabis Land Use Ordinance. Board of Supervisors, Humboldt County, Ca. Ord no. 2559, May 2018.

3.1.5 Cultural Resources

Would the project:	Significant and Unavoidable Impact	Less Than Significant 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting: The federal National Register of Historic Places (NRHP), federal *National Environmental Policy Act*, and *California Environmental Quality Act* legislation all contain the same general policy: to preserve the quality of our historic and cultural environment by ensuring that cultural resources are given adequate consideration throughout the course of an undertaking and by providing significant cultural resources with the best protection possible.

The parcel which was examined is east of Bridgeville proper, in Larabee Valley. The entirety of Larabee Valley is located in the Kosdun Kiya Archaeological District (WRA 2018). There are various existing culture resource areas on the parcel. The archeological site P-12-001106/CA- HUM-848 is recorded having boundaries upon the subject parcel (WRA 2018). Environmentally Sensitive Areas (ESAs) 459C and 4598 are present on-site as well as an Isolated Projectile Point and an Observed Limits of Concentration area (WRA 2018). An archeological study conducted in 2018 found no additional evidence of archeological significance. While the area has rich tribal and other settlement histories, no additional areas of archeological or historical interest were identified.

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Discussion:

- a) **No Impact.** There are no National Register of Historic Places (NRHP) or California Register of Historic Resources (CRHR) sites located at the project, or within close proximity of the site, that would call for the retention of the historical structure or listing. The Archaeological District of Kosdun Kiya, while not registered, has been recommended eligible for listing to the CRHR due to the significant concentration of archaeological sites present (WRA 2018).
- b) **Less Than Significant Impact with Mitigation.** The project would not change the significance of cultural resources. Environmentally Sensitive Areas (ESAs) have been denoted on the project maps to keep buffers from the established archeological areas (Figure 8). Since the parcel is also located in the Kosdun Kiya Archeological District there is a greater probability that artifacts will be uncovered if grading did occur (WRA 2018). An agreement between the applicant and Bear River Band of the Rohnerville Rancheria is in place for all ground disturbance to be monitored. Despite minimal plans for clearing or digging, it is possible that buried concentration of archeological resources may be uncovered due to the concentration of archaeological sites. If any resources are found during the construction of the proposed project, they will be mitigated as necessary by contacting tribal authorities.
- c) **No Impact.** No paleontological resources or unique geologic features have been identified on the proposed project site, and the potential for their occurrence is considered minimal.
- d) **No Impact.** There are no known burial sites on the proposed project site. If human remains are unearthed during future development of the site, the provisions of California Health and Safety Code Section 7050.5 shall apply along with the proper mitigations.

Findings: No prehistoric or historic resources were located during this survey while pre-existing sites and districts have been recorded on the property including Environmentally Sensitive Areas (ESAs) as well as the Kosdun Kiya Archeological District. No known resources will be impacted by this project with mitigation measures, monitoring, and heightened inadvertent discovery protocol recommendations followed (WRA 2018).

Mitigation Measures:Mitigation Measure CUL-1: Substantial Adverse Change to Culturally Significant Sites.

Any excavations associated with grading for greenhouse development shall be monitored for archaeological materials by Bear River Band tribally approved individuals such as an archaeologist or tribal member. If significant archaeological finds are made all work shall stop in the immediate vicinity until a qualified archaeologist and tribal representative have provided direction for preservation, if warranted. A monitoring report shall be prepared by the monitor or other qualified archaeologist and submitted to the NWIC database and a copy provided to the County.

Documentation:

A Cultural Resources Investigation Report for a Commercial Medical Cannabis Cultivation Permit at APN 210-250-022. William Rich and Associates (WRA), Cultural Resources Consultants. May 2018.

Caltrans Cultural Resources Handbook. Caltrans. 2014

3.1.6 Energy

Would the project:	Significant and Unavoidable Impact	Less Than Significant 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting: Generators are in use at the property the mixed light portion of the cultivation is currently utilizing generators, however they are applying for a PGE Agriculture drop for grid power and is proposed to be completed within six months of project approval.

Electric and natural gas services in Humboldt County are provided by Pacific Gas & Electric (PG&E). The PG&E electrical grid in Humboldt County covers about 3,000 square miles and is connected to the bulk PG&E transmission system by four circuits, each ranging from 31 to 115 miles in length. Electricity is primarily transmitted through two 115kV circuits. The total electrical transmission capacity into Humboldt County through the existing lines is 60 to 70 megawatts, less than half of the County's current peak demand. There is one major natural gas supply line in Humboldt County, and PG&E is capable of transporting enough natural gas to meet current needs (Humboldt County 2017).

Energy related to the construction and operation of commercial cultivation operations and non-cultivation facilities would include energy directly consumed for lighting, heating and cooling, and electric-powered facilities. Indirect energy consumption would be associated with the generation of electricity at power plants for those operations. Transportation-related energy consumption includes the use of fuels to power vehicles transporting goods and workers.

Energy would also be consumed by equipment and vehicles used during project construction and routine maintenance activities.

Based on Appendix C (energy) of the State CEQA Guidelines, an energy impact is considered significant if implementation of the proposed ordinance would:

- result in wasteful, inefficient, and unnecessary consumption of energy, during cultivation site and noncultivation site construction or operation, as evidenced by a failure to decrease overall per capita energy consumption or decrease reliance on fossil fuels such as coal, natural gas, and oil;
- fail to incorporate feasible renewable energy or energy efficiency measures into building design, equipment use, transportation, or other project features, or otherwise fail to increase reliance on renewable energy sources; or
- exceed the available capacities of energy supplies that require the construction of facilities.

Discussion:

a) Less Than Significant Impact.

Appendix C of the State CEQA Guidelines requires the consideration of the energy implications of a project. CEQA requires mitigation measures to reduce “wasteful, inefficient and unnecessary” energy usage (Public Resources Code Section 21100, subdivision (b)(3)). Neither the law nor the State CEQA Guidelines establish criteria that define wasteful, inefficient, or unnecessary use. While

b) Less Than Significant Impact.

The Humboldt County General Plan (Humboldt County 1988) includes policies in Land Use and Housing Elements applicable to the energy efficiency of new development, reducing community-wide energy consumption, and reducing fossil fuel consumption in Humboldt County.

Mitigation Measures: None required.

Documentation: None

3.1.7 Geology and Soils

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting: Three (3) soil types are mapped in the project areas on the Web Soil Survey (USDA 2019). The property area is primarily composed of Frostvalley (1001), Frostvalley-Mulecreek complex (1002), and Pasturerock-Coyoterock-Maneze complex (4426). These soils are not considered hydric and are on very deep, moderately to well-drained soils. The project area is mapped as having prime agricultural soil in project areas (CDC 2019). The soil series properties are described as the following (USDA 2019):

The Frostvalley series consists of very deep, well drained soils formed in alluvium derived from mixed sedimentary sources. Frostvalley soils are on linear to convex positions on stream terraces in mountain river valleys. Slopes range from 0 to 9 percent with elevations of 730 to 825 meters. Mean annual precipitation is about 1650 mm and the mean annual temperature is about 8 degrees C. Frostvalley series have negligible to low runoff and have moderately high saturated hydraulic conductivity.

The Mulecreek series consists of very deep, moderately well drained soils formed in alluvium derived from mixed sedimentary sources including sandstone and mudstone. Mulecreek soils are on stream terraces and alluvial fans in mountain river valleys. Slope ranges from 0 to 9 percent with elevations of 730 to 825 m. The mean annual precipitation is about 1650 mm and the mean annual air temperature is about 8 degrees C.

The Pasturerock series consists of very deep, well drained soils formed in colluvium derived from sandstone and mudstone. Pasturerock soils are on mountains and have slopes of 15 to 50 percent. This series is found at elevations of 53 to 1220 m. The mean annual precipitation is about 2290 mm and the mean annual temperature is about 13 degrees C. The Pasturerock series has very high runoff with moderately low saturated hydraulic conductivity.

The Coyoterock series consists of very deep, moderately well drained soils formed in colluvium and residuum derived from sandstone and mudstone. Coyoterock soils are in moist locations on poorly incised drainages, hillslope hollows, and earthflows on mountain slopes. Slopes are 15 to 50 percent with elevations of 158 to 1220 m. The mean annual precipitation is about 2290 mm and the mean annual temperature is about 13 degrees C.

The Maneze series consists of very deep, well drained soils formed in colluvium and residuum derived from sandstone, mudstone, and siltstone. Maneze soils are on convex, upper mountain side slopes and spur ridges. Slopes are 15 to 50 percent with elevations at 158 to 964 m. The mean annual precipitation is about 2410 mm and the mean annual temperature is about 13 degrees C.

Cultivation Greenhouses will be installed on grubbed and compact ground. An area 84,500 sq ft. will need to be graded to facilitate installation. Grading is assumed to be down to 6" in depth, resulting in approximate 1565 cyd of cut. An additional 40,000 sq ft. of grubbing will be conducted north of the pond and will result in approximate 740 cyd of cut. The new drying shed will have an approximate graded pad of 6,000 sq ft. This area will also be prepared down to 6" for an approximate cut of 110 cyd. Finally, the new driveway proposed on the plot plan will be approximate 11,325 sq ft, and the ground will be prepped down to 6" to a volume of approximately 210 cyd.

The total proposed cut for this project will be approximately 2625 cyd.

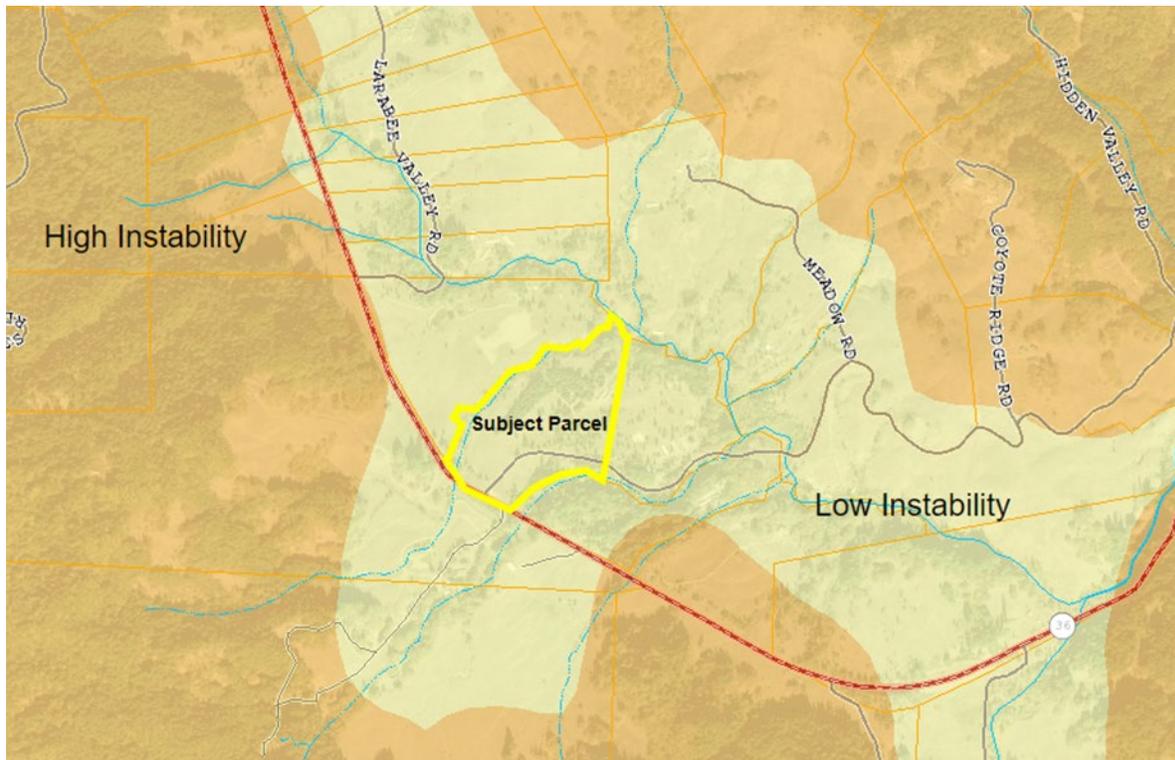


Figure 9. Humboldt County GIS layer showing seismic safety and known fault lines.

Discussion:

f) No Impact

- i. No Impact.** Rupture of known earthquake fault: The California Geological Survey (CDC 2019) has the responsibility for mapping active earthquake faults in California, through legislation referred to as the Alquist-Priolo Earthquake Fault Zoning Act (GHD 2018). Eaton Roughs Fault Zone is the closest fault to the property falling approximately 3.70 miles to the northeast. The parcel is not mapped as being in an Earthquake Fault Hazard Zone via Humboldt GIS (USDA 2019).
- ii. No Impact.** Strong seismic ground shaking: Strong seismic shaking is a regional hazard that could cause major damage to the project area. The extent of ground-shaking during an earthquake is controlled by the earthquake magnitude and intensity, distance to the epicenter, and the geologic conditions in the area. Humboldt County is in an active earthquake area. The Eaton Fault Zone falls more than 3 miles to the northeast of the parcel in the surrounding Bridgeville, CA area, mapped via Humboldt GIS.
- iii. No Impact.** Seismic-related ground failure: The property is mapped as having low instability due to seismic activity via Humboldt GIS. It is not in an area of potential liquefaction.

- iv. No Impact.** Landslides: The project area is primarily on slopes of less than 15 percent. There are no historic landslides denoted on the property or any that could potentially affect the project area from neighboring properties.
- b) Less Than Significant Impact.** Erosion factor K indicates the susceptibility of a soil to sheet and rill erosion by water. Factor K is one of six factors used in the Universal Soil Loss Equation (USLE) and the Revised Universal Soil Loss Equation (RUSLE) to predict the average annual rate of soil loss by sheet and rill erosion in tons per acre per year. The estimates are based primarily on percentage of silt, sand, and organic matter and on soil structure and saturated hydraulic conductivity (Ksat). Values of K range from 0.02 to 0.69. Other factors being equal, the higher the value, the more susceptible the soil is to sheet and rill erosion by water. "Erosion factor Kw (whole soil)" indicates the erodibility of the whole soil. The estimates are modified by the presence of rock fragments. The project area has a Kw value of 0.20, meaning it is moderately susceptible to water erosion (USDA 2019).
- c) Less Than Significant Impact.** The National Earthquake Hazards Reduction Program (NEHRP) (FEMA et al 2019) rates the project area has Geological Unit C, having soft rock and very dense soil. The parcel and surrounding areas have no historic landslides listed. The project area is on a low slope with sturdy soil types making liquefaction and landslides unlikely.
- d) Less Than Significant Impact.** Expansive soils are generally high in certain clay types and are prone to large volume changes that are directly related to changes in water content. Soils along the project alignment are generally composed of gravel, loam, and clay and are dry, moderately to well drained soils which have the potential for expansion (USDA 2019).
- e) No Impact.** The residence has an approved design for a yet to be installed septic tank system by Chapman Engineering on the parcel (TRC 2016). The septic capacity is expected to be sufficient to handle employee use and commercial food waste, as well as, any bathroom facilities (MDF).

Findings: Humboldt County is located within a seismically active region in which very large earthquakes are possible. Strong seismic shaking is a regional hazard and is not particular to the project site. Additionally, exposure of persons or structures to potential substantial seismic ground shaking hazards is limited since there are minimal buildings associated with the proposed project, hence, a less than significant impact would occur.

BMPs include that the proposed project shall comply with California Building Code and local building codes which have been designed to allow structures to withstand strong seismic ground shaking. Measures taken, such as described in the Water Resource Protection Plan, should provide additional protection for the soils. Monitoring of roads, crossings, irrigation lines, and hydrologically connected areas shall be monitored.

Mitigation Measures: None required.

Documentation:

Web Soil Survey. Natural Resources Conservation Service, United States Department of Agriculture. May 2019. <https://websoilsurvey.sc.egov.usda.gov/>.

National Earthquake Hazards Reduction Program (NEHRP). FEMA et al. June 2019. <https://www.nehrp.gov/>.

Humboldt Bay Trail South: Initial Study and Proposed Mitigation Negative Declaration. GHD. County of Humboldt. February 2018.

California Geological Survey. California Department of Conservation (CDC). 2018. <https://www.conservation.ca.gov/cgs>

Farmland Series Mapping and Monitoring Program. California Department of Conservation (CDC). 2019.

MDF Enterprises, Inc. Cultivation, Operations, and Security Plan.

3.1.8 Greenhouse Gas Emissions

Would the project	Significant and Unavoidable Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting: In early 2019, Humboldt County local governments decided to take a regional approach to climate action planning. The Regional CAP partnership consists of Redwood Coast Energy Authority (RCEA), the County of Humboldt and the cities of Arcata, Eureka, Blue Lake, Ferndale, Fortuna, Rio Dell and Trinidad (2019). RCEA recently completed 2015 greenhouse gas inventories, and the County is working with the public to develop a plan to reduce emissions while taking into account the unique nature of Humboldt County.

Discussion: Greenhouse gases (GHGs) are a contributor to climate change, sea level rise, ocean acidification, and endangerment of sensitive organisms. Climate, unlike weather, refers to the overall trends of temperature, rainfall, and other atmospheric conditions. With the contribution of gases from products of combustion (such as compounds present in automotive exhaust) among other sources, have resulted in an influx of nitrous oxide (N₂O), ozone (O₃), carbon dioxide (CO₂), and methane (CH₄) have led to an increase in global temperatures. These gases allow visible and ultraviolet light through the atmosphere from the sun but keep them from escaping. This increase

in temperature melts polar ice caps which increases sea levels, impacting a countless number of species directly, including humans.

California has passed Assembly Bill 32, mandating a reduction in greenhouse gas (GHG) emissions and Senate Bill 97, 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 emission, as required by Senate Bill 97 {Chapter 185, 2007} and 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 (TCDP 2018).

- a) **Less Than Significant Impact.** The NCUAQMD does not have rules, regulations, or thresholds of significance for non-stationary GHG emissions (GHD 2018). Humboldt County's General Plan contains policies and implementation measures within the Air Quality Element to reduce greenhouse gas emissions and for the preparation of a Climate Action Plan. The proposed project involves the construction and operation of cannabis cultivation, a nursery and processing facility. The proposed project will generate both direct and indirect GHG emissions. Direct GHG emissions include emissions from construction activities, area sources, and mobile (vehicle) sources. Typically, mobile sources make up most direct emissions. Indirect GHG emissions are generated by incremental electricity consumption and waste generation. Electricity consumption is responsible for most indirect emissions.

As with other off-the-grid living and working operations, there are greenhouse gas emission factors which must be addressed. Since this operation is a rural area outside of the small community of Bridgeville, supplies, workers, and equipment must be hauled quite a distance to the operation, and product must be driven out in the same way. With plans to construct additional greenhouses in the area, hauling exhaust production will undoubtedly increase. All these practices contribute to the emission of GHGs.

The use of generators on the property varies depending on the time of the year. In previous years 12 to 18 gallons a day of diesel has been used between the months of May to September (MDF). The combustion of gasoline in these generators contribute to the carbon footprint of this business operation. A PG&E agricultural drop was applied for which will supplant the energy currently being provided by these generators, which is anticipated to be implemented within six months from project approval.

- b) **Less Than Significant Impact.** The proposed project involves the construction and operation of a facility for cannabis cultivation, nursery, and processing. As a result, the proposed project could generate both direct and indirect GHG emissions. As noted above, there are no local plans that have been adopted for the purpose of reducing the emissions of greenhouse gases.

In 2006, the California Global Warming Solutions Act (Assembly Bill 32) definitively established the state's climate change policy and set GHG reduction targets (Health & Safety Code §38500 et sec.), including setting a target of reducing GHG emissions to 1990 levels by 2020. AB 32 requires local governments to take an active role in addressing climate change and reducing greenhouse gas (GHG) emissions.

Recommendations to reduce residential GHG emissions include promoting energy efficiency in new development and improved coordination of land use and transportation planning on the city, county and sub regional level, and other measures to reduce automobile use.

It is noted that the California Air Resources Board (CARB) announced in July 2018, that the State has already met the AB 32 goal of reducing emissions to 1990 levels by 2020 approximately four years early. As stated in the Executive Summary of the 2018 Edition of the California Greenhouse Gas Emissions Inventory: 2000-2016:

“The inventory for 2016 shows that California's GHG emissions continue to decrease, a trend observed since 2007. In 2016, emissions from routine GHG emitting activities statewide were 429 million metric tons of CO₂ equivalent (MMTCO₂e), 12 MMTCO₂e lower than 2015 levels. This puts total emissions just below the 2020 target of 431 million metric tons. Emissions vary from year-to-year depending on the weather and other factors, but California will continue to implement its greenhouse gas reductions program to ensure the state remains on track to meet its climate targets in 2020 and beyond.”

The project is subject to a myriad of state 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, 2018). 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 GHG emissions from the energy production sector that will serve the proposed project would also reduce project related GHG emissions from electricity consumption. 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.

Findings: The proposed project is unlikely to have a major contribution to GHGs, but measures to reduce these emissions shall be taken wherever possible including purchasing carbon offsets or employing clean energy as part of energy supplied by PGE. Further reduction can be achieved through carpooling of employees. The proposed project does not conflict with any plan, policy or

regulations involving GHGs and will have a less than significant impact. BMPs include minimizing the number of vehicle trips to and from the project site as well as generator use to reduce greenhouse gas emissions and lessen the environmental impacts. Such BMPs are referenced above in this finding.

Mitigation Measures: None required.

Documentation:

Climate Action Plan. Humboldt County Board of Supervisors. 2019.

<https://humboldt.gov/2464/Climate-Action-Plan>.

California Greenhouse Gas Emissions for 2000 to 2016, Trends of Emissions and Other Indicators. 8th Edition. California Air Resources Board (CARB). 2018.

Air Quality. North Coast Unified Air Quality Management District. 2018.

<http://www.ncuaqmd.org/index.php?page=air.quality>.

District Rules and Regulations. North Coast Unified Air Quality Management District. 2017.

<http://www.ncuaqmd.org/index.php?page=rules.regulations>.

Humboldt Bay Trail South: Initial Study and Proposed Mitigation Negative Declaration. GHD. County of Humboldt. February 2018.

MDF Enterprises, Inc. Cultivation, Operations, and Security Plan.

Initial Study for the MDF Enterprises Cannabis Cultivation Project. Leopardo Wildlife Associates (LWA). May 2019.

3.1.9 Hazards and Hazardous Materials

Would the project:	Significant and Unavoidable Impact	Less Than Significant 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting: Agricultural operations frequently employ the use of chemical and organic fertilizers, pesticides, and herbicides. Cannabis cultivation is a form of agriculture. The operations plan for

MDF enlists several fertilizers, pesticides, and amendments that are currently being used on the property (See *Project Operations Section 1.7*) (MDF). Two Class II streams are located upon the property at least 180 feet away from any project areas. MDF has contacted the appropriate entities to incorporate a least impactful proposed pond and has completed the installation of said pond.

Discussion:

- a) **Less Than Significant Impact.** Small amounts of potentially hazardous substances (e.g., petroleum, pesticides, herbicides, and other chemicals used to maintain vehicles and equipment) are already being used at the project site as part of the previously approved cannabis projects. This includes generators and vehicles used as part of the. Less than significant increases in use of such potentially hazardous substances are anticipated for this project. Application of fertilizer and pesticides are limited to cultivation areas only. Used fertilizer and chemical containers are and shall be disposed of according to manufacturer's requirements (TCDP 2018). Preventive measures have been listed to reduce the chance of chemical spills or leaching upon the property (MDF). Compliance with standard transport, handling procedures of the chemical manufacturers, and the standard conditions of approval through the various County cannabis ordinances will help reduce the impacts.
- b) **Less Than Significant Impact.** Proper storage and application of hazardous materials protocols are already in place as part of the previously approved projects and there is not a foreseeable significant hazard to the public the environment from this project. The project could expose workers, the public, or the environment to these potential hazards. A small increase to quantities of potentially hazardous substances (e.g., petroleum and other chemicals used to operate and maintain equipment, fertilizers and pesticides) would be used at the proposed project site. Accidental releases of these substances could potentially contaminate soils and degrade the quality of surface water and groundwater, resulting in a public safety hazard. Compliance with standard safety procedures and hazardous materials handling regulations will help reduce any impacts.
- c) **No impact.** The proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. There is a bus stop near the property entrance, but it is not within 600 ft of any project areas.
- d) **No Impact.** The proposed project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. It would not create a significant hazard to the public or the environment.
- e) **No Impact.** The proposed project is not located within an airport land use plan. No plan has not been adopted, within two miles of a public airport or public use airport, therefore, the project would not result in a safety hazard for people residing or working in the project area.

- f) **No Impact.** The proposed project is not within the vicinity of a private airstrip.
- g) **No Impact.** There are no indications that the proposed project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The County has a *Humboldt County Community Wildfire Protection Plan* in place which involves chopper refueling on the opposite side of Larabee Valley Road from the project. The project will also install a quick connect pump in the pond for the purpose of supplying fire trucks with water. This project would not interfere with any protection plans under compliance with proper fire safety, prevention, and protection methods.
- h) **Less Than Significant Impact.** The proposed project is primarily located in a meadow area with surrounding trees and vegetation barriers. The Bridgeville area is mapped as having a very high fire hazard severity and surrounding areas have had historic fires. Any development or structures upon the project site will comply with State Fire Safe Standards for protection of life and property from wildfires through clearing of vegetation, location of appropriately sized water storage facilities, and other actions required for fire protection/suppression actions as may be determined by the County or CALFIRE (TCDP 2018). Through implementation of fire safe standards, the project will not be at significant risk of damage from wildfire and the project would not cause significant wildfire risk to the area from project related activities and follow the County General Plan Safety Element. While any wildfire has the potential to spread to nearby residential developments, the potential for a fire from this project site to spread to adjacent residential developments is less than significant.

Findings: With the proper storage, application, and disposal of potentially hazardous chemicals, there will be a less than significant impact. The project will comply with fire safety and prevention standards, having a less than significant impact. Currently, there are fertilizer, pesticides, and amendments being used. Any future pesticides, herbicides, or amendments will be stored in totes in a covered building. MDF will keep a log of hazardous materials use for annual reporting. To prevent the leakage of chemical and organic fertilizers, pesticides, and herbicides, it is important to appropriately store them and limit use. All chemical and organic fertilizers, pesticides, and herbicides will be stored secondarily in plastic storage bins away from waterways. Empty containers should be disposed of properly so that leaching of remnants does not occur. MDF already has measures in place to comply with safety standards.

Mitigation Measures: None required.

Documentation:

Humboldt County Community Wildfire Protection Plan. Southern Humboldt Planning Unit Action Plan.

MDF Enterprises, Inc. Cultivation, Operations, and Security Plan.

Initial Study for the MDF Enterprises Cannabis Cultivation Project. Leopardo Wildlife Associates (LWA). May 2019.

3.1.10 Hydrology and Water Quality

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off- site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

j) Inundation by seiche, tsunami, or mudflow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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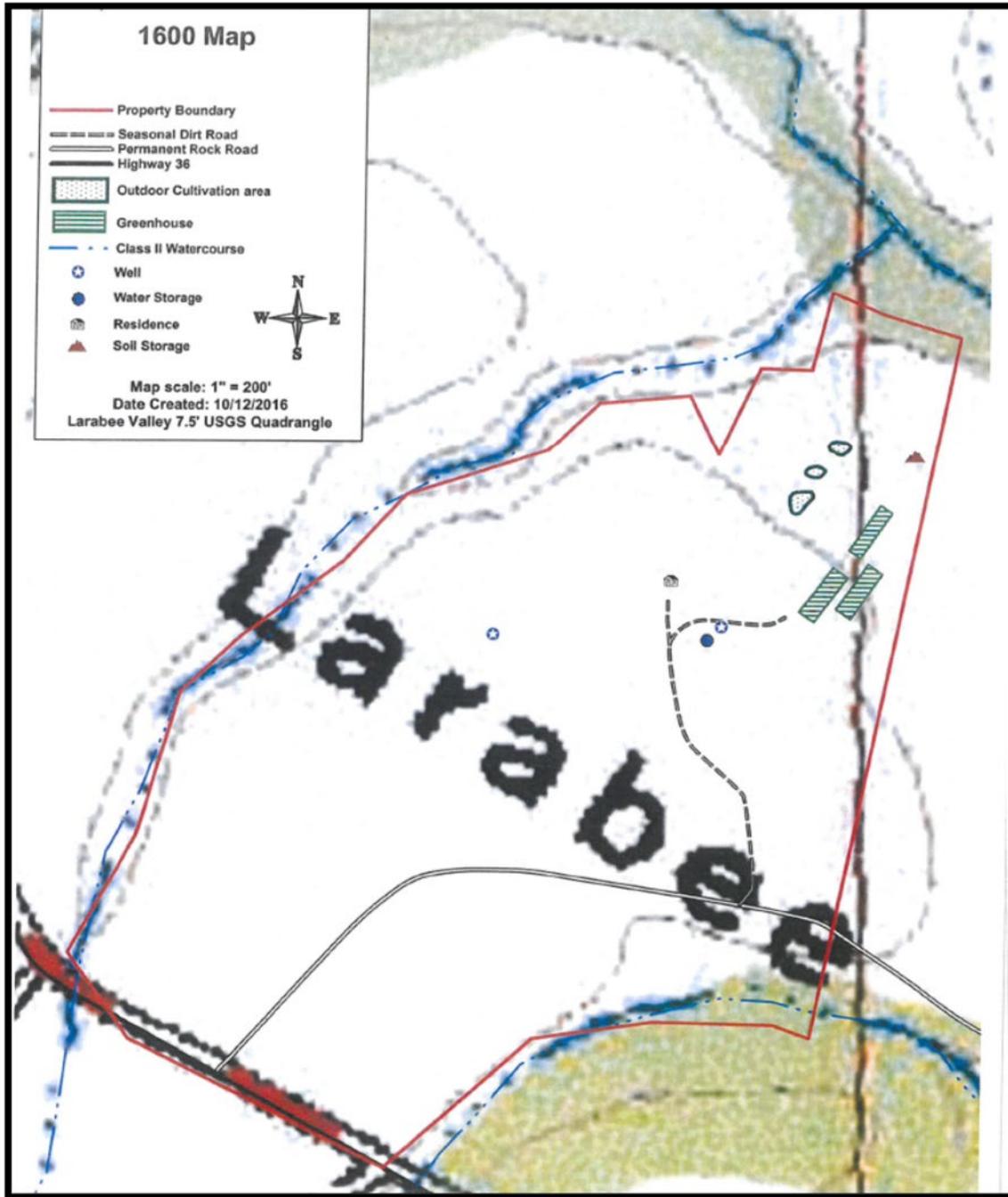


Figure 10. Existing groundwater wells and known watercourses (LSAA map)

Setting: The property is situated on private lands in the Van Duzen Watershed. Per the Humboldt County GIS layer, the Streamside Management Area of an unnamed tributary off of Butte Creek borders the northwestern portion of the parcel (CDFW 2019). The primary source of water for the project will be two on-site groundwater wells with water storage tanks as needed. There are two Class II watercourses located on the property which are not hydrologically connected to the wells (Appendix E, TRC 2016). Project areas are no less than approximately 180 feet away from streamside management areas.

The LSAA Notification provided by TRC states that the two wells do not divert or obstruct the natural flow of water and a follow up letter concludes, based on the depth of boring and the applicable geology, that the water is pulled from a self-contained aquifer (See Appx. E). The wells are groundwater wells and are not directly hydrologically connected to any of the watercourses in the project study area.

The regulatory setting related to the Clean Water Act is described below. Numerous laws and policies affect water and water quality. A more detailed list of policies can be found in the HCC DEIR and FEIRs.

Clean Water Act

The U.S. Environmental Protection Agency (EPA) is the lead federal agency responsible for water quality management. The Clean Water Act (CWA) is the primary federal law that governs and authorizes water quality control activities by EPA as well as the states. Various elements of the CWA address water quality. These are discussed below.

CWA Water Quality Criteria/Standards

Pursuant to federal law, EPA has published water quality regulations under Title 40 of the Code of Federal Regulations (CFR). Section 303 of the CWA requires states to adopt water quality standards for all surface waters of the United States. As defined by the act, water quality standards consist of designated beneficial uses of the water body in question and criteria that protect the designated uses. Section 304(a) requires EPA to publish advisory water quality criteria that accurately reflect the latest scientific knowledge on the kind and extent of all effects on health and welfare that may be expected from the presence of pollutants in water.

Where multiple uses exist, water quality standards must protect the most sensitive use. As described in the discussion of state regulations below, the State Water Resources Control Board (State Water Board) and its nine regional water quality control boards (RWQCBs) have designated authority in California to identify beneficial uses and adopt applicable water quality objectives.

CWA Section 404

In accordance with Section 404 of the CWA, the U.S. Army Corps of Engineers (USACE) regulates discharge of dredged or fill material into waters of the United States (US). Waters of the US and their lateral limits are defined in Title 33, Part 328.3(a) of the CFR to include navigable waters of the

US, interstate waters, all other waters where the use or degradation or destruction of the waters could affect interstate or foreign commerce, tributaries to any of these waters, and wetlands that meet any of these criteria or that are adjacent to any of these waters or their tributaries. Any activity resulting in the placement of dredged or fill material within waters of the US requires a permit from USACE. In accordance with Section 401 of the Clean Water Act, projects that apply for a USACE permit for discharge of dredged or fill material must obtain water quality certification from the appropriate RWQCB indicating that the project will uphold water quality standards. Waters of the US and wetland protection requirements of the CWA administered by USACE are further discussed in Section 3.1.4, "Biological Resources."

CWA Section 401 and 402 National Pollutant Discharge Elimination System

The National Pollutant Discharge Elimination System (NPDES) permit program was established in the CWA to regulate municipal and industrial discharges to surface waters of the US. NPDES permit regulations have been established for broad categories of discharges including point source waste discharges and nonpoint source stormwater runoff. Each NPDES permit identifies limits on allowable concentrations and mass emissions of pollutants contained in the discharge. Sections 401 and 402 of the CWA contain general requirements regarding NPDES permits. "Nonpoint source" pollution originates over a wide area rather than from a definable point.

Nonpoint source pollution often enters receiving water in the form of surface runoff and is not conveyed by way of pipelines or discrete conveyances. Two types of nonpoint source discharges are controlled by the NPDES program: discharges caused by general construction activities and the general quality of stormwater in municipal stormwater systems. The goal of the NPDES nonpoint source regulations is to improve the quality of stormwater discharged to receiving waters to the maximum extent practicable.

The RWQCBs in California are responsible for implementing the NPDES permit system (see the discussion of state regulations below).

Impacts to water quality associated with cannabis cultivation activities proposed by the Project are regulated by the State Regional Water Quality Control Board (SQCB) under Order No. 2017- 0023 as applicable to cannabis production (TCDP 2018).

This order states that:

"Tier 2 Dischargers and Tier 3 Dischargers who intend to cultivate cannabis before, during, or following site cleanup activities shall develop and implement a water resource protection plan (WRPP) that contains the elements listed and addresses below. Dischargers must keep this plan on site and produce it upon request by Regional Water Board staff.

Management practices shall be properly designed and installed and assessed periodically for effectiveness. If a management measure is found to be ineffective, the plan must be adapted and implemented to incorporate new or additional management practices to meet standard conditions. Dischargers shall certify annually to Regional Water Board individually or through an approved third-party program that the plan is being implemented and is effectively protecting water quality, and report on progress in implementing site improvements intended to bring the site into compliance with all conditions of this Order."

Upon evaluation for the WRPP by Timberland Resource Consultants the project was ranked to be Tier 2 Low Risk (2016). The WRPP was prepared under the California Water Code Section 13260(a), which requires that person discharging waste or proposing discharge of waste within any region that could affect the quality of waters by the state, other than into a community sewer system, shall file with the appropriate regional water board a Report of Waste Discharge (ROWD) containing such information and data as may be required by the Regional Water Board. (TRC 2016). Cultivation areas or associated facilities of Tier 2 sites should have at least 100 to 200 feet buffer from any Class I or II watercourses or within 50 feet of any Class III watercourse or wetlands (TRC 2016).

Discussion:

- a) Less Than Significant Impact.** The residence has an approved design for a yet to be installed septic tank system by Chapman Engineering on the parcel (TRC 2016). The septic capacity is expected to be sufficient to handle employee use and commercial food waste, as well as any bathroom facilities (MDF). All refuse and garbage are stored in trash bins with contractor bags, under awnings, to prevent any exposure into any receiving waters. The waste is disposed at Humboldt Waste Management on a weekly basis (TRC 2016, MDF). MDF plans to reuse pots, bags, and soils whenever possible. Soil piles are allowed to become naturally vegetated to prevent unwanted dispersal (MDF).
- b) Less Than Significant Impact.** Commercial cannabis operations in the County have the potential to deplete local groundwater supplies and affect adjacent wells as a result of cultivation water demands. The County ordinance provisions include requirements for testing and protection of neighboring wells as part of new well installation. While these requirements would address the potential effects of short-term well operation, it is not known if operation of wells for cannabis cultivation over an extended period could result in isolated locations that affect the operability of adjacent wells. Groundwater in the County is subject to varying degrees of impairment. Depending on the location of extraction and condition of local groundwater resources, it is possible for drawdown at a well in one location to affect groundwater elevations in other wells. One of the most important factors is distance; larger parcels generally have larger areas to draw from, thereby reducing the potential to adversely affect adjacent properties. The close proximity of wells to other wells, and structure and volume of the groundwater basin (among many factors), can influence if a well would affect other wells. Annual groundwater monitoring and adaptive management as described in the HCC DEIR and FEIR.

Two permitted wells are located on the site. The first well has a production rate of 4- gallons per minute. The well's depth is 120-feet and is used for both domestic and irrigation purposes. The second well has an estimated yield of 10-gallons per minute and has a total

depth of boring of 180 feet. Current water storage on the property consists of the following:

- (3) 500-gallon tanks
- (2) 2500-gallon tanks
- (4) 2600-gallon tanks
- (4) 5000-gallon tanks
- (2) 4800-gallon tanks
- (1) 1000-gallon tank
- (1) 1.5-million-gallon pond

Total Volume of Water Storage: 1,547,500-gallons

Based on the distance from other wells in the area, the geology of the borings, and the depth of borings, the wells under consideration for this project draw from self-contained aquifers that will not affect surface water or other water users' wells (See Appx. E).

The water tanks are properly placed such that they will not release into waters of the state in the event of a containment failure. The County of Humboldt has also permitted a pond has been installed on the property meant for the storage of rain catchment runoff. The total volume of the lined pond is approximately 1.5 million gallons.

All irrigation infrastructure shall be regularly inspected for leaks and immediately repaired if any are found. Water conservation such as water timing and drip irrigation will be implemented to ensure water is applied at agronomic rates. Installation of a water meter is recommended to accurately monitor water usage in the future. No surface water is proposed to be diverted.

c-d) Less Than Significant Impact. The project does not propose altering any streams or rivers for water use (Carroll 2018). A stormwater storage pond has been installed and implemented. The primary water source will be from the rainwater catchment pond and two permitted on-site wells (11/12-0324 and 16/17-0940) along with a few water storage tanks located on the property (1600 Addendum 2018).

The wells on-site will no impact on existing wells or aquifers. Based on the geology of the well logs, the conditions required for a subterranean stream channel or connected aquifer are not present. A confining layer of bedrock is present for both wells and pumping of the wells revealed positive pore pressure in the aquifer, demonstrating the well was completed in a confined aquifer. ¹¹

The proposed project is located on a relatively flat parcel with slopes of less than 15 percent. There are no signs of irrigation or other runoffs on the property. There are no ditch relief drains, rolling dips, or terrace surfaces on the property (MDF). There are no unstable slopes or

¹¹ Carroll, *Well Log Evaluation Letter* dated June 22, 2021

earthen fills on the property, and all cleared or developed areas of the property are not hydrologically connected to any surface waters. Although surface ruts are beginning to develop on the lone dirt driveway, there is no apparent risk for sediment delivery. Applicant has implemented rock coverage of the dirt road to prevent and minimize any erosion occurring and maintain road integrity for year-round use. All road surfaces will be maintained to promote infiltration/dispersal of outflows and to minimize erosion.

In areas where new construction for commercial cannabis facilities would take place, the peak flow and volume of storm water runoff generated from such areas would be affected by development through conversion of vegetated or otherwise pervious surfaces to impervious surfaces (e.g., roads, roofs, driveways, walkways) and by the development of drainage systems that might more effectively connect these impervious surfaces to streams or other water bodies. The travel time of runoff originally travelling as overland sheet flow could be reduced when routed into constructed conveyance systems directly from impervious surfaces. Construction of new cultivation areas, roadways or improvement of existing roadways in compliance with the performance standards of the proposed ordinance could alter peak drainage flow rates and result in changes in flood elevations in waterways. Overall, improvements related to commercial cannabis facilities could increase the rate and volume of runoff and eliminate some natural storage and infiltration capacity along drainage paths. Consequently, sites could be subject to on-site ponding, or on-site or off-site flooding. The HCC DEIR and FEIR contain provisions to attenuate the increases in drainage flows and reduce impacts to less than significant.

e-f) Less Than Significant Impact. There were no signs of present or past irrigation runoff during the site investigation (TRC 2016). Water and fertilizers are applied at or below standard agronomic rates to prevent irrigation runoff as well as chemical pollution. Commercial cannabis operations in the County have the potential to modify surface drainage and flows in such a manner that increased sedimentation and erosion could take place, leading to water quality degradation. The long-term operational use of pesticides, fertilizers, and other chemicals can also have a negative effect on water quality and ultimately affect the health and sustainability of organisms that rely on high quality waters. Standard 3 of the County Ordinance includes provisions to reduce impacts from point source and non-point source pollution, including discharges of sediment or other pollutants that constitute a threat to water quality. Road segments are required to be designed and maintained in ways that minimize the potential for discharge of sediment through measures to reduce velocity of runoff, capture and detain stormwater from road systems to enable settling of transported sediments, and minimize direct delivery to nearby watercourses, to the greatest extent feasible.

Compliance with laws and regulations controlling on-site pollutants shall ensure that the threat of pollution from improperly constructed sites would not result in water quality

degradation.

g-l) No Impact. The property is partially located within a 100-year flood hazard (Zone A) (FEMA 2017). The Van Duzen River and connecting Butte Creek adjacent to the property is marked as a Zone A area. In turn, the tributary off Butte Creek that intersects the property is also affected, designating the far northern portion of the parcel as being in the flood zone, but does not encompass any of the project areas. No structure or housing will be placed within these zones.

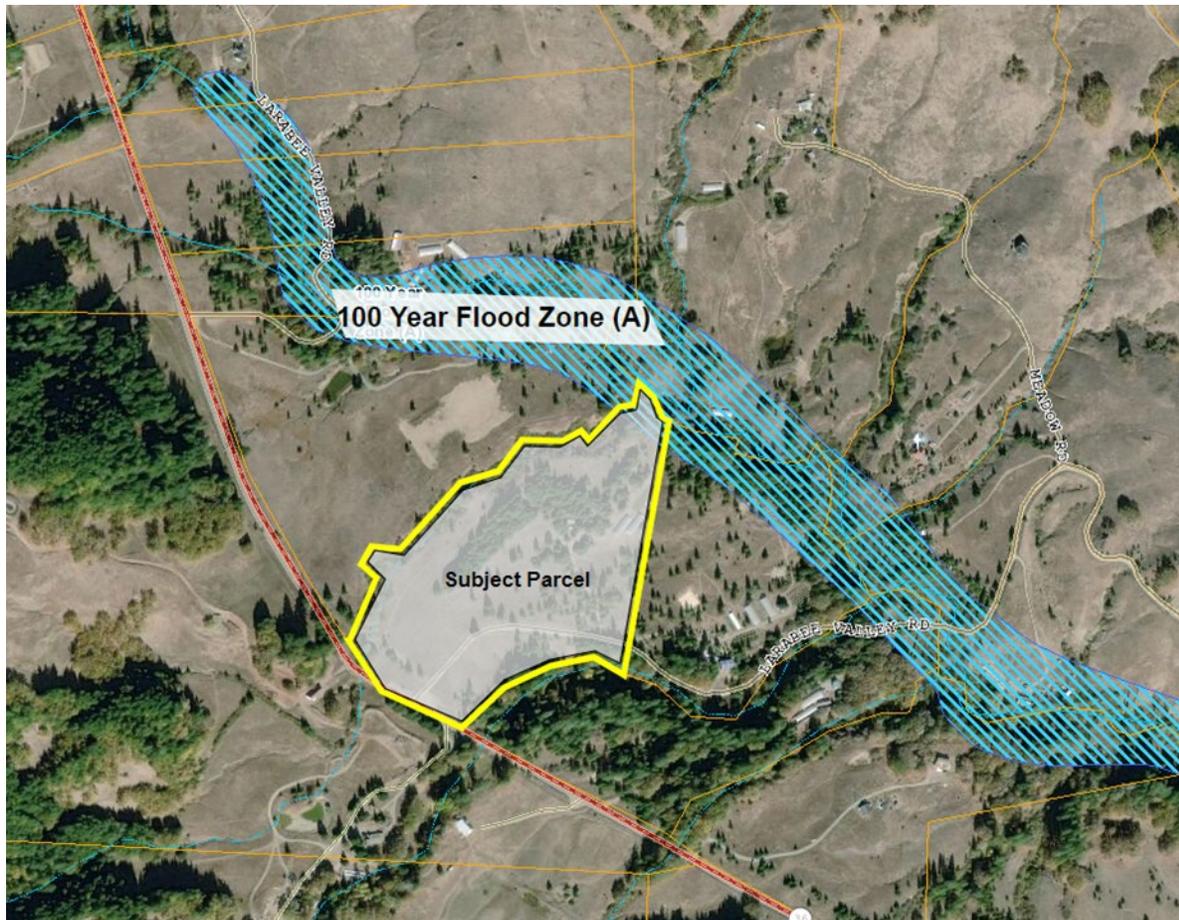


Figure 11. Humboldt Count GIS flood hazard and FEMA layers.

The property is not placed within any other designated flood zones or flood hazard zones. There is no significant risk of loss, injury or death by the means of flooding including flooding as a result of the failure of a levee or dam.

j) **No Impact.** There is no history of inundation by seiche, tsunami, or mudflow on the property or adjacent to the property, nor is the project in a mapped area of any stated potential hazard zones.

Findings: With the described practices, measures, and upkeep herein the project

will have a less than significant impact regarding *Hydrology and Water Quality*.

Mitigation Measures: None required.

Documentation:

¹ *Well Log Evaluation Letter*, Chris Carroll Timberland Resource Consultants dated June 22, 2021
National Wetland Inventory. California Department of Fish and Wildlife. May 2019.

Water Resource Protection Plan, APN 210-250-022. Timberland Resource Consultants. October 2016.

Flood Zones. Federal Emergency Management Agency. June 2017.

<http://webgis.co.humboldt.ca.us/HCEGIS2.0/>.

Notification of Lake or Streambed Alteration. APN 210-250-022. Fish and Game Code Section 1602.
DFW. Chris Carrol, Timberland Resource Consultants. January 2018.

1600 Addendum. Application no. 12091. Timberland Resource Consultants. 2018.

Notice of Receipt for Cannabis Small Irrigation Use Registration. APN 210-250-022. State Water
Resources Control Board. 2019.

Memo to Stephen Gunn: Final 1600 LSAA. Terra McAuliffe. Timberland Resource Consultants. May
2019.

Notice of Receipt: General Waste Discharge Requirements and Waiver of Waste Discharge
Requirements for Discharge of Waste Associated with Cannabis Cultivation Activities. Cannabis General
Order. State Water Resources Control Board. June 2019.

*Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities or Operations with
Similar Environmental Effects in the North Coast Region*. California Regional Water Quality Control
Board. Order No. 2015-0023. August 2015.

https://www.waterboards.ca.gov/northcoast/board_decisions/adopted_orders/pdf/2015/15_0023_Cannabis_Order.pdf.

3.1.11 Land Use and Planning Land Use

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting: The project site is located on the eastern end of Bridgeville. Previous use of the land consists of farming of livestock, cattle grazing, and logging. Development on the site may be limited due to the proximity of development to neighboring parcels.

The lands at the project site have a County General Plan (2018) Designation of Residential Agriculture (RA40). The land is zoned by the County as AE (Agriculture Exclusive) under the Resource District (2017). In response to California State Law that allows commercial cannabis activities, under permitted and controlled conditions, Humboldt County developed County-specific ordinances to regulate commercial cannabis cultivation, distribution and sales within the County. Ordinance 2599, including section 314-55.4 titled “*Commercial Cultivation, Processing, Manufacturing, Distribution, Testing, and Sale of Cannabis Land Use Regulation for the Inland Area of the County of Humboldt*” (2018).

The Cannabis Ordinance CMMLUO (“Ord 1.0”), in combination with the provisions of the General Plan and requirements of the Zoning Districts are used to determine appropriate land uses of cannabis operations in Humboldt County. An Applicant can apply for a Use Permit for cannabis operations under the Cannabis Ordinance, including a variance to the provisions and requirements of the Cannabis Ordinance, with approval at the discretion of the County Planning Commission and Board of Supervisors.

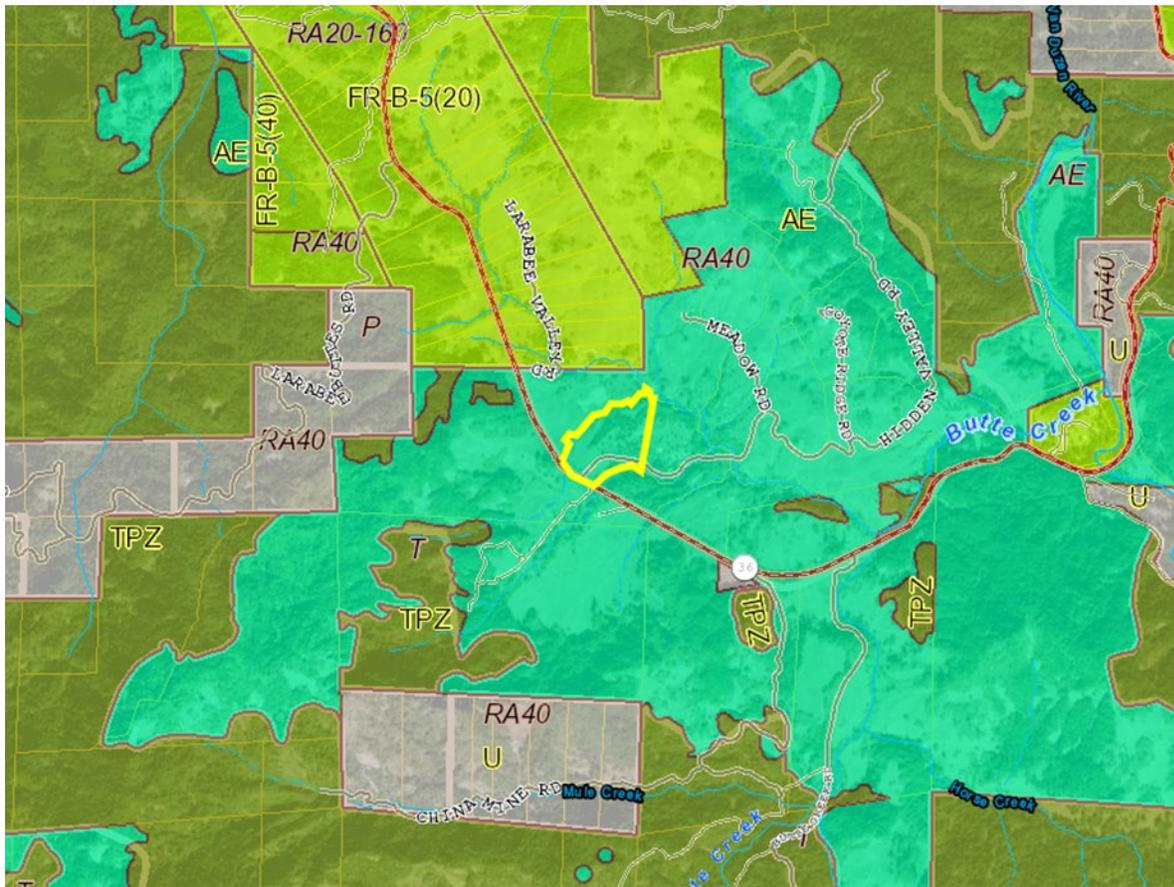


Figure 12. Humboldt County GIS planning and zoning layers.

Discussion:

- a) **No Impact.** The project does not have the potential to physically divide an established community. The property is privately owned with the nearest residence about a fifth mile away. There are gated entrances along some of the property providing limited access, with view guard fencing around all cultivation areas. The County's General Plan (2017) and the Bridgeville Community Action Plan (2003) serves as the overall guiding policy document for land use and development. The Bridgeville Community Action Plan discusses agricultural and business developmental needs which includes the project site.
- b) **No Impact.** The proposed project area is approximately 101,300 ft² (2.3 acres in size), located on a parcel that is approximately 31.85 acres. The project area is currently zoned Agriculture Exclusive (AE) and has General Plan designation of Residential Agriculture (RA40). Based on the proposed uses of the project, these uses do not conflict with the land

use designations for the project site.

- c) **No Impact.** The proposed project would not conflict with any applicable habitat conservation plan or natural community conservation plan. There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plans for the proposed project site or area.

Findings: The proposed project would not conflict with any applicable habitat conservation plan or natural community conservation plan. There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plans for the proposed project site or area.

Mitigation Measures: None required.

Documentation:

Humboldt County General Plan. Board of Supervisors et al., Humboldt County, Ca. October 2017.

Bridgeville Community Action Plan. Humboldt County Department of Community Developmental Services. 2003. <https://humboldt.gov/DocumentCenter/View/293/2003-Bridgeville-Community-Action-Plan-PDF>.

California Cannabis Land Use Ordinance. Board of Supervisors, Humboldt County, Ca. Ord no. 2559, May 2018.

3.1.12 Mineral Resources

Would the project:	Significant and Unavoidable Impact	Less Than Significant 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting: The project area is primarily located in a grassland area with some trees and vegetation dispersed throughout, on the outskirts of Bridgeville, Ca. The U.S. Geological Survey has no mineral resources, including mines and deposits, mapped in the area (2019).

Discussion:

- a-b) **No Impact.** The proposed project may require minor use of mineral resources for building greenhouses and other buildings but is not expected to have any significant impact on

locally available minerals or mineral resources valuable to the region or State (USGS 2019). There are no locally important mineral resource recovery sites in the project vicinity and the project alignment contains no mineral resources that would be impacted by the project.

Findings: Based upon the review of the information above, the implementation of the project will have no impact with respect to mineral resources.

Mitigation Measures: None required.

Documentation:

Mineral Resources. U.S. Geological Survey. 2019. <https://mrdata.usgs.gov/>.

3.1.13 Public services

a) 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, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting: MDF is on the edge of the town of Bridgeville, in Humboldt County. There are no schools, parks, or other public facilities within 600 feet of the cultivation area. A school bus stop is located near the entrance of the property, but no project areas are within 600 feet (MDF).

Discussion:

a-f) No Impact. The proposed project would 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 of fire protection, police protection, schools, parks, or any other public facilities (Ascent Environmental, 2018). While the nearest sensitive receptors to the project site are residential areas (0.18 miles) and the Buck Mountain School in Bridgeville (3.00 miles), a school bus stop is located at the southern edge of the property (TRC 2016). The bus stop will be monitored via camera surveillance at all times, with 90 days of logged footage.

Findings: MDF will have no impact on public services with any of the above listed public services. It is recommended to alert the local fire authority of any gate codes for ease of access as a BMP.

Mitigation measures: None required.

Documentation:

Final Environmental Impact Report: Amendments to the Humboldt County Code Regulating Commercial Cannabis Activities. Ascent Environmental. January 2018.

<https://humboldt.gov/DocumentCenter/View/62689/Humboldt-County-Cannabis-Program-Final-EIR-60mb-PDF>.

Bridgeville Community Action Plan. Humboldt County Department of Community Developmental Services. 2003. <https://humboldt.gov/DocumentCenter/View/293/2003-Bridgeville-Community-Action-Plan-PDF>.

Bridgeville Firewise Action Plan. Bridgeville Firewise Board. December 2010. <https://humboldt.gov/DocumentCenter/View/3167/Bridgeville-Action-Plan-PDF?bidId=>.

MDF Enterprises, Inc. Cultivation, Operations, and Security Plan.

3.1.14 Noise

Would the project result in:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Setting: MDF is east of the town of Bridgeville. There are neighboring homes approximately a fifth mile away from the cultivation area. Generators are in use at the property but are not likely to be heard outside of the immediate area based on ambient noise levels at the property during operation (MDF/Whitchurch Study). A formal noise study was conducted by Whitchurch Engineering, Inc (dated 9/18/2020)¹². The noise study concluded that the generators are with the Humboldt County CMMLUO limits for both max increase of ambient noise, and the maximum allowable noise level. The Initial Study prepared by Leonardo Wildlife Associates found that the existing generators were less than 60 (dB) threshold for disturbance established by USFWS for Northern Spotted Owl (LWA 2019) (the nearest NSO activity center (HUM0178), is about 1.8 miles east of the site, and there is no functional NSO nesting habitat within .5 miles of this project). There would likely be an increased but punctuated flux of noise due to construction. This impact would be short term and will not have significant impact on the long-term noise level at the property lines. The mixed light portion of the cultivation is currently utilizing generators; however, they are applying for a PG&E Agriculture drop for grid power which would reduce permanent noise impacts. The agricultural drop is estimated to be complete within six months of project approval.

Discussion:

- a) **Less Than Significant Impact.** The project would not expose persons or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. The project proposes only minimal construction in addition to generators.
- b) **No Impact.** The project will not cause exposure of persons to generation of excessive ground borne vibration or ground borne noise levels.
- c) **Less Than Significant Impact.** Though an expansion in facilities would likely increase ambient noise levels, substantial permanent increase in ambient noise levels is not expected to occur. A PG&E drop is proposed for the project which would potentially supplant the use of generators, further reducing the noise levels (MDF).
- d) **Less Than Significant Impact.** Despite construction, a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project is not likely to occur. Construction of the proposed structures (greenhouses, ancillary structures, etc.) would generate temporary increase for a short time period of noise compared to the current conditions. A project of this size is not likely to have a drastic

¹² Noise Impact Study – Generator Use for Cannabis Cultivation. Whitchurch Engineering, Inc. September 2020

effect upon noise levels. The noise associated with the cultivation and processing cannabis associated with MDF will most likely not be audible outside of the immediate area.

Findings: Noise impact is less than significant. As a BMP construction shall be conducted during reasonable hours to mitigate the possible disturbance of the neighboring parcels.

Mitigation Measures: None required.

Documentation:

Initial Study for the MDF Enterprises Cannabis Cultivation Project. Leopardo Wildlife Associates (LWA). May 2019.

MDF Enterprises, Inc. Cultivation, Operations, and Security Plan.

Noise Impact Study – Generator Use for Cannabis Cultivation. Whitchurch Engineering, Inc. September 2020.

3.1.15 Population and Housing

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting: The proposed project is located in a traditional agricultural area located on the outskirts of the Humboldt County town of Bridgeville. There are currently twelve functioning greenhouses on the grassland area and plans for further construction of several other adjacent greenhouses proposed (MDF). Storage and processing facilities are also proposed in this vicinity of the project area.

Discussion:

- a) **Less Than Significant Impact.** The project would not induce substantial 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). There is no proposal to have seasonal workers reside on the property.

- b) **Less Than Significant Impact.** The project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. The current project is proposing the conversion of a shed building to a caretaker cottage/office.

This small use facility would not have a substantial increase in the population or permanent residences.

Findings: No substantial population or housing growth is expected. This project will have a less than significant impact upon *Population and Housing*.

Mitigation Measures: None required.

Documentation:

MDF Enterprises, Inc. Cultivation, Operations, and Security Plan

3.1.16 Recreation

	Significant and Unavoidable Impact	Less Than Significant 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting: The project area is located off of State Highway 36 in Bridgeville. There are no local parks within 200 feet of the cultivation site nor are there any recreational parks on site.

Discussion:

a) **Less Than Significant Impact.** While there are no parks or recreation sites within 200 feet of the project site, a school bus stop is located just south of the parcel. Consideration shall be taken with visibility of the site with the installation of a view guard fence. The project will have no impact upon the increase in 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) **No Impact.** The project does not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Findings: There will be no impact on recreational parks, as there are no parks within the vicinity. Consideration of the school bus stop shall be considered but will have a less than significant impact.

Mitigation Measures: None required.

Documentation:

MDF Enterprises, Inc. Cultivation, Operations, and Security Plan.

3.1.17 Transportation

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting: The project site is located towards the eastern edge of the town of Bridgeville. There are no stream crossings on the property (TRC 2016). The driveway is located off of Larabee Valley Road. There is a county-maintained road to the north, off of the State Highway 36. The cultivation areas are out of site from passing motorists (MDF). Installment of fencing and gates has been completed

along the property, limiting access.

Discussion:

- a) **No Impact.** The proposed project does not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non- motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.
- b) **No Impact.** The project would not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. The parcel is adjacent to State Highway 36, but the entrance itself is off of a secondary road. While a minimal increase in traffic upon this main highway may occur, due to the size of the project it will have no significant effect.
- c) **No Impact.** The project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.
- d) **No Impact.** There would not be a substantial increase in hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). All road construction will be done on property with limited vehicle use due to the size of the project. The cultivation and processing facilities where most human activity will be contained are on well-maintained roads from the entrance of the property. There is low sloping on the property making any installation of new roads relatively easy with low erosion.
- e) **No Impact.** The project would not provide inadequate emergency access. Any gate codes shall be provided to local fire authority so access would be available if needed in an emergency event.
- f) **No Impact.** The project would not conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Findings: The MDF property will not be heavily traveled due to the scope of the project and no impact is expected. As a BMP any gate codes shall be provided to local fire authority so access would be available if needed in an emergency event.

Mitigation Measures: None required.

Documentation:

Final Environmental Impact Report: Amendments to the Humboldt County Code Regulating Commercial Cannabis Activities. Ascent Environmental. January 2018.

<https://humboldt.gov/DocumentCenter/View/62689/Humboldt-County-Cannabis-Program-Final-EIR-60mb-PDF>.

Water Resource Protection Plan, APN 210-250-022. Timberland Resource Consultants. October 2016.

Bridgeville Community Action Plan. Humboldt County Department of Community Developmental Services. 2003. <https://humboldt.gov/DocumentCenter/View/293/2003-Bridgeville-Community-Action-Plan-PDF>.

MDF Enterprises, Inc. Cultivation, Operations, and Security Plan.

Bridgeville Firewise Action Plan. Bridgeville Firewise Board. December 2010.

[https://humboldt.gov/DocumentCenter/View/3167/Bridgeville-Action-Plan-PDF?bidId=.](https://humboldt.gov/DocumentCenter/View/3167/Bridgeville-Action-Plan-PDF?bidId=)

3.1.18 Tribal Cultural Resources

Would the project 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:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting: An archaeological survey of APN 210-250-022, Bridgeville, Humboldt County, California was conducted which took into account tribal resources located on the parcel and in the project vicinity. The project area includes a 32-acres parcel. The property is the subject of a cannabis

permitting project, Humboldt County CMMLUO application number 12095. The Principal Investigator for the cultural report was William Rich, M.A. through William Rich and Associates (WRA) (2018). The property is located within the Kosdun Kiya Archaeological District (WRA 2018). The archeological site P-12-001106/CA-HUM-848 as well as Roop site #459c is recorded having boundaries upon the subject parcel. No additional evidence was found of archeological significance upon field examination (WRA 2018). Native American archeological sites P-12-000465 (CA-HUM-459), P-12-000466 (CA-HUM-460), and P-12-0001107 (CA-HUM-849) are located outside of but immediately adjacent to the property to the east and west.

While the area has rich tribal and other settlement histories, no additional areas of archeological or historical interest were identified. It must be stated that the tribes with historical ancestral territories that encompass the project site are represented by living culture and governing bodies that are active in both governance and practice unique cultural activities which self-define contemporary ethnicity both internally and as a projection to the balance of humanity. As with all cultures, there are, and rightfully so, aspects of local Native American ethnic groups that have been and will continue to be the intellectual property of those who live or have lived within the culture, both today and in the past.

The possibility of the inadvertent discovery of buried archaeological resources is always present during ground disturbing activities with project implementation. Standard practices include that if buried archaeological resources are discovered during project implementation all work shall be halted within 100 feet of the find and county officials, a professional archaeologist and tribal representatives shall be contacted immediately to evaluate the find. If human remains are discovered during project implementation all work shall be halted and the permitting agency, Humboldt County shall be contacted immediately. The County shall contact the County Coroner immediately and the coroner will evaluate the find to determine the subsequent course of action.

Discussion:

- a) **Less Than Significant Impact.** The project itself is not eligible to be listed 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). The parcel is located in an archeological district, as well as an archeological site located within the parcel boundaries. The project does not propose development within 600 feet of the archaeological site P-12-001106 (CA-HUM-848).
- b) **Less Than Significant Impact with Mitigation Incorporated.** There are no resources determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. No additional evidence was found during the extensive field survey (WRA 2018).

Findings: The proposed project would not cause significant impact to the previously identified archaeological sites on the property or the newly defined Kosdun Kiya Archaeological District encompassing the entire Larabee Valley (WRA 2018). There are pre-existing archeological sites that have been recorded on the property. However, no known tribal resources will be affected by the proposed project. It is specifically recommended that any excavations associated with grading for greenhouse development be monitored for archaeological materials by tribally approved individuals such as an archaeologist or tribal member. If significant archaeological finds are made all work shall stop in the immediate vicinity until a qualified archaeologist and tribal representative have offered recommendations for preservation, if warranted. A monitoring report should be prepared and submitted to the NWIC database. (WRA 2018). Correspondence was conducted with the Native American Heritage Commission (NAHC), tribal representatives, and other knowledgeable individuals. Tribal communications and coordination were arranged with the following:

- The Tribal Historic Preservation Officer (THPO), Erika Cooper, of the Bear River Band of the Rohnerville Rancheria was contacted during the investigation and expressed interest in any survey findings.
- Tribal referrals pursuant to AB 52 were initiated May 12, 2021 with the Native American Heritage Commission and the Bear River Band of Rohnerville Rancheria Tribe of Northern California. (Expressed interest in any survey findings), and the Cher-Ae Heights Indian Community of the Trinidad Rancheria. Neither tribe responded with a request to initiate consultation under AB 52.

Mitigation Measures:

Mitigation Measure Tri-1: Archaeological resources.

Any excavations associated with grading for greenhouse development shall be monitored for archaeological materials by Bear River Band tribally approved individuals such as an archaeologist or tribal member. If significant archaeological finds are made all work shall stop in the immediate vicinity until a qualified archaeologist and tribal representative have provided direction for preservation, if warranted. A monitoring report shall be prepared by the monitor or other qualified archaeologist and submitted to the NWIC database and a copy provided to the County.

Documentation:

A Cultural Resources Investigation Report for a Commercial Medical Cannabis Cultivation Permit at APN 210-250-022. William Rich and Associates (WRA), Cultural Resources Consultants. May 2018.

Yager 1908 Village Sites copied on Cards. In Selected Notebooks of Pliny Earle Goddard Relating to Humboldt County Tribes. Jerry Rhode, ed. Pliny E. Goddard. 1908.

A Cultural Resources Investigation Report for a Commercial Medical Cannabis Cultivation Permit at APN 210-250-022. William Rich and Associates (WRA), Cultural Resources Consultants. May 2018.

3.1.19 Utilities and Service Systems

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting: Current water storage on the property consists of the following:

- (3) 500-gallon tanks
- (2) 2500-gallon tanks
- (4) 2600-gallon tanks
- (4) 5000-gallon tanks
- (2) 4800-gallon tanks
- (1) 1000-gallon tank

- (1) 1.5-million-gallon pond

Total Volume of Water Storage: 1,547,500-gallons

The locations of the water storage facilities permit no release into waters of the state in the event of a containment failure. There are currently two on-site wells used for irrigation purposes. The first well has a production rate of 4-gallons per minute. The well's depth is 120-feet and is used for both domestic and irrigation purposes. The second well has an estimated yield of 10-gallons per minute and has a total depth of boring of 180 feet. There is a proposed septic system currently under review on the property with proposed sufficient capacity to handle all proposed uses expected (MDF). A previous report by Timberland Resource Consultants reported no signs of irrigation runoff from the site. For more information see *Hydrology and Water Quality* section.

Discussion:

- a) No Impact.** The project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. The septic system on-site has been inspected and approved.
- b) No Impact.** The project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- c) No Impact.** The project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- d) Less Than Significant Impact.** The proposed project will have sufficient water supplies available to serve the project from existing entitlements. Approximately 1,547,500 gallons of water storage in the form of tanks and a pond currently exist on the project site (MDF). This water storage is sufficient to serve the project.
- e) No Impact.** The project should 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. Proper protocols will be followed and issues with wastewater management and containment are not foreseen.
- f) Less Than Significant Impact.** Solid waste from the project is stored in contractor bags inside of bins upon the property (TRC 2016). The waste is properly stored with secure secondary containment to prevent leeching into the environment and follows solid waste regulations (Ascent Environmental 2018). The solid waste produced by the project is self-exported off the property to a disposal area. Any solid waste will have an impact upon the environment so any further proper handling and disposal methods will be implemented to

minimize waste.

- g) No Impact.** The project shall comply with federal, state, and local statutes and regulations related to solid waste.

Findings: Where proper protocols are maintained, the project will have a less than significant impact.

Mitigation Measures: None required.

Documentation:

MDF Enterprises, Inc. Cultivation, Operations, and Security Plan.

Water Resource Protection Plan, APN 210-250-022. Timberland Resource Consultants. October 2016.

Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities or Operations with Similar Environmental Effects in the North Coast Region. California Regional Water Quality Control Board. Order No. 2015-0023. August 2015.

https://www.waterboards.ca.gov/northcoast/board_decisions/adopted_orders/pdf/2015/15_0023_Cannabis_Order.pdf.

Final Environmental Impact Report: Amendments to the Humboldt County Code Regulating Commercial Cannabis Activities. Ascent Environmental. January 2018.

<https://humboldt.gov/DocumentCenter/View/62689/Humboldt-County-Cannabis-Program-Final-EIR-60mb-PDF>.

3.1.20 Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Setting: MDF is located in a state responsibility area (SRA). The Bridgeville Fire Protection District is the fire response for the area in which the parcel is located. This area is also part of the Bridgeville Firewise Community and is characterized as having high fire hazard severity. The span of Larabee Valley Road is denoted as a “Treated Project” under Community Fire Mapping Project. The Bridgeville Firewise Action Plan was created in 2010 with the main purpose to address preventative fire actions within home ignition zones and high-risk community areas. MDF will collaborate with the Bridgeville Volunteer Fire Department to install a quick connect pump to the pond specifically for the use in fire response.

Discussion:

- a) **No Impact.** The project proposes development of several cannabis cultivation structures including greenhouses, service roads, etc. These structures are not proposed in any areas that would substantially impair an adopted emergency response plan or emergency evacuation plan. If gates are utilized to limit access to the operation any access codes or keys shall be provided for emergency services. Address numbers shall be posted and visible to aid in the ease of access in the event of an emergency.

- b) **Less Than Significant Impact.** The proposed project parcel has sloping of primarily less than 15 percent. Strong, prevailing winds are not especially reoccurring in the proposed project area. MDF is located off of State Highway 36 which would aid in evacuation of any residence or workers in the event of a wildfire. While slope, prevailing winds, and other factors can exacerbate wildfire risks, they are unlikely to expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

- c) **Less Than Significant Impact.** The proposed project will develop service roads on-site. MDF is currently powered by generators but is applying for an PG&E Agricultural Drop to source the operations energy necessities. The proposed project will involve the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that would reduce fire risk.

- d) **Less Than Significant Impact.** The proposed project is located in a location that is composed of multiple areas of dry grass and forbs. While soils in climates such as this may be more susceptible to erosion or potential landslides, especially after fire events, the low sloping and vegetation of the project parcel and surrounding areas help reduce this occurrence. In addition, no historic landslides are mapped on or adjacent to the project parcel. The proposed project will not 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.

Mitigation Measures:

None Required

Documentation:

Bridgeville Community Action Plan. Humboldt County Department of Community Developmental Services. 2003. <https://humboldt.gov/DocumentCenter/View/293/2003-Bridgeville-Community-Action-Plan-PDF>.

Bridgeville Firewise Action Plan. Bridgeville Firewise Board. December 2010. <https://humboldt.gov/DocumentCenter/View/3167/Bridgeville-Action-Plan-PDF?bidId=>.

3.1.21 Mandatory Findings of Significance

	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Findings:

- a) **Less Than Significant Impact.** As evaluated in this IS/MND, the project would not substantially 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 an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory.

Mitigation measures are listed herein to reduce impacts related to *Biological Resources*, *Cultural Resources* and *Tribal Resources*. With implementation of the required mitigation measures, impacts will be less than significant.

- b) Less Than Significant Impact.** The project's impacts would not add appreciably to any existing or foreseeable future significant cumulative impact, such as visual quality, cultural resources, biological, traffic impacts, or air quality degradation. Incremental impacts, if any, would be negligible and undetectable. Any applicable cumulative impacts to which this project would contribute would be mitigated to a less-than- significant level. Incremental impacts, if any, would be very small, and the cumulative impact of the cultivation expansion and appurtenant facilities, in combination with the existing cultivation operation and other projects in the area, would be less than significant. The proposed project would not contribute to any significant cumulative impacts which may occur in the area in the future. Therefore, the impact would be less than significant.
- c) Less Than Significant Impact.** The project has been planned and designed to avoid significant environmental impacts. As discussed in the analysis of this IS/MND, the project would not have environmental effects that would cause substantial adverse direct or indirect effects on human beings.

Documentation:

MDF Enterprises, Inc. Cultivation, Operations, and Security Plan.

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[https://humboldt.gov/DocumentCenter/View/3167/Bridgeville-Action-Plan-PDF?bidId=.](https://humboldt.gov/DocumentCenter/View/3167/Bridgeville-Action-Plan-PDF?bidId=)

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