



County of Calaveras

Department of Planning

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Initial Study / Negative Declaration

Review Period: April 24, 2020 – May 24, 2020

Initial Study

ENVIRONMENTAL

CHECKLIST

For: Terrance Strange

2019-085 ZA

Assessor's Parcel Nos. 012-012-128, 012-012-129, 012-012-130,
and 012-012-131

1. Project Title: 2019-85 Zoning Amendment for Terrance Strange
2. Lead Agency Name and Address: Calaveras County Planning Department
891 Mountain Ranch Road
San Andreas, CA 95249
3. Contact Person and Phone Number: Scott Speer (209)754-6394
4. Project Location: The property in question consists of two legal parcels with four APNs, located at 2885 and 2883 N Railroad Flat Road in Wilseyville. APNs 012-012-128, 012-012-129, 012-012-130, and 012-012-131 are located in the northeast ¼ of Section 23, Township 06 North, Range 13 East, MDM.
5. Project Sponsor's Name and Address: Terrance Strange
PO Box 129
Wilseyville, CA 95257
6. General Plan Designation: Working Lands
7. Zoning: RR-20 (Rural Residential- 20 acre minimum parcel size)
8. Project Description: The applicant is requesting approval of a Zoning Amendment to change the zoning of two parcels from RR-20 (Rural Residential- minimum 20 acres parcel size) to RA-20 (Residential Agriculture- minimum 20 acres parcel size).
9. Surrounding land uses and setting:

| Location | General Plan Designation | Zoning | Land Use |
|----------|--------------------------|---|--|
| North | Rural Residential | Residential Agriculture | Agriculture/ Single-family residence |
| South | Working Lands | Residential Agriculture | Agriculture |
| East | Working Lands | Rural Residential, Residential Agriculture | Single Family Residences |
| West | Resource Management | Residential Agriculture | BLM - Vacant |

10. Other public agencies whose approval is required: **NONE**
11. Have California Native American Tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code §21080.3.1?
NO
If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.? **NO**

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 | <input type="checkbox"/> Agricultural and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <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 | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION (To be completed by Lead Agency):

On the basis of this initial evaluation:

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

☐ I find that, although the original scope of the proposed project **COULD** have had a potentially significant effect on the environment, there **WILL NOT** be a significant effect because revisions/mitigations to the project have been made by or agreed to by the applicant. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

☐ I find that the proposed project **MAY** have a potentially significant effect on the environment and an **ENVIRONMENTAL IMPACT REPORT** or its functional equivalent will be prepared.

☐ I find that the proposed project **MAY** have a potentially significant impact on the environment. However, at least one impact has been adequately analyzed in an earlier document, pursuant to applicable legal standards, and has been addressed by mitigation measures based on the earlier analysis, as described in the report's attachments. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the impacts not sufficiently addressed in previous documents.

☐ I find that, although the proposed project could have had a significant effect on the environment, because all potentially significant effects have been adequately analyzed in an earlier EIR or Negative Declaration, pursuant to applicable standards, and have been avoided or mitigated, pursuant to an earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, all impacts have been avoided or mitigated to a less-than-significant level and no further action is required.



Scott Speer
Project Planner



Date

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 "Earlier Analyses," as described in (5) below, 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

Environmental Impact Analysis:

The applicant is requesting approval of a Zoning Amendment to change the zoning of two parcels from RR-20 (Rural Residential-Minimum 20 acre parcels) to RA-20 (Residential Agriculture-Minimum 20 acre parcels). The General Plan land use designation for the subject parcels is Working Lands. Compatible zones for the Working Lands designation are RR and RA. The property in question consists of two legal parcels with four APNs, located at 2885 and 2883 N Railroad Flat Road in Wilseyville.

The southeast parcel is developed with the owner's permanent residence. The stated reason for requesting a rezone for this parcel is for the possibility of agriculture-based recreational and educational uses. No specific development is proposed, however, the possibility for any permitted use must be evaluated.

The northwest parcel contains a former regulated commercial medical cannabis cultivation site which was issued a registration under the Calaveras County Urgency Ordinance adopted in 2016. The applicant is expressly requesting the zoning amendment for this parcel in order to re-establish their cannabis cultivation activity under Calaveras County Code Chapter 17.95, Regulation of Commercial and Non-Commercial Cannabis Cultivation, adopted by the Board of Supervisors on October 22, 2019 and plans to use the same footprint for cannabis cultivation under current Chapter 17.95. The ordinance addresses regulations concerning the cultivation of cannabis within Calaveras County. Other than the proposed reactivation of the cannabis cultivation site, no new development is being proposed with this application.

The uses permitted-by-right in the RA zone that are not permitted-by-right in the RR zone are:

- Agricultural product storage
- Field rock extraction/sale
- Forestry
- Greenhouse and wholesale/retail nursery
- Processing and manufacturing:
 - ◆ Agricultural processing
 - ◆ Small winery, oil press or cider mill
 - ◆ Wood yard
- Retail trade:
 - ◆ On-farm sales
 - ◆ Roadside stand
 - ◆ Produce stand
 - ◆ U-pick operations
- Recreational and educational:
 - ◆ Agricultural/environmental education center, private/public
 - ◆ Special events (up to twelve per year permitted-by-right)
- Agricultural services, business:
 - ◆ Agricultural contractor base
 - ◆ Contractor base/yard
 - ◆ Horticultural and landscaping services
 - ◆ Maintenance, repair, storage and servicing of agricultural equipment/machinery
 - ◆ Truck yard (in conjunction with agricultural products, supplies or equipment)
 - ◆ Veterinary clinic/rural veterinary clinic

- Cannabis cultivation pursuant to the requirements and regulations of Chapter 17.95 of the County Code

Generally speaking, the uses allowed in the RA zone that are not allowed in the RR zone are agricultural in nature – either requiring agricultural operations to be on site, or directly serving other agricultural operations – giving the property owner more flexibility to be able to utilize the land in the production and sale of food and fiber. In some cases, these uses allow for more consumer traffic to the parcel than would otherwise be allowed for uses permitted in the RR zone. All permitted-by-right uses are subject to standards, restrictions, and regulations in regards to parking, landscaping, grading, building, and other applicable site development and performance standards. Ministerial cannabis cultivation permits under Chapter 17.95 of the County Code are subject to the standards, restrictions, and regulations described in that ordinance. While the applicant is proposing to develop one parcel with general agricultural and educational uses and the other as a commercial cannabis cultivation site, the rezone results in the potential for any of these uses on either or both parcels. Therefore, all environmental impacts on both parcels will be evaluated in regards to these standards, and in relation to the permitted uses in the RR zone. As discussed below, to the extent the cannabis-related potential impacts of the project are within the scope of the EIR and addendum prepared for Chapter 17.95, this study will refer to and rely on the analysis in those documents.

Potential for Commercial Cannabis Cultivation in the Proposed Zone

Chapter 17.95 of the Zoning Code allows outdoor commercial cannabis cultivation and processing in the A1, AP, GF, RA, and U zones, and indoor commercial cannabis cultivation in the M1, M2, M4, and (in conjunction with a retail operation) CP zones, by qualified applicants who also receive a state license. A commercial cannabis cultivation permit under Chapter 17.95 is a ministerial approval process for premises in all of these zones for indoor, outdoor, and mixed light cannabis cultivation. Calaveras County Code §17.95.010.B expressly allows qualified cannabis cultivation permit applicants “to either apply for compatible zoning designations for their parcels, relocate to available parcels with compatible zoning, or transfer their permit or right to apply for their permit to another qualified person or entity with an eligible and compliant site”.

A program EIR was approved when the County adopted Ordinance # 3094 in January 2018, enacting a ban on commercial cannabis cultivation. An Addendum to the EIR was prepared for the aforementioned amendment to Chapter 17.95, adopted by the Board of Supervisors on October 22, 2019. These documents are available for review at: <https://cannabis.calaverasgov.us/CEQA/Cannabis-Ord-DEIR> and at the Planning Department located at 891 Mountain Ranch Road, San Andreas, CA, 95249, and are incorporated by reference. The potentially significant impacts of commercial cannabis cultivation identified and studied in the EIR and Addendum were either 1) fully mitigated through the inclusion of various regulatory requirements in the ordinance amendment, or 2) found to be significant and unavoidable. The potential impacts deemed to be significant and unavoidable were:

- Air Quality- Exposure of people to objectionable odors; and
- Transportation and Circulation- Long-term increase in traffic.

Pursuant to CEQA, the County made findings of overriding consideration when the Cannabis Ordinance was adopted, finding that those impacts would be acceptable in light of the benefits of the project.

Pursuant to §15168 of the CEQA Guidelines, the following analysis discusses the proposed activity in light of the program EIR and its addendum prepared for the Cannabis Ordinance. The zoning amendment is within the scope of the program EIR and its Addendum because the ordinance limits the total number of commercial cannabis cultivation sites within the county without identifying specific locations on which they may occur and it specifically authorizes the potential rezoning of parcels to accommodate the relocation or reactivation of cultivation sites. Therefore, a rezone is considered a “later activity” as described in this section of the Guidelines. The zoning amendment is intended to help the applicant and his premises qualify for a cannabis cultivation permit under Chapter 17.95, and all requirements and limitations of that ordinance will apply to the applicant. As such, there are no substantial changes or new information of substantial importance that would require a subsequent EIR pursuant to §15162 of the CEQA Guidelines. From a county-wide perspective, the reactivation of a previously approved cannabis cultivation site is inherently less impactful to the environment than the creation of a new cannabis cultivation site on a new parcel, even if that new parcel meets the approval criteria in Chapter 17.95.

The CEQA Guidelines suggest that when a site-specific later action is taken that relies on the program EIR, a checklist or similar device should be used to document that the environmental effects are within the scope of the EIR. Therefore, for the sake of efficiency, the site specific analysis has been incorporated into this Initial Study rather than preparing two separate documents. Using a single document also helps demonstrate that the cumulative potential of allowing both cannabis uses and other RA uses were considered in the preparation of this study. The discussion of each impact category begins with an analysis of the extent to which the project’s potential impacts are within the scope of the prior EIR and addendum and then goes on to analyze the potential impacts that are outside of this scope. When a box is checked in this document, that mark represents the preparer’s analysis of all potential project impacts—both cannabis-related *and* non-cannabis-related—that fall outside the scope of what was already analyzed in the Chapter 17.95 EIR and addendum.

Figure 1- Location Map

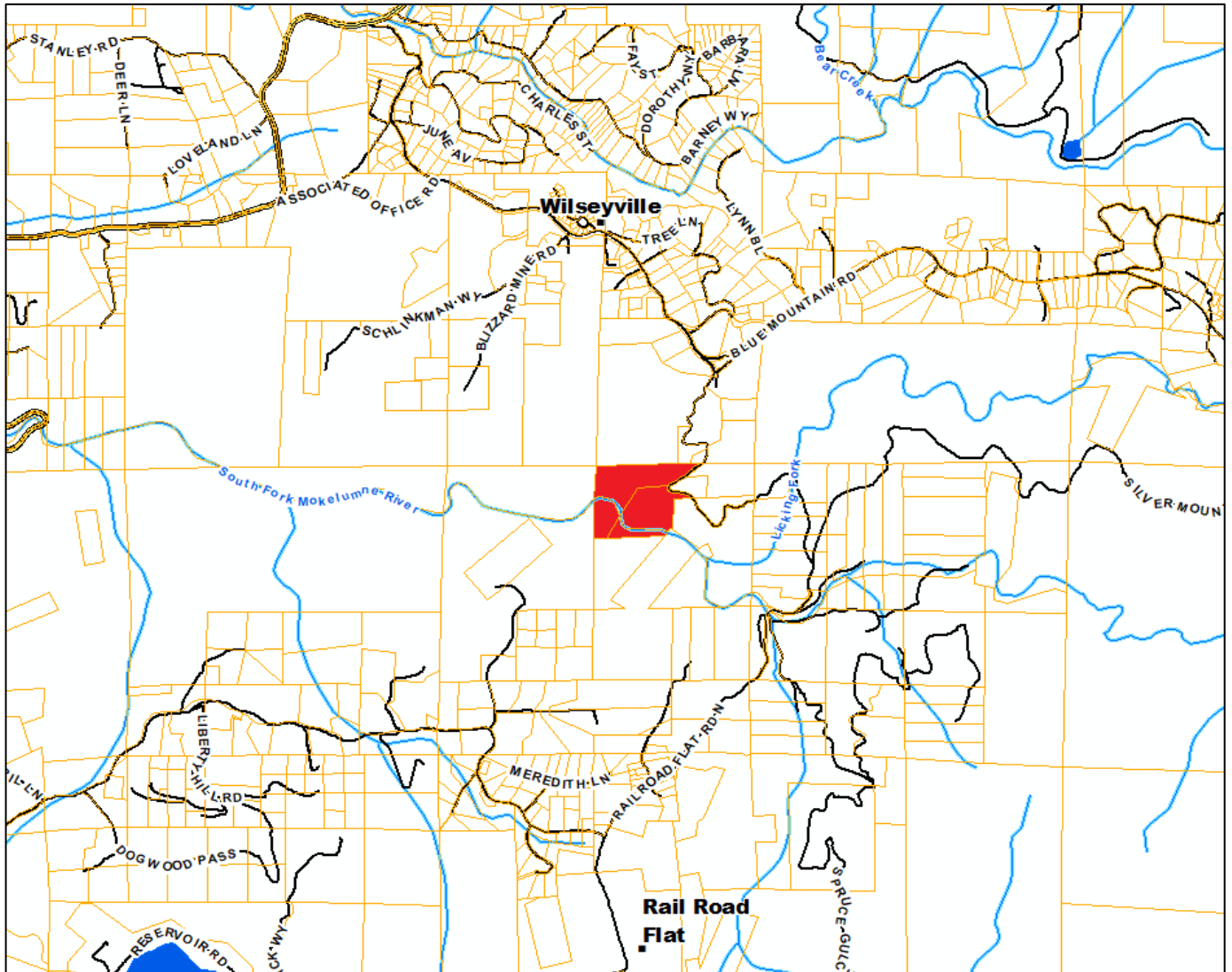
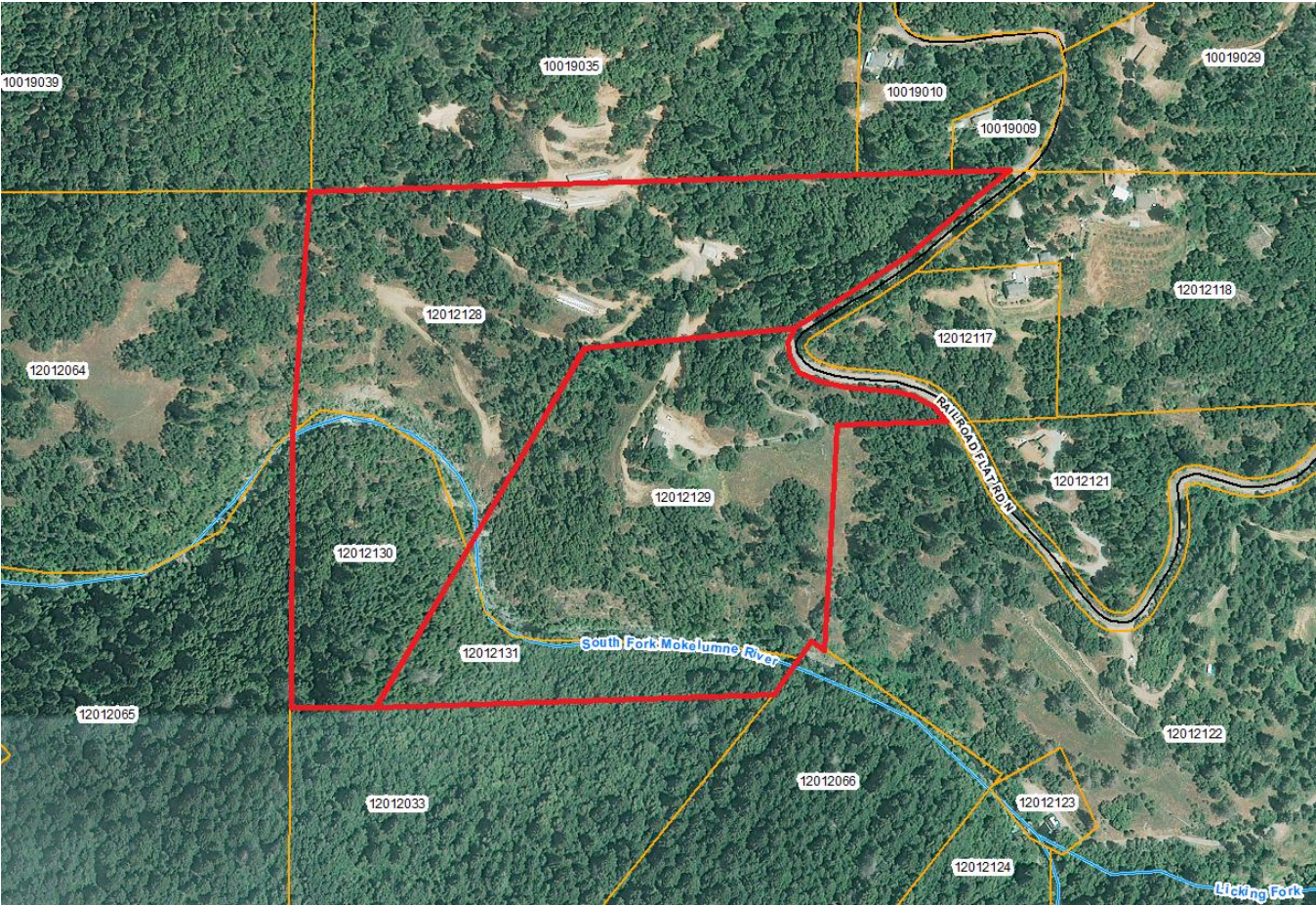


Figure 2- Aerial Image



I. AESTHETICS

| | <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|---|---|---|---|-------------------------------------|
| Except as provided in Public Resources Code §21099, would the project: | | | | |
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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 publically accessible vantage points). If the project is in an urbanized area, would the project conflict | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

with applicable zoning and other regulations governing scenic quality?

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

☐☐☒☐

DISCUSSION

Program EIR and Addendum for Chapter 17.95

Impacts to aesthetics analyzed in the EIR and Addendum for Chapter 17.95 were found to be less than significant with mitigation. Potential cannabis cultivation on the subject parcels is within the scope of that analysis. Neither the proposed cultivation site nor any portion of the other property is within 1000 feet of a state scenic highway (Mitigation Measure (MM) #3.1-1). The sites must comply with lighting standards of 17.95.090.M (Mitigation Measure #3.1-3).

Analysis regarding additional RA uses

- a. **Less Than Significant Impact** – The Conservation and Open Space element of the Calaveras County General Plan¹ considers scenic vistas to include forests, rolling hills, ranches, agricultural land, historic landscapes, oak woodlands, rock formations and other unique topographical features, river corridors, lakes, and streams. Oak trees and a river are on the property. The subject parcels total approximately 40 acres in area and have been developed with a single-family residence and a former regulated commercial medical cannabis cultivation site. Due to the steepness of the terrain and the location of trees along the roads, the ability to view these scenic resources is limited. Therefore, any development that may occur in the RA zone beyond what is currently allowed in the RR zone will have a less than significant impact on the scenic vista.
- b. **No Impact** – The project sites are located approximately 1.8 miles away from the nearest state highway, Hwy 26. According to Caltrans², Highway 26 is not designated as a state scenic highway.
- c. **Less Than Significant Impact** – The southeast parcel is developed with a single-family residence and numerous trees, while the northwest parcel contains a former cannabis cultivation site and is developed with various accessory structures. As previously stated, the ability to view the majority of the parcels is limited due to the local topography and vegetation. Future development is likely to occur on areas adjacent to currently developed portions of the parcels which are not visible from the road or other publicly accessible areas, causing a less than significant impact to the visual character and public views.
- d. **Less Than Significant Impact** – Any lighting that may be established on the parcels due to future development of the property will be consistent with agricultural and residential activities, as outlined by the permitted uses of the zone. Newly established lighting will be similar to existing lighting in the area, as the majority of surrounding parcels are also zoned RA, and will be subject to all applicable lighting standards.

II. AGRICULTURE AND FORESTRY 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 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.

| | <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|--|---|---|---|-------------------------------------|
| 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"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

Program EIR and Addendum for Chapter 17.95

Impacts to agriculture and forestry resources were analyzed in the EIR and Addendum for Chapter 17.95 and were found to be less than significant. Potential cannabis cultivation on the parcels is within the scope of the EIR/Addendum prepared for 17.95; no unique impacts would arise through the use of these particular parcels for cannabis cultivation.

Analysis regarding additional RA uses

a-e. **No Impact** – The proposed change in zoning would convert the subject property from a residential zone to a resource zone, and therefore will not negatively impact the currently available farmland or forestland in the County.

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?
- 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?
- c) Expose sensitive receptors to substantial pollutant concentrations?
- d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

| <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|---|---|---|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

DISCUSSION

Program EIR and Addendum for Chapter 17.95

The potential for cannabis cultivation to create objectionable odors is discussed in the EIR and Addendum. The cultivation and processing of cannabis generates odors associated with the plant itself, which during maturation can produce substantial odors. Setbacks are provided as part of the Chapter 17.95; however, they do not preclude the generation of odorous emissions in such quantities as to cause detriment, nuisance, or annoyance to a substantial number of people. This was determined to be a significant impact. Findings of overriding consideration were made by the Board of Supervisors when it certified the EIR, approved the Addendum, and adopted the ordinance.

The occurrence and severity of odor impacts from cultivation permitted under the proposed zoning amendment would depend on numerous factors, including wind speed and direction, the proximity to off-site receptors and the sensitivity of exposed receptors. The topography of the Sierra Nevada Foothills region is primarily responsible for the localized winds. As the terrain of the foothills rises to the east, the topography is characterized by deep ravines and steep ridges. Temperature variations have a significant influence on wind flow, and particularly the upslope and downslope diurnal changes in local temperatures. Typically, the prevailing wind will flow up the river canyon during the morning and down the river canyon at night due to temperature and pressure changes.

While the mitigation identified above would reduce some outdoor cultivation and processing odors by increasing the distance between potential sources and receptors, it would not preclude the potential for people to perceive objectionable odors attributable to commercial cannabis operations. As a result, while this impact would be reduced, it would remain significant and unavoidable.

Setback, separation, and parcel size standards of various provisions of the ordinance have been or will be met in order to authorize a cultivation permit on the site (Mitigation Measures #3.2-4a, 3.2-4b, and 3.2-4c). Burning of cannabis waste is prohibited (MM 3.2-2). In addition, Section 17.95.090.1.2 of the Cannabis Cultivation and Commerce Ordinance requires that all cultivation sites located on A1, AP, GF, U and RA zoned land have a setback to the cultivation site of one hundred fifty (150) feet for parcels adjacent to parcels of less than twenty (20) acres zoned RR. The potential for cannabis cultivation on the subject parcels is within the scope of that analysis. The subject parcels are located adjacent to parcels less than 20 acres in size that are zoned RR; therefore, the applicant will be required to comply with this setback. The nearest residence to the cultivation site on an RR zoned parcel under 20 acres is approximately 1,000 feet to the southeast. The nearest residence on an adjacent parcel regardless of zoning is located approximately 550 feet to the northeast of the cultivation site on an RA zoned parcel. There are no residences located within half a mile to the north, west, or south.

The effects of pollutants and similar emissions such as greenhouse gasses (GHGs) generated by cannabis activities that could impact air quality were also analyzed in the EIR and addendum. These impacts were found to be less than significant due to Chapter 17.95 limiting the number of cultivation sites in the County and the requiring GHG offsets. This project is within the scope of that analysis.

Analysis regarding additional RA uses

Calaveras County is part of the Mountain Counties Air Basin (MCAB). The MCAB lies along the northern Sierra Nevada, close to or contiguous with the Nevada border, and covers an area of roughly 11,000 square miles. Air quality within the County is under the jurisdiction of the Calaveras County Air Pollution Control District (CCAPCD). Calaveras County consists of hilly and mountainous terrain that affects airflow patterns throughout the county, directing surface air flows, cause shallow vertical mixing, and create areas of high pollutant concentrations by hindering dispersion. While there are minimal sources that impact air quality within the District, Calaveras County is prone to receiving pollutant transport from the more populated and traffic-heavy areas because of its proximity to the Central Valley.

The County has been classified as a non-attainment area for the State and Federal ozone standards (1-hour and 8-hour) and suspended particulate matter standards (PM10) and unclassified for fine particulate matter standards (PM2.5). To become designated as a non-attainment area for the State and Federal standards, there must be at least one monitored violation of the ambient pollutant standards within the area's boundaries. An area is designated in attainment of the State standard if concentrations for the specified pollutant are not exceeded. An area is designated in attainment for the Federal standards if concentration for the specified pollutant is not exceeded on average more than once per year.

- a-d. **Less Than Significant Impact** – Table 1, below, represents the County-established thresholds for any proposed project. Table 2 represents a project that proposed 150 vehicle trips per day in addition to the project's construction and operational emissions. Proposed emissions were calculated using URBEMIS 2007 Version 9.2.4.

Table 1 – County Established Thresholds

| Thresholds of Significance (lbs/day) | | | |
|--------------------------------------|-----|-----|------|
| | ROG | NOx | PM10 |
| Construction Emissions | 150 | 150 | 150 |
| Operational Emissions | 150 | 150 | 150 |

Table 2 – Proposed Project Emissions

| Proposed Project Emissions (lbs/day) | | | |
|--------------------------------------|-----|------|------|
| | ROG | NOx | PM10 |
| Construction Emissions | 2.4 | 17.6 | 10.8 |
| Operational Emissions | 5 | 5 | 6 |

As depicted above in Table 2, the project did not exceed the thresholds of significance identified for these air pollutants. The proposal to amend the zoning of the parcel from RR (Rural Residential) to RA (Residential Agriculture) does not include a plan for development beyond the reestablishment of cannabis cultivation. The RA zone will permit a range of agricultural and cannabis uses on the land; however, the small-scale agricultural and cannabis uses permitted in the RA zone do not generate a significant amount of traffic. Considering the analyzed project (at an estimate of 150 vehicle trips per day) fell so far below the significance thresholds, it is estimated that the allowed uses in the RA zone will likewise not exceed the established thresholds. Without a specified project outlining the operation (aside from cannabis cultivation on one of the parcels), the County does not have the data necessary to enter into the model to receive actual construction and operational emissions—hence the comparison with another previously evaluated project involving 150 vehicle trips per day.

The Program EIR and Addendum for Chapter 17.95 estimated the cannabis generated emissions to be below the County established significance thresholds, with the lbs/day rate being the highest for NOx (between 55 and 110 lbs/day). Even if cannabis activities were to occur in conjunction with an RA use that generated pollutants commensurate to 150 vehicle trips per day, the combined emissions would still be below the County established significance thresholds.

The proposed change in zoning will not significantly expose sensitive receptors (i.e. schools, residential neighborhoods, etc.) to substantial pollutant concentrations. The property is in a rural area with large parcels and no schools are nearby. Odors that could be created by the proposed project that have not already been analyzed as part of the cannabis cultivation ordinance could include those associated with farming activities and diesel or gasoline exhaust fumes associated with the previously mentioned allowed uses in the RA zone. The parcel is located in a rural portion of County with residential development spread out on larger parcels. Therefore, the proposed project will have a less than significant impact on the environment.

IV. BIOLOGICAL RESOURCES

| | <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|--|---|---|---|--------------------------|
| 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 Wildlife or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

DISCUSSION

Program EIR and Addendum for Chapter 17.95

The potential for cannabis cultivation to impact biological resources is discussed in the EIR and Addendum, and was found to be less than significant with mitigation. All permittees are required to enroll in waste discharge requirements with the State Water Resources Control Board under General Order No. WQ 2019-0001-DWQ (MM #3.3-1). The review by the Water Board ensures compliance with standards for protection of wildlife and other biological resources. Cannabis cultivation on either or both subject parcels would be subject to the aforementioned Water Board requirements and is therefore within the scope of the project described in the 17.95 EIR/Addendum.

Although implementation of the Cannabis Ordinance would require the provision of fencing for security purposes, which could restrict wildlife movement in the area, the fencing at the subject parcel proposed for cannabis cultivation was previously constructed as required under the 2016 Urgency Ordinance. The EIR and Addendum determined that impacts to wildlife corridors and wildlife movement from placement of fencing around cultivation sites were less than significant, with implementation of MM 3.3-1.

A Biological Site Assessment was completed on August 3, 2016 by Perennial, LLC³ during the previous permitting of the commercial cannabis cultivation site on the northwest parcel (APN 012-012-128) as part of the requirements under the Central Valley Regional Water Quality Control Board's Water Quality Order R5-2015-0113 (Waste Discharge Requirements for Medicinal Cannabis Cultivation Activities). The focus of the assessment was to search for suitable habitat and presence of any special-status species, and to conduct an informal assessment to determine the presence or absence of waters of the U.S. and wetlands. Field surveys were conducted on June 12, 2016 and July 29, 2016 and searches of the California Department of Fish and Wildlife's California Natural Diversity Database and U.S. Fish and Wildlife Environmental Conservation Online System were also conducted.

Typical plant and animal specials were observed during the site surveys, however, no protected or special status plant or animal species, or any sensitive wildlife habitats were observed. Habitat types that exist on the property in question include Sierran Mixed Conifer and Montane Hardwood-Conifer Habitats. No wetlands or ponds were observed. The middle fork of the Mokelumne River does run through the property in question. The former cultivation site is over 400 feet from this riparian habitat with extensive vegetated buffers in between. The assessment identified no impacts to special-status species from the establishment of the cultivation site during the assessment.

If cannabis activities are pursued for the other parcel included in this analysis, Chapter 17.95 will require said parcel to also comply with the Water Quality Control Board requirements and regulations, necessitating a new, separate biological assessment.

Analysis regarding additional RA uses

- a-f. **Less Than Significant Impact** – The biological site assessment described above for APN 012-012-128 demonstrates that the other uses allowed in the RA zone will not have a significant impact on biological resources if undertaken on this property. The RR zoning district focuses on residential uses and activities rather than those that utilize land-management principles required for proper agriculture production. Utilizing either or both of the subject parcels for cannabis cultivation and/or for agricultural purposes allowed in the RA zone will preserve open space and thereby reduce impacts on biological resources. Calaveras County has not adopted a Habitat Conservation Plan or a Natural Community Conservation Plan, and this portion of the County is not regulated by any regional or state habitat conservation plans.

V. CULTURAL RESOURCES

| | <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|--|---|---|---|-------------------------------------|
| Would the project: | | | | |
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

Program EIR and Addendum for Chapter 17.95

The potential for cannabis cultivation to impact cultural resources is discussed in the EIR and Addendum. Potential impacts to cultural resources are addressed through compliance with the Water Board under General Order No. WQ 2019-0001-DWQ. Any cannabis cultivation on the subject property will be subject to the General Order, causing any impacts to be less than significant. This project is subject to these Water Board requirements and therefore within the scope of the project described in the 17.95 EIR/Addendum.

A cultural resources survey was conducted in 2006 by Foothill Resources, Ltd⁴ for the Strange's property, focusing on their adjacent parcel to the north of the subject parcels. The scope of this study included a ¼ mile radius of that parcel, which includes both parcels in question. Archeological and cultural studies maintain relevance for a lengthy period of time due to archeological and cultural sites being historic in nature. The study included a records search to determine the presence or absence of cultural resources, a review of any previous studies, consultation with Native American tribes, and a field survey. The

Study determined that there are no known historical or archeological, or paleontological resources in the vicinity. In addition, this project has been circulated to all local Native American tribes, none of which voiced any objections or concerns.

Analysis regarding additional RA uses

- a-c. **No Impact** – As discussed above, a cultural resources survey was conducted in 2006 by Foothill Resources, Ltd for the Strange's property, focusing on their adjacent parcel to the north of the subject parcels. The scope of this study included a ¼ mile radius of that parcel, which includes both parcels in question. The Study determined that there are no known historical or archeological, or paleontological resources in the vicinity. In addition, this project has been circulated to all local Native American tribes, none of which voiced any objections or concerns.

The proposed project will be subject to State laws and regulations should any cultural resources or human remains be encountered during future excavation activities on the property, which will serve to assure that impacts associated with human remains and other cultural resources are insignificant.

VI. ENERGY

| | <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|---|---|---|---|-------------------------------------|
| Would the project: | | | | |
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

Program EIR and Addendum for Chapter 17.95

Impacts related to energy use were analyzed in the EIR and Addendum for Chapter 17.95 were found to be less than significant. Potential cannabis cultivation on the parcels is within the scope of the EIR/Addendum prepared for 17.95; no unique impacts would arise through the use of these particular parcels for cannabis cultivation.

Analysis regarding additional RA uses

- a-b. **No Impact** – The proposed project is to rezone the subject parcels from RR to RA, and no specific development is proposed aside from the cannabis cultivation discussed above. Any potential permitted-by-right use – in the absence of a development plan that states

otherwise – is expected to comply with all applicable energy codes and other regulations regarding the wasteful, inefficient, or unnecessary consumption of energy resources, and is expected to comply with any state or local plan for renewable energy or energy efficiency.

VII. GEOLOGY AND SOILS

| | <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|--|---|---|---|-------------------------------------|
| Would the project: | | | | |
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii. Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii. Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv. Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) 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"/> |

DISCUSSION

Program EIR and Addendum for Chapter 17.95

The potential for cannabis cultivation to impact geology and soils is discussed in the EIR and Addendum. Although not identified as a significant impact, any septic system must meet the standards of the County for installation of a septic system and securing any appropriate grading permit (Section 17.95.090.H of the Cannabis Cultivation and Commerce Ordinance). Potential cannabis cultivation on the parcels is within the scope of the EIR/Addendum prepared for 17.95; no unique impacts would arise through the use of these particular parcels for cannabis cultivation.

Analysis regarding additional RA uses

- a. **No Impact** – Calaveras County lies within the Sierra Block, an area of historically low seismicity. Although the County has felt ground shaking from earthquakes with epicenters located elsewhere, no major earthquakes have been recorded within the County. The closest known source of large earthquakes is the Sierra Frontal Fault System along the eastern margin of the Sierra Nevada, which includes the Carson Valley Fault. This fault is located east of the County, and has been evaluated as capable of generating earthquakes of up to the magnitude 7.0. However, the risk of surface rupture is not considered sufficient to restrict the development found in the County. Sites in Calaveras County with liquefaction potential would be those on alluvial deposits having groundwater and sand or silt layers of uniform grain sizes within about 30 feet of the surface. The subject parcels are located in the canyon adjacent to the South Fork of the Mokelumne River on top of the Calaveras Formation, and therefore, such conditions are not found on the subject parcels and are generally not present in the County.
- b-c. **Less Than Significant Impact** – The areas of particular landslide concern are those that include high elevations with steep ravines and gulches associated with river and stream channels. Although the parcels in question would not be considered a high elevation, they are located in a ravine associated with a river channel. According to the USDA Natural Resources Conservation Service soils maps⁵, the subject parcels contain soil classified as “Nedsgulch-Arpatutu complex, 30 to 60 percent slopes.” This soil type is classified as being well drained with a moderate potential for erosion, with the erosion potential increasing as the slope increases. The hillsides on the parcels are vegetated which increases the stability of the soil reducing the probability of erosion. The change from the RR to the RA zone will not increase the residential development potential of the parcels, however it will increase the potential agricultural development of the parcels. Utilization of Best Management Practices to reduce the risk of erosion is a requirement of all grading and building in the County. With the application of Best Management Practices, and all applicable County and State laws regarding grading and erosion control, the susceptibility of erosion remains less than significant. If erosion of soils were to occur, the risk of loss, injury or death is low because the development potential is limited due to the location and terrain.
- d-e. **No Impact** – The Nedsgulch-Arpatutu complex soil type is not considered expansive as it has adequate drainage and low-clay composition. There is no new development proposed

with this application; however, during the plan check process, building plans are examined for compliance with the uniform building code. This process requires a soils report be submitted with all construction plans to ensure the proposed structure will not be compromised due to unstable soil conditions. The standards vary depending on the location and type of structure proposed. Given the size of the subject parcels, it is unlikely that a suitable site cannot be found for the future construction of residential or agricultural structures or septic systems if desired.

- f. **No Impact** – There are no known unique paleontological resources or sites or unique geologic features on or near the subject parcel.

VIII. GREENHOUSE GAS EMISSIONS

| | <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|--|---|---|---|--------------------------|
| Would the project: | | | | |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

DISCUSSION

Program EIR and Addendum for Chapter 17.95

The potential for cannabis cultivation to impact greenhouse gas emissions is discussed in the EIR and Addendum and was found to be less than significant with mitigation. The cultivator must design the project to be carbon neutral or pay carbon offsets as provided in Mitigation Measure #3.2-3 (Section 17.95.060.B.11) Potential cannabis cultivation on the parcels is within the scope of the EIR/Addendum prepared for 17.95; no unique impacts would arise through the use of these particular parcels for cannabis cultivation.

Analysis regarding additional RA uses

- a-b. **Less Than Significant Impact** – The County has not adopted a plan or program to reduce GHGs, therefore, the proposed project would not conflict with any such plan. The State of California has adopted legislation to reduce GHGs and charge local jurisdictions to develop plans for such reductions. While the County has not yet developed such a plan, potential future agriculture related uses and the potential construction of agriculture accessory structures would have a less than significant impact.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

| | <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|---|---|---|---|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) 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"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

DISCUSSION

Program EIR and Addendum for Chapter 17.95

Impacts related to hazards and hazardous materials were analyzed in the EIR and Addendum for Chapter 17.95 were found to be less than significant. Any commercial cannabis operations will require a Waste Discharge Permit from the Central Valley Regional Water Quality Control Board. Potential cannabis cultivation on the parcels is within the scope of the EIR/Addendum prepared for 17.95; no unique impacts would arise through the use of these particular parcels for cannabis cultivation.

Analysis regarding additional RA uses

- a-b. **Less than Significant Impact** – The proposed Residential Agriculture zoning will permit various agricultural operations to be conducted on the parcels in question. Hazardous materials associated with the agricultural operations may include (but are not limited to) diesel fuel, gasoline and engine oils for equipment. Materials such as pesticides and fertilizers may be routinely used in general farming activities. Pesticide use is regulated by permit through the County Agriculture Commissioner's office to ensure safe handling of the materials. The storage of hazardous materials is similarly regulated by the County Environmental Health Department.
- c. **No Impact** – There are no existing or proposed schools within one quarter mile of the subject parcels.
- d. **No Impact** – There are no hazardous materials sites located on or near any of the subject parcels.
- e. **No Impact** – The subject parcels are not within an airport land use plan or within 2 miles of a public airport, public use airport, or private airstrip.
- f. **No Impact** – The proposal to re-zone the subject parcel to Residential Agriculture will not physically interfere with an adopted emergency response plan or an approved evacuation plan.
- g. **Less Than Significant Impact** – Based on many factors, this area of the County is designated as a very high fire hazard. The introduction of agricultural operations, whether it be the production of livestock or farming activities, will decrease the flammable vegetation on site thus decreasing the probability of a wildfire. The residential development potential will not increase by amending the zoning to Residential Agriculture. Therefore, amending the zoning of the subject parcels will not increase the risk to loss, injury or death from wildfire.

X. HYDROLOGY AND WATER QUALITY

| Would the project: | <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|---|---|---|---|--------------------------|
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

impervious surfaces, in a manner which would:

| | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (i) result in substantial erosion or siltation on- or off-site; | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite; | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (iii) 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; or | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (iv) impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

DISCUSSION

Program EIR and Addendum for Chapter 17.95

The potential for cannabis cultivation to impact hydrology and water quality is discussed in the EIR and Addendum. Under 17.95, each permittee relying on groundwater must conduct well production tests and annual monitoring to ensure that well pumping does not decrease the groundwater supply. Mitigation Measure 3.5-3 of the EIR and Addendum requires applicants with a permitted well water supply source to prepare and implement a well-monitoring program. Code sections 17.95.070.I, 17.95.090.EE, and 17.95.140.C of the Cannabis Ordinance require that the applicant submit an annual well report estimating the average daily water use from July through September and results from a pumping test conducted in September for the first five years after receiving the initial permit. While the provisions of the final Cannabis Ordinance approved by the Board differed from the mitigation measures in the EIR and Addendum, the Board found that those provisions provided comparable mitigation, and the impact was mitigated to a less-than-significant level. Potential cannabis cultivation on the parcels is within the scope of the EIR/Addendum prepared for 17.95; no unique impacts would arise through the use of these particular parcels for cannabis cultivation.

Analysis regarding additional RA uses

- Less Than Significant Impact** – Any future agricultural activities will require a Waste Discharge Permit from the Central Valley Regional Water Quality Control Board. Therefore, the project will not violate any water quality standards or waste discharge requirements.
- Less Than Significant Impact** – The parcel is located in an area of the County known for having moderate to high groundwater potential. Groundwater in this area is drawn from

fractured rock, faults and changes in stratigraphy. Yield from hard rock wells therefore varies greatly from one site to another as water availability is largely based on geologic formations. Land uses in the general area are residential and agricultural. Residential development in the general vicinity consists of single-family dwellings on large parcels (5-40 acres in size). Therefore, impacts to residential development will be minimal.

- c. **Less Than Significant Impact** – The applicant has expressed the desire to continue to use the land for commercial medical cannabis cultivation under the regulatory ordinance adopted by the Board of Supervisors on October 22, 2019. There is no other development proposed with the application to re-zone the parcels in question. The formerly established cultivation site did not alter drainage patterns and/or change the course of a stream or river, and is at least 200 feet from the ephemeral drainage on the parcel. In addition, reestablishment of cultivation will not alter any drainage patterns; thus, off-site flooding is not likely to occur. County ordinances will ensure that proper erosion control measures are in place as needed to control run off and/or erosion in relation to future agricultural development. In this light, it is anticipated that any other permitted RA use will also have little impact to drainage patterns. The subject parcels are located in a rural part of the County where storm water drainage systems currently do not exist. Re-zoning the parcels to Residential Agriculture will not increase the permitted residential density of the property. Any potential runoff created by any permitted uses will be subject to applicable waste discharge permits, preventing the impacts from being significant.
- d. **Less Than Significant Impact** – The subject parcel does not contain any flood zones, is not located in a dam inundation area, and there are no levees in the vicinity of the property. There are no enclosed or partially enclosed large bodies of water or oceans near the subject property; therefore, there is no danger of a seiche or tsunami occurring. There is no visual evidence of mudflows occurring on the subject property.
- e. **Less Than Significant Impact** – The proposed project would not substantially degrade water quality by introducing pollutants that may be released by inundation or altered drainage patterns. In addition, measures implemented to control potential erosion would minimize the risk of effects to surface water quality in local waterways.

XI. LAND USE AND PLANNING

| | <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|--|---|---|---|-------------------------------------|
| Would the project: | | | | |
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

Program EIR and Addendum for Chapter 17.95

Impacts related to land use and planning were analyzed in the EIR and Addendum for Chapter 17.95 were found to be less than significant. Potential cannabis cultivation on the parcels is within the scope of the EIR/Addendum prepared for 17.95; no unique impacts would arise through the use of these particular parcels for cannabis cultivation.

Analysis regarding additional RA uses

- a. **No Impact** – The parcels are located in the rural outskirts between the communities of Wilseyville and Railroad Flat. Re-zoning the land to Residential Agriculture will not divide an established community.
- b. **No Impact** – The proposed zoning amendment is consistent with the Calaveras County General Plan. The land is designated as Working Lands. The Residential Agriculture zone is a resource zone, and is consistent in the Working Lands designation.

XII. MINERAL RESOURCES

| | <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|---|---|---|---|-------------------------------------|
| 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"/> |
| 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"/> |

DISCUSSION

Program EIR and Addendum for Chapter 17.95

Impacts related to mineral resources were analyzed in the EIR and Addendum for Chapter 17.95 were found to be less than significant. Potential cannabis cultivation on the parcels is within the scope of the EIR/Addendum prepared for 17.95; no unique impacts would arise through the use of these particular parcels for cannabis cultivation.

Analysis regarding additional RA uses

- a-b. **No Impact** – Mineral resource extraction is not proposed with this project, and there are no known mineral resources on the subject parcels.

XII. NOISE

| | <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|---|---|---|---|-------------------------------------|
| Would the project result in: | | | | |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

Program EIR and Addendum for Chapter 17.95

Commercial cultivation of cannabis, as stated in Section 17.95.030D, is not defined as an “agricultural operation” for the purposes of Title 14 and Title 15 of the Calaveras County Code or a “legally existing agricultural land use”, and it would therefore be subject to the County’s Noise Ordinance. The Cannabis Ordinance requires separation from sensitive uses, prohibits the use of generators except in an emergency, and prohibits the delivery of water by truck (sections 17.95.090.Q, 17.95.090.N, and 17.95.090.FF). Potential cannabis cultivation on the parcels is within the scope of the EIR/Addendum prepared for 17.95; no unique impacts would arise through the use of these particular parcels for cannabis cultivation.

Analysis regarding additional RA uses

- a-c. **Less Than Significant Impact** – Sound from any agricultural operations subject to Chapter 14.02 of County Code is exempt from the County’s noise ordinance. Potentially, groundborne vibrations and/or noise could occur during preparation of land for agricultural use, however preparation of the land is temporary. Noise generated from agricultural operations is minor and when located in a rural portion of the County such as the subject parcels, will not cause a significant impact. The subject property is not located in the airport land use plan, nor is there a public or private airstrip within 2 miles.

XIV. POPULATION AND HOUSING

| | <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|---|---|---|---|-------------------------------------|
| Would the project: | | | | |
| 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

Program EIR and Addendum for Chapter 17.95

Impacts related to population and housing were analyzed in the EIR and Addendum for Chapter 17.95 were found to be less than significant. Potential cannabis cultivation on the parcels is within the scope of the EIR/Addendum prepared for 17.95; no unique impacts would arise through the use of these particular parcels for cannabis cultivation.

Analysis regarding additional RA uses

- a-b. **No Impact** – The re-zoning of the land to Residential Agriculture will not increase the allowable density of the property, displace existing housing or displace people in any way.

XV. PUBLIC SERVICES

| | <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|--|---|---|---|-------------------------------------|
| 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: | | | | |
| Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Other public facilities?

☐☐☐☒

DISCUSSION

Program EIR and Addendum for Chapter 17.95

Impacts to public services were analyzed in the EIR and Addendum for Chapter 17.95 were found to be less than significant. Potential cannabis cultivation on the parcels is within the scope of the EIR/Addendum prepared for 17.95; no unique impacts would arise through the use of these particular parcels for cannabis cultivation.

Analysis regarding additional RA uses

No Impact – The re-zoning of the land to Residential Agriculture will have no effect on public services. The change in zoning will not alter the ability for emergency personnel to respond to or access the parcels in question, and the allowed residential density will not change, causing no additional impacts to schools, parks, and similar public facilities.

XVI. RECREATION

| | <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|--|---|---|---|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

Program EIR and Addendum for Chapter 17.95

Impacts related to parks and recreational facilities were analyzed in the EIR and Addendum for Chapter 17.95 and were found to be less than significant. Potential cannabis cultivation on the parcels is within the scope of the EIR/Addendum prepared for 17.95; no unique impacts would arise through the use of these particular parcels for cannabis cultivation.

Analysis regarding additional RA uses

a-b. **No Impact** – There are no parks or recreational facilities in the vicinity of the project. Agricultural operations in a rural portion of the County will have no effect on parks or other

recreational facilities as they do not create an increased demand for these facilities, nor do they prevent access to them.

XVII. TRANSPORTATION

| | <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|--|---|---|---|-------------------------------------|
| Would the project: | | | | |
| a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

Program EIR and Addendum for Chapter 17.95

Impacts to transportation infrastructure from commercial cannabis cultivation would be mitigated to a degree by the payment of the RIM fee (MM #3.9-2). However, the EIR and Addendum found that there would be a cumulative significant effect on the environment since the fee reduced the impact, but did not completely alleviate it. Findings of overriding consideration were made by the Board of Supervisors when it certified the EIR, approved the Addendum, and adopted the ordinance. Potential cannabis cultivation on the parcels is within the scope of the EIR/Addendum prepared for 17.95; no unique impacts would arise through the use of these particular parcels for cannabis cultivation.

Analysis regarding additional RA uses

a-d. **Less Than Significant Impact** – Agricultural operations will not conflict with the circulation system in Calaveras County. Located off Railroad Flat Road, the subject parcels are in a rural portion of Calaveras County. Railroad Flat Road is a county maintained road of hilly terrain with no pedestrian or bicycle paths and no mass transit. Agricultural operations may generate a slight increase in traffic due to seasonal employees. Depending on the operations, traffic may be generated by truck and trailer traffic shipping agricultural goods to market and/or temporary farm workers during pruning and harvest seasons, both increases being temporary in nature. Additional traffic may also be generated by the establishment of an agriculture service or retail use. Due to the location of the subject property – far from a state highway or population center – this possible additional traffic will be locally generated and will not bring an outsized number of customers from outside the area. The County Public Works Department has reviewed this project and has no concerns

in regards to the ability of the local infrastructure to serve the property in question. Re-zoning the subject parcels to Residential Agriculture will not result in a change in traffic patterns, air traffic patterns, road re-alignments or re-construction of any off-site road. There are no policies, plans or programs regarding public transit, bicycle or pedestrian facilities in this area adopted in Calaveras County.

XVIII. TRIBAL CULTURAL RESOURCES

| | <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|--|---|---|---|-------------------------------------|
| 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"/> |
| 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, 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"/> |

DISCUSSION

Program EIR and Addendum for Chapter 17.95

Impacts related to tribal cultural resources were analyzed in the EIR and Addendum for Chapter 17.95 were found to be less than significant. Potential cannabis cultivation on the parcels is within the scope of the EIR/Addendum prepared for 17.95; no unique impacts would arise through the use of these particular parcels for cannabis cultivation.

Analysis regarding additional RA uses

- a-b. **No Impact** – There are no known tribal cultural resources on the subject parcels. The proposed project was circulated to all local tribes in accordance with the CEQA guidelines and as required by AB 52, Public Resources Code Section 21080.3(b), with no comments being returned.

XIX. UTILITIES AND SERVICE SYSTEMS

| | <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|---|---|---|---|-------------------------------------|
| Would the project: | | | | |
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

Program EIR and Addendum for Chapter 17.95

Impacts related to utilities and service systems were analyzed in the EIR and Addendum for Chapter 17.95 were found to be less than significant. Potential cannabis cultivation on the parcels is within the scope of the EIR/Addendum prepared for 17.95; no unique impacts would arise through the use of these particular parcels for cannabis cultivation.

Analysis regarding additional RA uses

- a. **No Impact** – The subject parcels are located in a rural part of Calaveras County where district water and wastewater services are not available and storm water drainage facilities do not exist.
- b. **Less Than Significant Impact** – The subject parcels are located in an area of Calaveras County known for having moderate to high groundwater potential. There is a well located on the subject parcel that is currently sufficient to provide for the parcels' needs even if both

cannabis and other agricultural uses permitted in the RA zone were conducted on one or both parcels..

- c-e. **No Impact** – The subject parcels are located in a rural part of Calaveras County which is not served by a sanitary district or utility district. The re-zoning of the subject parcel will have no effect on wastewater treatment facilities. Wastewater needs are currently served by on-site sewage disposal. Re-zoning the subject parcel will not increase the density of said parcels. Solid waste generated by future agricultural operations will be adequately handled on site and will have no impact upon any landfill.

XX. WILDFIRE

| | <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|---|---|---|---|-------------------------------------|
| If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: | | | | |
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require the installation of maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

Program EIR and Addendum for Chapter 17.95

Impacts related to wildfire were analyzed in the EIR and Addendum for Chapter 17.95 were found to be less than significant. Potential cannabis cultivation on the parcels is within the scope of the EIR/Addendum prepared for 17.95; no unique impacts would arise through the use of these particular parcels for cannabis cultivation.

Analysis regarding additional RA uses

- a-d. **No Impact** – The proposed zoning amendment does not impair any countywide emergency plans. This area of the County is designated as a very high fire hazard. The use of the parcel for agricultural operations will further decrease the flammable vegetation on site, thus decreasing the probability of a wildfire. There are no proposed infrastructure plans, and all existing and/or future improvements shall adhere to all Federal, State and local agency requirements. There are no residences or structures downslope or immediately downstream from the subject parcel. The property in question does not – as discussed in the Geology and Soils section of this checklist – have a significant risk of erosion or runoff. Notified fire agencies had no concerns in this regard. Any flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes occurring on the subject parcel, however unlikely, would not expose people or structures to any significant risk. The change in zoning will not significantly alter any risk that may or may not currently exist on the subject parcel in regards to wildfires.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

| | <u>POTENTIALLY SIGNIFICANT IMPACT</u> | <u>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</u> | <u>LESS THAN SIGNIFICANT IMPACT</u> | <u>NO IMPACT</u> |
|--|---|---|---|--------------------------|
| a) Does the project have the potential to Substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

DISCUSSION

- a. **Less Than Significant Impact** – Through the use of best management practices and compliance with established County code and state requirements, the project does not have the potential to significantly degrade the quality of the environment, significantly reduce habitat, or threaten or eliminate plant and/or animal communities, except as identified in the

Program EIR and for which findings of overriding considerations were made. Amending the zoning of the parcel from RR to RA increases the emphasis on additional agricultural uses and preserves open space necessary for plants and animals to thrive.

- b. **Less Than Significant Impact** – The subject parcels are designated as Working Lands, and are located in a rural portion of the County. Amending the zoning to RA would not create a cumulative impact to any of the items discussed in this checklist. The project is consistent with the General Plan and Zoning Code. The impacts associated with this project are minor in nature or in compliance with County standards, and do not trip established thresholds or create significant and unavoidable impacts, except as identified in the Chapter 17.95 Program EIR and for which findings of overriding considerations were made.
- c. **Less Than Significant Impact** – The analysis of environmental issues contained in this Initial Study indicate that the project is not expected to have substantial adverse effects on human beings, either directly or indirectly, except as identified in the Chapter 17.95 Program EIR and for which findings of overriding considerations were made. Best management practices and compliance with standard regulations will reduce any further impacts to a level of less than significant.

REFERENCES

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3. *Biological Site Assessment*, Perennial, LLC. August 3, 2016
4. *Cultural Resources Survey of the Strange Ranch/Blue Mountain Preserve, 63.35-Acres, Wilseyville, Calaveras County, California*, Foothill Resources, Ltd. March 27 2006.
5. United States Department of Agriculture, Natural Resources Conservation Service. Web Soil Survey. <https://websoilsurvey.sc.egov.usda.gov/app/WebSoilSurvey.aspx>
6. Program EIR and addendum prepared for Calaveras County Code Chapter 17.95, adopted by the Board of Supervisors on October 22, 2019.
7. Calaveras County Code.
8. Zoning Amendment Application 2019-085 for Terrance Strange.
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11. Calaveras County Air Quality Management District, *Best Management Practices*, 2004.
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