

2019039141

# **ENVIRONMENTAL INITIAL STUDY**

## **INITIAL STUDY CHECKLIST PROPOSED MITIGATED NEGATIVE DECLARATION Trinity Sungrown Cannabis Conditional Use Permit Cannabis Cultivation Use Permit No.: CCUPT3-18-07 CCUPN-19-03**

Prepared by:  
**TRINITY COUNTY**  
**Department of Planning**  
61 Airport Road  
Weaverville, California 96093  
(530) 623-1351

March 2019

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## TRINITY COUNTY ENVIRONMENTAL CHECKLIST FORM

1. **Project Title:** Trinity Sungrown Cannabis Conditional Use Permit – CCUPT3-18-07 and CCUPN-19-03

2. **Lead Agency Name and Address:**

TRINITY COUNTY  
Department of Planning  
61 Airport Road  
Weaverville, CA 96093

3. **Contact Person and Phone Number:** Leslie Hubbard (530) 623-1351 ext. 3

4. **Project Location:** The Trinity Sungrown Cannabis Conditional Use Permit project is located within Trinity County, at 610 Kaut Road in Burnt Ranch. The 200 acre site is identified as Assessor Parcel Number (APN) 008-210-10 and is part of the existing Trinity Sungrown Ranch. Primary site access is provided via Kaut Road, located approximately 1.5 miles from State Route 299 (SR-299). The site is also identified on the Ironside Mountain, California 7.5-minute USGS quadrangle map, Township 5 North, Range 6 East, Section 23 West, Humboldt Base Meridian (HBM). The location of the proposed project is shown on **Figure 1**, with the proposed project site shown on **Figure 2**, and the project site plan shown on **Figure 3**.

5. **Applicant's Name and Address:**

Trinity Sungrown  
PO Box 220  
Burnt Ranch, CA 95527

6. **General Plan Designation:** Resource (RE)

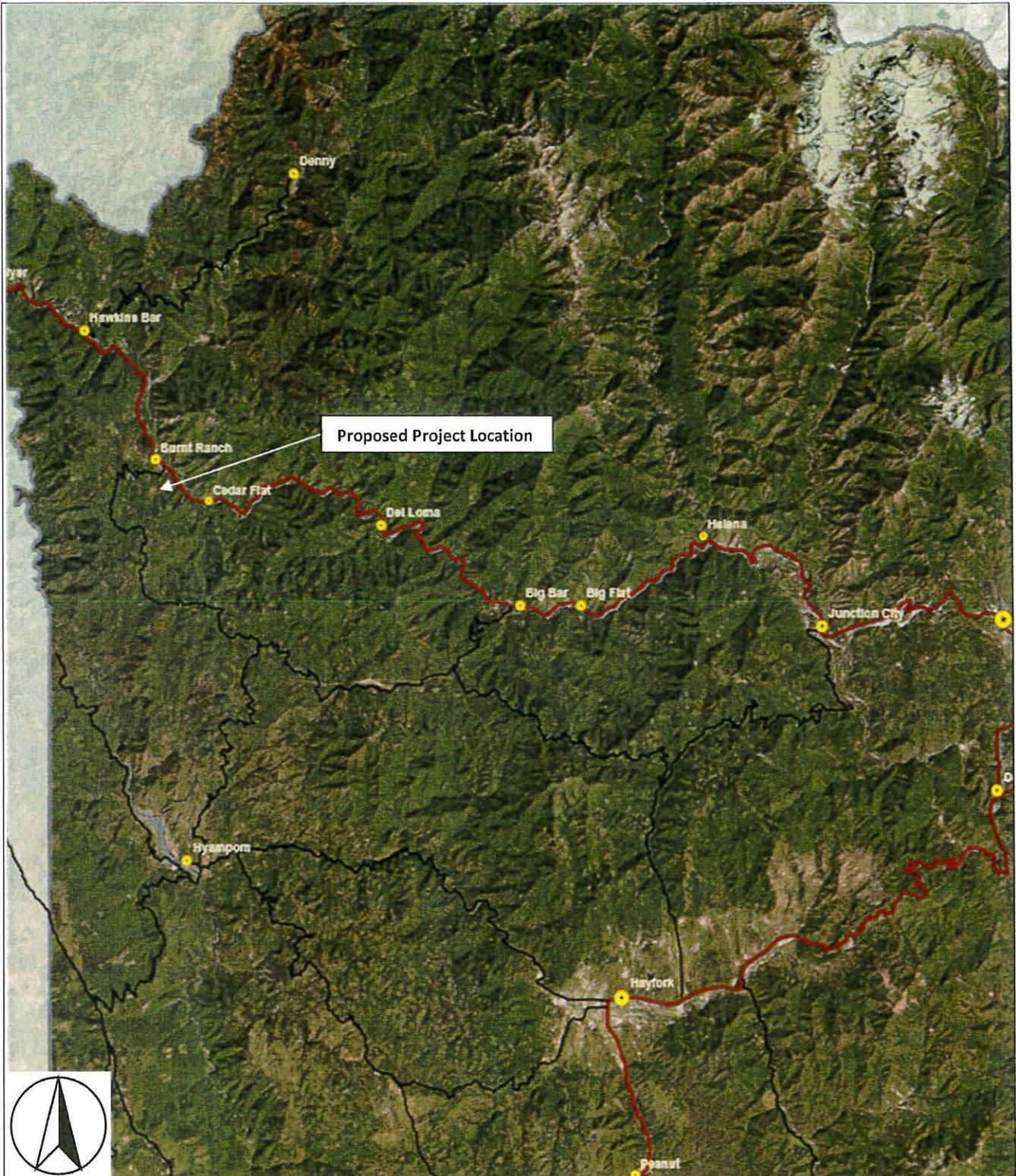
7. **Zoning:** Agricultural Preserve (AP)

8. **Description of Project:** The project applicant is currently licensed to cultivate up to 10,000 square feet (sf) of mature cannabis canopy. The property currently includes a residence, a shop, a 750,000 gallon water storage pond and 10,000 sf of cannabis cultivation within eight greenhouses (20 feet by 74 feet each). Currently plants are planted directly into the ground and drip irrigated. Although outdoor cultivation does not occur onsite at present, the applicant proposes to use a combination of full-sun outdoor and light deprivation cultivation techniques. The existing shop building is utilized as equipment storage, as well as, cannabis processing and storage. The proposed project includes the addition of up to 33,560 sf of cannabis canopy under a Type-3 medium license and the construction of a 10,000 square foot nursery for the propagation of cannabis through clones, immature plants, and seeds under a Type- 4 license. The nursery would initially consist of two (2) 30 feet by 96 feet greenhouses. The proposed project would not alter existing activities at the residence or the shop.

The Trinity Sungrown Ranch maintains pre-1914 water rights allowing water to be diverted from two separate water systems, a perennial creek for irrigation and a spring for domestic use. Water storage for onsite irrigation consists of an approximate 750,000 gallon storage pond and a 5,000 gallon above ground water storage tank. An additional 2,500 gallon storage tank is provided on site for fire suppression purposes.

The proposed project requests to expand existing onsite activities through the addition of six (6) greenhouses (20 feet by 74 feet each), two (2) hoop house (96 feet by 30 feet each), two (2) nursery greenhouses (30 feet by 96 feet each), and approximately 22,800 sf of outdoor cultivation.

The Northern Spotted Owl (NSO) has been observed in the project vicinity. In order to minimize unintended harm to NSOs the project applicant will use preventative measures and Integrated Pest management (IPM) practices as recommended by the California Department of Pesticide Regulation (DPR) for rodent control. The rodent prevention strategy will focus on the reduction of the property's rodent carrying capacity by removing food access and features that could provide habitat to rodents. The project applicant will also utilize domestic predators such as cats or dogs bred to hunt rodents if needed. In



Holiday Cannabis Cultivation Facility  
 Conditional Use Permit Project  
 APN 008-210-10  
 Burnt Ranch, Trinity County, California

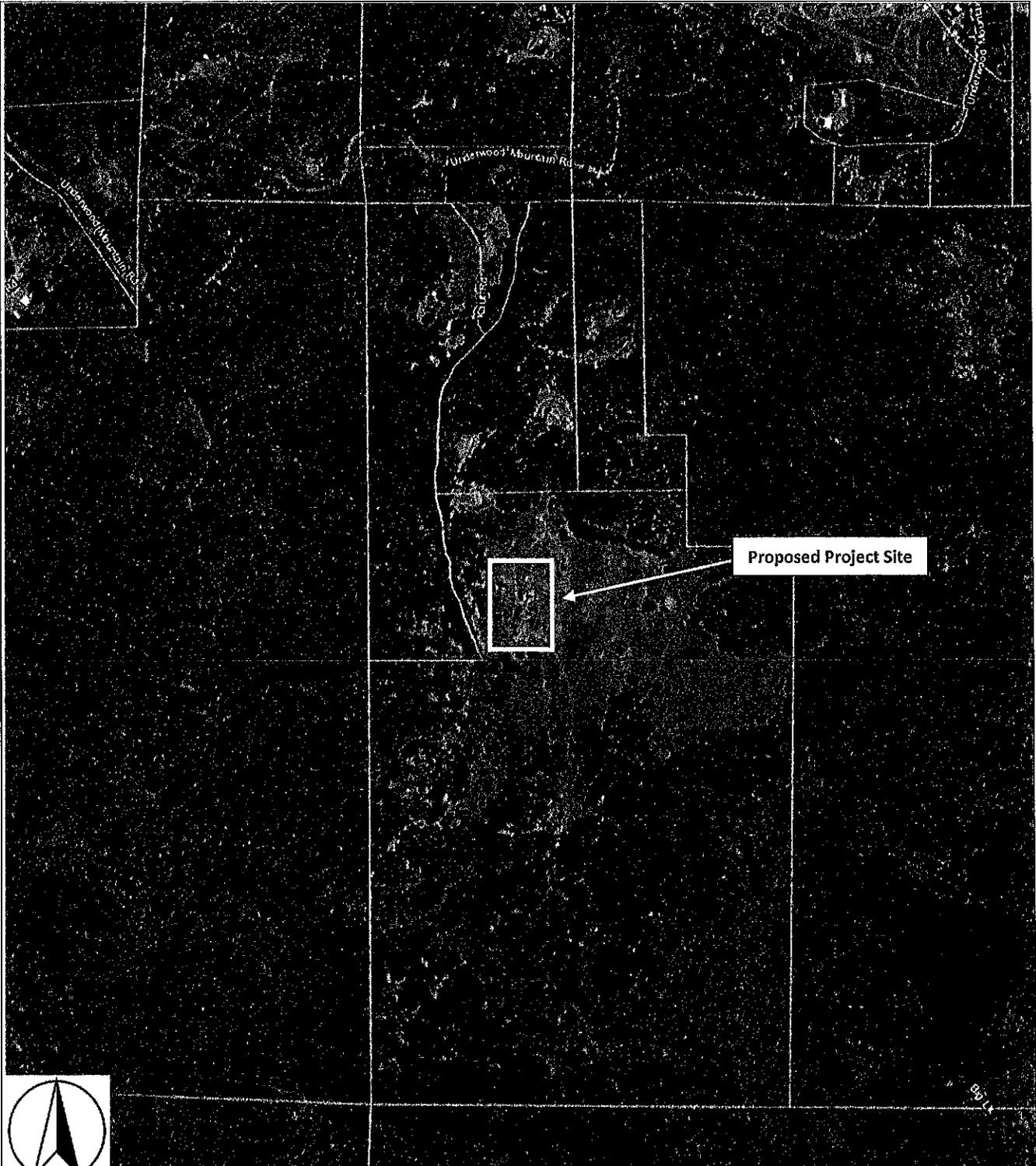
Project Location

JOB #518009.800

January 2019

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Figure #1



Holiday Cannabis Cultivation Facility  
 Conditional Use Permit Project  
 APN 008-210-10  
 Burnt Ranch, Trinity County, California

Project Site  
 JOB #518009.800

January 2019

I:\2018\518009-TrinityCo-CUP\200- "\\REDDINGSVR\projects\2018\518009-TrinityCo-CUP\800-Holiday CUP\

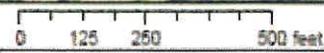
Figure #2



- Legend**
- Barn
  - Garage
  - Residence
  - Shed
  - Shop
  - Project Areas
  - Parking
- Hydrology**
- Perennial Stream
  - Intermittent Stream
  - Ephemeral Stream
  - Manmade Channel
  - Suspected Wetlands
  - Ponds
- Cultivation**
- Greenhouse, Current
  - Greenhouse, Future
  - Mature Canopy, Future

The map is property of Down River Consulting. Modification or reproduction by a private individual or company without prior explicit permission from DRC is strictly forbidden.

While we strive to use the most accurate data available, the positions, scales, and dimensions are approximate. The septic location is unknown.



TRINITY COUNTY PLANNING DEPARTMENT	
APPLICANT PREPARED SITE PLAN	
Application No. _____	
Drawn By: M. Petersen	APN: 008-210-10-00
Date: 3/7/2019	Zoning: Ag Preserve
Scale: 1:8,000	Lot Area: 210 Acres



Source: Down River Consulting, Applicant Site Plan, 2019

	<b>Holiday Cannabis Cultivation Facility Conditional Use Permit Project APN 008-210-10 Burnt Ranch, Trinity County, California</b>		<b>Site Plan</b> JOB #518009.800
	March 2019	I:\2018\518009-TrinityCo-CUP\200- "\REDDINGSVR\projects\2018\518009-TrinityCo-CUP\800-Holiday CUP\	Figure #3

addition, traps and EradiBait, a non-coagulant powder corn cob will be used to reduce the species population at the site.

The proposed expansion would employ three (3) full-time employees with an additional seven (7) seasonal employees needed temporarily from August through December. The applicant proposes to utilize the local labor force within the County. Employees will not live on the subject property.

The project as proposed does not comply with the Trinity County Ordinance 315-823 and amendments, requiring a 500-foot setback from the property line for a medium (up to one acre of canopy) cannabis cultivation site. The applicant has submitted an application for a variance from the requirements of the 500-foot setback. As a condition of approval the variance will need to be approved before the applicant can proceed with the proposed project development of cultivation.

9. **Surrounding Land Uses and Setting:** The parcels immediately surrounding the project are designated by the County's General Plan as a part of the Resource (RE) land designation, and are largely zoned as Unclassified (U). North of the project site, along SR-299, parcels are situated within the Rural Residential (RR) General Plan designation and zoned as Rural Residential (5-acre minimum). Vacant land surrounds the site to the south, east, and west is comprised of public lands managed by the US Forest Service (USFS). Vegetation in the area consists primarily of mixed conifer forest, with an even distribution between evergreen forest, oak woodland, and grassland.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):** Trinity County as Lead Agency for the proposed project 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:
  - Trinity County Department of Environmental Health
  - Trinity County Solid Waste
  - CALFIRE
  - California Department of Fish & Wildlife (Region 1)
  - North Coast Regional Water Quality Control Board
  - State Water Resources Control Board
  - State Division of Water Rights
11. **Tribal Consultation:** Tribal consultation pursuant to AB 52 was initiated on January 14, 2019 with the Nor-Rel-Muk Nation, Wintu Tribe of Northern California, Wintu Educational and Cultural Council and the Redding Rancheria. No responses were received from these entities requesting initiation of consultation under the provisions of AB 52.
12. **Purpose of this Document:** This document analyzes the environmental impacts of development of the proposed uses of Cannabis Cultivation on up to one acre (Type-3 license) and the construction of a 10,000 square foot nursery for the propagation of cannabis under a Type- 4 license.

## SECTION 1.0 INTRODUCTION

### 1.1 Introduction and Regulatory Guidance

This document is an Initial Study that summarizes the technical studies prepared for the proposed Trinity Sungrown Cannabis Conditional Use Permit (CUP) 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 21000 et seq., and the State CEQA Guidelines. The purpose of this document is to evaluate the potential environmental impacts of the proposed Trinity Sungrown Cannabis Conditional Use Permit project. Mitigation measures have been proposed to avoid or minimize any significant impacts that were identified.

### 1.2 Lead Agency

The Lead Agency is the public agency with primary responsibility for implementing a proposed project. Accordingly, the Trinity County Planning Department (County) is the CEQA Lead Agency.

### 1.3 Purpose of the Initial Study

CEQA requires that public agencies document and consider the potential environmental effects of the agency's actions that meet CEQA's definition of a "project." Briefly summarized, a "project" is an action that has the potential to result in direct or indirect physical changes in the environment. A project includes the agency's direct activities as well as activities that involve public agency approvals or funding. Guidelines for an agency's implementation of CEQA are found in the "CEQA Guidelines" (Title 14, Chapter 3 of the California Code of Regulations).

Provided that a project is not exempt from CEQA, the first step in the agency's consideration of its potential environmental effects is the preparation of an Initial Study. The purpose of an Initial Study is to determine whether the project would involve "significant" environmental effects, as defined by CEQA, and to describe feasible mitigation measures that would avoid significant effects or reduce them to a level that is less than significant. If the Initial Study does not identify significant effects, then the agency prepares a Negative Declaration. If the Initial Study notes significant effects but also identifies mitigation measures that would reduce these significant effects to a level that is less than significant, then the agency prepares a Mitigated Negative Declaration. If a project would involve significant effects that cannot be readily mitigated, then the agency must prepare an Environmental Impact Report. The agency may also decide to proceed directly with the preparation of an Environmental Impact Report without an Initial Study.

The proposed project is a "project" as defined by CEQA and is not exempt from CEQA consideration. The County has determined that the project may potentially have significant environmental effects and therefore would require preparation of an Initial Study. This Initial Study describes the proposed project and its environmental setting, discusses the potential environmental effects of the project, and identifies feasible mitigation measures that would eliminate any potentially significant environmental effects of the project or reduce them to a level that would be less than significant.

This Initial Study 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.

This Initial Study concludes that the project would have potentially significant environmental effects, all of which would be avoided or reduced to a level that would be less than significant with recommended mitigation measures. The project applicant has accepted all the recommended mitigation measures. As a result, the County has prepared a Mitigated Negative Declaration and has issued a Notice of Intent to adopt the Mitigated Negative Declaration for the project. The time available for public comment on the Initial Study and Mitigated Negative Declaration is shown on the Notice of Intent.

## 1.4 Regulatory Background Related to Cannabis

### State Regulatory Framework

Until 1996, the cultivation, use, and sale of cannabis (also known as marijuana) for any purpose was illegal in the State of California. In 1996, California voters approved Proposition 215, which allowed seriously ill Californians the right to obtain and use cannabis for medical purposes when recommended by a physician. In 2015, the State Legislature enacted the Medical Cannabis Regulation and Safety Act (MCRSA), which mandated a comprehensive State licensure and regulatory framework for cultivation, manufacturing, distribution, transportation, testing, and dispensing of medical cannabis on a commercial basis.

As the State was drafting regulations in compliance with MCRSA, California voters in 2016 approved Proposition 64, which legalized the use and possession of non-medicinal cannabis products within California by adults age 21 years and older. In June 2017, the State Legislature passed a budget trailer bill, Senate Bill (SB) 94, that repealed MCRSA and integrated its medicinal licensing requirements with Proposition 64 to create the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). MAUCRSA provides the regulatory structure for commercial cannabis activities in California.

MAUCRSA designates applicable responsibilities for oversight of cannabis commerce in California to several State agencies. The Bureau of Cannabis Control (BCC) is the lead agency in regulating commercial cannabis licenses for retailers, distributors, testing labs, and microbusinesses involved with medical and adult-use cannabis. CalCannabis Cultivation Licensing, a division of the California Department of Food and Agriculture (CDFA), licenses and regulates commercial cannabis cultivators and manages the State's "track-and-trace" system that tracks cannabis and its products from cultivation to sale. The Manufactured Cannabis Safety Branch of the California Department of Public Health (CDPH) is responsible for regulation of commercial cannabis manufacturing. In accordance with MAUCRSA, all three agencies have adopted emergency regulations related to their respective responsibilities, and all three have drafted permanent regulations that are currently undergoing the State rulemaking process.

It is important to note that, although California allows medicinal and adult use, cannabis remains classified as a Schedule 1 controlled substance under the federal Controlled Substances Act of 1970. Individuals engaging in cultivation and other cannabis-related activities risk prosecution under federal law.

### Local Regulatory Framework

Trinity County occupies an area of about 2.053 million acres (3,208 square miles) in northwestern California. Of the total acreage, about 75% is owned and managed by federal agencies such as the U.S. Forest Service (USFS), the Bureau of Reclamation (BOR), and the Bureau of Land Management (BLM). The remaining lands are mostly privately-owned properties under the land use authority of the County. Lands in private ownership are located mainly along the primary waterways and in adjacent valleys (Trinity County 2017).

Trinity County has a history as a cannabis-producing region. The County's geographic and climatic conditions, low population density, and availability of resource lands previously utilized for forestry and grazing have attracted an influx of individuals for the purpose of participating in cannabis activity (Trinity County Project Initial Study 2017). Since 2016, the County has issued approximately 425 cultivation licenses. Currently, there are approximately 310 active licensed sites and another 25 in the licensing process. It is estimated that more than 3,500 unpermitted cultivation operations exist on private land in the County, and 10-20 illegal trespass grows on public lands.

Trinity County has enacted several ordinances that apply to various aspects of commercial cannabis. Ordinance No. 315-823, subsequently amended, created regulations on commercial cannabis cultivation, including the designation of several zoning districts as appropriate locations for licensed cultivation without encumbrances. The total amount of land within these designated zoning districts is approximately 187,782 acres, with another 11,989 acres encumbered by ordinance provisions (Trinity County Project Initial Study 2017). The license types for cannabis cultivation, described in the CDFA regulations that are allowed by the County at this time are the following:

- "Specialty Cottage Outdoor" – for outdoor cultivation up to 25 mature plants.
- "Specialty Cottage Indoor" – for indoor cultivation with 500 square feet or less of total canopy.
- "Specialty Cottage Mixed-Light Tier 1 and 2" – for cultivation using mixed light (i.e., sunlight and artificial light) with 2,500

square feet or less of total canopy. "Tier 1" means the use of artificial light at a rate of six watts or less per square foot, and "Tier 2" means the use of artificial light at a rate greater than six watts but no greater than 25 watts per square foot.

- "Specialty Outdoor" – for outdoor cultivation less than or equal to 5,000 square feet of total canopy, or up to 50 mature plants on noncontiguous plots.
- "Specialty Mixed-Light Tier 1 and 2" – for cultivation using mixed light between 2,501 and 5,000 square feet of total canopy.
- "Small Outdoor" – for outdoor cultivation between 5,001 and 10,000 square feet of total canopy.
- "Small Mixed-Light Tier 1 and 2" – for cultivation using mixed light between 5,001 and 10,000 square feet of total canopy.
- "Medium Outdoor" – for outdoor cultivation between 10,001 square feet and one acre in total canopy.

Ordinance No. 315-838, enacted on August 7, 2018, sets conditions for commercial cannabis manufacturing in the County. The license types for cannabis manufacturing, described in the CDPH regulations, which are allowed by the County at this time, are the following:

- Type 6 – extractions using non-volatile solvents or mechanical methods.
- Type 7 – extractions using volatile substances.
- Type N – infusions, including using pre-extracted oils to create edibles, beverages, capsules, water cartridges, tinctures, or topicals.
- Type P – packaging and labeling only.

Ordinances No. 315-826 and 315-827 allows for wholesale cannabis nurseries and resale of auxiliary nursery products. All cannabis nurseries require a Type 4 State license, as described in the BCC regulations.

Ordinance No. 315-828 regulates cannabis distribution. Distribution activities require a Type 11 State license, as described in the BCC regulations.

## 1.5 Incorporation By Reference

In accordance with Section 15150 of the State CEQA Guidelines to reduce the size of the report, the following documents are hereby incorporated by reference into this Initial Study and are available for public review at the Trinity County Planning Department. A brief synopsis of the scope and content of each of these documents is provided below.

### Trinity County General Plan

The Trinity County General Plan (General Plan) is a long-range planning guide for growth and development for the County. The General Plan serves two basic purposes: 1) to identify the goals for the future physical, social, and economic development of the County; and 2) to describe and identify policies and actions adopted to attain those goals. The General Plan is a comprehensive document that addresses seven (7) mandatory elements/ issues in accordance with State law. These elements include Land Use, Housing, Circulation, Conservation, Open Space, Noise, and Public Safety. Other issues that affect the County, including Public Facilities and Services, Recreation, and Economic Development are addressed on a local level in the Douglas City, Hayfork, Junction City, Lewiston, and Weaverville Community Plans. The County's General Plan was utilized throughout this Initial Study as the fundamental planning document governing development on the proposed project site. Background information and policy information from the General Plan is cited in several sections of this Initial Study.

### Trinity County Zoning Ordinance

The Trinity County Ordinance No. 315 established a Zoning Plan in an effort to promote and protect public health. The Zoning Plan

serves three (3) basic purposes: 1) to assist in providing a definite plan of development for the County, and to guide, control and regulate the future growth of the County, in accordance with said plan; 2) to protect the character and the social and economic stability of agricultural, residential, commercial, industrial, and other areas, within the County and to assure the orderly and beneficial development of such areas; and 3) to minimize harm to public safety resulting from the location of buildings, and the uses thereof, and of land adjacent to highways which are a part of the Circulation Element of the General Plan, or which are important thoroughfares, in such manner as to cause interference with existing or prospective traffic movement on said highways. The Zoning Plan specified and established designations, locations and boundaries of zoning districts. The districts explicitly established permitted uses including building types, building heights, lot dimensions, yard dimensions, lot setbacks, lot coverage, allowable uses, density, and allowable accessory buildings and uses.

### **Trinity County Cannabis Cultivation Ordinance No. 315-823**

Under the Ordinance No. 315, enacted on October 3, 2017, Trinity County enacted several ordinances that apply to various aspects of commercial cannabis cultivation. Initially Ordinance No. 315-823, subsequently amended, created regulations on commercial cannabis cultivation, including the designation of several zoning districts as appropriate locations for licensed cultivation without encumbrances. The Ordinance also identified exclusionary standards to indicate restrictions that would cause an application to not be approved.

### **Trinity County Cannabis Nursery Ordinance No. 315-826**

The Trinity County Ordinance No. 315-826, enacted on December 4, 2017, allows for wholesale cannabis nurseries and the resale of auxiliary nursery products. The ordinance established allowable zoning districts, requirements to apply to all cannabis nurseries, conditions of approval and reasons for denial or rescission of a nursery license.

### **Trinity County Cannabis Nursery Ordinance No. 315-827**

Trinity County Ordinance No. 315-827, enacted on January 3, 2018, amended Ordinance No. 315-826 related to cannabis nurseries. The amendment allows for variances, upon review of the planning commission, related to allowable cannabis nursery location.

### **Trinity County Cannabis Cultivation Ordinance No. 315-829**

Under Ordinance No. 315-829, enacted on February 6, 2018, Trinity County amended Section 28 of the Zoning Ordinance No. 315 pertaining to commercial cannabis cultivation.

### **Trinity County Cannabis Cultivation Ordinance No. 315-830**

Under Ordinance No. 315-830, enacted on March 6, 2018, Trinity County amended Section 28 of the Zoning Ordinance No. 315 pertaining to commercial cannabis cultivation. The amendment clarified allowable cultivation types and allowable simultaneous commercial cannabis activities.

### **Trinity County Cannabis Nursery Ordinance No. 315-833**

Under Ordinance No. 315-833, enacted on June 19, 2018, Trinity County amended Section 43 of the Zoning Ordinance No. 315 pertaining to commercial cannabis nurseries. The amendment clarified that nursery facilities in Agricultural Preserve zoning may not have Auxiliary nursery sales.

### **Trinity County Cannabis Cultivation Ordinance No. 315-841**

Under Ordinance No. 315-841, enacted on September 19, 2018, Trinity County amended Section 43 of the Zoning Ordinance No. 315 pertaining to commercial cannabis cultivation. The amendment clarified that a cultivator may "self-transport" their product without being required to obtain a County distribution permit.

## Trinity County Cannabis Cultivation Ordinance No. 315-843

The Cannabis Ordinance No. 315-843, enacted on March 20, 2019, amended Section 43 of the Zoning Ordinance No. 315 pertaining to commercial cannabis cultivation. The amendment removed the requirement for an applicant to prove residency in the county for a minimum of one year as well as the limit of one application per person/ entity or legal parcel.

### 1.6 Project Environmental Studies

As part of the preparation of this Initial Study, the following studies, which are included in Section 6.0, Appendix, were prepared or utilized to develop baseline information and project-related impact discussions. These studies are available for inspection at the Trinity County Planning Department, 61 Airport Road Weaverville, California 96093, during normal business hours (8:00 AM to 5:00 PM Monday through Friday).

- Down River Consulting. *Biological Report: Trinity Sungrown*. June 2018
- Natural Investigations Company. *Cultural Resources Assessment for the Cannabis Cultivation Operation at 610 Kaut Road Project, Burnt Ranch, Trinity County, California*. July 2018.

Information contained in the cultural resources documentation related on the specific location of prehistoric and historic sites is confidential and exempt from the Freedom of Information Act (FOIA) and the California Public Records Act (CPRA); therefore, this information is not included in Section 6.0, Appendix. Professionally qualified individuals, as determined by the California Office of Historic Preservation, may contact the Trinity County Planning Department directly in order to inquire about its availability.

### 1.7 Review Process

This Initial Study 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 Initial Study to the State Clearinghouse of the Governor's Office of Planning and Research for distribution and a 30-day review period. During the review period, written comments may be submitted to:

TRINITY COUNTY  
Department of Planning  
61 Airport Road  
Weaverville, CA 96093

Ruth Hanover, Administrative Coordinator  
ruhanover@trinitycounty.org  
(530) 623-1351 ext. 4

and

Leslie Hubbard, Deputy Director of Planning  
lhubbard@trinitycounty.org  
(530) 623-1351 ext. 3

## SECTION 2.0 PROJECT DESCRIPTION

### 2.1 Project Location and Setting

#### Regional Setting

The project area lies within Trinity County, California in the Klamath Mountain Province. This region is at the junction of the uplifted Coast Ranges, the volcanic Cascades, and the ancient volcanic roots of the Sierra Nevada. The Trinity Basin is characterized by cold, wet winters and dry summers. The Trinity watershed drains into the Klamath River, which empties into the Pacific Ocean west of Trinity County. Several plant communities are present in the region, including Klamath mixed conifer, foothill pine (gray pine), mixed chaparral, montane hardwood, montane riparian, and riverine flora. In general, the growing season ranges from March 1 to October 31, but may be as short as mid-June through early September in some areas. Most herbaceous growth occurs during a relatively short period in late spring, ceasing as soil moisture depletes in early summer.

#### Local Setting

The proposed project is located in the McDonald Creek watershed, a sub-watershed of the Trinity River watershed. The sparsely populated mountain community of Burnt Ranch consists of private lands surrounded by the Shasta-Trinity National Forest and private commercial forest lands. The proposed project property does not fall within a Federal Emergency Management Agency (FEMA) floodplain. Existing and historical onsite activities have been limited to agricultural activities.

#### Project Location

The proposed Trinity Sungrown Cannabis Conditional Use Permit Project (CCUPT3-18-07 and CCUPN-19-03) is located within Trinity County, in the community of Burnt Ranch. The proposed project is located on land that is designated for primarily agriculture by the County's Agricultural Preserve (AP) zoning and is managed under the provisions of the Williamson Act. The project site is located at 610 Kaut Road in Burnt Ranch. The 200-acre site is identified as Assessor Parcel Number (APN) 008-210-10 and is part of the existing Trinity Sungrown Ranch. Primary site access is provided via Kaut Road, located approximately 1.5 miles from State Route 299 (SR-299). The site is also identified on the Ironside Mountain, California 7.5-minute USGS quadrangle map, Township 5 North, Range 6 East, Section 23 West, Humboldt Base Meridian (HBM). The location of the proposed project is shown on **Figure 1** and **2** with a site plan shown on **Figure 3**.

#### Existing Conditions

The land encompassing the project area has been historically used for agricultural purposes and falls under the Resource (RE) General Plan designation, with a zoning designation of Agricultural Preserve (AP). The land is also covered under a Williamson Act contract. The site is surrounded by US Forest Service (USFS) land and privately-owned land that has a Resource (RE) General Plan designation and Unclassified (U) zoning. There are Rural Residential (5-acre minimum) zoned parcels near the intersection of Underwood Mountain Road and SR-299; however these roadways do not border or intersect with the subject property.

The site currently has a permitted Type-2 cultivation (up to 10,000 sf of mature canopy), a residence, water storage tanks (two 5,000 gallon and one 2,500 gallon), a 750,000 gallon water storage pond, and a metal "shop" building for storage and processing. Existing cultivation occurs within eight (8) greenhouses. Currently plants are planted directly into the ground and drip irrigated. The existing shop building is utilized as equipment storage, as well as, cannabis processing and storage.

### 2.2 Proposed Uses

The purpose of this project is to expand cannabis cultivation operations and add a nursery onsite as a permitted use under the County's cannabis ordinances. The project, as proposed, meets the requirements for uses compatible within the Resource (RE) General Plan designation, is consistent with the Agricultural Preserve (AP) zoning, and would not conflict with the site's existing Williamson Act contract. Although outdoor cultivation does not occur onsite at present, the applicant proposes to use a combination of full-sun outdoor and light deprivation cultivation techniques. The proposed project includes the addition of up to one acre (43,560

sf) of cannabis canopy under a Type-3 medium license and the construction of a 10,000 sf nursery for the propagation of cannabis through clones, immature plants, and seeds under a Type- 4 license. The proposed project would not alter existing activities at the residence or the shop.

## **Related Zoning and Uses**

The subject property has been zoned by the County as Agricultural Preserve (AP). AP zoning allows for agricultural production of food and fiber now and in the future. The surrounding properties all have Unclassified (U) zoning. The properties that border the project site to the south, east, and west are public lands managed by the USFS. The proposed uses, as described by the applicant and evaluated in this document, are consistent with the uses allowed for AP zoned lands and are consistent with uses allowed on lands subject to Williamson Act contracts.

The project as proposed does not comply with the Trinity County Ordinance 315-823, that requires a 500 ft setback from the property line for a medium (up to one acre of canopy) cannabis cultivation site. The applicant has submitted an application for a variance. As a condition of approval the variance will need to be approved before the applicant can proceed with the proposed project.

## **Proposed Operations**

The proposed project requests to expand existing onsite activities through the addition of six (6) greenhouses (20 feet by 74 feet), two (2) hoop house (96 feet by 30 feet each), two (2) nursery greenhouses (30 feet by 96 feet each), and approximately 22,800 sf of outdoor cultivation.

The proposed expansion would employ three (3) full-time employees with an additional seven (7) seasonal employees needed temporarily from August through December. The applicant proposes to utilize the local labor force within the County. Employees will not live on the subject property.

The Northern Spotted Owl (NSO) has been observed in the project vicinity. In order to minimize unintended harm to NSOs the project applicant will use preventative measures and Integrated Pest management (IPM) practices as recommended by the California Department of Pesticide Regulation (DPR) for rodent control. The rodent prevention strategy will focus on the reduction of the property's rodent carrying capacity by removing food access and features that could provide habitat to rodents. The project applicant will also utilize domestic predators such as cats or dogs bred to hunt rodents if needed. In addition, traps and EradiBait, a non-coagulant powder corn cob will be used to reduce the species population at the site.

## **Site Access**

The subject property's main access is provided through an existing encroachment onto CO 424 Kaut Road (Trinity County maintained road) which is also used to access other offsite parcels. Kaut Road connects to CO 417 Underwood Mountain Road (Trinity County maintained road), which then connects to SR-299. No new roadway encroachments are required for the implementation of the proposed project.

## **Water Availability**

Water is provided to the project site from a perennial creek and a spring as a part of the property's pre-1914 water rights. The water diversions for irrigation and domestic uses are maintained as two separate systems. Water storage onsite consists of two 5,000-gallon water storage tanks, a 750,000-gallon storage pond and a 2,500-gallon storage tank. The applicant will be required, as a condition of approval, to apply for a revised Division of Water Rights permit for any additional water uses beyond those currently existing.

The County Fire Safe Ordinance 1162 requires buildings created and/or approved after January 1, 1992 to provide a minimum 2,500-gallon water tank. The existing 2,500-gallon water tank is dedicated for fire suppression uses during a wildland fire or a fire originating from within the building. The dedicated tank is located at the residence and is available for fire suppression use at the project. Additional fire suppression systems may be required based on the ultimate occupancy and use of the property. Review of the project by CALFIRE will determine the required fire suppression equipment specifications as a condition of approval of the use permit.

## **Domestic Wastewater Discharge**

The site maintains an existing permitted septic system that would continue to serve the subject property treating typical residential wastewater from the residence and daily workers. Three (3) full-time employees are anticipated, along with approximately seven (7) seasonal temporary workers.

## SECTION 3.0 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

This chapter provides an evaluation of the potential environmental impacts of the proposed cannabis cultivation expansion for the Trinity Sungrown project in Burnt Ranch, as well as the CEQA Mandatory Findings of Significance. A discussion of cumulative impacts is included at the end of this chapter. The issue areas evaluated in this Initial Study include:

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

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by the State CEQA Guidelines and used by Trinity County in its environmental review process. This checklist has been updated with the revisions of the January 1, 2019 State CEQA Guidelines. For the preliminary environmental assessment undertaken as part of this Initial Study's preparation, a determination that there is a potential for significant effects indicates the need to more fully analyze the development's impacts and to identify mitigation.

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 take into account the whole action involved, including potential off- and onsite, 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.

This Initial Study identifies several potentially significant environmental effects related to the proposed project. Some effects are mitigated by implementation of existing provisions of law and standards of practice related to environmental protection. Such provisions are considered in the environmental impact analysis, and the degree to which they would reduce potential environmental effects is discussed. Additional mitigation measures are specifically identified when necessary to avoid potential environmental effects or to reduce them to a level that is less than significant.

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

**Setting:** The project site is surrounded by resource lands that have significant vegetative screening and topographic relief that screen the site from many offsite views, and is not adjacent to any historic sites, therefore the project is unable to adversely affect a scenic resource (Trinity County GIS). The existing built environment in the vicinity of the proposed project includes both public and privately maintained access roads, residential buildings, and a variety of associated rural structures. The proposed project has the same general features and also includes a shop building, water diversions, water storage tanks, a surface water storage pond, cannabis cultivation areas, non-cannabis agricultural lands and a variety of above and below ground utility services. The nearest residence (offsite) is located approximately 1000 ft north of the property line.

The project area is characterized by forested mountainous terrain and generally level developed agricultural lands with surface waters at the project site. Vegetation grades between developed sites with scattered grassland vegetation, transitioning to hardwoods and conifers. The Trinity River, part of the National Wild and Scenic River System is located approximately 0.8 miles to the north, and runs along SR-299. The Trinity River is designated as a National Wild and Scenic River under the Federal system; it was originally designated under the California law which was later brought into the Federal system. While the Trinity River is in proximity to the proposed project site, there are no views of the project from the river and no views of the river from the project site.

The County has not designated specific scenic vistas in the immediate project area as a part of the General Plan and there are no designated State or federal scenic highways or scenic highway corridors in the vicinity of the project (California Department of Transportation, California Scenic Highway Mapping System).

**Impact Analysis:** Based on a field review by the Planning Department, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

a) 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 man-made scenic structures. There are limited mid-ground views of the site from Kaut Road, but the development is consistent with historical uses and the development of the proposed project is expected to be viewed as a continuation of the existing development on the site. There are no designated scenic vistas in the project vicinity; therefore, there would be no impact. The Trinity River is located approximately 0.8 miles to the north and east of the site, but there are no views of the river from the project site and no one using the Trinity River would be able to see the proposed project from the river due to the steep slopes and vegetation screening that block views of the proposed development activity. Based on these factors, there will be no impact to visual resources from the development of the project.

b) 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. According to Caltrans' California Scenic Highway Program and the National Scenic Byways Program, the proposed project is not located near a highway which has been listed as a State or federal Scenic Highway or as an Eligible State Scenic Highway-Not Officially Designated. Additionally, the project is not located on a National Scenic Byway System route. The proposed project will develop facilities in areas previously developed for agricultural uses and would not change the visual character of the area. Therefore, there is no impact.

- c) Project development would not have any short- or long-term visual effects on the immediate area surrounding the areas of development, because they are proposed for areas or within structures that have been developed by previous activities that changed the visual landscape at that time; proposed activities are expected to be viewed as historically activities. The project does not propose to add significant new above ground structures, and those that are constructed are not expected to change the visual character or quality of the site as it will be consistent with other existing structures at these locations. Therefore, impacts to the visual character of the surrounding area or impacts to public views are considered less than significant.
- d) Light pollution occurs when nighttime views of the stars and sky are diminished by an over-abundance of light coming from the ground. Light pollution is a potential impact from the operation of any light source at night. Proper light shields, lighting design, and landscaping are commonly used to reduce light pollution generated from lighting by blocking the conveyance of light upwards. The result is that the lights are not visible from above; therefore, ambient light is not added to the nighttime sky. In addition, light reflecting off surfaces during daylight hours has the potential to create a source of glare in the vicinity of the proposed project.

The proposed project site currently has minimal uses that include minor amounts of nighttime light sources (residence, shop, security lighting). These sources of light are limited and while they are generally seen from a distance as a small light source, do not generate large amounts of light either on or offsite. Introduction of new lighting from the proposed project would include lights within and around the proposed new greenhouses or for security lighting purposes. The County Cannabis Cultivation ordinance (Ordinance No. 315-823 and amendments) requires that the light generated by the proposed project would be required to be both (1) downcast, shielded and/or screened to keep light from emanating offsite or into the sky, and (2) light uses for operations require that lighting in greenhouses is shielded so that little to no light escapes, and light shall not escape at a level that is visible from neighboring properties between sunset and sunrise. No light will be generated from the proposed cultivation site because the applicant proposes to use light deprivation and will not use artificial lights on the cultivation site at any time.

After evaluation of the proposed project, and the potential for impacts due to new lighting sources, the implementation of the standard requirements of the County's General Plan and Cannabis Cultivation Ordinance provide a uniform standard for reduction and minimization of light trespass. With adherence to applicable General Plan policies and provisions of the Cannabis Cultivation Ordinance impacts related to light pollution and glare impacts would be less than significant.

**Mitigation Measures:** No mitigation measures are required. Impacts would be less than significant.

**Findings:** In the course of the above evaluation impacts associated with *Aesthetics* resources were found to be less than significant because of the inability of a project of this scope to create such impacts or the absence of project characteristics producing effects of this type.

**References:**

- California Department of Transportation. *California Scenic Highway System*. 2018. [Online]: [http://www.dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm). Accessed: January 30, 2019.
- National Scenic Byways Program. 2018. [Online]: <https://www.fhwa.dot.gov/byways/states/CA>. Accessed: January 30, 2019.
- Trinity County. *General Plan Open Space and Conservation Element*.
- Trinity County. *Cannabis Ordinance No. 315-823*. Enacted October 3, 2017.
- National Wild and Scenic Rivers System. [Online]: <https://www.rivers.gov/california.php>. Accessed: January 30, 2019.

<b>II. AGRICULTURE RESOURCES:</b> <i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural, Land Evaluation and Site Assessment Mode (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</i>	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigation Incorporated</b>	<b>Less-Than-Significant Impact</b>	<b>No Impact</b>
a) Convert Prime Farmland, Unique Farmland, or Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				<b>X</b>
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?				<b>X</b>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?				<b>X</b>

**Setting:** The proposed project is located on lands that have been zoned as Agricultural Preserve (AP) and utilized for agricultural development historically. The General Plan describes AP zoning as areas that should be used for the “production of food and fiber now and in the future”. The land is also under a Williamson Act contract, also known as the California Land Conservation Act, which allows for the local government to enter into contracts with private landowners for the purpose of restricting parcels of land to agricultural or open space uses. Current uses have installed irrigation systems, buildings and utility systems related to agricultural production.

**Discussion:** Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) The project site has been historically used for agricultural purposes and possesses soils that are considered “prime” for agricultural production. The County has zoned the area as Agricultural Preserve (AP) which allows for production of food or fibers now and in the future. The land is also under a Williamson Act contract which restricts use of the land to agricultural or open space uses. The proposed project is consistent with these agricultural uses. The site is also located within an area of Prime Farmland as identified by the California Department of Conservation’s Important Farmland Series Mapping and Monitoring Program. Current and historical uses of the site have maintained conditions favorable for agricultural uses. Based on the above, development Impacts related to the conversion of prime, unique, or important farmland would not occur. There is no impact.
- b) The proposed project site is under a current Williamson Act contract. Therefore, project implementation would not result in conflicts with existing agricultural zoning. As the project continues agricultural development no impact would occur.
- c) Implementation of the proposed project would not result in a conversion of farmland to non farmland. Therefore, no impacts would occur in this regard.

**Mitigation Measures:** No mitigation measures are required. Impacts would be less than significant.

**Findings:** In the course of the above evaluation, impacts associated with *Agricultural Resources* were found to not be significant because of the inability of a project of this scope to create such impacts or the absence of project characteristics producing effects of this type.

**References:**

State of California Farmland Mapping and Monitoring Program, [Online]: <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed: February 1, 2019.

Trinity County. *General Plan Open Space and Conservation Element*.

<b>III. AIR QUALITY:</b> Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?				X
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors or dust) affecting a substantial number of people?			X	

**Setting:** The project is located in Trinity 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. The climate is moderate with the predominant weather factor being moist air masses from the ocean. Average annual rainfall in the area is approximately 50 to 60 inches with the majority falling between October and April. Predominate wind direction is typically from the northwest during summer months and from the southwest during winter storm events.

Project activities are subject to the authority of the North Coast Unified Air Quality Management District (NCUAQMD) and the California Air Resources Board (CARB). The NCUAQMD is listed as "attainment" or "unclassified" for all the federal and state ambient air quality in Trinity County. The only exception is for 24-hour particulate (PM10) standards in Humboldt County (which is not a part of the project area). Due to the large size of the NCUAQMD, it is well understood that particulate matter can travel from other areas into Humboldt County (such as from Trinity 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 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, 2018).

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 buildings (approximately 1000 ft to the north of the property) and the Burnt Ranch Elementary School (approximately 1 mile distant).

**Discussion:** Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

**a-b)** Since Trinity County is in attainment or unclassified for all federal and state air quality standards, the project is not subject to an air quality plan. The NCUAQMD prepared a Draft Particulate Matter Attainment Plan in May 1995, which is only applicable to portions of the District which are nonattainment for PM<sub>10</sub> (e.g., Humboldt County).

Construction activities proposed by the project may create minor amounts of dust from construction of greenhouse/hoop-houses, but these activities are considered minor activities and would not create dust emissions that would require specialized abatement practices. Vehicle use during operation of the project would be limited to light duty vehicles and truck traffic for delivery purposes, and 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 PM<sub>10</sub> within the surrounding area, Trinity County or the NCUAQMD. Developing

a cannabis cultivation facility within the community of Burnt Ranch is not anticipated to impact vehicle miles traveled and associated vehicular exhaust emissions. As such, the project will not violate any air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulative increase of any criteria pollutant for which the region is in non-attainment.

The project does not propose to use generators for power, as the site has power provided by Pacific Gas and Electric. Should generators be used at a future time, those uses would be required to be in compliance with the California Air Resources Board (CARB) requirements for the Portable Equipment Registration Program (PERP), should the generators qualify for coverage by this permitting program, or as may be required by the NCUAQMD. Based on the analysis above, there were no impacts identified.

- c-d) Due to the nature and size of the project, construction and operational activities are not expected to generate air quality pollutants that would cause a significant impact, and the development of the project will not expose sensitive receptors or a large number of people to substantial pollutant concentrations or objectionable odors.

Pesticide applications are normally required to be administered a minimum of 300 feet from sensitive receptors (e.g. residences) in the case of dry pesticides and 200 feet in the case of wet pesticides. Generally, pesticide application should occur at low wind velocities (less than 10 mph). As shown on **Figure 3** (Site Plan) and based on a review of aerial photography, application of pesticides in the greenhouse and hoop-house structures and outdoor cultivation area would occur approximately 1,000 feet from the closest sensitive receptors which includes the residential buildings to the north. The requirement to maintain appropriate setbacks from nearby residences and limit spraying activities at low wind velocities is a standard County development condition related to cannabis operations. Specifically the following condition of approval will be a part of the CUP:

*Condition of Approval.* The spray application of pesticides (e.g. neem oil, sulfur or other materials) shall occur no closer than 500 feet to an adjacent residence. Spraying shall not occur at wind speeds greater than 10 miles per hour (CCR, Title 3, Division 6, 6960(b)(3)). The operator shall measure the wind speed prior to and during spraying activities to ensure wind speeds are below 10 mph. Spraying activities shall cease if wind speeds are measured at greater than 10 mph.

Odors that would be generated by the proposed cannabis facility would primarily occur from the outdoor cultivation activities. While odors from flowering cannabis plants can be strong within the immediate vicinity of cultivation sites, the distance of the operation to the nearest sensitive receptor, a single-family home (approximately 1,000 feet to the north), is more than the 500 foot setback from the property line requirement and would result in cannabis odors from the operations not being a significant issue to offsite sensitive receptors.

As proposed, the project's outdoor cultivation facility requires a variance as it does not meet the property line setback requirements of the Cannabis Ordinance. Once a variance is issued by the County, the variance is evaluated on an annual basis. Should odor from the project become an issue at the offsite residence the County could terminate the variance and require relocation of the outdoor cultivation area farther from the property line or require mitigation be implemented to reduce odors. Based on the analysis above and proposed operating restrictions, development of the project would have a less than significant impact.

**Mitigation Measures:** No mitigation measures are required. Impacts would be less than significant.

**Findings:** In the course of the above evaluation impacts associated with *Air Quality* were found to be less than significant because of the project design, size, location, and proposed operating restrictions.

**References:**

California Air Resources Board. 2017. *Area Designation Maps / State and National*. [Online]:<https://www.arb.ca.gov/permits/permits.htm>. Accessed: January 30, 2019.

California Department of Pesticide Regulation. *California Code of Regulations, Title 3, Food and Agriculture, Division 6. Pesticides and Pest Control Operations. Chapter 4. Environmental Protection, Subchapter 5. Surface Water, Article 1, Pesticide Contamination Prevention. Section 6960*. [Online]: <https://www.cdpr.ca.gov/docs/legbills/calcode/040501.htm>. Accessed: March 1, 2019.

North Coast Unified Air Quality Management District. 2018. [Online]: <http://ncuaqmd.org/index.php?page=rules.regulations>. Accessed: January 30, 2019.

Trinity County. *Cannabis Ordinance No. 315-823*. Enacted October 3, 2017.

Trinity County. *Cannabis Ordinance No. 315-826*. Enacted December 4, 2017.

Trinity County. *Cannabis Ordinance No. 315-827*. Enacted January 3, 2018.

Trinity County. *Cannabis Ordinance No. 315-829*. Enacted February 6, 2018

Trinity County. *Cannabis Ordinance No. 315-830*. Enacted March 6, 2018.

Trinity County. *Cannabis Ordinance No. 315-833*. Enacted June 19, 2018.

Trinity County. *Cannabis Ordinance No. 315-841*. Enacted September 19, 2018.

Trinity County. *Cannabis Ordinance No. 315-843*. Enacted March 20, 2019.

IV. <b>BIOLOGICAL RESOURCES:</b> <i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Have a substantial effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		X		
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 Wildlife or U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on state or Federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
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?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
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?				X

**Setting:** The project is situated on lands that have been previously disturbed by agricultural operations, cannabis production activities, single-family residential uses, as well as appurtenant structures and related uses. The project site has vegetation that is primarily ruderal and non-native.

**Discussion:** Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) A Biological Report was prepared for the project by the applicants’ consultant, Down River Consulting (Refer to Appendix, Section 6.0). The biological report included an evaluation of onsite wildlife habitats and the potential presence of Threatened, Endangered, or Sensitive (TES) plant and animal species. The evaluation found that the site has been historically disturbed by past agricultural activities and existing plant communities and wildlife habitats consist primarily of non-native and invasive plant species.

Literature searches and data analysis of the nine quadrangle area surrounding the project site documented occurrences of 18 TES plants, 24 TES animals, and four (4) TES fish. No TES plants were observed at the project site based on the botanical field investigations (Down River, 2018). The nearest known TES plant, Heckner’s Lewisia, is approximately 7 miles from the proposed project site. The proliferation of invasive species has caused the area to become an undefined vegetative community.

Of the 24 identified TES animal species listed, no mollusk, fish, reptile, or amphibian TES species will be impacted by development of the project as they are either not present on the site or the habitat areas are not considered part of the project site (Down River, 2018). Investigations determined that the Fisher (*Pekania pennanti*), and seven bat species including the Townsend’s big-eared bat (*Corynorhinus townsendii*), the Silver-haired bat (*Lasionycteris noctivagans*), the Hoary bat (*Lasiurus cinereus*), the Long-eared myotis (*Myotis evotis*), the Yuma myotis (*Myotis yumanensis*), the Long-legged myotis (*Myotis volans*), and the Fringed myotis (*Myotis thysanodes*) are all considered sensitive and can be assumed to be present due to habitat

suitability and historical observations in the area. Impacts to the fisher and bat species will be mitigated using preventative and integrated pest management strategies as noted below under **Mitigation Measure BR-1**.

Of the identified bird species listed as species of concern, only the Northern Spotted Owl (NSO) has been observed in the project area. While no nesting activity is known to occur onsite, the site could potentially be utilized for foraging activities. It should be noted that no NSO habitat will be removed as a result of the proposed project. In order to minimize unintended harm to foraging NSOs the project applicant proposes to utilize IPM strategies to control rodents as described in **Mitigation Measure BR-1**. The rodent prevention strategy focuses on the reduction of the property's rodent carrying capacity by removing food access and features that could provide habitat to rodents. The project applicant may also utilize domestic predators such as cats or dogs bred to hunt rodents if needed. Traps utilizing EradiBait, a non-coagulant powder corn cob, may also be used to reduce the rodent species as necessary at the project site (refer to **Mitigation Measure BR-1**).

Although the proposed project would not require the use of onsite generators, any typical onsite maintenance activities that could include the use of gas-powered mechanical equipment shall adhere to the following condition of approval. Specifically the following condition applies:

*Condition of Approval:* NSO are most active during dawn and dusk. Should the use of temporary onsite gas-powered maintenance equipment be required (i.e., leaf blowers, mowers), operation of such equipment shall be restricted during the 2 hour period prior to sunrise and 2 hour period before sunset.

With implementation of **Mitigation Measure BR-1** potential onsite impacts to the NSO would be less than significant. This mitigation measure will be included as a Condition of Approval in the CUP for ongoing activities.

- b) The project does not propose any development or impacts to riparian habitat or any sensitive natural community. Riparian habitat has not been identified onsite. No impacts will occur in this regard.
- c) The Biological Report identified several wetland areas that are seasonally inundated onsite; however these occur in areas that are not proposed for cultivation or the nursery site. Since no wetlands will be disturbed by the proposed project, no impacts to federally protected wetlands would occur.
- d) Due to the small scale of the proposed project, the movement of any native resident or migratory wildlife species or established native resident or migratory wildlife corridors is not anticipated to be significant. The project does not propose to alter any streams or rivers or otherwise impact fish movements. Also, the project site has been previously developed, farmed and otherwise developed with historical activities prior to the project proposal. These historic activities may have previously altered deer migration or local travel patterns, but this impact is considered the baseline condition and is not considered an impact for this project. Fencing that may be required around the cannabis operations represents a small portion of the overall historically impacted area and is not seen as an impediment to deer migration or the migration of other mammals. There will be no impact to avian migration from the project.
- e) The County General Plan, Conservation Element, discusses the need for the protection and conservation of natural resources including biological resources within the county. While the plan outlines various goals and objectives, there has been no policy developed related to specific biological resources or tree preservation or management that would specifically apply to the project and the lands where the project is located. The project does not propose to remove any trees or otherwise impact tree vegetation, as there are no trees on the project site that would be impacted. There will be no impact to these resources from development of the project.
- f) No habitat conservation plans, or other similar plans have been adopted for the project site or project area. No impact would occur in this regard.

**Mitigation Measures:** The following mitigation measures have been developed to reduce potential impacts related to Northern Spotted Owls to less than significant levels.

**Mitigation Measure BR-1:** Integrated Pest Management – The project applicant and/or operator shall utilize preventative non-chemical strategies, and IPM strategies identified by the California Department of Pesticide Regulation for cannabis production, to control the onsite proliferation of rodents. This shall include the following strategies to reduce the property's rodent carrying capacity:

- Remove food access and features that could provide habitat to rodents. Examples include, but are not limited to, using trash cans with lids, sealing holes along structures, maintaining a sealed compost area, eliminating standing surface water (puddles) and limiting the height of grasses around the project vicinity.
- Utilize traps and EradiBait, a non-coagulant powder corn cob to extirpate the species.
- If necessary, utilize domestic predators such as cats or dogs bred to hunt rodents.
- Use of rodenticides that are not DPR-restricted or federally restricted-use pesticides and registered for a broad enough use to include use in or around marijuana cultivation sites.

**Findings:** In the course of the above evaluation, impacts associated with *Biological Resources* were found to be less than significant with the implementation of the mitigation measures because of the project size, location, and limited scope of potential impact and lack of suitable habitat onsite.

**References:**

California Department of Pesticide Regulation. *Cannabis Pesticides that are Legal to Use*. December 2017. [Online]: <https://www.cdpr.ca.gov/cannabis>. Accessed: March 1, 2019.

California Department of Pesticide Regulation. *Cannabis Pesticides that Cannot be Used*. September 2018. [Online]: <https://www.cdpr.ca.gov/cannabis>. Accessed: March 1, 2019.

California Department of Pesticide Regulation. *Legal Pest Management Practices for Marijuana Growers in California*. 2015.

California Department of Pesticide Regulation. *Pesticide Use on Marijuana*. 2015.

Downriver Consulting. *Biological Report-Trinity Sungrown*. June 2018.

Trinity County. *General Plan Open Space and Conservation Element*.

USFWS. *National Wetland Inventory*. August 2018.

USFWS. *Transmittal of Guidance: Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California*. July 2006.

<b>V. CULTURAL RESOURCES: <i>Would the project:</i></b>	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigation Incorporated</b>	<b>Less-Than-Significant Impact</b>	<b>No Impact</b>
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X		
c) Disturb any human remains, including those interred outside of formal cemeteries?		X		

**Setting:** The project site has a documented history of being developed for agriculture for over one hundred years. Other non-historical cultural uses may have occurred at the project site and in the surrounding vicinity.

**Discussion:** Based on a field review by the Planning Department, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) An onsite cultural resources survey was conducted by Natural Investigations Company on July 2, 2018 (Appendix, Section 6.0). The survey identified one historic-era house and four associated outbuildings at the site, however they do not qualify as a historical resource. 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. Therefore, no impacts to historical resources would occur with implementation of the proposed project.
- b) A cultural resources review completed for the project did not find any archaeological site that could be impacted by the proposed project. However, there is a possibility that cultural resources, including buried archaeological materials, could exist in the area and may be uncovered during project development. Therefore, if any resources are found during the construction of the proposed project, they will be mitigated through implementation of **Mitigation Measure CR-1**. Adherence to protocols established by **Mitigation Measure CR-1** would serve to avoid impacts that would result in a substantial adverse change in the significance of an archaeological resource as defined in CEQA §15064.5. Impacts would be less than significant with mitigation incorporated.
- c) There are no known burial sites on or immediately adjacent to 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. Under this Section, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition, pursuant to California Public Resources Code Section 5097.98 and **Mitigation Measure CR-2**. Impacts are considered less than significant with mitigation incorporated.

**Mitigation Measures:**

The following mitigation measures have been developed, to reduce potential impacts related to undocumented cultural resources and unknown human burials to less than significant levels:

**Mitigation Measure CR-1.** If cultural resources, such as chipped or ground stone, or bone are discovered during ground-disturbance activities, work shall be stopped within 50 feet of the discovery, as required by the California Environmental Quality Act (CEQA; January 1999 Revised Guidelines, Title 14 California Code of Regulations [CCR] 15064.5 (f)). Work near the archaeological finds shall not resume until a professional archaeologist, who meets the Secretary of the Interior’s Standards and Guidelines, has evaluated the material and offered recommendations for further action.

**Mitigation Measures CR-2.** If In the event that previously unidentified evidence of human burial or human remains are discovered during project construction, work will stop at the discovery location, within 20 meters (66 feet), and any nearby area reasonably suspected to overlie human remains (Public Resources Code, Section 7050.5)., The Trinity County Coroner must be informed and consulted, per State law. If the coroner determines the remains to be Native American, he or she shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify

the person or persons it believes to be the most likely descendent. The most likely descendent will be given an opportunity to make recommendations for means of treatment of the human remains and any associated grave goods. when the commission is unable to identify a descendant or the descendants identified fail to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance. Work in the area shall not continue until the human remains are dealt with according to the recommendations of the County Coroner, Native American Heritage Commission and/or the most likely descendent have been implemented.

**Findings:** With the implementation of the mitigation measures identified the project will have a less than significant impact to *Cultural Resources*.

**References:**

Natural Investigations Company. *Cultural Resources Assessment for the Cannabis Cultivation Operation at 610 Kaut Road Project, Burnt Ranch, Trinity County, California*. July 2018.

VI. <u>ENERGY</u> :	Potentially Significant Impact	Potentially Significant Impact Unless 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?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

**Discussion:** Based on the analysis undertaken as part of this Initial Study, the following findings can be made:

- a) Due to the limited scope of the proposed project as a minor expansion of an existing agricultural use, there are no proposed sources of new or expanded sources energy consumption onsite that could potentially cause significant environmental impact. There are no generators or other large machinery proposed for use either during construction or during operation. Due to the nature of project impacts are considered less than significant.
- b) There are no local plans for renewable energy or energy efficiency. California passed AB 32 which requires local governments to take an active role in addressing climate change and reducing greenhouse gas (GHG) emissions using methods such as energy efficiency in new development. As noted above, the proposed project would not result in a substantial increase in energy consumption beyond existing conditions. Therefore, the proposed project would not conflict or obstruct plans related to renewable energy or energy efficiency, and impacts are less than significant.

**Mitigation Measures:** No mitigation measures are required. Impacts would be less than significant.

**Findings:** Based upon the review of the information above the implementation of the project will have a less than significant impact with respect to *Energy*.

**References:**

Trinity County. *Trinity County General Plan*.

<b>VII. GEOLOGY AND SOILS: <i>Would the project:</i></b>	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigation Incorporated</b>	<b>Less-Than-Significant Impact</b>	<b>No Impact</b>
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> <li>i) Rupture of a known earthquake, fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publications 42.</li> <li>ii) Strong seismic ground shaking?</li> <li>iii) Seismic-related ground failure, including liquefaction?</li> <li>iv) Landslides?</li> </ul>			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
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?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?				X
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 waste water?			X	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X

**Setting:** The project is situated in the Western Paleozoic and Triassic Belt of the Klamath Mountains province. The area consists of sedimentary and metamorphic rocks from the Weaverville and Bragdon Formations, the pre-Silurian meta-volcanic schist deposits, and Quaternary alluvium and terrace deposits. The project site consists of undivided Paleozoic metasedimentary rocks, including slate, sandstone, shale, limestone, marble, phyllite, schist, hornfels and quartzite. All soils have gravelly compositions, are well drained and are derived from ultramafic rock and serpentinite.

**Discussion:** Based on a field review by the Planning Department, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

a) The project may expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) *Rupture of a known earthquake fault:*

There are no active faults mapped in the project vicinity. The California Geological Survey (CGS, 2018) has the responsibility for mapping active earthquake faults in California, through legislation referred to as the Alquist-Priolo Earthquake Fault Zoning Act. There are no Alquist-Priolo earthquake fault zones identified in close proximity to the project site. There is no supplemental geologic data to suggest unmapped active faults in the region. Based on this existing information, there will be no impact to the project components from impacts related to surface fault rupture.

*ii) Strong seismic ground shaking:*

Although there are no known earthquake faults in the project vicinity, the entire northern California region is subject to the potential for moderate to strong seismic shaking due to distant seismic sources. Seismic shaking can be generated on faults many miles from the project vicinity. Seismic shaking potential is considered minimal and the hazard is not higher or lower at the project site than throughout the region. Standard design and construction practices meeting current California Building Code (where applicable) will provide adequate protection for buildings, pipelines and other facilities anticipated for the project. The implementation of these standard building practices will allow the project to have less than significant impacts.

*iii) Seismic-related ground failure, including liquefaction:*

Although located in a seismically active region (northern California), the project site is not likely to be subject to seismic shaking of adequate strength or duration to generate secondary seismic effects. Likely seismic sources are too far from the project site to generate sufficient long-duration strong shaking. Construction standards that meet the current California Building Codes (as applicable) will provide adequate protections and ensure less than significant impacts.

*iv) Landslides:*

The proposed project site is located on flat terrain, surrounded by steep slopes and mountainous terrain. There are no documented landslide hazard areas identified within the immediate vicinity of the site that would have an impact on the proposed project. Impacts would be less than significant.

- b) The project soil classifications gravelly loam and very gravelly loam weathered from ultramafic rock and serpentinite. These gravelly soils in the Weitchpec-Dunsmuir families have high permeability as indicated by their well drained and runoff is very slow. The hazard of erosion is minor. With the alluvial land type, it can be subject to frequent flooding. There are no significant proposed modifications to the surface terrain from the project, as historical land development has significantly modified the site; therefore, the project is not expected to alter the susceptibility of the land to unstable earth conditions or erosion. Impacts would be less than significant.
- c) See discussion VI.a, above.
- d) There are no documented expansive soils located at the project site. No impacts would occur in this regard.
- e) An existing septic system is installed on the project site that has been in operation for several years. The applicant must comply (as a Condition of Approval) that the septic system meets the requirements of Trinity County Environmental Health Department.
- f) No paleontological resources or unique geologic features have been identified on the proposed project site, and the potential for their occurrence is considered minimal; there will be no impact.

**Mitigation Measures:** No mitigation measures are required. Impacts would be less than significant.

**Findings:** Based upon the review of the information above, the implementation of the project will have a less than significant impact with respect to *Geology and Soils*.

**References:**

National Resource Conservation Service. *WebSoil Survey*. [Online]:  
<https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>. Accessed: January 30, 2019.

<b><u>IIX. GREENHOUSE GAS EMISSIONS:</u> <i>Would the project:</i></b>	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigation Incorporated</b>	<b>Less-Than-Significant Impact</b>	<b>No Impact</b>
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

**Setting:** Greenhouse gases (GHGs) are gases in the atmosphere that absorb and emit radiation. The greenhouse effect traps heat in the troposphere through a three-fold process, summarized as follows: short wave radiation emitted by the sun is absorbed by the Earth; the Earth emits a portion of this energy in the form of long wave radiation; and GHGs in the upper atmosphere absorb this long wave radiation and emit this long wave radiation into space and toward the Earth. This “trapping” of the long wave (thermal) radiation emitted back toward the Earth is the underlying process of the greenhouse effect. The main GHGs in the Earth’s atmosphere are water vapor, carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), ozone (O<sub>3</sub>), hydrofluorocarbons (HCFs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>).

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, 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 they became effective March 18, 2010. As a result of these revisions to the CEQA Guidelines, lead agencies are obligated to determine whether a project’s GHG emissions significantly affect the environment and to impose feasible mitigation to eliminate or substantially lessen any such significant effects. At this time, neither the NCUAQMD nor Trinity County has established thresholds of significance for evaluating a project’s GHG emissions. In addition, neither a Climate Action Plan nor GHG Reduction Plan has been developed for Trinity County.

**Discussion:** Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) There are several unique challenges to analyzing greenhouse gas emissions and climate change largely because of the global nature of climate change. Most environmental analyses examine the “project specific” impacts that a particular project is likely to generate. With regard to global warming, however, it is generally accepted that while the magnitude of global warming effects is substantial, the contribution of an individual project is so small that direct project specific impacts are highly unlikely.

The proposed project involves the construction and operation of cannabis cultivation and a cannabis nursery. The proposed project could 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 the majority of direct emissions. Indirect GHG emissions are generated by incremental electricity consumption and waste generation. Electricity consumption is responsible for the majority of indirect emissions.

As noted above, neither the NCUAQMD nor Trinity County has established thresholds of significance for evaluating a project’s GHG emissions. Since there are no applicable thresholds for projects in the Air District or Trinity County, the NCUAQMD recommends the use of thresholds and guidance provided by other air districts in the State such as the Bay Area Air Quality Management District (BAAQMD). The BAAQMD has developed project screening criteria to provide lead agencies and project applicants with a conservative indication of whether a project could result in potentially significant impacts related to greenhouse gas emissions. Projects below the applicable screening criteria would not exceed the 1,100 metric tons (MT) of CO<sub>2</sub>e/yr GHG threshold established by the BAAQMD for land use projects, other than permitted stationary sources.

The BAAQMD has not established a threshold of significance for this type of project as it is agricultural rather than commercial or industrial. Additionally, due to the nature of the project the crops will sequester carbon minimizing any overall emissions. Since the proposed project does not have specific screening criteria based on the limited potential for emissions, emissions from construction and operation of the project are determined to be less than significant. Based on the analysis above, development of the project would have a less than significant impact.

- b) The proposed project involves the expansion of a cannabis cultivation facility and development of a cannabis nursery. 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 subregional 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, 2017). The State of California has the most comprehensive GHG regulatory requirements in the United States, with laws and regulations requiring reductions that affect project emissions. Legal mandates to reduce GHG emissions from vehicles, for example, reduce project-related vehicular emissions. Legal mandates to reduce 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.

Trinity County ordinance 315-833 restricts auxiliary nursery sales for cannabis nurseries established in the Agricultural Preserve zoning district, therefore, operations will preclude access to the site from the general public. Due to the limited size of the project and due to the agricultural rather than industrial nature of the project there will be no significant sources of GHGs either during construction or during routine operation. Based on the analysis above, development of the project would have a less than significant impact.

**Mitigation Measures:** No mitigation measures are required. Impacts would be less than significant.

**Findings:** In the course of the above evaluation, impacts associated with *Greenhouse Gas Emissions* were found to be less than significant because of the limited size, nature, and location of the project.

**References:**

Bay Area Air Quality Management District. *California Environmental Quality Act Air Quality Guidelines*. 2017.

California Air Resources Board. *2017 Climate Change Scoping Plan: The Strategy for achieving California's 2030 greenhouse gas reduction target*. January 20, 2017.

California Air Resources Board. *8<sup>th</sup> Edition, California Greenhouse Gas Emissions Inventory: 2000-2016. California Greenhouse Gas Emissions for 2000 to 2016, Trends of Emissions and Other Indicators*. 2018.

Trinity County. *Cannabis Ordinance No. 315-823*. Enacted October 3, 2017.

Trinity County. *Cannabis Ordinance No. 315-826*. Enacted December 4, 2017.

Trinity County. *Cannabis Ordinance No. 315-827*. Enacted January 3, 2018.

Trinity County. *Cannabis Ordinance No. 315-829*. Enacted February 6, 2018

Trinity County. *Cannabis Ordinance No. 315-830*. Enacted March 6, 2018.

Trinity County. *Cannabis Ordinance No. 315-833*. Enacted June 19, 2018.

Trinity County. *Cannabis Ordinance No. 315-841*. Enacted September 19, 2018.

Trinity County. *Cannabis Ordinance No. 315-843*. Enacted March 20, 2019.

Trinity County Public Utility District. *District History*. [Online]: <https://www.trinitypubd.com/about/history.aspx>. Accessed: February 2, 2019.

Trinity County. *Regional Transportation Plan. October 2017*.

IX. HAZARDS AND HAZARDOUS MATERIALS: <i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Impact Unless 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?			X	
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?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
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?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

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

Lists of hazardous materials are maintained by federal and state agencies and are available for public review. The US Environmental Protection Agency (USEPA) maintains a database of hazardous materials as well as radiological materials as part of its RCRAInfo database (USEPA, 2018). The State of California Department of Toxic Substances Control (DTSC) maintains a list of hazardous substances and contaminated sites as part of its Envirostor database (DTSC, 2018), as well as other hazardous and waste sites being overseen by the various State Water Resources Control Board which are inventoried in their Geotracker database (SWRCB, 2018). These databases are available to the public for review. No hazardous facilities or sites have been documented to be present at the project site, however, the site formerly contained an underground fuel storage tank (UST) that was identified as part of the State of California Leaking Underground Storage Tank (LUST) program. Documentation on the Geotracker data base indicates that this is a “Closed Case” meaning that the site has been cleaned up or remediated and a hazard or contamination from this case no longer exists.

The CALFIRE Fire and Resource Assessment Program (FRAP), delineates the project area as a part of a designated “Very High Fire Hazard Severity Zone” (VHFHSZ). The FRAP designates lands in three general classifications, “Moderate”, “High” and “Very High” Fire Hazard Severity Zones. Fire suppression for the area is provided by a combination of first responders such as CALFIRE (designated as a State Responsibility Area), with additional fire fighting support from nearby the US Forest Service (USFS) stations, and local volunteer fire companies.

Additionally, the Trinity County General Plan-Safety Element discusses wildland fires and outlines Wildland Urban Interface Zones Fuels Treatment Goals (Safety Plan, 2002) that describe fuel treatment activities around residential and other structures.

**Discussion:** Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) Small quantities of potentially hazardous substances (e.g., petroleum, chemicals used to operate and maintain vehicles and equipment) would be used at the project site, but none of these materials will be stored at the project facilities in quantities to be considered a significant hazard. Fertilizers are used during cultivation operations and are purchased and transported to the site as needed, with none stored onsite after use. Fertilizer is commercially available Maxsea All Purpose Plant Food in 100-pound containers. Pest management consists of applications of commercially available neem oil, sulfur and citric acid. The products are listed by the California Department of Pesticide Regulation (DPR) as "Legal to Use on Cannabis." The applicant states that these are routinely purchased and utilized onsite but are not stored in quantity. Application of fertilizers and pesticides are used on cultivation areas only. Applicant has stated that used fertilizer and chemical containers are disposed of according to manufacturer's requirements. Compliance with standard transport and handling procedures of the chemical manufacturers and standard conditions of approval through the various County cannabis ordinances and DPR requirements would ensure that impacts would not be significant.
- b) The proposed project could expose workers, the public, or the environment to hazardous materials through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Small 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, hazardous materials handling regulations, and pesticide application requirements would ensure that impacts would not be significant.
- c) 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. No impacts would occur in this regard.
- d) The proposed project is not located on a site which is included on a list of hazardous materials sites and would not create a significant hazard to the public or the environment. No impacts would occur in this regard.
- e) The proposed project is not located within two miles of a public or private airport. No impacts would occur in this regard.
- f) There are no indications at this time that the proposed project would impair implementation of, or physically interfere, with an adopted emergency response plan or emergency evacuation plan. There would be no impact from this project and there would be no impact to users of the project site.
- g) The majority of the site has been previously disturbed by onsite agricultural activities. Development of the project will comply with State Fire Safe Standards for protection of life and property from wildfires through maintaining appropriate vegetation management around proposed greenhouse structures, the availability and accessibility of onsite water storage (i.e., existing pond, water storage tanks), and other actions required for fire protection/suppression actions as may be determined by the County or CALFIRE. 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 be in compliance with the County General Plan Safety Element. Based on this evaluation the project would contribute to a less than significant impact related to increased wildfire risk in the area.

**Mitigation Measures:** No mitigation measures are required. Impacts would be less than significant.

**Findings:** In the course of the above evaluation impacts associated with *Hazards and Hazardous Materials* were found to be less than significant because of the project size, location and limited scope of potential impact.

**References:**

California Department of Pesticide Regulation. *Cannabis Pesticides that are Legal to Use*. December 2017. [Online]: <https://www.cdpr.ca.gov/cannabis>. Accessed: March 1, 2019.

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California Department of Pesticide Regulation. *Legal Pest Management Practices for Marijuana Growers in California*. 2015.

California Department of Toxic Substances Control (DTSC). *Envirostor Database*. 2018.

State of California Fire and Resource Assessment Program. *State Responsibility Areas*. 2012.

State of California Fire and Resource Assessment Program. *Fire Hazard Severity Zones*. 2007.

State Water Resources Control Board. *Geotracker Database*. 2018

Trinity County. *General Plan Safety Element*. Revised March 2002.

Trinity County. *General Plan Circulation Element*. Revised 2002.

Trinity County. *Cannabis Ordinance No. 315-823*. Enacted October 3, 2017.

Trinity County. *Cannabis Ordinance No. 315-826*. Enacted December 4, 2017.

Trinity County. *Cannabis Ordinance No. 315-827*. Enacted January 3, 2018.

Trinity County. *Cannabis Ordinance No. 315-829*. Enacted February 6, 2018

Trinity County. *Cannabis Ordinance No. 315-830*. Enacted March 6, 2018.

Trinity County. *Cannabis Ordinance No. 315-833*. Enacted June 19, 2018.

Trinity County. *Cannabis Ordinance No. 315-841*. Enacted September 19, 2018.

Trinity County. *Cannabis Ordinance No. 315-843*. Enacted March 20, 2019.

USEPA. *RCRA Database*. 2018.

X. <u>HYDROLOGY AND WATER QUALITY</u> : <i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impede sustainable groundwater management of the basin?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: <ul style="list-style-type: none"> <li>i. Result in substantial erosion or siltation on- or off-site;</li> <li>ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;</li> <li>iii. Create or contribute runoff water which would exceed the capacity of existing planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or</li> <li>iv. Impede or redirect flood flows?</li> </ul>			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

**Setting:** The project is on private lands surrounded by minimal development and National Forest land. The nearest water source is a tributary of McDonald Creek which runs north-south through the western portion of the project area. There are no stream crossings or additional water diversions proposed as a part of this project.

Impacts to water quality associated with cannabis cultivation activities proposed by the Project were initially regulated by the North Coast Regional Water Quality Control Board (RWQCB) under Order No. 2015-0023 and are required to transition to regulations of the State Water Resources Control Board (SWRCB) Order No. WQ 2017-0023-DWQ by July, 2019 as applicable to cannabis production. Additionally, the Cannabis Ordinances developed by the County identify specific requirements for water use and quality, including compliance with Senate Bill 94 (SB 94) and any applicable NCRWQCB or SWRCB regulations in effect. The project applicant has also completed a Water Resource Protection Plan (WRPP) for the operations at the project site, in compliance with the conditions outlined in Order 2015-0023.

**Discussion:** Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) The proposed project is served by an existing onsite septic system for the treatment of domestic wastewater. Additionally, the applicant has had a WRPP completed for the site and the current operations. The plan documents that the applicant has been working on improvements outlined in the plan and there is an agreement in place between the applicant and CDFW. The Regional Water Quality Control Board has determined that the proposed project is exempt from the Construction General Permit Order; however the applicant is required to comply with the requirements of the Regional Order No. R1-2015-0023 which requires dischargers to implement Appendix B: *Best Management Practices for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities or Operations with Similar Environmental Effects*. Based on the above, the project will have a less than significant impact.
- b) Water service for the proposed project is provided by two existing water diversions. Water is carried from these diversions to a storage pond and several storage tanks. There are no existing groundwater wells and none are proposed as part of the project. There will be no impact to groundwater resources.

- c) No significant land alteration is proposed by this project; land alteration has occurred with the historical developments at the site and the proposed use will continue to operate within existing facilities. There will be a less than significant impact.
- The project activities will be required to comply with the standard provisions of the County Cannabis Ordinances as well as Regional Order No. R1-2015-0023 which requires dischargers to implement Appendix B: *Best Management Practices for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities or Operations with Similar Environmental Effects*. Implementation of these standard conditions will result in the protection of water quality and not impact drainage patterns or surface runoff.
  - The project does not include the addition of impervious surfaces or any other structural changes that would cause an increase in the volume or flow rate of any runoff.
  - Due to the rural location of the project and the nature of the agricultural activities there are no stormwater drainage systems which would be impacted by the proposed project. The project does not include any features which would cause the addition of polluted runoff to the stormwater runoff or a drainage system.
  - The project does not propose any features which would impede or redirect flood flows.
- d) Flood zones are geographic areas that FEMA has defined according to varying levels of flood risk. These zones are depicted on a community's Flood Insurance Rate Map (FIRM). Each zone reflects the anticipated type of flooding in the area. As depicted on the FEMA Flood Zones maps for the area, the project site is in Zone D and not in a floodway, 100-year flood zone, or the 500-year flood zone. Zone D areas are those in which flood hazards are undetermined, but possible. This ranking has a lower potential for flooding than the Zone X (areas outside of the 0.2% annual chance floodplain). Based upon this information, and the location of the project site well out of the Trinity River floodplain, there no risk of release of pollutants due to project inundation. No impact would occur.
- e) The location of the project site is in an area where inundation from dam failures will not occur because the project site will be situated well above the floodplain of the Trinity River. There are no levees near the proposed project. The threat of a tsunami wave is not applicable to inland areas; there is no potential for the generation of a seiche. No impact has been identified.

**Mitigation Measures:** No mitigation measures are required. Impacts would be less than significant.

**Findings:** In the course of the above evaluation impacts associated *Hydrology and Water Quality* were found to be less than significant.

**References:**

Federal Emergency Management Agency. 2010. Flood Insurance Rate Map (FIRM), Map Number 06105C0750E, Revised January 20, 2010.

State of California. *Regional Water Quality Control Board Order No. 2015-0023*.

State of California. *State Water Resources Control Board Order No. WQ 2017-0023-DWQ*. [Online]: [https://www.waterboards.ca.gov/water\\_issues/programs/cannabis/docs/finaladoptedcango101717.pdf](https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/finaladoptedcango101717.pdf)

Trinity County. *Cannabis Ordinance No. 315-823*. Enacted October 3, 2017.

Trinity County. *Cannabis Ordinance No. 315-826*. Enacted December 4, 2017.

Trinity County. *Cannabis Ordinance No. 315-827*. Enacted January 3, 2018.

Trinity County. *Cannabis Ordinance No. 315-829*. Enacted February 6, 2018

Trinity County. *Cannabis Ordinance No. 315-830*. Enacted March 6, 2018.

Trinity County. *Cannabis Ordinance No. 315-833*. Enacted June 19, 2018.

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Trinity County. *Cannabis Ordinance No. 315-841*. Enacted September 19, 2018.

Trinity County. *Cannabis Ordinance No. 315-843*. Enacted March 20, 2019.

XI. LAND USE AND PLANNING: <i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Physically divide an established community?				X
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X

**Setting:** The project site is located on the southern end of the community of Burnt Ranch. Development surrounding the subject site is generally limited due to the large parcel size (200 acres) and the surrounding property largely being within the Shasta-Trinity National Forest. The project site is surrounded by County General Plan designated Resource (RE) lands with Unclassified (U) zoning with minimal development. There are minimal commercial and public service developments in the community of Burnt Ranch.

The project site has been designated Resource (RE) land by the County General Plan and zoned for Agricultural Preserve (AP). Both the County General Plan and Zoning Districts did not specifically anticipate development of commercial cannabis when these land use plans and zoning districts were developed. In response to California State Law that allows commercial cannabis activities under permitted and controlled conditions, Trinity County developed County-specific ordinances to regulate commercial cannabis cultivation, testing, nurseries, manufacturing, distribution, microbusiness, events and sales within the County. Ordinances 315-823, 315-829, 315-830 and 315-841 regulate cultivation and are all specifically titled “An Ordinance of the Board of Supervisors of the County of Trinity Amending Zoning Ordinance No. 315 Creating Section 28: Commercial Cannabis Cultivation Regulations,” while Ordinances 315-826, 315-827 and 315-833 regulate cannabis nurseries and are all specifically titled “An Ordinance of the Board of Supervisors of the County of Trinity amending Section 43.4 of Trinity County Zoning Ordinance No. 315 Regarding Wholesale Cannabis Nurseries and Resale of Auxiliary Nursery Products.” All of these ordinances are referred to, collectively, in this section as the “Cannabis Ordinance.”

The Cannabis Ordinance, 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 Trinity County. An applicant can apply for a Use Permit for cannabis cultivation and nursery 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.

**Discussion:** Based on a field review by the Planning Department, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) The project does not have the potential to physically divide an established community; the project does not propose to divide land or rezone the parcel. Access to the site is limited and the land surrounding the property on three sides is National Forest. No impact has been identified.
- c) The County’s General Plan serves as the overall guiding policy document for land use and development. The subject property is designated in the General Plan as Resource (RE) land and is zoned for Agricultural Preserve (AP). The surrounding properties all have Unclassified (U) zoning and are identified as RE in the General Plan. The properties that border the project site to the south, east, and west are public lands managed by the US Forest Service. As the proposed project includes a relatively minor expansion of agricultural related activities onsite, the project is considered consistent with the County AP zoning and the actions allowed under the Williamson Act contract for the site. Additionally, the project will not conflict with any conservation plans as there is no Habitat Conservation Plan or Natural Community Conservation Plan for the area.

The project as proposed does not comply with the Trinity County Ordinance 315-823, requiring a 500 ft setback from the property line for Type- 3 (medium, or up to one acre of canopy) cannabis cultivation. The applicant has submitted an application for a variance. As a condition of approval for the Use Permit, the variance will need to be approved by the County before the applicant can proceed with the proposed project. Based on the proposed uses of the project, the proposed project does not conflict with the land use designations for the project site. Therefore, no impacts would occur in this regard.

**Mitigation Measures:** No mitigation measures are required. Impacts would be less than significant.

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**Findings:** In the course of the above evaluation impacts associated with *Land Use and Planning* were found to be less than significant as the project is compatible with the current land use designations.

**References:**

Trinity County. *Cannabis Ordinance No. 315-823*. Enacted October 3, 2017.

Trinity County. *Cannabis Ordinance No. 315-826*. Enacted December 4, 2017.

Trinity County. *Cannabis Ordinance No. 315-827*. Enacted January 3, 2018.

Trinity County. *Cannabis Ordinance No. 315-829*. Enacted February 6, 2018

Trinity County. *Cannabis Ordinance No. 315-830*. Enacted March 6, 2018.

Trinity County. *Cannabis Ordinance No. 315-833*. Enacted June 19, 2018.

Trinity County. *Cannabis Ordinance No. 315-841*. Enacted September 19, 2018.

Trinity County. *Cannabis Ordinance No. 315-843*. Enacted March 20, 2019.

XII. MINERAL RESOURCES: <i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Impact Unless 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?				X
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?				X

**Setting:** Mineral production has historically been a significant part of the economy of the County but has waned in the last 75 years. Historically, the County has seen a wide array of mineral production, including asbestos, chromite, copper, sand and gravel, limestone and manganese to name a few. The proposed project site has historically been used for agricultural purposes. The project area has not been designated by the State or Trinity County as an area of significant mineral resources or an area of locally important minerals.

**Discussion:** Based on a field review by the Planning Department, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

**a-b)** A mineral resource is land on which known deposits of commercially viable mineral or aggregate deposits exist. The designation is applied to sites determined by the California Geological Survey as being a resource of regional significance and is intended to help maintain any quarrying operations and protect them from encroachment of incompatible uses. The project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State and would not result in the loss of availability of a locally-important mineral resource recovery site. The site has not been designated as an important mineral resource recovery site by a local general plan, specific plan, or other land use plan or by the State of California. No impact has been identified.

**Mitigation Measures:** No mitigation measures are required.

**Findings:** In the course of the above evaluation it was determined that there were no impacts associated with *Mineral Resources*.

**References:**

California Geological Survey. *Mineral Land Classifications*. 2018.

National Resource Conservation Service. *WebSoil Survey*. [Online]: <https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>. Accessed: January 30, 2019.

Trinity County. *General Plan Open Space and Conservation Element*.

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

**Setting:** Noise impacts are those that exceed general plan or other local ordinances developed to provide reasonable control of noise to residences, parks, open spaces and other specific designated sites. Noise sources typically include roadways, freeways, schools, industrial and commercial operations and other facilities that can generate noise. The Trinity County General Plan Noise Element and the Cannabis Ordinances provide guidelines and direction for noise sources and attenuation requirements for various uses. Projects proposed for development within the County will have their development evaluated to determine potential conformance with the Noise Element and as necessary, specific conditions of approval will be placed on projects.

In the vicinity of the project, noise generation sources are varied and consist of vehicle traffic along SR-299 and County Roads, and any maintenance activities on surrounding residential and forest service lands. The flat terrain of the area allows noise to travel distance, without attenuation due to structures or vegetation.

Residential developments, schools and hospitals are considered sensitive noise receptors as these are locations where people sleep or typically expect quiet conditions. Sensitive noise conditions are typically at night and measured as indoor levels in decibels (dB). The nearest sensitive receptors to the project site are residential developments (approximately 1000 ft to the north of the property line) and the Burnt Ranch Elementary School (approximately 1 mile from the property line).

**Discussion:** Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) The nearest offsite sensitive receptor is a residence approximately 1000 ft north of the property line. Project generated noise may be heard at these residences, but normal cannabis operations are not considered a significant noise generation source because the daily activities are generally hand operations with minimal equipment use. The project will not have any onsite generators, therefore there will be no noise associated with stationary generation devices. Minor amounts of noise could be generated from the development of hoop-houses for cultivation and nursery activities, but this noise is time limited to facility construction and daytime hours, then is ceased. Assuming a generation of noise during the construction period of 80 dBA at the proposed project site, construction noise is calculated to be reduced to 24 dBA at the property line (north towards the residence) and further reduced to 19dBA at the exterior of the residence. These levels are below the General Plan Noise Element maximum limits for noise at residential sites. Implementation of standard conditions of the various cannabis ordinances and review by County for compliance during operations will reduce impacts to less than significant.
- b) Ground borne vibrations are usually associated with heavy vehicle traffic (including railroad traffic), and with heavy equipment operations. The proposed project does not include activities that would result in groundborne vibration, such as pile driving or heavy construction equipment. Therefore, there will be no impact.
- c) The proposed project is not located within the vicinity of a private or public airport or airstrip. No impacts would occur in this regard.

**Mitigation Measures:** No mitigation measures are required. Impacts would be less than significant.

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**Findings:** In the course of the above evaluation impacts associated with *Noise* were found to be less than significant.

**References:**

Environmental Protection Agency, Noise Effects Handbook. USEPA, Revised 1981. [Online]:  
[www.nonoise.org/library/handbook/handbook.htm](http://www.nonoise.org/library/handbook/handbook.htm)

Trinity County. *Cannabis Ordinance No. 315-823*. Enacted October 3, 2017.

Trinity County. *Cannabis Ordinance No. 315-826*. Enacted December 4, 2017.

Trinity County. *Cannabis Ordinance No. 315-827*. Enacted January 3, 2018.

Trinity County. *Cannabis Ordinance No. 315-829*. Enacted February 6, 2018

Trinity County. *Cannabis Ordinance No. 315-830*. Enacted March 6, 2018.

Trinity County. *Cannabis Ordinance No. 315-833*. Enacted June 19, 2018.

Trinity County. *Cannabis Ordinance No. 315-841*. Enacted September 19, 2018.

Trinity County. *Cannabis Ordinance No. 315-843*. Enacted March 20, 2019.

Trinity County. *General Plan Noise Element. 2003*.

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

**Setting:** The community of Burnt Ranch has a population of approximately 281 persons based on the 2010 US Census Data, this was an increase from 177 people in 2000. The median household income is \$37,723 per year. Housing throughout the area is primarily individual rural residences on larger lots and parcels of land.

**Discussion:** Based on a field review by the Planning Department, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) Implementation of the proposed project would result in the development and use of existing lands and facilities, with no new housing being proposed. Three (3) permanent workers and approximately seven (7) seasonal workers are proposed for this project, and the applicant states that these workers will come from the existing local population. If these employees do not already live in the area, they would be required to find off-site housing as no housing is proposed by the project. Based on the information provided, and evaluation of the area, there are no growth-inducing impacts associated with this project.
- b) The project site is currently developed with historical agricultural uses, cannabis crops, and associated agricultural buildings and a single-family residence. The proposed project would not displace any people or existing housing, as none is located at the project site; the existing housing onsite would be retained for use by two of the permanent employees. No impact has been identified.

**Mitigation Measures:** No mitigation measures are required.

**Findings:** Based on the information reviewed for the *Population and Housing* resource, the project will have no impact.

**References:**

US Census Bureau. *American Fact Finder*. [Online]: [https://factfinder.census.gov/faces/nav/jsf/pages/community\\_facts.xhtml](https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml). Accessed: February 1, 2019.

<b>XV. PUBLIC SERVICES:</b> <i>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:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
Fire Protection?			X	
Police Protection?			X	
Schools?			X	
Parks?				X
Other public facilities?			X	

**Setting:** The project site is located on the southern end of the community of Burnt Ranch, which has public services available to residential, commercial and industrial users. Fire protection is provided by CALFIRE; the US Forest Service has a fire station in the vicinity (Salyer Ranger Station) and the nearest volunteer fire department is the Hawkins Bar Volunteer department which provides mutual aid services. Law enforcement to the area is provided by the Trinity County Sheriff’s Department and the California Highway Patrol. There are no medical services in the immediate vicinity, with the nearest medical services provided approximately 16 miles west in the community of Willow Creek, which has a medical clinic. The nearest hospital is located in Weaverville, approximately 40 miles east. Burnt Ranch Elementary School serves grades K-8, with high schools located in both Weaverville and Hoopa, California.

**Discussion:** Based on a field review by the Planning Department, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

*Fire and Police Protection:*

Fire and police protection services to the proposed project are currently provided by County, State and Federal agencies and private emergency responders. Development of the project within the community is not expected to significantly increase the demand for these protection services. As required by the County Cannabis Ordinance for Nursery facilities, security measures must be in place for nursery operations including fencing, sufficient to restrict access and deter trespass and theft of Cannabis or Cannabis products. A security plan is required for this operation and must be approved by the County Board of Supervisors, as a standard condition of approval, after the Conditional Use Permit is issued. Based on these factors and standard conditions, impacts are considered less than significant.

*Schools:*

Burnt Ranch Elementary and Trinity High School provide primary education to students in the area. While the development of this project could attract employees with families that may have school age children, and those students may contribute to the total student enrollment in these schools, the implementation of the proposed project is not expected to result in a significant increase in the number of school-age children as the result of three (3) permanent employees who work and may also reside within the school districts. Therefore, the potential impacts are considered less than significant.

*Parks:*

There are no developed parks in the vicinity of the project site, and the proposed project will not increase the intensity of the land use, impacts to parks and recreational facilities in the project area would remain at existing conditions; no new residential uses are proposed. The proposed project would not include recreational facilities or require the construction or expansion of recreational facilities. Therefore, there is no impact.

*Other public facilities:*

The proposed project does not involve a substantial change in the land use, does not substantially increase the numbers of people employed in the region, and does not create or require new housing or related facilities, an increased demand on public facilities is unlikely to occur. There would be a less than significant impact to other public services related to this project.

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**Mitigation Measures:** No mitigation measures are required. Impacts would be less than significant.

**Findings:** Based on the evaluations above for Public Services the impacts associated with development of the project were found to be less than significant.

**References:**

California Board of Forestry and Fire Protection. *State Responsibility Area Viewer*. [Online]: [http://www.fire.ca.gov/firepreventionfee/sraviewer\\_launch](http://www.fire.ca.gov/firepreventionfee/sraviewer_launch). Accessed January 30, 2019.

Klamath-Trinity Joint Unified School District. [Online]: [www.ktjUSD.k12.ca.us](http://www.ktjUSD.k12.ca.us). Accessed March 5, 2019.

Trinity County. *General Plan Safety Element*. Revised March 2002.

Trinity County Office of Education. [Online]: [www.tcoek12.org](http://www.tcoek12.org). Accessed February 26, 2019.

<b>XVI. RECREATION:</b>	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigation Incorporated</b>	<b>Less-Than-Significant Impact</b>	<b>No Impact</b>
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?				X
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?				X

**Setting:** There are no developed recreation specific parks or facilities near the project. The nearest developed site is the Burnt Ranch Elementary School that has play equipment and sports fields. Other dispersed recreation facilities are National Forest campgrounds, day use sites and river access points along the Trinity River.

**Discussion:** Based on a field review by the Planning Department, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) The proposed project does not propose to add significant new numbers of people that would require housing and ancillary recreation facilities, therefore the proposed project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.
- b) The proposed project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment

**Mitigation Measures:** No mitigation measures are required.

**Findings:** In the course of the above evaluation it was determined that there were no impacts associated with *Recreation*.

**References:**

Trinity County. *General Plan Open Space and Conservation*.

USDA Forest Service, Shasta-Trinity National Forest, Recreation. [Online]: <https://www.fs.usda.gov/recmain/stnf/recreation>

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

**Setting:** The project site is located on private property that has existing access to Kaut Road (a Trinity County road). Kaut Road is currently accessed by three other parcels and connects to Underwood Mountain Road (a County road) which intersects with SR-299, the main east/west transportation route in the region.

The Trinity County General Plan, Circulation Element was last updated in 2002 to address changes to state requirements for regional transportation planning and to address other changes to the Circulation element. The Circulation Element does not address vehicle miles traveled (VMT).

Public transit services are provided by the County through Trinity Transit, which provides daily bus service from Willow Creek to Weaverville with two route stops in Burnt Ranch. Other private transit carriers also operate in Trinity County to provide services to the elderly, disabled, school children and others.

**Discussion:** Based on a field review by the Planning Department, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

**a-b)** Project approval would allow for the development of a cannabis cultivation site and cannabis nursery on existing agricultural land. As this project does not propose the development of new roads or easements there is no conflict with the current Circulation Element of the General Plan. The facility is expected to employ three employees during a majority of the year with a maximum of ten employees during peak harvest season; this will not cause a significant increase in traffic or require changes to any roadways, public transit, or pedestrian facilities.

Since the proposed project is a continuation of an existing cannabis development, the impacts to VMT are similar to the existing condition. While some additional traffic can be anticipated with final product transport off of the site, the impacts are not considered significant. This is due to the remote nature of the proposed project, which is isolated from existing commerce areas (Willow Creek and Weaverville. Vehicles must currently travel to these destinations (or in cases farther to Redding and Eureka), to access goods and the incremental increase in traffic is not anticipated to be significant. Also, new employees (as well as seasonal employees) are presumed to be from the local Burnt Ranch population and would not cause significant additional traffic in the area. Impacts from development of this project are considered less than significant.

**c)** The proposed project has not proposed any new roads and does not propose or require any realignment of existing roads that might cause hazards to geometric design features or have incompatible uses. No significant hazards are anticipated with the development of this project; the project would have a less than significant impact.

**d)** Adequate existing access is provided to the site with State, County and onsite private roads. The project does not change the existing access to the project site; therefore, the ability for emergency vehicles and personnel to access the subject property will remain at existing condition levels upon completion of the proposed project. The project will be required to comply with State and local Fire Safe Standards and applicable regulations for emergency vehicle access to the project sites including implementation of requirements by the Trinity County Department of Transportation and as directed by CALFIRE for compliance with State Fire Safe Standards. No impacts are anticipated in this regard.

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**Mitigation Measures:** No mitigation measures are required. Impacts would be less than significant.

**Findings:** In the course of the above evaluation impacts associated with *Transportation and Traffic* were found to be less than significant.

**References:**

Trinity County, *General Plan Circulation Element*. Revised 2002.

<b>XVIII. TRIBAL CULTURAL RESOURCES:</b> <i>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:</i>	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigation Incorporated</b>	<b>Less-Than-Significant Impact</b>	<b>No Impact</b>
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			X	
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. 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.			X	

**Discussion:** The County circulated an AB 52 notification to interested Tribal entities on January 14, 2018. No responses were received within the 30-day comment period requesting formal consultation under the provision of AB 52. Additional Tribal outreach occurred during the development of the Cultural Resources Assessment (Natural Investigations Company), and those efforts and results are discussed in Section V, Cultural Resources.

Based on a field review by the Planning Department, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) The County circulated an AB 52 notification to interested Tribal entities on January 14, 2018. No responses were received within the 30-day comment period requesting formal consultation under the provision of AB 52. Based on the lack of response, and the additional Tribal outreach during development of the Cultural Resources Assessment for the proposed project, there are no known historical resources that are listed, or eligible for listing, on the California Register of Historical Resources. Mitigation measures were developed for the potential future location of cultural resources, and are identified in Section V of this document. Based on the lack of response by Tribal entities and lack of known resources, impacts are anticipated to be less than significant.
- b) Trinity County (as lead agency) has determined that there are no resources present that are considered significant, and no additional mitigation or project modifications are required. Mitigation measures for cultural resources are provided in Section V, Cultural Resources section for development of this project that are considered to be sufficient to protect unknown future cultural resources that may be found at the project site.

**Mitigation Measures:** No mitigation measures are required. Impacts would be less than significant.

**Findings:** In the course of the above evaluation impacts associated with *Tribal Cultural Resources* were found to be less than significant. Mitigation measures for the protection of currently unknown but discovered resources are provided for in Section IV-Cultural Resources.

**References:**

Natural Investigations Company. *Cultural Resources Assessment for the Cannabis Cultivation Operation at 610 Kaut Road Project*. July 2018.

<b>XIX. UTILITIES AND SERVICE SYSTEMS: <i>Would the project:</i></b>	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigation Incorporated</b>	<b>Less-Than-Significant Impact</b>	<b>No Impact</b>
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?				X
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?			X	

**Setting:** Limited public utilities and service systems are provided and available in the area of the project. Pacific Gas & Electric (PG&E) provides electric power service to Burnt Ranch, no piped natural gas is provided. The Trinity County Solid Waste Department provides solid waste services at County landfills, with waste disposal by private waste haulers or individuals. Cannabis waste is not permitted at County landfills.

Water is provided to the site through permitted spring and creek diversions. Wastewater is disposed of through an existing residential onsite septic system.

**Discussion:** Based on a field review by the Planning Department, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) The proposed project has an existing onsite septic system that disposes of domestic wastewater. This system would continue to be utilized for the three permanent workers at the site and the seven seasonal workers, and is not proposed to be expanded to accommodate other future onsite uses. Should the applicant need to expand the system, they would be required to follow standard County procedures for septic system development as provided for by the Trinity County Department of Environmental Health. It is the applicants' responsibility to continue to provide normal maintenance and repairs to the septic system. The applicant has indicated that no other wastewater would be generated, as the bulk of the water used onsite will be for irrigation. The proposed project is currently served by existing water supplies and systems that are privately owned and operated by the applicant, and there would be no impact on other water systems. There is sufficient power provided to the site for the proposed project, and there are no stationary generators proposed for the project. Based on the current anticipated uses at the site, there would be no impact.
- b) Implementation of the proposed project would not require new infrastructure to support water service. Water is currently provided to the site by a permitted spring diversion, the water is then directed to a 5,000 gallon storage tank for domestic use. Additionally, there is a creek diversion that provides water for irrigation. This diversion allows for a maximum diversion rate of 300 gallons per day between May 15<sup>th</sup> and October 31<sup>st</sup> during the annual forbearance period. Water for irrigation is provided by this diversion and is stored in a 75,000 gallon pond. The 75,000 gallon pond is of sufficient capacity to provide irrigation water during the forbearance period. There is a 2,500 gallon water tank on the property for fire suppression. Should there be new uses of the water the applicant will be required to apply for a revision to their existing permit with the Department of Water Rights. Based on the water available to the proposed project, impacts are anticipated to be less than significant.

- c) The proposed project is served by an onsite septic system that is owned by the applicant; there are no impacts to community/public wastewater systems, as there are none in the area. The applicant shall ensure that the existing septic system meets the requirements of Trinity County Environmental Health Department, within 60 days of issuance of the use permit.
- d) Non-cannabis solid waste produced by the project would be disposed of at existing solid waste facilities as other residential and commercial solid waste is currently handled in the County. Sending the solid waste stream to existing permitted facilities, either by existing contract haulers or self disposal, will ensure that the project does not violate any federal, State or local statutes related to solid waste. The project will also develop onsite composting of organic debris from the cannabis cultivation operations, which will reduce the solid waste impact to the landfills. Based on the above, the impact to solid waste services will be less than significant.
- e) The County regulates and operates programs that promote the proper disposal of toxic and hazardous materials from households, including those created by the project. There are no current waste reduction plans or statues in place in the County. However, should they be implemented the proposed project would comply with local statutes and regulations related to solid waste. Less than significant impacts are anticipated in this regard.

**Mitigation Measures:** No mitigation measures are required. Impacts would be less than significant.

**Findings:** In the course of the above evaluation impacts associated with *Utilities and Service Systems* were found to be less than significant.

**References:**

Trinity County Solid Waste. [Online]: <https://www.trinitycounty.org/Solid-Waste>. Accessed February 10, 2019.

<b>XX. WILDFIRE:</b> <i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigation Incorporated</b>	<b>Less-Than-Significant Impact</b>	<b>No Impact</b>
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
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?			X	
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?			X	
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?			X	

The proposed project is located in an area designated as being in the Very High Fire Hazard Severity Zone (VHFHSZ), as identified by the CALFIRE Fire and Resource Assessment Program (FRAP) Fire Hazard Severity Zones in State Responsibility Areas (SRA) (CALFIRE 2007). However, the majority of land in Trinity County has a designation of VHFHSZ (for both SRA and non-SRA lands) including the existing residential parcels and undeveloped timbered parcels in the area surrounding the project in the Burnt Ranch area. Fire hydrants in the County are limited to highly developed areas, and none are located in the area of the project. However, the County General Plan has taken this fact into consideration as a part of the Trinity County General Plan Safety Element. In addition to the local General Plan, the State of California has developed Fire Safe Standards (Public Resource Code Sections 4290 and 4291) which dictate development in rural areas throughout the state, and require vegetation clearing, onsite water storage requirements and other building and development standards.

**Discussion:** Based on the analysis undertaken as part of this Initial Study the, following findings can be made:

- a) Based on the Trinity County General Plan Safety Element, both Underwood Mountain Road and SR-299 are considered Major Evacuation Routes. As the project will not impact traffic intensity on either of these roadways or impair access to these roadways or surrounding properties, the project is not expected to impair the emergency evacuation plan. Due to the location of the project the impacts are considered to be less than significant.
- b) The project area has been previously developed and the proposed project does not propose changes to the project site or surrounding property that would exacerbate wildfire risks. Due to the landscape of the site, developed agricultural lands adjacent to forest lands, there is no reason to believe that the project would expose project occupants to elevated concentrations of pollutants from a wildfire. The Trinity River canyon (which includes Burnt Ranch), has a recent history of significant smoke impacts to public health from wildfires in the region. However, there is no significant change to the site from the proposed project that would lead to the project exacerbating wildfires and related pollutant contamination. Based on past land uses at the site and in the area that have cleared flammable vegetation, including conformance with State and County fire safe standards, the project will result in impacts that are less than significant.
- c) The project does not include the addition of new roads, fuel breaks, emergency water sources, power lines or other utilities. Currently on the site there is a 2,500-gallon water storage tank for use in fire suppression. There are no temporary or ongoing activities that will exacerbate the fire risk in the area, impacts are considered less than significant.
- d) The location of the proposed project does not fall within a FEMA flood zone, nor are there any sheer or unstable cliffs in the immediate area. There is no reason to believe that occupants or structures would be exposed to significant risks from flooding or landslides as a result of post-fire runoff, impacts are considered to be less than significant.

**Mitigation Measures:** No mitigation measures are required. Impacts would be less than significant.

**Findings:** Based upon the review of the information above the implementation of the project will have a less than significant impact with respect to *Wildfire*.

**References:**

California Public Resources Code, Division 4, Forests, Forestry and Range and Forage Lands. Part 2 Protection of Forest, Range and Forage Lands. Chapter 2, Hazardous Fire Areas, Sections 4251-4290.5.

California Public Resources Code, Division 4, Forests, Forestry and Range and Forage Lands. Part 2 Protection of Forest, Range and Forage Lands. Chapter 3, Mountainous, Forest-, Brush- and Grass-Covered Lands, Sections 4291-4299.

California Board of Forestry and Fire Protection. *State Responsibility Area Viewer*. [Online]: [http://www.fire.ca.gov/firepreventionfee/srviewer\\_launch](http://www.fire.ca.gov/firepreventionfee/srviewer_launch). Accessed: January 30, 2019.

California Board of Forestry and Fire Protection. *SRA Fire Safe Regulations*. [Online]: [www.fire.ca.gov/fire\\_prevention/download/Title\\_14.pdf](http://www.fire.ca.gov/fire_prevention/download/Title_14.pdf). Accessed January 30, 2019.

Trinity County. *General Plan Safety Element*. Revised March 2002.

Trinity County. *Parcel Viewer*. [Online]: <http://trinitycounty.maps.arcgis.com/apps/Viewer/index.html?appid=320cf1c1558c43c8b1f2f70c23d35026>, Accessed: January 30, 2019.

XXI. <u>MANDATORY FINDINGS OF SIGNIFICANCE:</u>	Potentially Significant Impact	Potentially Significant Impact Unless 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 the self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
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 the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X		
c) Does the project have potential environmental effects which may cause substantial adverse effects on human beings, either directly or indirectly?			X	

**Discussion:** Based on the analysis undertaken as part of this Initial Study the, following findings can be made:

- a) Evaluation of the proposed project in this document (Section IV, *Biological Resources*) has shown that the activities of the proposed project do not have the potential to degrade the quality of the environment and will not substantially reduce the habitat or cause wildlife populations to drop below self-sustaining levels. Mitigation measures for the Northern Spotted Owl (a listed species) have been developed to reduce potential impacts on the species from noise disturbance and require the proposed project to comply with requirements regarding rodent control methods.

Also, based on the discussion and findings in Section V. *Cultural Resources*, there is evidence to support a finding that the proposed project is not eligible for listing in the NRHP or CRHR under any significance criteria. Considering the history of extensive agricultural disturbance within the project area and all its previous uses, including over 100 years of documented and related activities, the potential for discovery of intact archaeological deposits or features by implementation of this project is considered low. Although no archaeological deposits or features were found during the Cultural Resources study, implementation of mitigation measures will ensure that any additional archaeological deposits or features may be discovered are fully protected during implementation of the project.

- b) As discussed throughout this document, implementation of the proposed project has the potential to result in impacts to the environment that are individually limited, but are not cumulatively considerable, including impacts to biological and cultural resources.

In all instances where the project has the potential to contribute to cumulatively considerable impacts to the environment (including the resources listed above) mitigation measures have been imposed to reduce the potential effects to less than significant levels. As such, with incorporation of the mitigation measures imposed throughout this document, the proposed project would not contribute to environmental effects that are individually limited, but cumulatively considerable, and impacts would be less than significant.

- c) Based on the discussion and findings in all Sections above, there is no evidence to support a finding that the proposed project has potential environmental effects which may cause substantial adverse effects on human beings, either directly or indirectly.

**Findings:** Based upon the review of the information above, the implementation of the project is not anticipated to have a substantial adverse effect on the environment. Therefore, there is no significant impact.

## SECTION 4.0 DETERMINATION

**DETERMINATION: (To be completed by the Lead Agency)**

On the basis of the initial evaluation:

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

**X** 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 significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

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.

Copies of the Initial Study and related materials and documentation may be obtained at the Trinity County Planning, 61 Airport Road, Weaverville, CA 96093. Contact Leslie Hubbard, Deputy Director of Planning (530) 623-1351 ext. 3.

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Leslie Hubbard, Deputy Director of Planning  
Trinity County Planning Department

\_\_\_\_\_  
Date

## SECTION 5.0 REFERENCES

The following technical studies, reference documents, and data sources were utilized as primary references in developing the Trinity Sungrown Cannabis Initial Study:

Bay Area Air Quality Management District. 2017. *California Environmental Quality Act Air Quality Guidelines*. 2017.

California Air Resources Board. 2017. *Area Designation Maps / State and National*. [Online]: <https://www.arb.ca.gov/permits/permits.htm>. Accessed: January 30, 2019

California Air Resources Board. 2017 *Climate Change Scoping Plan: The Strategy for achieving California's 2030 greenhouse gas reduction target*. January 20, 2017.

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California Board of Forestry and Fire Protection. 2019. *State Responsibility Area Viewer*. [Online]: [http://www.fire.ca.gov/firepreventionfee/sraviewer\\_launch](http://www.fire.ca.gov/firepreventionfee/sraviewer_launch). Accessed: January 30, 2019.

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California Department of Pesticide Regulation. 2019. *California Code of Regulations, Title 3, Food and Agriculture, Division 6. Pesticides and Pest Control Operations. Chapter 4. Environmental Protection, Subchapter 5. Surface Water, Article 1, Pesticide Contamination Prevention. Section 6960*. [Online]: <https://www.cdpr.ca.gov/docs/legbills/calcode/040501.htm>. Accessed: March 1, 2019.

-- 2017. *Cannabis Pesticides that are Legal to Use*. [Online]: <https://www.cdpr.ca.gov/cannabis>. Accessed: March 1, 2019.

-- 2018. *Cannabis Pesticides that Cannot be Used*. September 2018. [Online]: <https://www.cdpr.ca.gov/cannabis>. Accessed: March 1, 2019.

-- 2015a. *Legal Pest Management Practices for Marijuana Growers in California*. [Online]: <https://www.cdpr.ca.gov/docs/cannabis/index.htm>. Accessed March 5, 2019

-- 2015b. *Pesticide Use on Marijuana*. [Online]: <https://www.cdpr.ca.gov/docs/cannabis/index.htm>. Accessed March 5, 2019

California Regional Water Quality Control Board. 2015. *Regional Water Quality Control Board Order No. 2015-0023*.

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California Department of Transportation. *California Scenic Highway System*. 2018. [Online]: [http://www.dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm). Accessed: January 30, 2019.

California Geological Survey. 2018. *Mineral Land Classifications*.

Calfire. 2012. Fire and Resource Assessment Program, *State Responsibility Areas*. [Online]: [http://frap.fire.ca.gov/projects/sra\\_mapping/index](http://frap.fire.ca.gov/projects/sra_mapping/index). Accessed January 30, 2019.

-- 2007. Fire and Resource Assessment Program, *Fire Hazard Severity Zones*. [Online]: [http://www.fire.ca.gov/fire\\_prevention/fire\\_prevention\\_wildland\\_zones](http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_zones). Accessed January 30, 2019.

California Public Resources Code, Division 4, Forests, Forestry and Range and Forage Lands. Part 2 Protection of Forest, Range and Forage Lands. Chapter 2, Hazardous Fire Areas, Sections 4251-4290.5.

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Down River Consulting. 2018. *Biological Report- Trinity Sungrown*.

Federal Emergency Management Agency. 2010. Flood Insurance Rate Map (FIRM), Map Number 06105C0750E, Revised January 20, 2010. [Online]: <https://msc.fema.gov/portal/home>. Accessed February 1, 2019.

Klamath-Trinity Joint Unified School District. 2019. [Online]: [www.ktjUSD.k12.ca.us](http://www.ktjUSD.k12.ca.us). Accessed March 5, 2019.

National Resource Conservation Service. 2019. *USDA NRCS WebSoil Survey*. [Online]: <https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>. Accessed: January 30, 2019.

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-- 2014. *General Plan Safety Element*. Adopted November 12, 2014.

-- 2017a. *Cannabis Ordinance No. 315-823*. Enacted October 3, 2017.

-- 2017b. *Cannabis Ordinance No. 315-826*. Enacted December 4, 2017.

-- 2017c. *Regional Transportation Plan*. [Online]: <https://www.trinitycounty.org/sites/default/files/DOT/documents/Proposed%20Final%202016%20RTP.pdf>. Accessed February 6, 2019.

-- 2017d. *Project Initial Study, Trinity County Commercial Cannabis Cultivation Ordinance*. Submitted September 27, 2017.

-- 2018a. *Cannabis Ordinance No. 315-827*. Enacted January 3, 2018.

-- 2018b. *Cannabis Ordinance No. 315-829*. Enacted February 6, 2018

-- 2018c. *Cannabis Ordinance No. 315-830*. Enacted March 6, 2018.

-- 2018d. *Cannabis Ordinance No. 315-833*. Enacted June 19, 2018.

-- 2018e. *Cannabis Ordinance No. 315-841*. Enacted September 19, 2018.

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-- 2019a. *Cannabis Ordinance No. 315-843*. Enacted March 20, 2019.

-- 2019b. *Parcel Viewer*. [Online]:

<http://trinitycounty.maps.arcgis.com/apps/Viewer/index.html?appid=320cf1c1558c43c8b1f2f70c23d35026>. Accessed: January 30, 2019.

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