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DRAFT MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT **AND INITIAL STUDY**

PROJECT TITLE: Conditional Use Permit (CUP) 2019-03/Inyo Farms

PROJECT LOCATION: The proposed Inyo Farms project site is located approximately 4-miles south of the community of Olancha and can be accessed by US-395 and Enchanted Lakes Road. The proposed project is to be located on private land owned by Kellyco Development Inc. with an Assessor's Parcel Number of 033-450-10.

PROJECT DESCRIPTION: The applicant is applying for a CUP to develop the property with a commercial cannabis cultivation business. CEQA analysis is required for CUPs in order for the Planning Commission to give final approval for the construction of the proposed cannabis cultivation facility. The proposed project site would create a commercial cannabis cultivation facility, consisting of one 19,500 ft² metal grow building, one 24,000 ft² metal grow building, and one 4,000 ft² processing and harvest storage building. The project is located on a privately owned, 33 acre parcel.

FINDINGS:

- A. The proposed project is consistent with goals and objectives of the Inyo County General Plan.

The goal of this project is to allow for a commercial cannabis cultivation operation. The project is consistent with the General Plan designation of Open Space and Recreation (OSR), as it applies to areas that among other things provides for the managed production of resources and low intensity agriculture. Section 8.3-Agricultural Resources, within the Conservation and Open Space Element of the Inyo County General Plan (8.3.4 Goals and Policies), identifies the "support and [encouragement of] the identification of important agricultural lands within the County" as a fundamental priority. The same section notes the County's goal of "[discouraging] the conversion of productive agricultural lands for urban development." This project would maintain agricultural use of the land, as outlined in the Conservation & Open Space Element. The OSR General Plan designation is compatible with the existing Open-Space (OS-40) zoning designation.

- B. The proposed project is consistent with the provisions of the Inyo County Zoning Ordinance.

The proposed project is a CUP to allow for the commercial cultivation of cannabis. The OS-40 zone allows for commercial cannabis cultivation with a CUP as long as the project can meet the 300-foot setback requirement. The Open Space zone includes within its purpose statement that it is established to: encourage the protection of mountainous, hilly upland, valley, agricultural, potential agricultural, fragile desert areas, and other mandated lands from fire, erosion, soil destruction, pollution and other detrimental effects of intensive land use activities. This project will bring more agriculture activities to the county and is proposed to be conducted within greenhouses where agriculture runoff, odors and noise will be contained.

- C. Potential adverse environmental impacts will not exceed thresholds of significance, either individually or cumulatively.

The 33 acre area is pre-disturbed, with several dirt roads passing through it, including dirt roads established to service Los Angeles Department of Water and Power utility lines, which also cross through the property. Environmental impacts to botanical and wildlife resources can be minimized and avoided using ESA fencing and special permitting (ITP process through CDFW). Based on information provided by the applicant, and staff review, Conditional Use Permit 2019-03/Inyo Farms does not have the potential to cause environmental impacts that exceed thresholds of significance, either individually or cumulatively.

- D. Based upon the environmental evaluation of the proposed project, the Planning Department finds that the project does not have the potential to create a significant adverse impact on flora or fauna; natural, scenic and historic resources; the local economy; public health, safety, and welfare. This constitutes a Mitigated Negative Finding for the Mandatory Findings required by Section 15065 of the CEQA Guidelines.

Mitigation will be built into the project, as conditions of approval for the proposed future commercial cannabis use, in the following ways:

Biological Resources: The biologist shall apply for an Incidental Take Permit through CDFW as mitigation for the assumed presence of Mohave ground squirrel. ESA fencing will be utilized during construction to avoid the major populations of Barstow woolly sunflower (*Eriophyllum mohavense*).

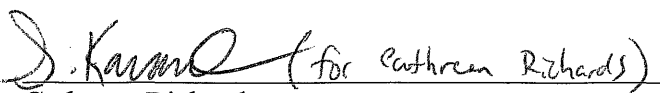
Aesthetic: The owner or his agent will adhere to Inyo County's General Plan Visual Resources requirement (VIS-1.6-Control of Light & Glare), which requires all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward (i.e., lighting shall not emit higher than a horizontal level) and are fully shielded.

Air Quality: The owner or his agent will be required to follow best management practices to control for dust and odors & will consult with the Great Basin Air Pollution Control District to minimize potential air quality effects from the cannabis crop's VOC emissions (Terpenes).

Geology & Soils: Once the processing facility has been constructed, indoor bathrooms with domestic water use will be operational. The applicant shall consult with the Inyo County Environmental Health Department during the building process to make sure the septic system is compliant with County code. The applicant shall consult the Inyo County Environmental Health Department during the building process to make sure all pesticide and fertilizer use, storage and disposal conform with the County's requirements. To manage dust and erosion, the applicant shall apply for a Stormwater Pollution Prevention Plan (S.W.P.P.P) as indicated in section VI(b) and IX(c) of this document.

The 30-day public & State agency review period for this Draft Mitigated Negative Declaration will expire on November 26, 2019. Inyo County is not required to respond to any comments received after this date.

Additional information is available from the Inyo County Planning Department. Please contact Project Planner Cathreen Richards (760-878-0447) if you have any questions regarding this project.

 (for Cathreen Richards)

Cathreen Richards
Director, Inyo County Planning Department

10-24-2019
Date

INYO COUNTY PLANNING DEPARTMENT

CEQA APPENDIX G: INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

- a) the significance criteria or threshold, if any, used to evaluate each question; and
- b) the mitigation measure identified, if any, to reduce the impact to less than significance issues.



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INYO COUNTY PLANNING DEPARTMENT

APPENDIX G: CEQA INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

- 1. Project title:** Conditional Use Permit (CUP) 2019-03/Inyo Farms
- 2. Lead agency name and address:** Inyo County Planning Department, 168 N. Edwards St., P.O. Drawer L, Independence, CA 93526
- 3. Contact person and phone number:** Steve Karamitros, Senior Planner, (760) 878-0268
- 4. Project location:** The proposed project is located approximately 5.5 miles south of the community of Olancho and roughly 30-miles from the community of Lone Pine, CA and can be accessed by US-395. The proposed project is to be located on a 33-acre private parcel of land owned by Kellyco Development Inc. with Assessor's Parcel Number 033-450-10.
- 5. Project sponsor's name and address:** Chris Kelly (Kellyco, Development Inc.), 14494 Dove Canyon Dr., Riverside, CA 92503
- 6. General Plan designation:** Open Space & Recreation (OSR).
- 7. Zoning:** Open Space- 40 acre minimum (OS-40).
- 8. Description of project:** The project proposes to construct a 19,500 ft² metal building for cultivation, a 24,000 ft² metal building for cultivation, a 4,000 ft² metal building for processing and packaging the operation's harvests, and a 1,500 ft² residence, on-site, for the project's manager/operator. The project also includes a 625 ft² fenced composting area. A preexisting, permitted well will supply both domestic and agricultural water. The project site is located on one, privately owned, 33-acre parcel.
- 9. Surrounding land uses and setting:** Briefly describe the project's surroundings:
The property is surrounded primarily by undeveloped land consisting of desert scrub. There are a few scatter low density residential properties within the general area. The closest developed area is the community Olancho, approximately 4-miles to the north.

| Location: | Use: | Gen. Plan Designation | Zoning |
|------------------|--------------------------------------|------------------------------|------------------------------------|
| West | Highway 395, vacant private property | Open Space & Rec (OSR) | Open Space-40 acre minimum (OS-40) |
| North | Vacant private property | Open Space & Rec (OSR) | Open Space-40 acre minimum (OS-40) |
| East | Vacant private property | Open Space & Rec (OSR) | Open Space-40 acre minimum (OS-40) |

| | | | |
|-------|-------------------------|-------------------------|--|
| South | Vacant private property | Residential Estate (RE) | Rural Residential/Mobile Home Combined (RR-MH) |
|-------|-------------------------|-------------------------|--|

10. Other public agencies whose approval is required: Inyo County Departments of Environmental Health, Building & Safety, and Public Works; California Department of Food & Agriculture; California Department of Fish & Wildlife; Lahontan Regional Water Quality Board, Great Basin Pollution Control District.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

In compliance with AB 52, SB 18, and Public Resource Code Section 21080.3.1(b), tribes identified as being local to Inyo County, were notified via a certified letter on January 26, 2019 about the project and the opportunity for consultation on this project. The tribes notified were as follows: the Twenty-Nine Palms Band of Mission Indians, the Big Pine Paiute Tribe, the Bishop Paiute Tribe, the Fort Independence Paiute Tribe, Lone Pine Paiute-Shoshone Tribe, the Torres Martinez Desert Cahuilla Indians, the Timbisha Shoshone Tribe, and the Cabazon Band of the Mission Indians

Inyo County did not receive any requests for consultation.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

DETERMINATION: (To be completed by the Lead Agency) 0238

On the basis of this initial evaluation:

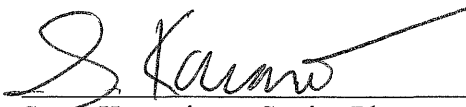
☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a 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.


Steve Karamitos, Senior Planner
Inyo County Planning Department

10-24-2019
Date

INYO COUNTY PLANNING DEPARTMENT ENVIRONMENTAL CHECKLIST FORM

| | | | |
|--------------------------------------|---|------------------------------------|--------------|
| Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------------|---|------------------------------------|--------------|

I. AESTHETICS -- Would the project:

a) Have a substantial adverse effect on a scenic vista? ☐ ☐ ☒ ☐

No, the proposed project is on land is undeveloped except for powerlines and access roads for powerline maintenance. Most viewer groups who would have views of the proposed cannabis cultivation facility would be motorists traveling along US-395. The project site is lower than US-395, though, and views of the greenhouses would be limited. Views to the hills located east of the proposed project would also not be obstructed from travelers on US-395.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? ☐ ☐ ☒ ☐

No, the proposed site will not impact scenic resources, as the land gently slopes to the east away from views off of US-395 and is characterized by tan colored soil with low-lying tan/green scrub to create a stark homogenous desert landscape. The section of US-395 that passes by the proposed project location is within a designation of eligible scenic highway, but not 'officially designated.' Views of the Eastern Sierras, located west of the project, will not be affected. Views to the hills located to the east will have less than significant impact. It should also be noted that the hills located to the east are scared with old roads and mines and do not offer significant scenic resources.

c) Substantially degrade the existing visual character or quality of the site and its surroundings? ☐ ☐ ☒ ☐

No, although the greenhouses may be visible from US-395, the location and surrounding area of the proposed project are currently covered in desert scrub and has existing utility poles located on them. These utility lines are higher than the proposed greenhouses. The applicant will be required to follow Inyo County General Plan Policy VIS-1.6 that requires 'all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards to use low-energy, shielded light fixtures which direct light downward (i.e., lighting shall not emit higher than a horizontal level) and which are fully shielded. There are also not significant scenic resources in the area to impact; therefore, the proposed project will not substantially degrade the existing visual character or quality of the site or its surroundings.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? ☐ ☐ ☒ ☐

The location of the proposed project area has few receptors that would be impacted by the project. The closest is a small residence located approximately 2,300-feet from the proposed project. There will be some obstruction of views to the east, but it will be less than significant, as there is not an abundance of scenic resources to the east of the proposed project area and the greenhouses will sit at a lower elevation than US-395. The project will also be required to follow Inyo County General Plan Visual Resources –VIS-1.6 Control of Light and Glare – 'The County shall require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward (i.e., lighting shall not emit higher than a horizontal level) and which are fully shielded... '

II. AGRICULTURE AND FOREST RESOURCES: In determining

whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are

| | | | |
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| Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------------|---|------------------------------------|--------------|

significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including The Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology Provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the project does not convert prime farmland, unique farmland, or farmland of Statewide importance to non-agricultural use and is in fact, an agriculture use.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, there are no conflicts with zoning for agriculture nor will the project cause rezoning of Forest Land. There are no Williamson Act Contracts in Inyo County. The project is for the cultivation of cannabis product, an agriculture use.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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No, the proposed project site does not include forest land or timber land.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the proposed project site will not affect forested land or impact any land use designated for that purpose.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the proposed project site does not currently contain Farmland. The project is for the cultivation of cannabis product, an agriculture use.

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the project will be required to follow best management practices for dust control during construction. Once the greenhouses are built, dust from the operations will be minimal and primarily from vehicle use. Signs limiting vehicle speeds to 15 mph will be posted to reduce dust from vehicles. The nearest neighbor is over 2,300 feet to the north, with limited receptors in the area. This project does not meet the definition to be required under Agriculture Operations – for Conservation Management Practices for Farms, as it is not over 40-acres nor is it located within 0.25-miles of five or more residences. The project proponent shall work with the Great Basin Air Pollution Control District (GBAPCD) to design the operation in such a way as to minimize potential air quality effects from the cannabis crop's VOC emissions (Terpenes), if such measures are deemed to be required.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------------|---|-------------------------------------|--------------------------|
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

No, the proposed project will be in compliance with current air quality standards.

| | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

No, there will be short-term construction equipment impacts from dust and exhaust emissions, but the GBUAPCD considers these construction emissions to be less than significant. Although there are portions of Inyo County within non-attainment areas for Federal and State PM10 (particulate matter 10 microns or less in diameter) ambient air quality standards, the primary source for this pollution is the Owens dry lake, located approximately 10-miles north of the project site. The temporary nature of the construction and best practices for dust control and emissions being followed during construction will cause the project to be less than significant.

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, existing sensitive receptors consist of a few scattered residences with the closest roughly 2,300-feet away. There are no hospitals or other non-residence sensitive receptors in the area. The business operation is in a rural area where traffic volumes related to delivery and maintenance will be negligible.

| | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

No, the proposed project will not produce objectionable odors during the life of the operation. The project will naturally result in odors from cannabis cultivation, but these odors will be mitigated by the applicant through project design approved by the County Environmental Health Department that will use air filtration and ventilation systems within the facility. This will result in less than significant impacts. There are no schools or sensitive receptors in the area. The closest school is in Lone Pine, over 25 miles to the north.

IV. BIOLOGICAL RESOURCES: Would the project:

| | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

*Biological analysis was conducted by applicant-supplied biologists with, Circle Mountain Biological Consultants, Inc. (CMBC). CNNDDB and California Native Plant Society (CNPS) database queries were performed to identify special-status plant and wildlife species that could potentially be found in the project impact area. Field surveys for the presence of special status species were conducted between 23 and 27 April 2019. Barstow woolly sunflower (*Eriophyllum mohavense*) was observed during the April 2019 field surveys. They are considered "rare-and-endangered" by CNPS, and clusters are located near the southeast corner of the site. As currently drafted, the project plans will impact only a fraction of this plant (167 of 1,253 observed), with the vast majority in areas that shall be designated as non-impact areas, with Environmentally Sensitive Area (ESA) fencings erected to avoid them. During the third session of the protocol trapping survey, a single, juvenile female Mohave ground squirrel (MGS) was trapped. A 2081 Incidental Take Permit will be applied for by the applicant to mitigate for potential take of MGS, as a Condition of Approval for issuance of their permit.*

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

| Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------------|---|------------------------------------|--------------|
|--------------------------------------|---|------------------------------------|--------------|

Wildlife Service?

No, there is no identified riparian habitat on the project site based on the USFWS National Wetlands Inventory Mapping Tool, or in close proximity, that would be affected by the project.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, there is no identified wetlands on the project site based on the USFWS National Wetlands Inventory Mapping Tool, or in close proximity, that would be affected by the project.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project will not interfere with migratory fish or wildlife species as currently planned.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the proposed project site is not within an area with special local policies or ordinances related to it.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the proposed project does not conflict with any local, regional, or state habitat conservation plan.

V. CULTURAL RESOURCES: Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the project will not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the project will not cause a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5. No archaeological resources have been identified in any records of the site or immediate surrounding area. Should any archaeological or cultural resource be discovered on the site during any future development, work shall immediately desist and Inyo County staff immediately be notified per Chapter 9.52, Disturbance of Archaeological, Paleontological and Historical Features of the Inyo County Code. Therefore, future development, though beyond the scope of this project, can be conducted so as to not cause an adverse change in the significance of an archaeological resource if one is discovered, pursuant to Section 15064.5

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

The likelihood of finding subsurface paleontological resources in Inyo County, in this southeast section, is not well known. The land consists of mostly flat-lying sediments, thus natural erosion cuts through the sediments but does not penetrate deeply except in major stream channels, so the prior existence of subsurface and at-depth fossils is not readily available. The proposed project property has no known paleontological resources, so the proposed project will not directly or indirectly destroy a unique paleontological resource.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------------|---|------------------------------------|-------------------------------------|
| d) Disturb any human remains, including those interred outside of dedicated cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

No known human remains or burial sites are on the property. Refer to the response to V b) for the potential for archaeological resources. While unlikely, human remains are a potential archaeological resource, and will be handled similar to other archaeological resources, as outlined in V b)

VI. GEOLOGY AND SOILS: Would the project:

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

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

The project is adjacent to the Sierra Nevada fault. Subsequent to the approval of the CUP, the applicant shall work with the Inyo County Department of Building and Safety to implement the proper structural specifications for this area.

| | | | | |
|------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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The California Building Code ensures that structures be built according to required seismic standards, designed to withstand such events, so this potential impact is considered less than significant.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Potential ground failure remains low in areas of exposed or shallow bedrock; however, proposed project structures could be potentially damaged if built over certain alluvial areas. As part of Inyo County Building and Safety Code, an engineer will assess the site and determine if a soils report is necessary to avoid ground failure impacts to the built structures.

| | | | | |
|-----------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-----------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project area exhibit primarily level topography, with the proposed facility built on a slope of less than five percent. Steeper natural or manufactured slopes subject to landslides and other types of slope failure are not expected to occur within the project area.

| | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

The proposed project will result in the disturbance of soil due to pre-construction grading. Temporary construction impacts will result from excavation, grading, and re-deposition of fill material. Future development will require compliance with the California Building Standards that require Best Management Practices be implemented to minimize erosion and keep all site materials from leaving the site, and therefore, this potential impact is considered less than significant.

| | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

No, the project properties are not located on a geologic unit or soil that is unstable. The project's potential for compressible or collapsible soils will be reviewed by Inyo County's Building and Safety Department. It may be determined that a soil report is necessary, as part of building design, to avoid these impacts. If any questions arise about the quality of the soil during the development of the property, the applicant/developer shall work with Inyo County's Building and Safety Department to use the proper design standards that mitigate for unstable soils.

| | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

| Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
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substantial risks to life or property?

No, the proposed project is not located in an area with a known expansive soil type. If any questions arise about the quality of the soil during the development of the property, the applicant/developer shall work with Inyo County's Building and Safety Department to employ the proper design standards that mitigate for expansive soils.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

☐ ☐ ☐ ☒

Soils are compatible with septic tanks and other waste water disposal systems. Future development would require a County approved waste handling system, in the form of an underground septic system. Septic systems are common in the area and the soils are capable of supporting such a system. Any proposed septic system for the site shall be reviewed and approved by the Inyo County Environmental Health Department.

VII. GREENHOUSE GAS EMISSIONS:

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

☐ ☐ ☒ ☐

No, the proposed cannabis cultivation project will not generate greenhouse gas emissions that will have a significant impact. Temporary construction-related emissions will occur, but such dust related impacts will be minimized through best management practices.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

☐ ☐ ☐ ☒

No, the proposed project will not cause conflicts with a plan, policy or regulation adopted for the purpose of reducing greenhouse gasses.

VIII. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

☐ ☐ ☐ ☒

No, the proposed project will produce a small amount of waste associated with plant refuse material. A dedicated area will be included on the proposed site to compost plant waste. Composting will be conducted as the University of California Cooperative Extension's Procedure for Managing the Three-Bin Composting System. The applicant will also need to comply with the Inyo County Environmental Health Department's regulations regarding composting and waste handling.

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?

☐ ☐ ☐ ☒

No, the nature of the proposed project will not create significant hazards to either the public or the environment. The applicant will be using some pesticides and fertilizers as part of the growing operations. The applicant shall work with the Inyo County Environmental Health Department as they implement their pesticide and fertilizer use, storage and disposal plan.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

☐ ☐ ☐ ☒

No, the proposed project is not within one-quarter mile of an existing or proposed school, nor will it emit hazardous emissions, or handle acutely hazardous materials, substances or waste.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------------|---|------------------------------------|-------------------------------------|
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

No, the proposed project is not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. There are no DTSC sites mapped within or adjacent to the project area and no additional sites are identified in the site vicinity on Geotracker and EnviroStor databases (SWRCB 2014, DTCS, 2014).

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project is not located within an airport land use plan or near a public airport.

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the proposed project is not located in the vicinity of a private airstrip and poses no danger to anyone working at the proposed project site.

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the proposed project will not physically interfere with an adopted emergency plan or emergency evacuation plan.

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, risk of loss, injury and death involving wildland fires is minimal from this project. Fire risks are moderate at the project site, and no areas in proximity can be considered urbanized. Land surrounding the project site is sparsely vegetated with Mojavean creosote bush scrub. There are no residences in proximity of the project, and the desert scrub is a low-to-moderate fire risk. The proposed project does little to add to the wildfire risk in the area. The risk of loss, injury or death involving wildland fires is less than significant at this site, and any potential risk is further mitigated by compliance with California Building Standards.

IX. HYDROLOGY AND WATER QUALITY: Would the project:

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the project will not violate any water quality standards or waste discharge requirements. The applicant will coordinate with Inyo County's Environmental Health Department, the Inyo County Building and Safety Department, as well as the Regional Water Quality Board, to determine what is required in terms of the NPDES/SWPPP process (waste discharge requirements for the project), based on regulatory criteria and site characteristics (soils, slopes, etc.). It is anticipated that hydroponic planting, in a soilless medium containerized in pots, will be used for this project. Drain runoff from the pots will be captured and excessive fertilizer runoff will be reused on the crops. No effects to public or environmental health are expected from this project.

| | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

| Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
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which would not support existing land uses or planned uses for which permits have been granted)?

No, the proposed project is located in the Middle Amargosa Valley Groundwater Basin. This is an area of 390,000 acres, with water bearing strata consisting of a roughly 900 foot sequence of younger unconsolidated alluvial deposits and underlying older alluvium. Ground water pumping will occur at the facility using a pre-existing well, and water use (with drip irrigations) is projected to be roughly 2.35 acre feet per year.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, drainage patterns will be altered by this project. Surface drainage flow is predominantly to the east terminating at the Haiwee reservoir through a number of small unnamed ephemeral washes. Grading and drainage plans based on regulatory requirements and best management practices will be required from the applicant during the construction of the project to the satisfaction of the Inyo County Public Works and Building a Safety Departments. No fill material will be added to any streams or water lines.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site?

| | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

No, potential impacts related to flood hazards for the area are less than significant, based on the fact that no mapped FEMA 100-year floodplains are located within the vicinity of the proposed project location, also any water that might runoff of the project site would end up in the Haiwee reservoir.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the project is not anticipated to generate substantial additional surface flows. Impacts related to capacity of existing or planned storm drain systems are expected to be less than significant. Pre-and post-development runoff rates and related effects to storm drain systems will be evaluated during the construction design phase of the project and drainage plans based on regulatory requirements and best management practices will be required from the applicant during the construction of the project to the satisfaction of the Inyo County Public Works and Building a Safety Departments.

f) Otherwise substantially degrade water quality?

| | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

No, there are no potential impacts to water quality. A septic system will be required for the site and the applicant will work with Inyo County's Environmental Health Department to minimize any potential impacts to water quality.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the proposed project is not in a 100-year flood hazard area.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the project is not in a 100-year flood hazard area.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the proposed project site is not in an area subject to flooding due to the failure of a levee or dam. Average annual rainfall in this area is 6-inches.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
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| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>No, the proposed project site is not in an area subject to seiches, tsunamis, or mudflows.</i> | | | | |

X. LAND USE AND PLANNING: Would the project:

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>No, the proposed project does not physically divide an established community.</i> | | | | |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>No, the applicant is requesting a conditional use permit grow commercial cannabis, which is required by the County's zoning code. The project site is located in the Open Space Zone, with an Open Space & Recreation (OSR) General Plan designation. Both allow for agriculture uses.</i> | | | | |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>No, the proposed project will not conflict with any habitat conservation plan or natural community conservation plan.</i> | | | | |

XI. MINERAL RESOURCES: Would the project:

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>No, the project makes use of underdeveloped land and no known mineral resources are located on it. No extraction of mineral resources is being foregone by this project.</i> | | | | |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>There are no locally-important mineral resources being foregone as a result of this project.</i> | | | | |

XII. NOISE: Would the project result in the:

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>No, there will be some construction related noise from grading activities, engine noise from trucks, and building construction. This noise will not likely exceed already present noise caused by US-395 that borders the entire west edge of the project vicinity. Also, Occupational Safety and Health Administration (OSHA) allows for decibels of 90 for an 8 hour day and 100 for a limit of 2 hours. Effects to sensitive receptors will be minimized with construction during daytime business hours.</i> | | | | |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>No, exposure to noise levels will be primarily airborne, and groundborne vibrations if any would be brief.</i> | | | | |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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| Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
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No, noise levels will be minimal due to the nature of the project. Ambient noise produced from trucks going to and from the facility will not likely be detected by local receptors, and will not exceed noise already in the vicinity from US-395. Noise from maintenance will be minimal and infrequent and primarily confined to areas within built structures.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, noise levels at their maximum, created by the proposed project, will not substantively increase the noise levels already found in the vicinity caused by US-395. The nature of the noise will most likely be from transport and maintenance vehicles that periodically enter the project area.

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 expose people residing or working in the project area to excessive noise levels?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the proposed project is not located within an airport land use plan, or within 2-miles of a public airport.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the proposed project is not within the vicinity of a private airstrip.

XIII. POPULATION AND HOUSING -- Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

The proposed project is not likely to induce population growth. The proposed cannabis facility is to be a family owned and operated business. During harvest season some additional labor is anticipated and these extra workers will be hired on an as needed basis and to the extent possible from the local area. Given the lack of residential infrastructure and services (including a lack of emergency services and utilities) growth will not be induced from the project.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the proposed project will not displace existing housing or create a situation where replacement housing will be necessary. It is in an area of very sparse residential development.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the proposed project will not displace people, or create a situation where replacement housing will be necessary. It is in an area of very sparse residential development.

XIV. PUBLIC SERVICES: Would the project:

a) 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

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
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| objectives for any of the public services: | | | | |
| Fire protection? <i>No new fire protection services will be required because of this project.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Police protection? <i>No new police protection services will be required because of this project.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Schools? <i>No new school service will be required because of this project.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Parks? <i>No new parks will be required because of this project.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other public facilities? <i>No, the proposed project will not create a need for additional public services.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XV. RECREATION: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) 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? <i>No, the proposed project will not increase the use of existing recreational facilities. No portion of this project anticipates any change in the level of service required.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? <i>No, the proposed project does not include, nor will it cause, a need for an increase in parks or other recreational facilities that might have an adverse physical effect on the environment.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XVI. TRANSPORTATION/TRAFFIC -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? <i>No, the proposed project will not cause a significant increase the existing traffic load. The project is adjacent to US-395 and will access it from a local road (Enchanted lakes Road). The occasional distributor and delivery trucks and staff vehicles entering and exiting the project will not put undue burden the existing transportation facilities. Any traffic increase would be minimal when compared with the overall use of US-395, which provides a connector between Inyo County and southern California and north to Washington State.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? <i>No, the LOS on the county's roads should not be affected individually or cumulatively by the proposed project. The proposed project will not result in an increase in traffic that would impact the level of service for either US-395 or Enchanted Lakes Road.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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| Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
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either an increase in traffic levels or a change in location that results in substantial safety risks?

No, the proposed project will not result in changes to air traffic patterns or increased traffic that could result in substantial safety risks.

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The proposed project will not result in any design features for transportation that increase hazard. Autos and trucks will be accommodated on a parking lot on the project site.

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, proof of access for emergency vehicles will be required as part of the project design.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The Commercial Cannabis Ordinance requires that the project's applicant provide for the parking needs of the facility on site. There will be designated employee parking as well as areas for freight trucks that enter the facility.

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| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the proposed project will not significantly increase traffic, and therefore, will not affect public transit, bicycle, or pedestrian facilities. Because of the extremely remote nature of the project location, few alternative transportation opportunities exist, but those that do would be unchanged by this project.

XVII. TRIBAL CULTURAL RESOURCES -- Would the project:

Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the proposed project does not encompass a resource eligible for listing in the California Register of Historical Resources, or in a local register or historical resources as defined in Public Resource Code section 5020.1(k). If any archaeological or cultural resources are discovered on the site, work shall stop and Inyo County staff shall be immediately notified per Chapter 9.52, Disturbance of Archaeological, Paleontological and Historical Features of the Inyo County Code.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the proposed project does not encompass a resource determined by the lead agency to be significant pursuant to criteria set forth in subdivision (c) of the Public Resource Code section 5024.1. See also the response to XVII a)

XVIII UTILITIES AND SERVICE SYSTEMS --

Would the project:

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------------|---|-------------------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>No, the proposed project will be built in conformity to the standards set by the Inyo County Department of Environmental Health, as well as the Lahontan Regional Water Quality Control Board. The proposed project will not generate any non-domestic water (e.g., brine waste from reverse osmosis) and no on-site wastewater treatment is necessary.</i> | | | | |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>No, the proposed project would not result in the construction of new or expanded water or wastewater treatment facilities.</i> | | | | |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>No, the proposed project will not require new or expanded storm water drainage facilities.</i> | | | | |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <i>All necessary water for the project will be pumped on site. The proposed Conditional Use Permit will not result in a need for new entitlements of water resources, nor will the proposed future use of the site, a commercial cannabis cultivation operation. Current principle uses for the project site, under the County's "Open Space" designation, includes not only a primary and secondary dwelling unit, but also more water-intensive land uses, such as "farms and ranches for orchards, vineyards, field and truck crops, nurseries, greenhouses, vegetables, flower gardening and other enterprises carried on in the general field of agriculture," (ICC section 18.12.020). Projects that could be approved under conditional use, with Planning Commission approval, include "feed lots, dairies or commercial ranches for the raising of poultry, pigs, goats or rabbits," (ICC section 18.12.040. Such land uses would require a greater water load than would the planned cannabis cultivation facility.</i> | | | | |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>No, the proposed project's wastewater treatment will not unduly burden the commitments of any potential treatment provider. Wastewater disposal will likely utilize a septic system that will be reviewed and approved by the Inyo County Environmental Health Department.</i> | | | | |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>The proposed project will not create a need for additional solid waste capacity. Solid waste needs for the project will be minimal. Most of the volume of solid waste (biomass refuse) will be collected and recycled for further use at an onsite composting yard. Impacts from future development would be minimal and consistent with the existing transfer station system.</i> | | | | |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>The proposed project and any future development will comply with Inyo County's solid waste standards, as required by the Inyo County Department of Environmental Health.</i> | | | | |

| Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------------|---|------------------------------------|--------------|
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XVII. MANDATORY FINDINGS OF SIGNIFICANCE:

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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?

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No, the project will not impact or degrade the quality of the environment. Impacts to resources on the project area can be mitigated to less than significant impacts. Minimization measures will be written into the Conditions of Approval for the permit & include the following: the applicant shall apply for an Incidental Take Permit (ITP) through CDFW for Mohave ground squirrel; the applicant shall follow the County's visual policy related to light and glare; sewage disposal & odors will be addressed per the Inyo County Environmental Health Department requirements: once the processing building is completed, the applicant shall consult with the County Environmental Health Department to assure that all septic requirements and water connection standards are met; the applicant will work with the Great Basin Unified Air Pollution Control District to develop practices for crop applications that control for VOC emissions from the crops (terpenes) that cause odors, as well as fugitive dust during construction; the applicant shall work with the Lahontan Regional Water Quality Control Board to determine if an application for a Stormwater Pollution Prevention Plan (S.W.P.P.P) permit is necessary..

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

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No, the proposed project does not have impacts that are individually limited, but cumulatively considerable. Due to the sparseness of the natural environment, and lack of disturbance to plant or animal habitat, this location is well suited for the proposed development.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

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No, the proposed project has no known environmental effects which will cause substantial adverse effects on human beings either directly or indirectly. The proposed project would not adversely impact the resident to the north and may have positive impacts resulting from employment opportunities.