

Tule Creek Commercial Cannabis Conditional Use Permit  
Doug and Tom Evans, Application P-19-22, APN 014-430-75-00

Initial Study / Negative Declaration





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Lead Agency:

Trinity County  
Department of Building and Planning  
61 Airport Road  
Weaverville, CA 96093

Applicant:

Tom and Doug Evans  
690 Tule Creek Road  
Hayfork, CA 96041

Prepared by:

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May 1, 2020

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## Environmental Checklist Overview

Project Title:	Initial Study / Mitigated Negative Declaration for Tom and Doug Evans
Lead Agency:	Trinity County, Department of Planning
Address:	61 Airport Road, Weaverville, California 96093
Phone Number:	530-623-1351
Report Author:	Scott Watkins, MBA MPP
Company:	Buildaberg
Phone number:	530-953-5763
Project Location:	690 Tule Creek Road, Hayfork, CA 96041
Applicant Name:	Tom and Doug Evans
Applicant Address:	PO BOX 419, Hayfork, CA 96041
General Plan Designation:	Heavy Industrial/Manufacturing (M2)
Zoning:	Industrial (I)
Surrounding Land Uses	
North:	Rural Residential 10 Acre Minimum (RR10)
East:	Heavy Industrial/Manufacturing (M2)
South:	Heavy Industrial/Manufacturing (M2)
West:	Agricultural Preserve (AP)
Other Public Agencies Requiring Approval:	Trinity County Department of Environment Health Trinity County Building Department – New Buildings Trinity County Fire Chiefs Association California Department of Water Resources California Department of Fish and Wildlife

## Regulatory Requirements

Before the proposed project can be issued CalCannabis and Bureau of Cannabis Control annual licenses, pursuant to the State of California's Medical and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), it must be in compliance with the following: Trinity County Municipal Code and General Plan (Hayfork Community Plan); California Department of Food and Agriculture, CalCannabis's adopted licensing regulations, California Code of Regulations Title 3, Food and Agriculture Division 8, Cannabis Cultivation Chapter 1, Cannabis Cultivation Program,' the Bureau of Cannabis Control's adopted licensing regulations 'Bureau of Cannabis Control Text of Regulations California Code of Regulations Title 16 Division 42. Bureau of Cannabis Control,' the North Coast Regional Water Quality Control Board (NCRWQCB) Order 2015-0023, until July 2019 when the State Water Resources Control Board's Order WQ 2017-0023-DWQ under Water Code Section 13149 takes effect. A Pre-Application (#1998) for a Notification for a Lake and Streambed Alteration Agreement was submitted on May 1, 2019, to the California Department of Fish and Wildlife (CDFW) as required by California Code of Regulations, Title 14, Section 722. CDFW responded on June 26, 2019 that an agreement was not required.

## Lead Agency

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

## Purpose of the Initial Study

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

This IS/MND is a public information document that describes the proposed project, the existing environmental setting at the project site, and potential environmental impacts of issuance of a conditional use permit for the activities associated with four small cultivation sites, a distribution facility, nursery, and Type 6 Non-Volatile Manufacturing. This document is intended to inform the public and decision-makers of the proposed project's potential environmental impacts and to document the lead agency's compliance with CEQA and the State CEQA Guidelines.

## Review Process

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

During the review period, written comments may be submitted to:

TRINITY COUNTY  
Department of Planning  
61 Airport Road  
Weaverville, CA 96093  
Kim Hunter, Director of Planning  
khunter@trinitycounty.org  
(530) 623-1351 ext. 3

## Purpose of this Document

This Initial Study/Mitigated Negative Declaration (IS/MND) is being prepared for compliance with the State of California's California Environmental Quality Act (CEQA) for the Trinity County Cannabis Division under Cultivation Ordinance 315-843, Distribution Ordinances 315-828 and 834, Nursery Ordinances 315-826, 827, and 833, Manufacturing Ordinances 315-838 and 842, and aligned with Trinity County's Municipal Code, and General Plan.

Pursuant to the California Environmental Quality Act Guidelines, Title 14, Chapter 3, Article 6, Section 15070, a public agency shall prepare an IS/MND when potentially significant effects are identified. Before a proposed IS/MND is released for public review "it must be shown that revisions in the project plans or proposals made by or agreed to by the applicant, would avoid or mitigate the effects to a point where clearly no significant impacts would occur. There must be no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment." This analysis includes both site specific and regional supporting evidence to promote a legally defensible IS/MND. All references are provided at the end of the document.

## Proposed Mitigation

The mitigation measures section summarizes findings of the following criteria areas: air quality, cultural resources, tribal cultural resources, and mandatory findings of significance. The list includes who will be responsible for implementation of each mitigation measure, as well as, those responsible for final clearance.



## Introduction

The following sections provide an overview of the proposed project for applicant Tom and Doug Evans, who are seeking approval of a Conditional Use Permit to operate Commercial Cannabis Operations, including Commercial Cannabis Cultivation, a Distribution Facility, Wholesale Nursery and Type 6 Non-Volatile Manufacturing in Trinity County California. This IS/MND has been prepared to comply with the California Environmental Quality Act (CEQA). Throughout this document, there are additional details captured in Figures, references to the existing regulatory frameworks from relative agencies as they apply and appendices to help inform the analysis. A Biological Resources Assessment was completed by Senior Biologist, Brian Shaw, at Klamath Wildlife Resources on March 19, 2019 (Appendix B). William Rich, M.S., Registered Professional Archaeologist (#16584) and Principal Investigator, at William Rich and Associates completed a Tribal Cultural Resources Assessment (Appendix C). Some of the design features incorporated at the project site follow recommendations and guidelines from the Cannabis Environmental Best Management Practices Guide, September 2017, which was created by the Denver Environmental Health Department (Appendix E).

## Project Location

The proposed project is located at 690 Tule Creek Road in Hayfork, California United States Geological Survey's (USGS) Hayfork, California, 7.5-minute topographic map, the Site is in Sections 10, 11, and 15 in Township 31 North, Range 12 West (USGS, 2015) (Figure 1). The proposed project consists of approximately 44.6 acres of a 53.9-acre parcel identified by Trinity County assessor's parcel number (APN) 014-430-75-00. The Site is in the western portion of the town of Hayfork and zoned for heavy industrial use.





014-430-75-00

## Area Map

690 Tule Creek Rd, Hayfork, CA 96041

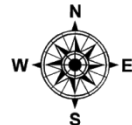


Subject Property  Lakes

### Roads

Highway  
 Paved  
 Native

0 750 1,500 3,000  
 US Feet



January 9, 2020  
 Project Name: TuleCreekMill  
 Applicant: Tom and Doug Evans  
 Map by Patrick Flynn - Buildaberg  
 All Rights Reserved

Figure 1: Area Map

## Existing Conditions

The land encompassing the project area consists of approximately 53 acres of disturbed soil that was previously used for wood milling and gold dredging operations. The Trinity County General Plan has designated the project site as being within the Hayfork Community Plan boundaries (a part of the General Plan) and designated the land use for the site as Heavy Industrial/Manufacturing (M2), with a zoning designation of Industrial (I).

Past uses on the site led to the development of a long driveway from Tule Creek Road onto the property. The driveway is surfaced with rock and sloped out from the center to direct stormwater away from the crown of the driveway. The road leads to the Peeler Building, Truck Shop, and the historical wood drying area where the proposed cannabis cultivation would occur.

There is an existing Peeler Building (27,000 sq. ft), Truck Shop (10,000 sq. ft), and on-site caretaker unit (600 sq. ft) which are currently occupied by other commercial tenants. The parcel has a 4" water meter and a 6" sewer lateral. Water and sewer are currently only connected to the Truck Shop. Existing commercial tenants are:

1. Watershed Center which uses the site for storage and parking. They have 12-16 employees onsite on a daily basis.
2. A landscaping material business which has 1 employee onsite on a daily basis.
3. The onsite caretaker unit has a single occupant.





014-430-75-00

# Site Map


690 Tule Creek Rd, Hayfork, CA 96041



 **Subject Property**

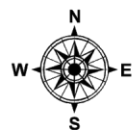
## Roads

 Paved

 Native

 **Lakes**

0 200 400 800 US Feet



January 9, 2020  
Project Name: TuleCreekMill  
Applicant: Tom and Doug Evans  
Map by Patrick Flynn - Buildaberg  
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Figure 2: Site Map

## Historical Setting

The site was first utilized by the Nor-el-Muk band of Wintu people. The first Euro-American settlers to the valley rapidly displaced the native people. The property was part of the Hayfork Valley Ranch, which produced and sold cut-hay to miners and settlers to feed livestock. The Hayfork Valley Ranch was dredged by a DoodleBug Dredge sometime in the 1930's, which eliminated its hay production potential. In the 1940s timber demand associated with the war effort and the eventual post-war building boom created the prospect for a milling operation in Hayfork. In 1945 it became a Lumber Processing Site that was held originally by Moore-Harte Lumber Company. In 1947 in the middle of construction the site was sold to Trinity County Timber Corporation. In 1950 Trinity Alps Lumber Company entered into a cutting contact with Trinity County Timber Company to log, process, and profit-share of their exclusive wood-tracks.

The Trinity County Timber Corporation was bought out by the University Hill Foundation in 1952, and they moved ahead with the cutting contract with the Trinity Alps Lumber Company. Over the next 10 years they harvested 288 million board feet of timber running a peeler, sawmill, and many other assets on site. Once the tracts that the University Hill Foundation owned had been harvested they shut down the milling operations. In the 1980s Sierra Pacific Industries (SPI) bought the idle assets and moved them to the east side of town and closed the Tule Creek Mill Site in 1996.

The Hayfork Community Enterprises project had six different businesses onsite in 2015- 2017:

- Tule Creek Forest Products which turned low value wood residuals into bundled firewood for campgrounds and homes. This company had 6 full time employees, but dissolved in 2017.
- Ron's Corvair Auto Works which had 1 part time employee
- Double R, as a small saw milling and firewood operation. It had 4 employees which has since moved to the Trinity County Business Incubator.
- A landscape material sales operation which has 1 employee.
- Bread and Butter Portables which had 2 employees and has since moved to another location on Tule Creek Road.
- Trinity River Construction which had 4 employees and since has moved to a facility in Redding
- Watershed Center, which uses the site as their parking for company vehicles, equipment yard, and records storage which has 12 - 18 employees who travel to and from the site on a daily basis.

## Environmental Setting

Hayfork Valley is a small valley with an elevation of 2,310 ft. about 20 miles South West of the Trinity Alps Wilderness and is surrounded by the Shasta Trinity National Forest. The Subject Property is located an estimated ½ mile west from the Hayfork Airport and downtown Hayfork.

Salt Creek cuts through the west side of the property and Hayfork Creek is just north of the parcel boundary. An 8-acre man-made pond occupies a large portion of the north part of the subject parcel. The pond was originally filled using Hayfork Creek and Salt Creek Water for the pond to be used as a log pond for milling operations. It has not been in use since 1980, and is currently classified as a wetland.

## Floodplain

The site is located in the Salt Creek Floodplain, and Salt Creek flows along the western portion of the site. The site is relatively flat. The Federal Emergency Management Agency (FEMA) issues Flood Insurance Rate Maps (FIRMs) that identify which land areas are subject to flooding. As shown in Figure 3, FEMA has mapped the 100-year flood zone, which is the area subject to flooding during a storm that has a 1 percent chance of occurring in a given year, as occurring along Salt Creek. The 500-year flood zone, which identifies the area subject to flooding in a storm with a 0.2 percent chance of flooding in any given year, is located just north of the proposed project site. (Federal Emergency Management Agency 2010)



014-430-75-00  
FEMA Flood Zones (2016)  
690 Tule Creek Rd, Hayfork, CA 96041

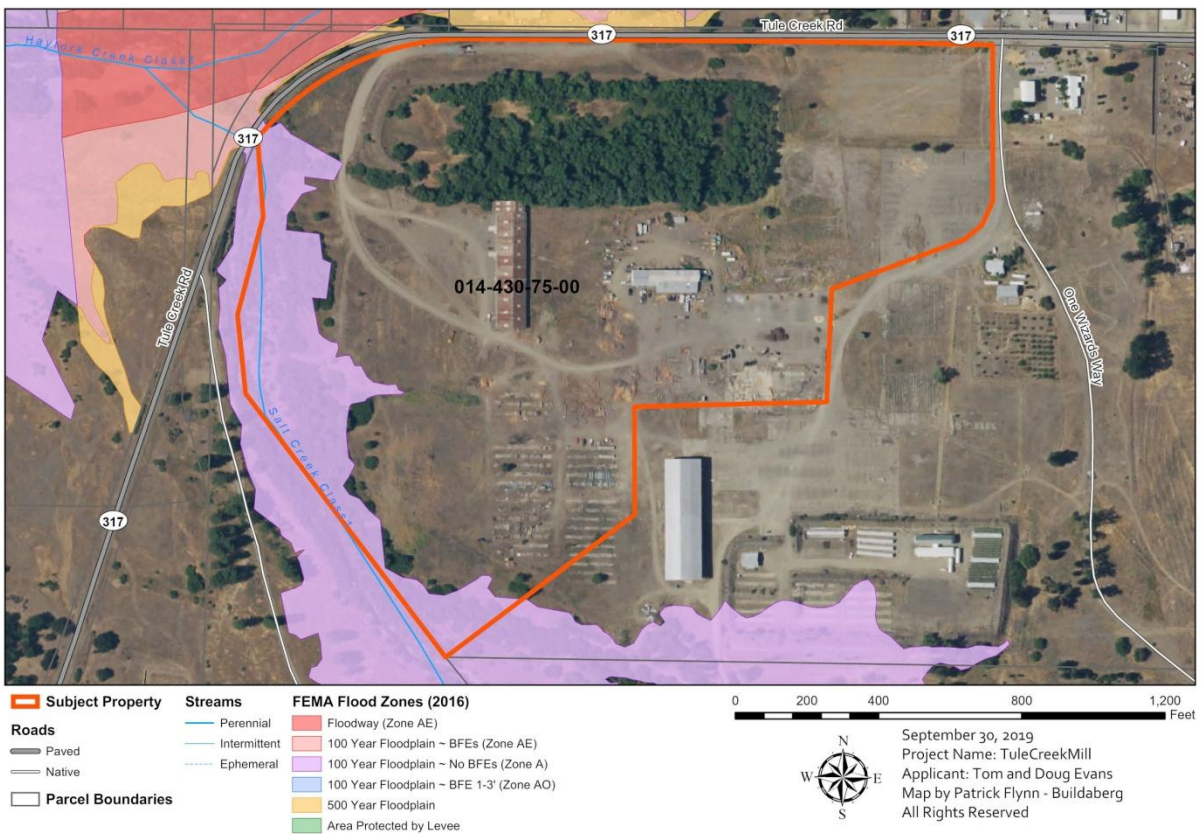


Figure 3: FEMA Flood Zone Map



## Adjacent Land Use

Existing development north of the site, across Tule Creek Road, is a mix of commercial and rural residential land uses. Surrounding the remainder of the site are generally undeveloped lands used for agriculture and public uses (sewage treatment ponds). As shown in the figure below the surrounding area is planned to be used for public, agriculture, residential, and commercial uses.



014-430-75-00

Zoning Districts

690 Tule Creek Rd, Hayfork, CA 96041

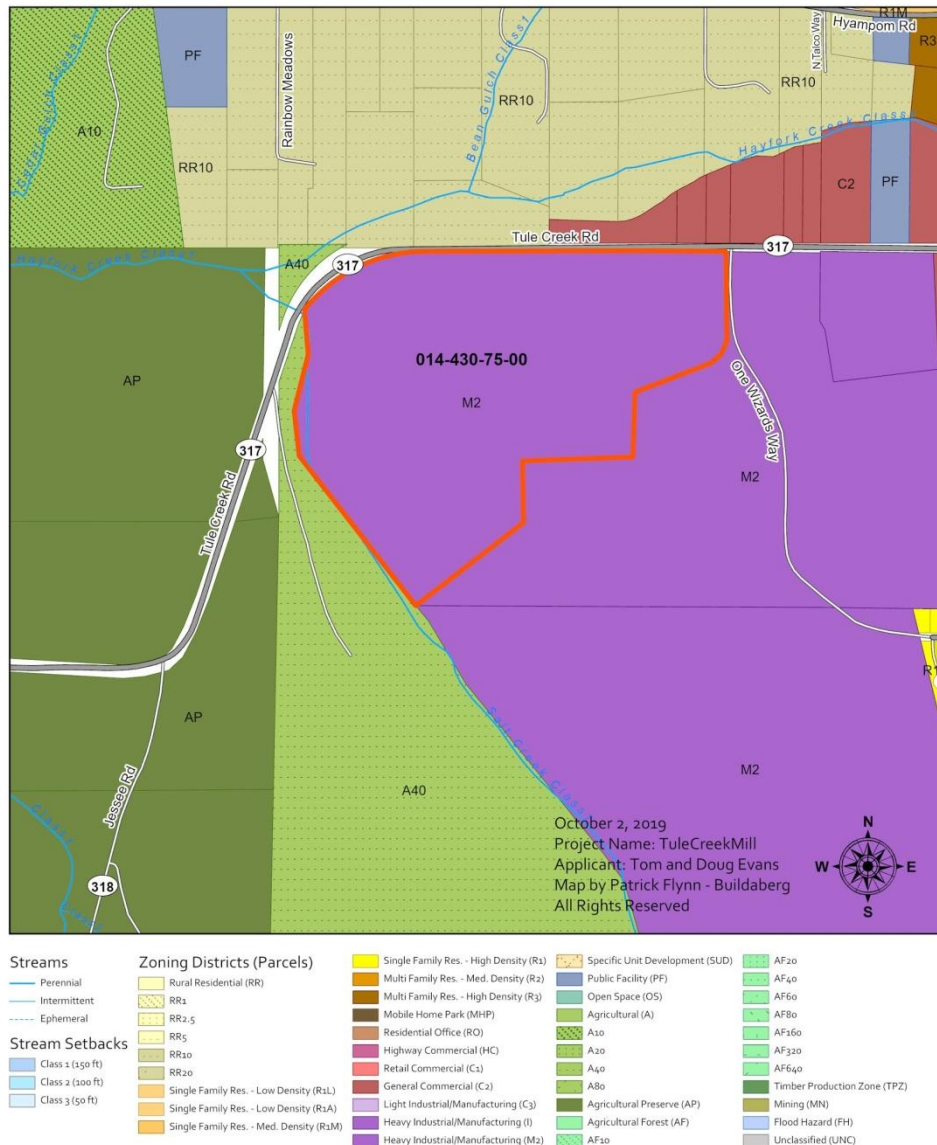


Figure 4: Zoning Map

## Transportation

### National Scenic Byway Programs

The Federal Highway Administration's National Scenic Byway Program and the Forest Service's National Forest Scenic Byways Program are intended to showcase distinct and diverse roads throughout America. The National Forest Scenic Byways Program is designed to showcase the outstanding scenery of NFS lands, while meeting the public's demand for scenic driving tours on safe, well-maintained roads. In addition, the program allows for public interpretation of National Forest management, meets the growing demand for recreational driving opportunities, increases use of National Forests by non-traditional user groups such as the elderly and urban minorities, and creates opportunities for rural economic development.

### Trinity County General Plan Scenic Highways Element

The County adopted a Scenic Highways Element of the General Plan, but did not identify any highways eligible for Scenic Highway status. A less restrictive County Scenic Roadways designation was incorporated into the Community Plan adoption process to restrict certain activities along designated roadways. Designated County Scenic Roadways have a 50-foot wide Scenic-Conservation overlay zone, which is intended to regulate the placement of structures bordering these roadways to preserve the beauty and rural character of areas along the roadway and areas of scenic beauty in Trinity County. To date, four County Scenic Roadways have been designated:

- Trinity Dam Boulevard (Road 105)
- Canyon Creek Road (Road 401)
- Rush Creek Road (Road 204)
- Sky Ranch Road (Road 412)

Tule Creek Road is not currently considered an Eligible County Scenic Roadway (LSC Transportation Consultants Inc. 2002).

### Regional Visual Landscape

The visual environment of Trinity County is dominated by rugged mountains, dense forests, rivers, and lakes. The dominant landform in the county is the rugged Klamath Mountains, which include the Trinity, Trinity Alps, and northern Yolla-Bolly mountains. The slopes of the Klamath Mountains in eastern Trinity County are characterized by steep, densely forested slopes, deep ravines, and mountain valleys; south-facing slopes, while similarly steep, tend to be less densely forested and noticeably drier. Primitive, or wilderness, areas are highly prized by County residents and visitors alike and are ranked among the most spectacular areas found anywhere in the continental United States. The scenic quality of Trinity County is vital to the County's communities and residential areas and contributes significantly to its recreational allure. With more than 90 percent of the county being forested and much of the total land area having slopes greater than 10 percent (Hahn, Wise, and Associates Inc. 1973), the visual environment is fairly similar across the county and provides a sense of open space. Nearly three-quarters of the land in the county is under public ownership (e.g., Forest Service, Bureau of Land Management, and Bureau of Reclamation) and is managed for the commercial value, recreational use, and preservation of valuable natural resources. Visual resource values of public lands must be considered during land use planning efforts (USDA Forest Service 1974, US Bureau of Land Management 1999).



The County has also designated several of its roads as County Scenic Roadways, to which a 50-foot wide Scenic-Conservation overlay zone applies (as appropriate) as part of the Community Plan adoption process. Wildwood Road, Hyampom Road, and Mad River Road are examples of roads that the County has identified as being eligible for County Scenic Roadway designation, but these roads have not yet been formally designated.

### Local Visual Setting

SR 3 offers views that range from cultivated agricultural land to panoramic mountain vistas. Hayfork is a large mountain valley that is surrounded by picturesque peaks and hills. The community was named Hayfork on account of the hay fields that were very productive during the Gold Rush, as well as being situated near the South Fork of the Trinity River.

### Site Access

The subject property's vehicle access is an existing encroachment from Tule Creek Road, which is the main access to the project area.

In 1920, present day SR 3 was called Route 35, also known as "Peanut Road," which connected Weaverville to SR 36 by a County Road System (Blow, Ben 1920). It was not until 1933, when Peanut Road was converted into a Highway that extended from SR 36 to present day SR 299 (California State Assembly 1933).

SR 3 is a major collector that links SR 299 with SR 36 and is the only access to the private lands along the highway. It is the major road serving the Hayfork and Hyampom Communities. It is frequently used by local residents and commercial businesses in the community of Hayfork as a primary route to Red Bluff, Weaverville, McKinleyville, and other areas west and south of Trinity County. It provides an important link for recreational and other users to a vast area of the Shasta-Trinity National Forest. In 2017 SR 3 carried an estimated 2400 vehicles per day. The estimated maximum hourly traffic volume is 360 vehicles (CalTrans 2017). Based on 2016 data, approximately 10.79 percent is truck traffic (CalTrans 2016).

### Vehicle Trips

Since the applicant purchased the property and the start of this environmental analysis, many of the businesses have relocated from the subject property.

To establish a baseline of vehicle trips at the subject property, we note the businesses and their respective employees Hayfork Community Enterprises project. The Hayfork Community Enterprises project had two businesses that we onsite when this environmental document was drafted and are expected to continue if this project is not approved.

- Watershed Center, which uses the site as their parking for company vehicles, equipment yard, and records storage which has 12 to 18 employees who travel to and from the site on a daily basis.
- A landscape material sales operation which has 1 employee.

There is also the traffic from the onsite caretaker unit which has a single occupant.

Totaling the collective businesses and uses of the subject property during the Hayfork Community Enterprises operations, there is a range of daily vehicle trips equivalent of up to 16 daily active users and an unknown number of trips related to their business operation (general deliveries, client/customer visits etc.) of the subject property.

## Utilities and Services

### Water Supply

The municipal water system serving the Hayfork area is managed by the Trinity County Waterworks District #1 (TCWD #1). The site falls within the TCWD #1. Water service to the site is within the Tule Creek Road right-of-way, beginning at Highway 3 with an 8-inch steel line reducing to a 6-inch line followed by a further reduction to a 4-inch line at the meter box and point of service. Fire hydrants are installed at approximately 500-foot spacing along Tule Creek Road.

### Sewer Service

TCWD#1 manages and operates sewer service under the same boundaries as the water service. Sewer service to the site is in the Tule Creek Road right-of-way and begins at the Highway 3 Pump Station 2 with an 8-inch PVC force main that encircles the north and west sides of the site and terminates at the District's sewage treatment ponds. A 6-inch PVC gravity line serving all existing properties on the north side of Tule Creek Road begins approximately 1,600 feet west of Highway 3 and terminates at Pump Station 4, the District's western boundary.

For the onsite system, a collection vault will be required before the project site's line intersects with the force main or gravity line. This collection vault will collect all waste water material from the site. At the collection vault, testing, monitoring, and treatment will occur for organic material and/or hazardous materials as required by TCWD#1. The design of the vault and additional conditions or requirements will be issued at TCWD#1's discretion during the conditional use permit process and/or the construction process.

### Electricity

The Trinity County Public Utility District (TCPUD), which supplies the majority of Trinity County, has been providing 100% renewable hydro-electricity to Trinity County customers since 1982, when they were able to implement the 1955 Trinity River Division Act. Trinity PUD connects 97% of its load directly to the generators at Trinity Dam, a hydroelectricity generation facility. (Trinity County Public Utilities District 2019) This facility supplies the majority of residents in Trinity County with renewable hydroelectricity.

TCPUD currently has access to enough electrical power to serve existing and new development for the foreseeable future. Existing electrical power infrastructure is distributed to the site via overhead lines running parallel to Tule Creek Road. Currently the site is served by two 800-amp 3-phase currents. One of the 800-amp services is attached to the Peeler Building and the other is attached to the Truck Shop.

### Project Description:

The applicant is seeking a Conditional Use Permit to operate a Commercial Cannabis company, including Commercial Cannabis Cultivation, Distribution, Commercial Nursery and a Type 6 Non-Volatile Manufacturing operation in Trinity County, California. In addition to a Conditional Use Permit, the project requires licensing to operate in Trinity County and State licensing, for each of these activities.

The project area is the sum of all the areas used for cultivation, manufacturing, distribution, nursery, processing; including gardens, soil staging areas, post harvest activity areas, material storage areas, ancillary buildings, irrigation system, employee areas, and access roads.

The proposed project is located on a historical mill and gold dredging site where all of the 53.9 acres is previously disturbed. This analysis examines the environmental impact of the activities proposed under this application. The project applicant proposes operation of commercial cannabis cultivation as a “Small” cultivation site (allowing up to 10,000 square feet of canopy), with future expansion up to one acre of canopy, as future Trinity County regulations allow. The potential environmental impacts of the future expansion of cannabis cultivation canopy is included in this analysis. Included in the commercial cannabis cultivation operation analysis is 800 square feet of Cannabis Waste and composting used for flower, stems and unmarketable plant material.

In addition to the Cannabis cultivation activities, this analysis also includes;

- 5,000 square foot new building dedicated to a commercial nursery
- Up to one-acre of commercial cannabis cultivation
- 200 square feet for petroleum storage
- 200 square feet for chemical storage
- up to 10,000 square feet dedicated to post harvest activities
- 15,000 square feet dedicated to manufacturing, processing, packaging, and labeling
- 7,500 square feet dedicated to distribution
- 3,500 square feet dedicated to shared employee space
- Up to 1,000 square foot onsite-caretaker unit in-kind replacement

### Cannabis Nursery

The project applicant proposes the establishment of a commercial cannabis nursery. The intent of the nursery is to provide both live cannabis plants and cannabis seeds for wholesale to individuals or entities that are licensed by the State of California’s Department of Food and Agriculture.

The nursery operation would be located in a mix of greenhouses and new hoopouses for propagation of live plant stock and one dedicated new building that is 5,000 square feet. The proposed new nursery building and permanent greenhouses is planned to have an odor control dispersion system to neutralize and dissipate odors. Water would be sourced from Trinity County Waterworks District #1 (TCWD #1).

The Cannabis Nursery building is planned to be fully enclosed with a non-permeable floor. This building is where all commercial wholesale purchasing will occur, there will be a small 500 square foot sales floor with space for new account setups, ordering and pickup, and general customer service.

### Cannabis Cultivation

Cannabis Cultivation would occur in the central southern part of the parcel and would not require the removal of any trees or create any detectable environmental impacts. This area of the subject property was previously disturbed by the historic Lumber Mill operations, and was previously used for the drying and curing of timber. Water would be sourced from Trinity County Waterworks District #1 (TCWD #1). All proposed and any future electrical uses associated with the cultivation operations would be sourced from the existing Trinity Public Utilities District electrical service.

Initially, Cannabis is planned to be cultivated outdoors. Eventually the cultivation area would transition to cultivation inside fully enclosed greenhouses with non-permeable flooring. The outdoor cultivation and any future greenhouses would occur within the same secure cultivation area. The migration of growing methods, from outdoor to greenhouse, is planned to take place once the project reaches economic viability. If greenhouses are installed, and utilize supplemental lighting, the installation and operation may require additional CEQA review.

All cannabis plants will be watered with an automated drip system, augmented with hand-watering, as needed. Soil moisture measurements and dynamic weather monitoring ensure the irrigation system saves water and provides operational efficiency. The smart irrigation control system connects to WiFi and timer controls. The smart system uses water sense technology to customize watering according to the soil and sun exposure throughout the seasons. The smart system does this by using real-time satellite weather data to adapt to the local weather and skip or limit watering during rainy or high humidity days.

Ancillary cultivation activities, including curing and trimming, are planned in an adjacent area to the commercial nursery and proposed cultivation area, in a new dedicated facility that is up to 10,000 square feet in size. As with the proposed new nursery facilities, the processing building is planned to have an odor control dispersion system to neutralize and dissipate odors.

Within the processing building, the harvested cannabis flower will be separated into fresh flower and cured flower streams. The cured flower would be transferred to the curing area, which is temperature and humidity controlled. Once curing is completed, the Cannabis flower would be immediately transferred to the trimming area, within the same building. Trimming activities include the destemming of plant material from the flower and the removal of leaves from the cannabis flower. The cured flower and marketable plant material (leaves) would be transferred to the distribution facility. Fresh flowers would be transferred directly to the distribution facility without undergoing any curing or trimming.

Any plant material waste (stems and non-marketable leaves) would be transferred to the Cannabis waste area for composting or off-site disposal by a licensed third party hauler. Cannabis Cultivation Waste will be composted on site per the Trinity County Environmental Health Division's regulations, or hauled to a facility that can accept Cannabis Waste.

Pest control and plant health would be managed by a combination of Cultural, Biological and Chemical control methods. All of these control methods are regulated by the California Department of Food and Agriculture and monitored by the Trinity County Agricultural Department. Operators of the cultivation operation plan to store nutrients, fertilizers, and pest control products in secondary containment that meets or exceeds 110% of the total volume of products stored therein. Nutrients, fertilizers, and pest

control products will be stored separately from petroleum products and equipment, each would be in separate and dedicated sheds, with individual floor areas of less than 200 sq. ft each.

If the project expands beyond 1 acre of canopy, additional CEQA review may be required.

#### Shared Facilities - Peeler Building Adaptive Reuse

Cannabis Distribution, Processing, and Manufacturing would occur in the existing 27,000 sq. ft. building that runs north to south. The adaptive reuse of the peeler building will ensure the proposed project preserves the existing aesthetic of the surrounding area. Water for the operations within the peeler building would be served by Trinity County Waterworks District #1 (TCWD #1). All proposed and any future electrical uses associated with operations within the peeler building would be sourced from the existing Trinity Public Utilities District electrical service.

The shared facilities would be divided in two separate and distinct licensed premises (Manufacturing and Distribution) and a shared common area. The shared common area would house shared employee facilities (including adequate ADA compliant bathrooms, changing facilities and a water fountain), a lunch room with a shared kitchen, administrative support offices and security.

The building would be improved to meet the Bureau of Cannabis Control (BCC) and the Manufacturing Cannabis Safety Bureau (MCSB) requirements for each activity and designed by a licensed structural engineer. Upon approval of the Conditional Use Permit, Building permits will be applied for to the Trinity County Building Department.

#### Cannabis Distribution

First and foremost the distribution operation serves as an in-house transportation and transfer of cannabis flower and marketable material from the onsite commercial cannabis cultivation facilities to onsite manufacturing, as well as providing secure deep cold storage for State mandated testing. All testing samples will be picked up by a State licensed testing laboratory employee.

The proposed cannabis distribution operations will also provide services to the local commercial cannabis cultivators and manufacturers in the immediate Hayfork community and Trinity County. This includes, pickup of harvested cannabis products from licensed cultivators in Trinity County, and transportation of packaged cannabis flower and manufactured products to local retailers, area manufacturers, and regional distribution facilities.

Once testing is complete, cured and trimmed flower would be transferred to the manufacturing operations packaging and labeling area. Fresh frozen flower would be transferred to manufacturing to be extracted, packaged and labeled.

In addition to accepting incoming flower from cultivation and holding during testing, the distribution facility would forward products to retail, outside manufacturing, or out-of-area distributors for transfer to licensed retailers throughout the State of California.

### Cannabis Manufacturing Operations

The proposed Cannabis “Manufacturing” or “manufacturing operations” include the packaging and labeling of cannabis flower grown onsite. In addition to in-house services, the operations will offer packaging and repackaging, and labeling for local State licensed cultivators. Furthermore, the manufacturing operations would include the rolling and packaging of prerolls.

- “Labeling” means any label or other written, printed, or graphic matter upon a cannabis product, upon its container or wrapper, or that accompanies any cannabis product
- “Package” or “packaging” means any container or wrapper that may be used for enclosing or containing any cannabis product. The term “package” does not include any shipping container or outer wrapping used solely for the transportation of cannabis products in bulk quantity to another licensee or licensed premises.
- “Extraction” means a process by which cannabinoids are separated from cannabis plant material through chemical or physical means. This can include extraction using carbon dioxide, ethanol, Rosin pressing, Bubble/Water Hash or Kief/Dry Shifting.

If additional manufacturing activities allowed under a Type 6 license, such as; Infusion of cannabis concentrates directly incorporated into a product formulation to produce a cannabis product, typically in a laboratory or commercial kitchen, the installation and operation may require additional CEQA review.

### Onsite-Caretaker Unit

An onsite-caretaker unit is proposed for a replacement in-kind, up to 1,000 square feet per Trinity County Code 17.30.120 Standards for a Residential Caretaker Unit. This will serve to meet the Trinity County Cannabis Cultivation Ordinance 315-843 dwelling requirement. The caretaker unit will be connected to Trinity County Waterworks District #1 water and sewer. The location of the unit will be in the same location as the existing caretaker unit in order to be consistent with setbacks with the rural residential zoning district standards, which read “be located in such a manner so that it is not visually intrusive or highly visible from arterial or collector roads abutting the subject site and so it shall be located in such a manner so as to not interfere or adversely impact the use of the site or adjacent parcels.” Because the on-site caretaker unit will have dedicated parking and identical traffic patterns to the existing unit, we have not included this analysis below.

### Additional Project Information

No cannabis operations would occur in the ‘Truck Shop,’ which is the 10,000 square foot building that runs east to west. This building, and its operations, are outside of this CEQA analysis.

Portions of the site are visible to the public, however, the majority of the site is screened by natural vegetation surrounding the 8 acre man-made pond, on the northern portion of the property that runs parallel to Tule Creek Road. On the western side of the property, the site is screened by riparian vegetation along Hayfork Creek.

The project will include the installation of robust security measures, including a motion camera security system, alarm system, onsite patrol facilities and an overnight watchman. The security system will include both interior camera monitoring of the licensed commercial cannabis operations and exterior cameras for monitoring the subject property with 24-hour video surveillance.



The exterior security measures include a secure fence on the west side of the retrofitted peeler building. This secure fence will be equipped with two (2) one-way vehicle gates, one with a guard booth for greeting and inspecting incoming vehicles before they enter the secure parking area. This secure parking area will serve as employee parking, storage of transportation vehicles, delivery vehicles, and third-party transportation vehicles, in accordance with BCC and CDFA regulations.

With the approval of Trinity County Cannabis program and State agencies, additional product workflows may be added to those described herein. Any additional environmental impacts related to the installation of facilities and/or added operations may require additional CEQA review.

## Proposed Uses

The proposed uses of this project are to include

- 43,560 square feet (1 acre) of Cannabis Canopy under Trinity County's Cannabis Cultivation Ordinance 315-843 and State of California Code of Regulations Title 3. Food and Agriculture Division 8. Cannabis Cultivation Chapter 1, and Title 16 Division 42.
- One Non-Volatile manufacturing license that will include packaging, labeling, and processing under Trinity County Cannabis Ordinance 315-838 and 315-841 and the Manufactured Cannabis Safety Branch (MCSB)
- One type-11 distributor license under Trinity County Cannabis Ordinance 315-834 the Bureau of Cannabis Control (BCC)
- One nursery license under Trinity County Cannabis Ordinance 315-826 and 315-827, and the State of California Department of Food and Agriculture
- One onsite-caretaker unit up to 1,000 square feet under Trinity County Code 17.30.120 - Standards for residential caretaker unit.

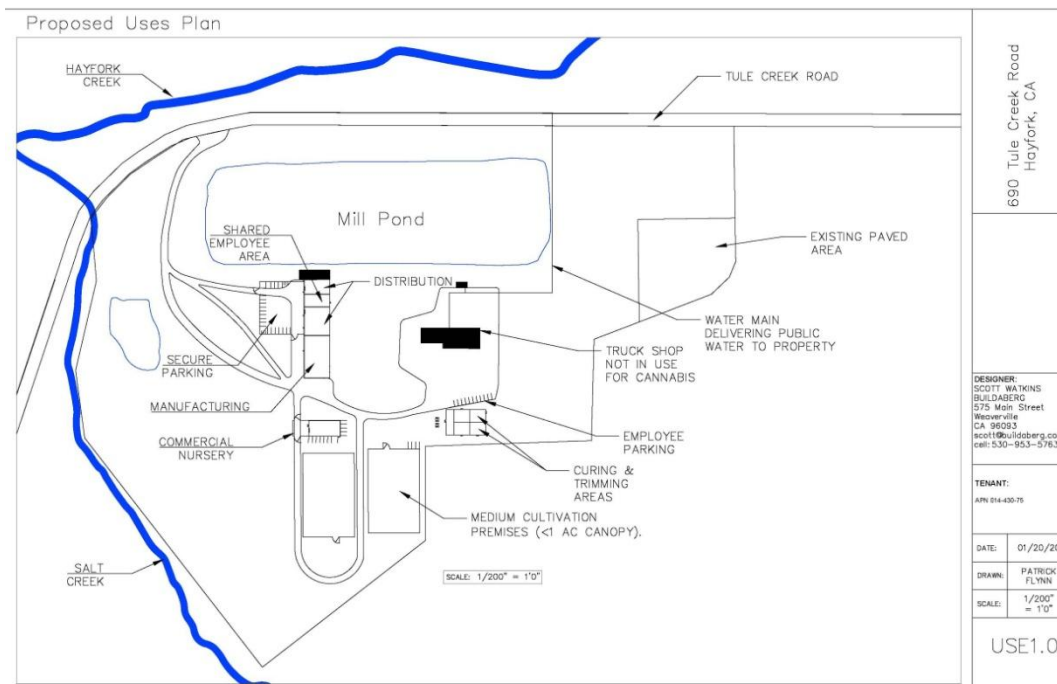


Figure 5: Proposed Use Plan

### Proposed Project Development

Construction activities that occur would be implemented in phases when economically viable. Phasing will spread the construction activities over a longer period of time and will include Best Management Practices to ensure soil and erosion are controlled to avoid inadvertent sediment reaching Hayfork Creek and Salt Creek. The activities would generally include construction of additional facilities to bring the existing operation further into compliance with local and state regulations.

#### **Phase 1**

Construction of Outdoor Cultivation facilities as the Trinity County Cultivation Ordinance allows and within its requirements. A 10,000 square foot building for post harvest activities, 2,000 square foot employee break room, and two 200 square foot equipment sheds will be installed for petroleum and chemical storage. The onsite-caretaker unit will be removed and replaced in-kind and measuring in size up to 1,000 square foot.

#### **Phase 2**

Exterior repair and Interior build out of Peeler Building for distribution, employee areas, and manufacturing activities. All improvements to the commercial building will be engineered and permitted through the Trinity County Building Department. A Drainage Plan shall be submitted to and approved by the Department of Transportation prior to the issuance of building or use permit(s).

#### **Phase 3**

Installation of Nursery building, which would be prefabricated off-site. The building will be engineered and permitted through the Trinity County Building Department.

#### **Phase 4**

As the project matures, the construction of greenhouses with impermeable floors and permanent walls for cannabis cultivation of mature canopy would occur. The greenhouses would be engineered, permitted and built according to plans in the same location as the proposed outdoor cultivation area. There will be five 30' x 100' (3,000 sq. ft.) greenhouses per Small Mixed Light License. Should additional electrical services be added for mixed light cultivation, additional CEQA review may be required if the energy demand exceeds the current electrical service capacity.

The types of construction equipment and vehicles to be used during construction activities would be determined by the construction contractor. Equipment that may be used includes pickup trucks, backhoe, concrete delivery trucks, and service vehicles. The exact number of construction workers needed for the project would be determined by the contractor and would depend to a large extent on the construction schedule.

### Construction Schedule

Construction activities are expected to take several construction seasons for each phase, beginning in the spring (approximately May 1) of the first year and ending in the fall (approximately November 30) of the following year. Construction activities that require soil disturbance would not be conducted during the winter months (approximately mid-November through April 30) unless the weather at the beginning and end of the season allows for these activities. The construction schedule for each phase depends on receipt of funding and necessary permits and approvals. Some work on structures, such as interior work, digging foundation piers and pouring concrete for proposed structures, and other activities may continue as the weather permits.

Construction would occur between the hours of 8 a.m. and 6 p.m. Nighttime construction is not expected to be needed. Occasional work on Saturdays or holidays may be necessary, but no work would occur on Sundays.

### Design Criteria

With a maximum building height of forty (45) feet, the existing zoning designation of Heavy Industrial/Manufacturing permits an adequate building height, maximum lot coverage and property setbacks for the development activities. The criteria of the maximum lot coverage of buildings to be less than 60% is considered and met. Minimum front yard requirements of 25', side yard 10', rear yard 10' are also incorporated into the proposed project. All building surfaces facing or abutting residential property shall be constructed of material complementing the rural character of the community and shall be maintained in a neat and presentable condition throughout the life of the building. The existing and proposed uses are within this design criteria.

Based on Trinity County zoning code, a landscaping plan will be submitted to the Director of Planning for approval prior to issuance of a building permit. All required yards abutting public roads shall be landscaped with trees, shrubs, or planted ground cover. These plants will be maintained in a neat and orderly manner at all times. All open and unlandscaped portions of any site will be maintained for proper drainage and in a good condition free from weeds, trash and debris.

The front and side street setbacks are measured from the right-of-way or easement line, or lot line, whichever is more restrictive. Additional setback areas accommodate a 60 foot right-of-way (30 feet each side of centerline) for road improvements.

All trash, loading and storage areas will be enclosed with materials architecturally compatible with the main building and located so as not to be visible from any public rights-of-way or neighboring areas. Trash bins will remain in the enclosures except during trash pickup.

The proposed location for the onsite caretaker unit was determined based on the existing location and the Trinity County Code criteria found under Trinity County code section 17.30.120:

1. Structural setbacks consistent with the rural residential zoning district standards
2. The caretaker unit shall be limited to no more than one thousand gross square feet.
3. The caretaker unit shall be located in such a manner so that it is not visually intrusive or highly visible from arterial or collector roads abutting the subject site
4. The caretaker unit shall be located in such a manner so as to not interfere or adversely impact the use of the site or adjacent parcels.

### Traffic Impact

The anticipated traffic of the project is based on proposed construction activities and on-going operations. The anticipated traffic from the construction activities are expected to include pick-up trucks, a backhoe, a concrete delivery truck, and service vehicles.

Anticipated traffic from ongoing operations is the baseline of the project plus proposed activities. The baseline includes two businesses, the Watershed Center, and a landscape materials business, as well as the onsite caretaker unit which represents an approximate 34 trips per day. As shown in the table on page 96, the proposed project would generate 66.7 vehicle trips in the AM Peak Hour (7 - 8 AM) and 84.8 vehicle trips in the PM Peak Hour (3 - 4 PM) for the four land use types ITE provides Peak Hour data. Additional analysis is within the Transportation Section of this document.

### Parking

All off-street parking spaces, whether in a garage or open area will be located as to be accessible and usable for the parking of motor vehicles. Common parking facilities may be utilized in lieu of individual requirements between the mixed use occupancy; provided the common parking facilities have a total number of parking spaces not less than the total number of individual requirements, less any individual requirements actually provided, and meet the requirements of the zone in which they are located.

Parking requirements for Industrial Uses are such that the minimum of (2) two spaces for every (3) three employees on the shift having the largest number of employees, but not less than 1 space for each 2,000 sq. ft. of gross area of building used for any of the allowed uses.

Parking requirements for nursery uses is such that there must be 5 parking spaces for each 1,500 sq. ft. of gross leasable area. According to the Trinity County zoning code, one accessible parking space is required for each 40 spaces. Based on the parking requirements for Industrial Districts, the following metrics will be used for the traffic impact analysis and parking estimates.

Use Baseline - ITE				
	Square footage	Employees	Parking	Disabled Parking
Nursery	5,000	2	16.67	
Canopy	43,560	4	2.67	
Distribution	7,500	4	2.67	
Curing	5,000	2	1.33	
Trimming	5,000	4	2.67	
Manufacturing	11,930	2	1.33	
Pre-rolls	1,535	6	4.00	
Packaging & Labeling	1,535	4	2.67	
Admin.	3500	6	4.00	
General Deliveries			3.06	
<b>Total</b>	<b>84,560</b>	<b>34</b>	<b>41.06</b>	<b>1.0</b>

### Water Availability

Though Salt Creek is located within the Project site parcel, the only water source used is water provided by Trinity County Waterworks District #1. No surface water will be used in conjunction with activities on the project site.

The County Fire Safe Ordinance 1162 requires buildings created and/or approved after January 1, 1992 to provide a minimum 2,500-gallon water tank. The dedicated 2,500-gallon tank system is for the purpose of water for fire suppression during a wildland fire or a fire originating from within the building. There is an existing 10,000 gallon water tank next to the Truck Shop for fire suppression. In addition the Peeler Building will be outfitted with a fire sprinkler suppression system per the requirements of the California Building Code, CalFire, and by the Trinity County Building Department.

### Water Conservation

Water conservation measures practiced for both cultivation and commercial nursery operations include the use of precise hand watering and drip irrigation systems, which are employed at rates to avoid or minimize runoff. The watering occurs late in the afternoon or evening to minimize water loss through evaporation and maximize water uptake by the plants. Additional conservation is achieved through smart watering techniques that digitally monitor the weather patterns, soil moisture content and nutrient levels to limit the amount of water used to only that which is necessary. Timed and volume drip emitters; straw mulch cover on top of the soil surface to minimize evaporation and incorporate water holding amendments; and use of native soil during the initial soil preparation at the start of the cultivation season are also employed.

### Wastewater Discharge and Management

The existing facilities at the project site include two septic systems, one connected to the Truck Shop and a second, smaller system, connected to the on-site caretaker unit. Existing and new buildings will be connected to the Trinity County Waterworks District #1 sewer system.

The rainwater drainage plan can be seen in Appendix A.

The existing driveway is surfaced with rock and sloped out from the driveway to direct stormwater away from the crown of the driveway to prevent stormwater pooling. The roadway surfaces were designed and have been maintained in compliance with California Code of Regulations Title 14, Division 1.5, Chapter 7, Subchapter 2, Article 2 *Emergency Access and Egress 1273.02 Roadway Surfaces*. Additional measures to contain runoff to prevent infiltration into nearby watercourses, include sediment basins, berms, stormwater infiltration ditches and other Best Management Practices which contain and control surface runoff.

## Environmental Impacts Overview

The following section provides: (1) a summary of the potentially significant environmental impacts of the proposed project, along with proposed mitigation measures; and (2) a completed Environmental Checklist for the proposed project. The description of the affected environment and potential environmental consequences of the proposed project covers 21 separate environmental issues that the lead agency (Trinity County) anticipated could have potential effects on the environment, including mandatory findings of significance. The environmental issues analyzed include the following:

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

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

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

- **No Impact.** The development will not have any measurable impact on the environment.
- **Less Than Significant Impact.** The development will have the potential for impacting the environment, although this impact will be below established thresholds that are considered to be significant.
- **Potentially Significant Impact Unless Mitigation Incorporated.** The development will have the potential to generate impacts which may be considered as a significant effect on the environment, although mitigation measures or changes to the development's physical or operational characteristics can reduce these impacts to levels that are less than significant.
- **Potentially Significant Impact.** The development will have impacts which are considered significant, and additional analysis is required to identify mitigation measures that could reduce these impacts to less than significant levels.

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

## Evaluation of Environmental Impacts

The Environmental Checklist provides an analysis and discussion of potential environmental impacts that could result from the proposed project. Pursuant to the newly updated CEQA Guidelines, which were adopted by the Secretary in November 2018, and approved by the Office of Administrative Law for use on January 3, 2019 (appendix B), Title 14, Section 15000, there are 21 areas of interest that must be considered when preparing an initial study. These areas include: Aesthetics, Agricultural and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology/Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Mineral Resources, Noise, Population/Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities/Service Systems, Wildfire, Mandatory Findings of Significance.

As part of due diligence research at the outset of this evaluation, we found that the State of California's Department of Food and Agriculture licensing agency, CalCannabis, who oversees the commercial cultivation program and the California Department of Consumer Affairs' Bureau of Cannabis Control (BCC), which oversees the regulation of commercial cannabis events, distribution, retail, testing laboratories and microbusiness license types were written before the January 2019 CEQA update provided by the Natural Resources Agency.

As such, this initial study will utilize the updated CEQA Environmental checklist. This document will utilize findings and mitigation measures provided by CalCannabis and the BCC in their respective Program Environmental Impact Report (PEIR), as appropriate. It will also utilize feedback provided during previous site specific evaluations provided by the California Waterboard, California Department of Fish and Wildlife, and by an independent evaluation conducted by Pacific Watershed Associates. This information will be weighed against site specific conditions to determine whether significant impacts could occur and what mitigation measures could reduce the impact to a level that is less than significant.

In conducting this analysis, the following methodology will be utilized;

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

## Aesthetics

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

### Setting:

The project site is surrounded by existing industrial sites, several properties zoned agricultural preserve, a car impound lot, and some residences. The existing surrounding area includes historic cannabis cultivation sites that may or may not be permitted, gravel roads, paved industrial work areas, residential buildings, a public facility, structures used for industrial operations, water, wastewater and utility services. The nearest residence to cannabis activities is located to the north of the parcel which is 500 feet from the Peeler Building. The nearest residence to the east is 100 feet from the property line, and 850 feet from the truck shop, 1,300 feet to the peeler building, 1,200 feet to the cannabis cultivation and nursery. Across the pond and Tule Creek Road the nearest residence to the Peeler Building at 500 feet. The onsite caretaker's in-kind replacement complies with Trinity County code section 17.30.120 - Standards for residential caretaker unit and is, therefore, not part of the analysis below.

The project is characterized by open flat developed sites with minimal vegetation on the main portion of the parcel and riparian vegetation bordering Salt Creek, Hayfork Creek, and within the pond area. The 8 acre historical mill log pond area is now a moderately mature riparian forest with tall Black Cottonwood over story and willow, blackberry and open wetland understory, which is listed as Montane Riparian (MRI) as per California Wildlife vegetation (See the Biological Assessment Appendix C). The project does not propose any timber harvest activities.

### Impact Analysis:

- a) Scenic vistas are defined as expansive views of highly-valued landscapes from publicly accessible viewpoints. Scenic vistas include views of natural features such as topography, water courses,

outcrops, and natural vegetation, as well as man-made scenic structures. The project site's visibility from Tule Creek Road is limited due to the man-made Mill Pond that screens the subject property from the publicly accessible view. There will be no impact to visual resources from the proposed development as the area was used historically for industrial activities and is consistent with adjacent development. There will be no change in the visual character of the site from industrial lumber Mill facilities to developed cannabis activities. Furthermore, there is no area designated scenic vista within the proposed project's immediate vicinity. For these reasons, there are **no impacts** on scenic vistas.

- b) As discussed under the aesthetic setting above, and pursuant to State of California Highways and Streets Code Division 1, Article 2.5, Section 263.2, there are no listed scenic highways in Trinity County. Sections of State Routes 3, 36, and 299 are all eligible State Scenic Highways, but none have been Officially Designated by the County (Trinity County Transportation Commission 2017). As proposed, the project would not damage any natural resources and the development of any related structures would not change the visual character of the area. For these reasons, potential impacts on scenic resources are considered **less than significant**.
- c) As discussed above in the impact analysis under Aesthetics, subsection a), the proposed project area is screened from public view, regulated to be setback from the property line, and is consistent with the visual character and existing structures in the project area. Repairs to existing buildings and any new buildings constructed are not expected to change the visual character or quality of the site as it will be consistent with other existing structures. Therefore, the project development would not have any short or long term effects on the existing visual character or public view. For these reasons, potential impacts on the visual character or quality of public views of the site and its surroundings are considered **less than significant**.
- d) The CalCannabis licensing program and the Trinity County Ordinance regulating cannabis cultivation, Trinity County Ordinance 315-843 both require all outdoor lighting, including security lighting be downcast, shielded and/or screened to keep light from emanating offsite or into the sky, and those cultivation site using artificial lighting are required to shield greenhouses so that little to no light escapes; "light shall not escape at a level that is visible from neighboring properties between sunset and sunrise." In addition, our analysis includes light reflecting off surfaces during daylight hours has the potential to create a source of glare in the vicinity of the proposed project.

For reference, light pollution occurs when nighttime views of the stars and sky are diminished by an overabundance of light coming from developed properties. Light pollution is a potential impact from the operation of any light source at night. Proper light shields, lighting design, and landscaping are commonly used to reduce light pollution generated from lighting by blocking the conveyance of light upwards. The result is that the lights are not visible from above; therefore, ambient light is not added to the nighttime sky.

The proposed project adheres to the Trinity County Ordinance 315-843 by incorporating into their design all outdoor lighting, including security lighting be downcast, shielded and/or screened to keep light from emanating offsite or into the sky. Furthermore, no sources of added daytime glare have been identified as being associated with the proposed project. With these measures in place, visual impacts from substantial light, both nighttime light pollution and daytime glare, are considered **less than significant**.

## Agriculture and Forestry Resources

<i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural, Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.</i> Would the Project:				
	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation incorporated	Less than Significant impact	No impact
a. Convert Prime Farmland, Unique Farmland, or Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or 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 the conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Setting:

The proposed project is located on lands that have been designated and utilized for heavy industrial development since the 1940's. These uses have installed paved surfaces, buildings, and utility systems.

### Impact Analysis:

- Trinity County has not been mapped by the Farm Mapping and Monitoring. The biological Assessment (appendix B) indicates the type of soil on the proposed site as Dredge Tailings (xerofluvents), and Carr Creek Gravelly Loam soils. The Natural Resources Conservation Service's farmland classification for all soil types found at the site are not included in their prime farmland classification types (California Department of Conservation 2016). Furthermore, the historic use of the proposed site, along with the surrounding area is agriculture and industrial. The California Department of Agriculture designates Cannabis as an agricultural crop, which is in conformance with the surrounding land use. For these reasons, there is **no impact** in converting Prime

Farmland, Unique Farmland, or Statewide Importance (Farmland), to non-agricultural use.

- b. The proposed project site is not under a Williamson Act contract. The existing zoning of the subject property is Industrial and is proposed to be utilized as both industrial (Type-6 non-volatile manufacturing) and agriculture (cannabis cultivation). For this reason, there is **no impact** to existing zoning for agricultural use, or Williamson Act contract.
- c. The existing surrounding area includes forested mountains that are steep, densely forested slopes and deep ravines, with lower lying hills gradually tapering into the Hayfork Valley. These conditions are not ideal for cannabis cultivation and would require proposed projects to apply for either a Timberland Conversion Permit from CalFire for the conversion of timberland greater than 3 acres to develop a site for cannabis cultivation, or an exemption for the conversion of timberland less than 3 acres. Additionally, Trinity County's recent introduction of a grading ordinance for projects that seek to relocate more than 800 cubic yards of soil ought to regulate new cultivation activities to land better suited for their operation.

With the creation and implementation of CalCannabis's commercial cannabis licensing program and requirement that all properties meet CEQA analysis, there is reason to believe the remote timberland and lower lying hills surrounding the Hayfork valley are not cost-effective to develop, in relation to the prevalence of existing cannabis cultivation sites. For these reasons, there is **no impact** to existing zoning or cause for rezoning of forest land, timberland or timberland zoned Timberland Production.

- d. The proposed project is a historically industrial site and does not include the removal of any trees to implement the project. For these reasons, there is **no impact** to forest land or conversion of forest land to non-forest use.
- e. The California Department of Agriculture designates Cannabis as an agricultural crop, which is a similar use and visual character to existing uses within the immediate area of the proposed project. For these reasons, there is **no impact** to agricultural lands and, as indicated in section d above, no expectation of forest land conversion to non-forest use.

## 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:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation incorporated	Less than Significant impact	No impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting:

Trinity County is located in the North Coast Air Basin, which encompasses Del Norte, Humboldt, Trinity, Mendocino, and northern Sonoma counties. Air quality in Del Norte, Humboldt, and Trinity County is primarily managed by the North Coast Unified Air Quality Management District (NCUAQMD). The portion of the North Coast Air Basin under the jurisdiction of the NCUAQMD totals 7,767 square miles, which is approximately 5 percent of the land area of California (Humboldt County 2014).

The climate of NCAB is influenced by two major topographic units: the Klamath Mountains and the Coast Range provinces. The climate is moderate with the predominant weather factor being moist air masses from the ocean. Average annual rainfall in the area is approximately 30.91 inches on average over the last 10 years with the majority falling between October and April (Prism Climate Group 2019). Predominant wind direction is typically from the northwest during summer months and from the southwest during winter storm events (Western Regional Climate Center 2019). Much of Trinity County is mountainous, and elevations vary from high peaks to low mountain valleys.

Project activities are subject to the authority of the NCUAQMD and the California Air Resources Board (CARB). The NCUAQMD is listed as "attainment" or "unclassified" for all the federal and state ambient air quality in Trinity County. The only exception is for 24-hour particulate (PM10) standards in Humboldt County (which is not a part of the project area). Due to the large size of the NCUAQMD, it is well understood that particulate matter can travel from other areas into Humboldt County (such as from Trinity County) and affect air quality. In the NCUAQMD, particulate matter has been determined to be primarily from vehicles, with the largest source of fugitive emissions from vehicular traffic on unpaved roads.

In determining whether a project has significant air quality impacts on the environment, agencies often apply their local air district's thresholds of significance to project in the review process. The District has not formally adopted specific significance thresholds, but rather utilizes the Best Available Control Technology (BACT) emissions rates for stationary sources as defined and listed in the NCUAQMD Rule and Regulations, Rule 110 – New Source Review (NSR) and Prevention of Significant Deterioration (PSD), Section 5.1 – BACT (pages 8-9) (NCUAQMD, 2018).

Air quality in and near the project area is relatively good and is representative of the rest of Trinity County. The nearest ambient air quality monitoring station to the project area is at the Courthouse in Weaverville, approximately 31.6 highway miles northeast of the subject property. No exceedances of the state or federal PM10 standards were reported at the station between 2010 and 2012, although exceedances were reported in 2009 during November and January (California Air Resources Board 2013, Fehr and Peers 2011). As of the writing of this analysis data on the 2018 Carr Fire, Hertz fire and Mendocino Complex fire were not publically available from the North Coast AMD. We anticipate that with the proximity and intensity of the 2018 wildfires, there will be exceedances reported, potentially more than one instance (North Coast Unified Air Quality Management District 2019). High PM10 levels are more common during winter months in the air basin because of increased wood smoke emissions from wood stoves.

SR 3 is the main road to Hayfork, a rural residential area, which has a denser population compared to the majority of rural Trinity County, with the exception of Weaverville. While there is higher traffic, the relatively low population density contributes little to mobile source emissions in the local area. Sensitive receptors (e.g. children, senior citizens, and acutely or chronically ill people) are more susceptible to the effects of air pollution than the general population. Land uses that are considered sensitive receptors typically include residences, schools, parks, childcare centers, hospitals, convalescent homes, and retirement homes. (California Air Resources Board 2019) Sensitive receptors within 5 miles of the project site include residential housing, the Hayfork Senior Center, a community center, Hayfork Library, Churches, Hayfork Elementary, and Hayfork High School.

#### **Impact Analysis:**

- a. Trinity County does not have thresholds in place for air quality, but instead relies on the North Coast Unified Air Quality Management District (AQMD) to regulate its air pollutants. The North Coast Unified AQMD provides cannabis operations with the same exemptions as other agricultural uses under the California Civil Code Section 3482.5 "Right to Farm Act" Division 4, Part 3, Title 1 (AAHS 2001).

Construction activities associated with the proposed project may create minor dust from construction, but these activities are considered minor activities and would not create dust emissions that would require specialized abatement practices. Vehicle use during operation of the project would be limited to light duty vehicles and truck traffic for distribution purposes, which would occur on paved roads. Dust emissions would be minor and insignificant as they would not be expected to generate dust emissions that would cause a substantial increase in PM10 within Trinity County.

Developing a cannabis operation on the subject property that includes nursery, cultivation, non-



volatile manufacturing, processing, and distribution is anticipated to reduce vehicle miles traveled and associated vehicular exhaust emissions generated by existing cannabis operations in the more rural areas of Trinity County. This would include a reduction in fine particulate matter (PM10) generated by traffic on unpaved rural roads due to existing cultivators being able to sell in bulk to the proposed project, rather than sell lower volume increments in distant areas of the state, thus necessitating increased vehicle traffic and numbers of trips.

The proposed project’s construction and operation impact to Air Quality, GHGs, Energy use and Transportation were quantified using the California Emissions Estimator Model (CalEEMod) software, a statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify impacts from land use projects. CalEEMod applies inherent default values for various land uses, including construction data, trip generation rates, vehicle mix, trip length, average speed, etc.

CalEEMod does not have factors that explicitly define potential impacts related to the proposed Cannabis activities, so emissions factors for the proposed activities were used as follows;

Proposed Project Uses	CalEEMod Land Use Types
Processing/Trimming	General Light Industrial
Distribution	Refrigerated Warehouse
Manufacturing / Extractions	Manufacturing
Shared Use / Offices	General Office Building
Commercial Nursery	User Defined Commercial

This analysis used the project’s proposed uses and attempted to find standard CalEEMod land use types, as indicated above, that relate as close as possible. Unfortunately, because CalEEMod does not have explicit options for Cannabis businesses, these matches are limited. In addition to matching proposed uses with standard land use types, CalEEMod allows user defined data to be inserted into the model, where project specific data is available or for land uses that are not listed or that do not accurately represent the project being analyzed. For instance, no land use subtype closely resembles the wholesale nursery that is proposed under this project, therefore ‘User Defined Commercial’ was used and data accurately representing the project being analyzed was used. Additionally, CalEEMod does not estimate emissions from primarily agricultural activities, as they generally do not generate substantial amounts of air pollutants.

According to the CalEEMod results, the proposed project would result in maximum unmitigated construction criteria air pollutant emissions, as indicated below:

Maximum Unmitigated Construction Emissions (lbs/day)			
Pollutant	Proposed Project Emissions	Threshold of Significance	Exceed Threshold?
ROG	0.5357	54	No
NOx	0.5251	54	No
PM <sub>10</sub> (exhaust)	0.0282	82	No
PM <sub>10</sub> (fugitive)	0.0131	None	N/A
PM <sub>2.5</sub> (exhaust)	0.0260	54	No
PM <sub>2.5</sub> (fugitive)	3.72	None	N/A
Source: CalEEMod January 2020 (see Appendix)			

As illustrated in the table above, the proposed project's maximum unmitigated constructions emissions would be well below the applicable thresholds of significance for ROG, PM<sub>10</sub>, PM<sub>2.5</sub> and NOx.

According to the CalEEMod results, the proposed project would result in maximum operational criteria air pollutant emissions as shown in the table below. As indicated, the proposed project's operational emissions would also be well below the applicable thresholds of significance. Even though the projected increase in vehicle trips of the proposed project is well above the current vehicle trips of the currently underutilized subject property, the proposed project would not result in a significant air quality impact during operations.

Maximum Unmitigated Operational Emissions (tons/year)			
Pollutant	Proposed Project Emissions	Threshold of Significance	Exceed Threshold?
ROG	.3280	10	No
NOx	.7686	10	No
PM <sub>10</sub> (exhaust)	5.59	15	No
PM <sub>10</sub> (fugitive)	28.556	None	N/A
PM <sub>2.5</sub> (exhaust)	5.31	10	No
PM <sub>2.5</sub> (fugitive)	2.872	None	N/A
Source: CalEEMod January 2020 (see Appendix)			

As such, the project will not violate any air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulative increase of any criteria pollutant for which the region is in non-attainment.

The project does not propose to use generators for electrical power, as the subject property is served by Trinity County PUD. Should generators be used at a future time, those generators would be required to be in compliance with the California Air Resources Board (CARB) requirements for the Portable Equipment Registration Program (PERP), should the generators qualify for coverage by this permitting program, or as may be required by the NCUAQMD. For these reasons, potential impacts on air quality plans are considered **less than significant**.

- b. As discussed above in the impact analysis under Air Quality subsection (a), Trinity County is in attainment or unclassified for all federal and state air quality standards. For this reason, potential violations to air quality standards are considered **less than significant**.
- c. Sensitive receptor locations include all of the following; residences, schools, playgrounds, childcare centers, convalescent homes, retirement homes, rehabilitation centers, and athletic facilities. Sensitive populations may include children, elderly persons, and acutely and chronically ill persons (California Air Pollution Control Officers Association 2009).

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

Odors that would be generated by the proposed cannabis facility would primarily occur from the outdoor cultivation activities. While odors from flowering cannabis plants can be strong within the immediate vicinity of cultivation sites, the distance of the cultivation operation from sensitive receptors (over 1,000 feet from a neighboring residence and 2,000 feet from the public facility) and the application of standard conditions of approval for cannabis cultivation, nursery development, manufacturing operations, and distribution operations outlined in the County Cannabis Ordinances, will result in cannabis odors from the operations as less than significant impact to offsite sensitive receptors.

In order to become licensed with the state under CalCannabis, the project must adopt the use of Integrated Pest Management (IPM). The purpose of Integrated Pest Management is to guide the use of environmentally sensitive pest management strategies and least-toxic control methods in the Cultivation of Cannabis at the subject property. IPM is herein defined as managing pests (plants, fungi, insects and/or animals) in a way that protects human health and the surrounding environment and that improves economic returns through the most effective, least-risk option.

The goals of the use of IPM at the subject property are to minimize the impact of site management practices on the local environment, and to reduce the exposure of occupants, staff and maintenance personnel to potentially hazardous chemical, biological and particle contaminants.

Core elements of IPM include:

- a. Use of least-toxic chemical pesticides
- b. Minimum use of chemicals
- c. Use of chemicals and pesticides only targeted locations and for targeted species
- d. Routine inspection and monitoring
- e. Proactive communication
- f. Site Management and environmental controls

Pesticide applications are normally required to be administered a minimum of 300 feet from sensitive receptors (e.g. residences) in the case of dry pesticides and 200 feet in the case of wet pesticides. Both of these requirements are met by the proposed project, as the nearest residence is 1,200 feet to the cannabis cultivation and nursery. Generally, pesticide application should occur at low wind velocities, less than 10 mph (Fishel and Ferrel 2016). The neighboring residences are located over 350 feet away from the proposed project location, which is in accordance with the Trinity County Commercial Cannabis Cultivation Ordinance. For these reasons, potential impacts on air quality plans are considered **less than significant with mitigation measures implemented**.

**Mitigation Measure AQ-1:** The spray application of pesticides (e.g. neem oil, sulfur or other materials) shall occur no closer than 350 feet to adjacent residences. Spraying shall not occur at wind speeds greater than 10 miles per hour (CCR, Title 3, Division 6, 6960(b)(3)). The operator of the pesticide application shall measure the wind speed prior to and during spraying activities to ensure wind speeds are below 10 mph. Spraying activities shall cease if wind speeds are measured at greater than 10 mph.

- d. The primary source of odor from cannabis cultivation comes from the flowering plants close to harvest and from processing (e.g., trimming) of cannabis flower. CalCannabis anticipates that individual communities will develop odor control requirements when the perception of odor is objectionable by a widespread number of residents within a particular community.

Based on public comments on other projects that have been approved, the applicants have incorporated into the project design several odor management measures, including an odor control dispersion system for Distribution, Processing, Nursery and Manufacturing facilities to neutralize and dissipate odors.

The Trinity County Commercial Cannabis Cultivation Ordinances require a 350-foot setback buffer from residences, which is considered an effective distance to dissipate objectionable odors. The nearest residence is beyond the minimum threshold required by Trinity County at over 1,000 feet from cultivation and nursery, and 500 feet from distribution and manufacturing. Furthermore, with the low concentration of residential dwellings, which number less than a dozen within a half mile of the subject property, the odor impact on sensitive uses is not considered significant. For these reasons, potential impacts from odors are considered **less than significant**.



014-430-75-00  
Sensitive Area Buffer (1000 ft)  
690 Tule Creek Rd, Hayfork, CA 96041

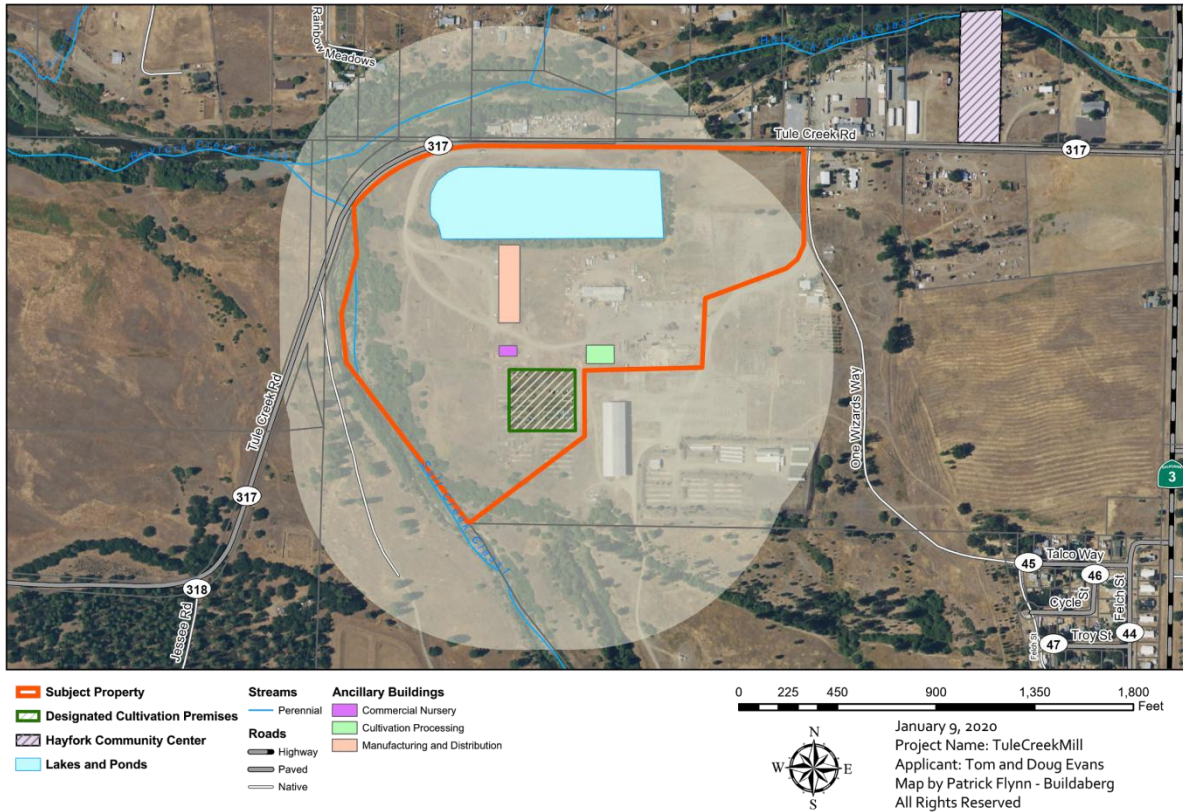


Figure 6: 1,000 ft. setback from proposed cultivation area to nearby sensitive uses

## Biological Resources

Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation incorporated	Less than Significant impact	No impact
a. Have a substantial effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<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 U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

### Setting:

The project is situated on lands that have been previously disturbed by heavy industrial operations, which have eliminated most of the surface vegetation and altered the landscape to one of paved surfaces, remnant buildings, and existing uses of light industrial and manufacturing. The project site has little vegetation present, except for annual grasses and exotic species.



**Impact Analysis:**

- a) Biological Report was prepared for the project by Klamath Wildlife Resources Senior Biologist, Brian Shaw. The evaluation found that the site has been historically disturbed by dredging and lumber milling activities. A field inspection confirmed that no special-status plant species are present, nor are any expected to be present or affected by the proposed project due to historic development and lack of suitable habitat.

The biological report prepared by Klamath Wildlife Resources also evaluated wildlife habitats and the potential presence of wildlife which they identified as Threatened, Endangered and Sensitive (TES) species. Literature searches and data analysis found that TES species were either “unlikely” to be present on site or that habitat was “not suitable” for the various species identified as potentially present on the site. Additionally, the biological report made the determination that TES animals are likely present within suitable habitat in this area, but since there was no suitable habitat present on the project site, there is presumed to be no impact. Based on the determination in the biological report, while there may be TES species present in the surrounding areas of the project, none were located at the project site and no suitable habitat was identified for any TES species in areas proposed for development by the project. Based on this information, development of the project would have a **less than significant impact**.

- b) Riparian habitat has been identified on the west side of the parcel, adjacent to Salt Creek, and within the historical log pond. The proposed project does not include development or impacts to riparian habitat or sensitive natural communities. Based on this information there will be **no impact**.
- c) There is a deciduous riparian wetland on the property, consisting of approximately 8 acres in what used to be the “log floating pond” for the timber mill. The man-made log floating pond is bordered by a 10 foot tall berm. This area is now a moderately mature riparian forest, with tall Black Cottonwood over story and willow, blackberry and open wetland understory, which is listed as Montane Riparian (MRI) as per California Wildlife Habitat Relationships. According to the National Wetlands Inventory it is classified as a Palustrine System, Unconsolidated bottom Class, that is semi permanently flooded (see Appendix B). The proposed project does not include any development or impact to the wetland area, therefore the project would have a **less than significant impact**.
- d) Due to the small scale of the proposed project, the movement of any native resident or migratory wildlife species or established native resident or migratory wildlife corridors is not anticipated to be significant. The project does not propose to alter any streams or rivers or otherwise impact fish movements. Also, the project site has been previously developed, fenced and otherwise developed with historical activities prior to the project proposal. These historic activities may have previously altered deer migration or local travel patterns, but this impact is considered the baseline condition and is not considered an impact for this project. Fencing that may be required around the cannabis operations represents a small portion of the overall historically impacted area and is not seen as an impediment to deer migration or the migration

of other mammals. There will be no impact to avian migration from the project. Based on this information there will be **no impact**.

- e) The County General Plan, Conservation Element, discusses the need for the protection and conservation of natural resources including biological resources within the county. Similarly, the Hayfork Community Plan (a part of the General Plan) also discussed biological and timber resources in the Hayfork area. While these plans outline various goals and objectives, there has been no policy developed related to specific biological resources or tree preservation or management that would specifically apply to the project and the lands where the project is located. The project does not propose to remove any trees or otherwise impact tree vegetation, as there are no trees on the project site that would be impacted. There will be **no impact** to these resources from development of the project.
- f) No habitat conservation plans, or other similar plans have been adopted for the project site or project area. **No impact** would occur in this regard.

## Cultural Resources

Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation incorporated	Less than Significant impact	No impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Setting:

The project site has been previously developed by historical lumber milling and manufacturing operations and more recently as an economic incubator as Hayfork Community Enterprises. Historic gold mining has occurred in the vicinity of the project with doodlebug dredging. The lumber mill facilities have largely been dismantled and removed from the site, with some remnant structures remaining onsite for use by other operations.

### Impact Analysis:

- a) A cultural resources report dated May 2019, was submitted by William Rich and Associates, who conducted a cultural resources survey on March 22, 2019. The survey identified two historical structures from about the 1940s on the project site; however, based on the demolition and dismantling of the historical mill structures and the loss of the major contribution of historical buildings it was recommended by the project archaeologist that the remaining historical buildings not be considered eligible for listing as a California Historic Resource.

There are no National Register of Historic Places (NRHP) or California Register of Historic Resources (CRHR) sites located at the project, or within close proximity of the site, that would call for the adaptable reuse of the historical structure (See Appendix D). The project is considered to have a **less than significant impact** on this resource.

- b) A cultural resources review completed for the project did not find any archaeological site that could be impacted by this project. However, there is a possibility that cultural resources, including buried archaeological materials, could exist in the area and may be uncovered during project development. Therefore, if any resources are found during the construction of the proposed project, they will be mitigated as necessary by contacting the appropriate agencies.

By incorporating Mitigation Measure CR-1, the proposed project will not cause a substantial adverse change in the significance of an archaeological resource as defined in CEQA §15064.5 and will have a **less than significant impact**.

- c) There are no known burial sites on or adjacent to the proposed project site. If human remains are unearthed during future development of the site, the provisions of California Health and Safety Code Section 7050.5 shall apply. Under this Section, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition, pursuant to California Public Resources Code Section 5097.98. Impacts are considered **less than significant with mitigation measures implemented**.

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

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

**Mitigation Measures CR-2.** Upon discovery of any human remains, the applicant will immediately comply with Health and Safety Code section 7050.5 and, if applicable, Public Resources Code section 5097.98. The following actions shall be taken immediately upon the discovery of human remains:

All ground-disturbing activities in the vicinity of the discovery shall stop immediately. The applicant will immediately notify the county coroner. Ground disturbing activities shall not resume until the requirements of Health and Safety Code section 7050.5 and, if applicable, Public Resources Code section 5097.98 have been met. The applicant will ensure that the area within 20 meters (66 feet), and any nearby area reasonably suspected to overlie human remains (Public Resources Code, Section 7050.5), The Trinity County Coroner must be informed and consulted, per State law.

Per Health and Safety Code section 7050.5, the coroner has two working days to examine human remains after being notified by the person responsible for the excavation, or by their authorized representative. If the remains are Native American, the coroner has 24 hours to notify the Native American Heritage Commission.

Per Public Resources Code section 5097.98, the Native American Heritage Commission will immediately notify the persons it believes to be the most likely descended from the deceased Native American. The most likely descendent has 48 hours to make recommendations to the landowner or representative for the treatment or disposition, with proper appropriate dignity, of the human remains and any associated grave goods.

If the Native American Heritage Commission is unable to identify a descendant; the mediation provided for pursuant to subdivision (k) of Public Resources Code section 5097.94, if invoked, fails to provide measures acceptable to the landowner; or the most likely descendent does not make recommendations within 48 hours; and the most likely descendants and the landowner have not mutually agreed to extend discussions regarding treatment and disposition pursuant to subdivision (b)(2) of Public Resources Code section 5097.98, the landowner or their authorized representative shall reinter the human remains and items associated with the Native American human remains with appropriate dignity

on the property in a location not subject to further and future disturbance consistent with subdivision (e) of Public Resources Code section 5097.98.. If the landowner does not accept the descendant's recommendations, the landowner or the descendants may request mediation by the Native American Heritage Commission pursuant to Public Resources Code section 5097.94, subdivision (k).

## Energy

Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation incorporated	Less than Significant impact	No impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting:

#### **Energy Star**

The Energy Star program is a voluntary federal program managed by the United States Environmental Protection Agency and the United States Department of Energy. The program was established in 1992 and operates under the authority of the Clean Air Act, section 103(g), and the 2005 Energy Policy Act, section 131 (which amended the Energy Policy and Conservation Act, section 324). The purpose of the Energy Star program is to create a simple, credible and unbiased system for certifying energy efficient products and equipment. The voluntary labeling program was designed to identify and promote energy efficient products, such as computers, servers, appliances, heating and cooling systems, home electronics, lighting and a wide range of commercial and industrial equipment.

#### **The Warren-Alquist State Energy Resources Conservation and Development Act**

The Warren-Alquist State Energy Resources Conservation and Development Act, Division 15 of the Public Resources Code, establishes the State Energy Resources Conservation and Development Commission (Energy Commission) and requires it to conduct an ongoing assessment of the opportunities and constraints presented by all forms of energy, to encourage the balanced use of all sources of energy to meet the state's needs, and to seek to avoid possible undesirable consequences of reliance on a single source of energy. (California Department of Conservation 2018)

#### **The 100 Percent Clean Energy Act of 2018**

The California Renewables Portfolio Standard program, also known as the 100 Percent Clean Energy Act of 2018, mandates that 50% renewable resources target by December 31, 2026, and to achieve a 60% target by December 31, 2030.

#### **California Environmental Quality Act**

In order to assure that energy implications are considered in project decisions, the California Environmental Quality Act requires that environmental analysis include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy (see Public Resources Code section 21100(b)(3)). Which reads "Mitigation measures proposed to minimize significant effects on the environment, including, but not limited to, measures to reduce the wasteful, inefficient, and unnecessary consumption of energy."



### **Trinity County Public Utilities District (TPUD)**

The federal and state policies outlined above have created a major push for utilities to provide renewable energy. Hydroelectricity is the term referring to electricity generated by hydropower; the production of electrical power through the use of the gravitational force of falling or flowing water. Hydroelectricity is a well-developed renewable energy technology that has been around for more than a century. Hydroelectricity uses flowing water to spin a turbine connected to a generator that produces electricity. Hydroelectricity generation is one of the most reliable and cost effective forms of renewable energy.

Trinity Public Utilities District (“Trinity PUD”), which supplies the majority of Trinity County, has been providing 100% renewable hydro-electricity to Trinity County customers since 1982, when they were able to implement the 1955 Trinity River Division Act. Trinity PUD connects 97% of its load directly to the generators at Trinity Dam, hydroelectricity generation facility. (Trinity County Public Utilities District 2019) This facility supplies the majority of residents in Trinity County with renewable hydroelectricity.

Fifty-one percent of Trinity County's water passes through four sets of hydroelectric turbines before it heads down to the Central Valley (Trinity County Public Utilities District 2019). The water goes through the turbines at the Trinity Dam, and then it goes through the tunnel to Carr Powerhouse at Whiskeytown Lake. From there it goes through tunnels to Spring Creek Powerhouse before flowing through Keswick Dam and then down the Sacramento River to the valley south of Redding.

### **Impact Analysis:**

- a. During Construction the proposed project will rely on the existing three-phase 800-amp electrical service in the existing building on-site (“Peeler Building”) that is being supplied by Trinity County Public Utility Services, which is 100% hydroelectricity.

Construction related energy consumption is considered finite, or short-term, and is considered consistent with construction activities of similar land uses. All construction activities would either rely on the consumption of oil in the form of gasoline and diesel fuel or utilize the existing three-phase 800 amp electrical service on the subject property. The construction activities temporarily increase in energy use would not result in a significant increase in peak or base demands or require additional capacity from local energy suppliers.

All equipment related to operational energy use on-site will be energy efficient and would be consistent with the energy efficiency goals of Title 24, including all site maintenance equipment, smart watering system, and related equipment. The applicant proposes, where feasible, all appliances, computers, and equipment be certified with the Energy Star label. This includes equipment and lighting related to temperature and humidity-controlled curing room, workshop area, lights for immature plants, water pump and smart watering controls. Furthermore, all interior lighting will be dual controlled with switches and occupancy sensors to prevent wasteful, inefficient, or unnecessary consumption of energy resources. Any exterior lighting will be controlled by both motion detectors and sunlight sensor to only be activated at night, by motion.

The most relevant baseline operational energy use data available is between June 2015 to September 2016 of the Hayfork Community Enterprises used 2856 Kilowatt Hours (KWH) on average per month. It should be noted that the Hayfork Community Enterprises energy use was based on operations that did not utilize the entire property. Based on historic records, the energy use was an estimated 58% of the existing building square footage of 24,200 sq. ft.

Energy figures were calculated using CalEEMod software, a statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify impacts from land use projects. CalEEMod applies inherent default values for various land uses, including construction data and energy use.

CalEEMod uses a series of baselines and project descriptions to create a model that is designed to give reasonably accurate results for a wide range of conditions. CalEEMod was used in this project analysis due to its status as the industry standard for energy impact analysis.

CalEEMod calculates the proposed project at 270,385 KWh/yr. for the estimated 37,500 sq. ft. of buildings that are included in the proposed project. This is 22,532 KWh/month, which is more than the Hayfork Community Enterprises monthly usage. This increase in electrical use, while higher than the Hayfork Community Enterprises baseline, is still within the range of energy consumption rates relative to land use types of similar character. Overall, based on the CalEEMod modeling and energy analysis, the proposed project's construction and operations would not consume energy resources in a manner considered wasteful, inefficient, or unnecessary.

For this reason, the potential for significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation is considered **less than significant**.

- b. The project would be required to comply with the building energy efficiency standards of California Code of Regulations Title 24, Part 6, also known as the California Energy Code. California's title 24 is the adopted Energy code for Trinity County, as well as the rest of the State of California. The proposed project will be in compliance with these regulations and would inherently reduce energy consumption.

Furthermore, upon project completion, renewable energy from TPUD is available and planned to be utilized as the primary source of energy, which aligns with state plans for energy from renewable sources. For this reason, potential impacts from energy use is considered **less than significant**.

## Geology/Soils

Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation incorporated	Less than Significant impact	No impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> <li>i) Rupture of a known earthquake or 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 X substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publications 42.</li> <li>ii) Strong seismic ground shaking?</li> <li>iii) Seismic-related ground failure, including liquefaction?</li> <li>iv) Landslides?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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- X or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial 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 wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting:**

The project is situated in the Hayfork Valley, an area approximately 41.6 square miles in size, nestled in the central metamorphic belt of the Klamath Mountains province. The Hayfork Valley is a flat alluvial basin. The area consists of sedimentary and metamorphic rocks from the Weaverville and Bragdon Formations, the pre-Silurian meta-volcanic schist deposits, and Quaternary alluvium and terrace deposits.

The Dredge Tailings (Xerofluvents) and Carr Creek Gravelly Loam soils families are the soils found underlying the property. The Xerofluent type is common in the Hayfork valley and a result of all of the historical dredging of large cobbles and gravel during the historic mining operations that occurred in the late-1800's and early 1900's. These soils are evident on the subject property adjacent to Salt Creek. Similarly, the Carr Creek gravelly loam is also a valley soil consisting of deposited alluvial mountain stream channels. Signs of these are found on the slight upland areas just west of Salt Creek on the property.

**Alquist-Priolo Earthquake Fault Zoning Act**

The Alquist-Priolo Earthquake Fault Zoning Act (Public Resources Code Section 2621 et seq. 1972) was passed by the California Legislature to mitigate the hazard of surface faulting to structures. The purpose of the Act is to prevent the construction of buildings used for human occupancy on or near the surface trace of active faults. Under the statute, the Division of Mines and Geology (California Geological Survey) maintains a mapping program that delineates all active fault traces in California (California Geological Survey 2010).

These maps are used by professional geologists performing earthquake hazard studies. The act addresses only the hazard of surface fault rupture and is not directed toward other earthquake hazards. Local agencies must regulate most development in fault zones established by the State Geologist. Before a project can be permitted in a designated fault zone, cities and counties must require a geologic investigation to demonstrate that proposed buildings would not be constructed across active faults

**Trinity County General Plan**

Section 65302(g) of the California Government Code requires that general plans include an element containing identification and appraisal of seismic and geologic hazards. The Safety Element of the Trinity County General Plan is composed of elements that relate to aspects of the county's natural and human-made environment that pose potential threats to human life or property (Trinity County Planning Department 2009). The Trinity County General Plan includes a section containing identification and appraisal of seismic and geologic hazards with the goal of minimizing the threat to life and property from seismic and geologic hazards. Geologic hazards policies include:

- Policy S-7.1 Geologic Hazards–Subdivisions: Geotechnical reports and/or related studies shall be required for all subdivision proposals in areas of known landslides or other geologic instability.
- Policy S-7.2 Geologic Hazards–Existing Parcels: Geotechnical reports and/or related studies shall be required prior to issuance of a building permit in all identified landslide areas or other geologic instability areas.
- Policy S-7.6 Building Design and Construction: Building design and construction shall consider soil conditions prior to development.

**Impact Analysis:**

- 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:*

There are no known active fault zones at or near the subject property according to the Official Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist. The closest earthquake fault in proximity to the subject property is the Grogan fault, an estimated 20 miles to the west. For this reason, potential impacts from a rupture from a seismic fault is considered **less than significant**.

ii) *Strong seismic ground shaking:*

Although there are no known earthquake faults in the project vicinity, the entire northern California region is subject to the potential for moderate to strong seismic shaking due to distant seismic sources. Seismic shaking can be generated on faults many miles from the project vicinity.

The Hayfork Community Plan states that a large earthquake (magnitude 7.0 or higher) in Humboldt County would result in strong ground shaking in Hayfork. Most small, wood frame structures would hold up well under moderate ground shaking, but older structures could experience extensive damage due to inadequate foundation systems and other structural supports. Water lines could rupture, and temporary power losses are likely (Trinity County 1996).

Seismic shaking potential is considered minimal and the hazard is not higher or lower at the project site than throughout the region. Standard design and construction practices meeting current California Building Code, where applicable, will provide adequate protection for buildings and other facilities anticipated for the project. For this reason, the potential for strong seismic shaking is considered **less than significant**.

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

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

iv) *Landslides:*

The proposed project site is located on a flat parcel surrounded by flat terrain. There are no documented landslide hazard areas identified within the immediate vicinity. For these reasons, potential landslides are considered **less than significant**.

- b. After construction activities, any runoff flowing over newly graded areas would have an increased volume and velocity, and less energy, or volume of rain, would be required to cause erosion. During all construction phases, Best Management Practices (BMPs) and other project-specific erosion

control measures would be implemented in accordance with the State of California Waterboard General Order.

Although soils in the project area are susceptible to erosion when disturbed, implementation of these measures will reduce the potential for erosion-related impacts and help stabilize the soils during, and immediately following, soil disturbing activities. Planned vegetation plantings in disturbed areas outside the permanent roadway will also help stabilize and protect soils over the long-term.

Erosion-related impacts would be minimized with implementation of control measures. For these reasons, the proposed project is not expected to result in substantial soil erosion or the loss of topsoil, and therefore is considered **less than significant**.

- c. As outlined in Geology and Soil subsection (a. iv) Landslides, the 0 – 2 percent slope of the subject property indicates extremely low risk of the soil movement. For these reasons, the soil instability is considered **less than significant**.
- d. There are no documented expansive soils located at the project site. According to the Soil Survey of Trinity County (NRCS 1998), the shrink-swell potential of all three soil types on the project site are low. For this reason, the soil expansive risk is considered to have **no impact**.
- e. The existing facilities at the project site includes an existing bathroom that is connected to the Hayfork sanitary sewer system. Additional connections to the sanitary sewer system will be made for the Peeler Buildings, and any new buildings constructed for adequate wastewater disposal. Wastewater generated as part of the commercial cannabis operations would be strictly monitored to avoid waste. Any waste generated as part of the manufacturing operation would be disposed of according to Trinity County Environmental Health standards.

Irrigation and fertilization occurs at agronomic rates and are monitored using a smart watering system, including drip irrigation on timers. Agronomic rates are those rates of application of water, fertilizers and other amendments that are sufficient for utilization by the crop being grown, but not at a rate that would result in surface runoff or infiltration below the root zone of the crop being grown. The drip irrigation will include a fertigation system to automatically inject nutrients into the water line according to the label requirements of each individual nutrient/amendment. These smart irrigation systems have safeguards to both avoid backflow and backpressure.

For these reasons, potential impacts from soils ability to support wastewater systems and related wastewater disposal are considered **less than significant**.

- f. No unique geologic features have been identified in the project area. The underlying geologic units have a low potential to contain paleontological resources, and no fossils or other paleontological resources would be expected to be encountered during construction, despite the limited amount of earthwork. For these reasons, potential impacts on a paleontological resource or site or unique geologic feature are considered **less than significant**.



## Greenhouse Gas Emissions

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

### Setting:

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

### **California Global Warming Solutions Act**

The California Global Warming Solutions Act of 2006 (Assembly Bill 32) requires the state to reduce California's greenhouse gas (GHG) emissions to 1990 levels by 2020. In response to this act, state agencies have attempted to reconcile CEQA requirements with the implications of AB 32 regarding a project's impact on climate change.

The State of California has adopted several regulations related to GHG emissions reduction. These include efforts to reduce tailpipe emissions and diesel exhaust produced by fuel-combustion engines. The proposed project is required to adhere to statewide efforts aimed at minimizing GHG emissions.

California Air Resources Board (CARB) reports that California contributes about 1% of global emissions. California's GHG emissions are 82% carbon dioxide which are primarily contributed by transportation residential, industrial, and electrical generation. Other GHG emissions include methane (9% of California's GHGs), hydrofluorocarbon gases, and anthropogenic black carbon.

Transportation is the largest source of black carbon emissions, with off-road mobile sources accounting for 36 percent, on-road diesel accounting for 18 percent, and on-road gasoline and on-road brake and tires each accounting for 2 percent. Fireplaces and wood stoves account for 15 percent, and other fuel combustion/industrial sources account for 14 percent. (California Energy Commission 2018).

### **California Environmental Quality Act - GHGs**

As of August 2007, CEQA lead agencies are required to analyze the potential for a proposed project to produce GHG emissions, which consist primarily of carbon dioxide (CO<sub>2</sub>), nitrous oxide (N<sub>2</sub>O), and methane (CH<sub>4</sub>) (PRC Section 21083.05). This legislation also required the Governor's Office of Planning and Research to prepare and submit to the Resources Agency proposed amendments to the CEQA Guidelines to provide direction on analysis of GHGs (California Natural Resources Agency 2009).

The following GHGs are now regulated by the state: CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride (Health and Safety Code 38505(g)). CARB has also adopted vehicle emission standards to reduce GHGs that result from gas combustion (e.g., CO<sub>2</sub>), but EPA must approve the standards before they become effective. Implementation of these new standards is set to become effective for vehicles, allowing stricter air quality standards than the Clean Air Act requires. In addition to regulating GHGs from vehicle emissions, the state's Climate Action Team, headed by the California Environmental Protection Agency, set statewide targets for reductions in CO<sub>2</sub> emissions. By 2020, the state aims to reduce current CO<sub>2</sub> emissions by 59 million tons.

At this time, neither the NCUAQMD or Trinity County have established thresholds of significance for evaluating a project's GHG emissions. In addition, neither a Climate Action Plan nor GHG Reduction Plan have been developed for Trinity County.

### **Impact Analysis:**

- a. The proposed project site for development and operation is predominately vacant; as such, substantial existing sources of GHG emissions do not exist onsite. Accordingly, implementation of the proposed project would cumulatively contribute to increases of GHG emissions, as the proposed project involves manufacturing, processing, distribution, cultivation, and a nursery.

Estimated GHG emission attributed to the proposed project would be primarily associated with increases of carbon dioxide (CO<sub>2</sub>) and, to a lesser extent, other GHG pollutants, such as methane (CH<sub>4</sub>) and nitrous oxide (N<sub>2</sub>O), associated with area sources, mobile sources or vehicles, water usage, wastewater generation, and the generation of solid waste. The primary source of GHG emissions for the proposed project would be mobile source emissions. The common unit of measurements for GHG emissions is expressed in terms of annual metric tons of CO<sub>2</sub> equivalents (MTCO<sub>2</sub>e/yr).

As noted above, neither the NCUAQMD nor Trinity County has established thresholds of significance for evaluating a project's GHG emissions. Since there are no applicable thresholds for projects in the Air District or Trinity County, the NCUAQMD recommends the use of thresholds and guidance provided by other air districts in the state such as the Bay Area Air Quality Management District (BAAQMD).

The BAAQMD has developed project screening criteria to provide lead agencies and project applicants with a conservative indication of whether a project could result in potentially significant impacts related to greenhouse gas emissions for construction, operations and mobile sources.

The applicable BAAQMD screening criteria for construction and operation of manufacturing uses

- less than 259,000 square feet during construction for manufacturing uses
- less than 89,000 square feet for operational impacts, and;
- not exceed the 1,100 MTCO<sub>2</sub>e/yr, other than permitted stationary sources

BAAQMD maintains thresholds of significance for project-level evaluations of GHG emissions. The BAAQMD thresholds of significance (indicated above) identify the emissions level for which a proposed project would not be expected to substantially conflict with existing California legislation adopted to reduce statewide GHG emissions needed to move California towards climate stabilization. If a project would generate GHG emissions above the threshold level indicated above, then the project would be considered to generate significant GHG emissions and conflict with applicable GHG emission reduction regulations.

The proposed project's GHG emissions were quantified using CalEEMod using the same assumptions as included in the Air Quality section of this analysis, and compared to the 1,100 MTCO<sub>2</sub>e/yr level of significance, and the square footage thresholds indicated above.

The proposed project includes 15,000 square feet for manufacturing, processing, labeling, and packaging, 7,500 square feet for distribution, 5,000 square feet for nursery, 10,000 square feet for post-harvest activities and 43,560 square feet of area for cultivation; this calculates to a total of 81,060 square feet for operational impacts. The estimated total construction impacts are 181,000 square ft. which includes the areas around the peeler building, development of the nursery building, processing building and employee parking area. The analysis also included additional greenhouse space that would be developed to accommodate the 1 acre of canopy.

Construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant impact. Furthermore, BAAQMD has not adopted a threshold of significance for construction related GHG emissions. According to the CalEEMod results, the proposed project would result in unmitigated operational GHG emissions of 453.52 MTCO<sub>2</sub>e/yr, which is well below the 1,100 MTCO<sub>2</sub>e/yr threshold of significance. Even if the proposed project's construction GHG emissions (74.49) were added to the operational GHG emissions (453.52), the result total GHG emissions of 528.01 MTCO<sub>2</sub>e/yr would still be well below the 1,100 MTCO<sub>2</sub>e/yr threshold of significance.

In addition, the proposed project will provide a centralized location for nearby operations to bring their cannabis material for state mandated Laboratory testing, packaging and distribution; which will reduce vehicle miles traveled by farm owners and employees who would have traveled to more distant rural properties in the area to conduct these activities.

For these reasons, potential impacts from the generation of greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment are considered **less than significant**.

- b. The proposed project includes the installation and operation of 43,560 square feet of commercial cannabis canopy as changes in County Code allows, 10,000 square feet for post harvest activities, 200 square feet for petroleum storage, 200 square feet for chemical storage, 200 square feet for Cannabis Waste, 15,000 square feet dedicated to manufacturing, processing, packaging, and labeling, 7,500 square feet dedicated to distribution, 3,500 dedicated to shared employee space, and 5,000 square feet dedicated to a commercial nursery. As such, the proposed project could generate both direct and indirect GHGs. As noted above, in the Greenhouse Gas Emissions, subsection *Setting*, Trinity County does not have an adopted local plan to reduce GHG emissions.

In 2006, the California Global Warming Solutions Act (California Air Resource Board 2006) definitively established the State's climate change policy and set GHG reduction targets (Health & Safety Code §38500 et seq.), including setting a target of reducing GHG emissions to 1990 levels by 2020. AB 32 requires local governments to take an active role in addressing climate change and reducing greenhouse gas (GHG) emissions. Recommendations to reduce residential GHG emissions include promoting energy efficiency in new development and improved coordination of land use and transportation planning on the city, county and subregional level, and other measures to reduce automobile use.

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

"The inventory for 2016 shows that California's GHG emissions continue to decrease, a trend observed since 2007. In 2016, emissions from routine GHG emitting activities statewide were 429 million metric tons of CO<sub>2</sub> equivalent (MMTCO<sub>2</sub>e), 12 MMTCO<sub>2</sub>e lower than 2015 levels. This puts total emissions just below the 2020 target of 431 million metric tons. Emissions vary from year-to-year depending on the weather and other factors, but California will continue to implement its greenhouse gas reductions program to ensure the state remains on track to meet its climate targets in 2020 and beyond." (California Air Resources Board 2018)

The project is subject to a myriad of state regulations applicable to project design, construction, and operation that would reduce GHG emissions, increase energy efficiency, and provide compliance with the California Air Resources Board (CARB) Climate Change Scoping Plan (CARB, 2017). The State of California has the most comprehensive GHG regulatory requirements in the United States, with laws and regulations requiring reductions that affect project emissions. Legal mandates to reduce GHG emissions from vehicles, for example, reduce project-related vehicular emissions. Legal mandates to reduce GHG emissions from the energy production sector that will serve the proposed project would also reduce project-related GHG emissions from electricity consumption. Legal mandates to reduce per capita water consumption and impose waste management standards to reduce methane and other GHGs from solid wastes,

are all examples of mandates that reduce GHGs, which include:

1. Locating the proposed cannabis facility in the community of Hayfork will provide a centralized location for nearby agricultural operations to bring their cannabis material for packaging and distribution and will reduce vehicle miles traveled by farm owners and employees who would have traveled to more distant rural properties in the area or urban properties outside of Trinity County to conduct these activities.
2. The use of an existing industrial site for cultivation will not require the removal of any trees or significant vegetation that would sequester carbon.
3. Power service to the project will be provided by the Trinity County Public Utility District (TCPUD), which serves most of the customers in Trinity County with 100% renewable hydroelectric energy.

In addition, the proposed project is consistent with the Trinity County 2016 Regional Transportation Plan (RTP), which promotes integrating transportation and land use to reduce CO<sub>2</sub> emissions from the regional transportation system. As a centrally-located infill development project, the proposed cannabis facility is consistent with the goals and objectives in the RTP, which encourage a mixture of land uses to reduce vehicle miles traveled and GHG emissions.

For these reasons, the proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases and therefore are considered a **less than significant** impact.

## Hazards and Hazardous Materials

Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation incorporated	Less than Significant impact	No impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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"/>



**Setting:**

Hazards are those physical safety factors that can cause injury or death, and while by themselves in isolation may not pose a significant safety hazard to the public, when combined with the development of projects can exacerbate hazardous conditions. Hazardous waste is defined as any waste material that is a potential threat to human health and environment, having the capacity to cause serious illness or death. Hazardous materials are materials considered dangerous to people or the environment. The use, transport, storage, and disposal of hazardous waste and hazardous materials are subject to numerous laws and regulations.

The project area is in a formerly developed lumber mill. According to the Phase 1 Environmental Assessment for the site done by SHN Consulting Engineers and Geologists, Inc in October 2007, the truck maintenance/shop building was the main location where all heavy equipment was worked on daily, for nearly 40 years. However, no storm drains were noted in the building which could lead to contamination. Pentachlorophenol and tetrachlorophenol testing was conducted in 1998 by the Department of Toxic Substances Control, the results were negative for the subject property. However, because of visual observations of petroleum standing and the verbal record of former site workers of the former mill site, SHN recommended a limited Phase 2 investigation on the subject property which would include testing at the previous site of the sawmill, the peeler building, and main runoff area. See Appendix E for this report.

A Final Targeted Site Investigation (TSI) Work Plan was initiated by the Watershed Research and Training Center in February 2018, Appendix F. On April 30, 2018 they were issued an Investigation Report for the project site. The results were that the former sawmill, former log pond, equipment shed, septic leach field, former planer mill, and former lumber drying slab area were below the threshold of levels for unrestricted land use or no contamination was detected. The former boiler, former underground storage tank, and the former refuse burner room exceeded levels for unrestricted land use but were below the commercial and industrial screening level.

Hazardous waste or materials may be transported along SR 3 and Tule Creek Road, and accidental spills could discharge pollutants into Hayfork Creek, Salt Creek, or the environment. Activities on NFS and private lands could involve the use of hazardous materials, such as fuels, pesticides, and fertilizers.

***Health and Safety Code Section 25100 et seq.***

Describes the key aspects of hazardous waste management, including identification and classification; sources; transport; design and permitting of recycling, treatment, storage, and disposal facilities; treatment standards; operation of facilities, including staff training; closure of facilities; and liability issues. The sections define the Hazardous Waste Control Law of 1990 (as amended 1997), which created the California hazardous waste management program, which is similar to, but more stringent than, the federal program under the Resource Conservation and Recovery Act. Regulations associated with this law impose cradle-to-grave requirements for handling hazardous wastes in a manner that protects human health and the environment. (California Health and Safety Code 1982)

**California Code of Regulations Sections 1150 to 1194**

Regulate the transport of hazardous materials. When a hazardous material or waste spill originates on a highway, the California Highway Patrol is responsible for direction of cleanup and enforcement (Sections 2450-2454b). Highway is defined as a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. Under this definition, highways include streets and county-maintained roads, as well as state highways. (Trinity County Planning Department 2009)

**Public Resources Code Sections 4428 to 4442**

Regulate emergency response in the event of a fire and require the provision of firefighting equipment on or near any forest, brush, or grass-covered land when fire hazards are highest. It also addresses disposal of flammable materials, waste and use of spark arrestors on certain equipment. (California Public Resources Code 1971)

**Trinity County General Plan Safety Element**

The Trinity County General Plan Safety Element identifies goals to reduce threats to the public health and the environment caused by the use, storage, and transportation of hazardous materials and hazardous waste (Trinity County Planning Department 2009). Applicable objectives and policies for implementing these goals include:

**S.3.1 Objective:** Proper regulation of transportation and storage. Policy A. Transport of hazardous materials shall be regulated by the California State Highway Patrol under the California Code of Regulations, Title 13:1150-13:1194, and the Code of Federal Regulations, Title 49.

**S.3.2 Objective:** Ensure adequate cleanup of hazardous materials and hazardous waste. Policy A. The County should encourage cooperation between all the agencies involved in the cleanup and regulation of hazardous materials.

**Impact Analysis:**

- a. Construction activities would include the use of hazardous substances such as fuels and lubricants for vehicles and equipment, paints, solvents, epoxies, and paving materials. The hazardous substances would need to be transported to the work area, where they would be used on site in designated areas. The transport and use of hazardous substances pose a risk to people and the environment, including Salt Creek and Hayfork Creek, in the event of an accident or spill. For example, vehicles could leak or spill fuel, brake fluid, and lubricants during fueling or servicing activities or during delivery of fuels and other substances to work areas. Spills could contaminate soil and surface water or groundwater and potentially result in toxic effects on vegetation, wildlife, fish, workers, and the general public.

During all construction activities, the contractor would be required to comply with applicable state and federal laws, regulations, and requirements pertaining to hazardous materials and hazardous wastes and implement water pollution control measures that conform to the State of California's Waterboard General Order Best Practices.

These measures include preparing and implementing specific requirements for the handling, storage, and clean-up of an accidental spill of hazardous materials, such as petroleum-based products, cement, or other construction pollutants, and standard measures, including, but not limited to controlling runoff, reducing erosion, minimizing and controlling the use of toxic substances, and preventing and controlling spills. With implementation of appropriate construction measures, the potential for hazardous materials to result in substantial effects on the environment or pose health or safety risks to the public would be minimized.

Some petroleum products and other chemicals would be used in the operation and maintenance of vehicles, yard tools and equipment, but these materials would be stored inside the storage shed and purchased on an as-needed basis to avoid storage over long periods. Fuels for yard tools would be stored according to the material labels and would always be in quantities under 5 gallons, in compliance with State Cannabis Discharge Program Order WQ 2017-0023-DWQ, in 5-gallon spill proof containers and placed in secondary containment containers with an equal or greater than storage capacity to prevent and contain accidental spills or leaks.

In a similar fashion to those for petroleum products and other chemicals, state and local commercial cannabis applicants are mandated to comply with requirements for fertilizer and pesticides. The current Best Practical Treatment or Control for fertilizer and pesticide management is known as Integrated Pest Management (IPM). IPM is defined by the California Department of Pesticide Regulation (CDPR) as, “an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and nontarget organisms, and the environment.” The applicant plans to fully implement IPM into the proposed project.

Disposal, containment, and spill prevention measures for pesticides and fertilizers are further covered by the SWRCB General Order and the SWRCB Cannabis Policy. Enrollment in the General Order requires detailed monitoring and reporting throughout all phases of project development and operation as well as compliance with Attachment A of the Water Board Cannabis Policy. Attachment A of the Cannabis Policy contains surface water diversion and waste discharge requirements for cannabis cultivation-related activities. Enrollment further requires the Discharger to comply with any applicable federal, state, and local laws, regulations, and permitting requirements.

For manufacturing and distribution, any cannabis materials that cannot be composted will be hauled off by a third party waste hauler. As such, there will not be a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, as the waste hauler will have their own protocol on how to handle cannabis waste materials.

For these reasons, the proposed project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and therefore are considered a **less than significant** impact.

- b. As indicated in Hazards and Hazardous Materials subsection (a), the proposed project does include the use of a small amount of hazardous waste substances (e.g., petroleum and other chemicals used to operate and maintain equipment, fertilizers and pesticides). Accidental releases of these substances could potentially contaminate soils and degrade the quality of surface water and groundwater, resulting in a public safety hazard. Compliance with standard safety procedures and hazardous materials handling regulations as indicated within the SWRCB General Order will reduce any impacts to a **less than significant** level.
- c. Valley High School, located at 160 Tule Creek Rd, is over a quarter mile from the project area that may handle hazardous or acutely hazardous materials, substances, or waste. This separation ensures a **less than significant** impact will occur.
- d. On February 3, 2019, EnviroStor online was accessed to determine the subject property's relation to any site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The subject property is a listed site on the Cortese list (Department of Toxic Substances Control 2019) and, as a result, a Targeted Site Investigation (TSI) Work Plan for the site was generated.

The result of the TSI was that there are three locations, the former burner, former underground storage tank, and the former boiler room, that are above the threshold of unrestricted use, but below the threshold for industrial use. Additional testing was proposed to determine the areas of contamination even though they were below the threshold for unrestricted use (see Appendix F for this report). Based on this information, there is a **less than significant** impact to the public or environment.

- e. The project is located within an Airport Land Use Plan in the Primary Traffic Pattern (Zone D) and partially in the Extended Approach/Departure Zone (Zone B2) for the Hayfork Airport. Zone D typically has a substantial number of aircraft over-flights within its boundary while aircraft are taking off or arriving. Generally, Zone D is not impacted by high noise levels. It is possible that an individual working at the proposed project site may notice an over-flight and perceive an increase in volume from baseline conditions. However, Hayfork Airport is a small, unattended airport in a rural area. Typically, the airport hosts only four single-engine aircraft and no multi-engine aircraft, jets, helicopters, or military aircraft. The frequency of overflights that could impact conditions at the project site is very low. Zone B2 is comprised of two areas: the extended approach/departure area and the turning areas. Zone B2 must be free of airspace obstructions. Within the turning area, aircraft are maneuvering at low altitude, and may cause higher noise levels than baseline upon departure. Land uses in Zone B2 should not include tall structures, nor should they congregate people, generate visual obstructions, or attract wildlife hazards (Trinity County Airport Land Use Commission, 2009). As such, all development within the scope of the proposed project would be of single-level structures and would be fenced and secured so as to not attract wildlife. A project with similar infrastructure, including greenhouses,

is in operation on an adjacent parcel; further implementation of similar infrastructure should be categorized as an existing use and will not generate a visual obstruction. Employees present on the project site would be few, and would be restricted to only those employees needed to complete daily shifts. The location of the proposed project within an Airport Land Use Plan will not result in safety hazards or excessive noise for people residing or working in the project area. For these reasons, **less than significant** impacts will occur (see Figure 7).

- f. Commercial deliveries of construction materials and operating materials would be primarily handled by the licensee directly, those that are completed by a third party would likely be sourced from businesses based in Hayfork, Weaverville, Redding and/or Red Bluff California. All of the highways connecting these locations have ample compacted dirt parking areas and vehicle turnouts along them. These turn-outs all vehicles needing to allow emergency response vehicles pass could be accommodated with little inconvenience to either party. For these reasons, **less than significant** will occur.
- g. Trinity County has a very recent history of living with Wildfire, with the 2018 Carr Fire and nearby Hertz Fire, as well as the 2017 Buck Fire in the area of the proposed project, all of these large wildfires highlight the reason for a Very High Severity Zone designation by CalFire (CalFire 2007). The proposed project is on the frontier of the urban-wildlife interface, located in a rural area of Trinity County, and could expose workers and structures at the subject property to direct and indirect risk of loss, injury, or death from wildland fires.

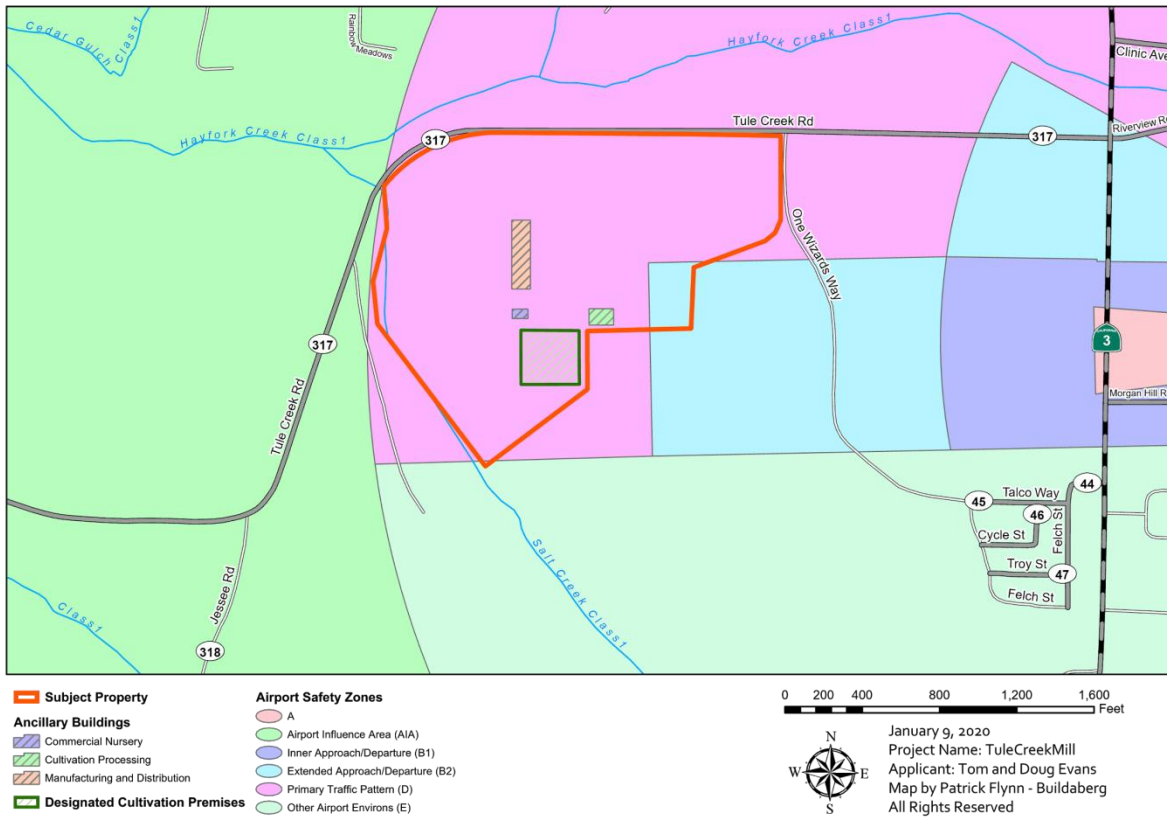
More recently, with the effects of climate change beginning to set-in, Northern California is starting to experience a substantial increase in very large wildfires, including the Mendocino Complex Fire, the Carr Fire, and the Camp Fire of 2018. The “New Normal” in reference to living with Wildfire was coined by CalFire during the 2018 Carr fire, includes massive destruction as a result of wildland fires.

- The subject property is within a State Responsibility Zone (SRA) and falls within the CalFire jurisdiction and is classified as a Very High Severity Zone (CalFire 2007). As such, the subject property is required to maintain a 100 ft. defensible space around all structures (CalFire 2005). In addition, the proposed project is required to comply with State Fire Safe Standards for protection of life and property from wildfires through clearing of vegetation, location of appropriately sized water storage facilities, and other actions required for fire protection/suppression actions as may be determined by the County or CalFire.

The potential for the proposed project to expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires is not substantially worse than for other types of land uses in the same area. Furthermore, these risks would actually be reduced compared to unregulated cannabis cultivation occurring under the baseline conditions cited under the CalCannabis PEIR. The combination of these existing regulations and protective measures would reduce fire risk to a **less than significant** impact.



014-430-75-00  
Airport Approach/Departure Zone  
690 Tule Creek Rd, Hayfork, CA 96041



**Figure 7: Airport Approach/Departure zones**



## Hydrology/Water Quality

Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation incorporated	Less than Significant impact	No impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<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 impervious surfaces, in a manner which would: i) Result in substantial erosion or siltation on- or offsite; ii) Substantially increase the rate or amount of surface runoff in a matter which would result in flooding on- or offsite; iii) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or 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"/>

## **Setting:**

### **Clean Water Act**

The Federal Water Pollution Control Act of 1972, also known as the Clean Water Act (CWA), is the primary federal law that protects the quality of the nation's surface waters, including lakes, rivers, and coastal wetlands (United States Environmental Protection Agency 2017). The objective of the act is "to restore and maintain the chemical, physical, and biological integrity of the nation's waters."

The CWA establishes the basic structure for regulating the discharge of pollutants into waters of the United States and gives the U.S. Environmental Protection Agency (EPA) the authority to implement pollution control programs such as setting wastewater standards for industry. In certain states, including California, EPA has delegated authority to state agencies.

Section 303 of the CWA requires states to adopt water quality standards for all surface waters of the United States. The three major components of water quality standards are as follows:

- Designated uses are uses that society, through the federal and state governments, determines should be attained in the water body, such as supporting communities of aquatic life, supplying water for drinking, and recreational uses.
- Water quality criteria are levels of individual pollutants or water quality characteristics or descriptions of conditions of a water body that, if met, will generally protect the designated use of the water.
- The antidegradation policy is designed to prevent deterioration of existing levels of good water quality.

Where multiple uses exist, water quality standards must protect the most sensitive use. In California, EPA has given the State Water Resources Control Board (State Water Board) and the nine RWQCB the authority to identify beneficial uses and adopt applicable water quality objectives.

Section 401 of the CWA requires an applicant for any federal license or permit (e.g., a Section 404 permit) that may result in a discharge into waters of the United States. In California, USEPA has delegated to SWRCB and the RWQCBs the authority to issue water quality certifications. Each RWQCB is responsible for implementing Section 401 in compliance with the CWA and that region's water quality control plan (also known as a Basin Plan). The North Coast RWQCB is the administrative agency for water quality certifications for Trinity County.

Section 402 of the CWA established the National Pollutant Discharge Elimination System (NPDES). Under Section 402, a permit is required for point-source discharges of pollutants. The State Water Board is responsible for implementing the NPDES permitting process in Trinity County. The SWRCB has issued "the General Order" WQ 2017-1123-DWQ to provide performance standards and Best Practicable Treatment of Control (BPTC) measures for addressing water quality at commercial cannabis cultivation sites.

The NPDES permit process also provides a regulatory mechanism for controlling nonpoint-source pollution created by runoff from construction. Proponents of projects involving construction activities (e.g., clearing, grading, or excavation) involving land disturbance greater than 1 acre must file a notice of intent with the State Water Board to indicate their intent to comply with the General Permit for Discharges of Stormwater Associated with Construction Activity (Order 2009-0009-DWQ, as amended by

2010-0014-DWQ 41 and 2012-0006-DWQ – “Construction General Permit”) (State Water Resources Control Board 2010).

This general permit establishes conditions to minimize sediment and pollutant loadings. The Construction General Permit requires the applicant to file a Notice of Intent to discharge stormwater and prepare and implement a stormwater pollution prevention plan (SWPPP). The SWPPP is intended to help identify the sources of sediment and other pollutants and to establish best management practices (BMPs) for stormwater and non-stormwater source control and pollutant control. Included in a SWPPP is a site map and a description of the proposed construction activities; demonstrate compliance with relevant local ordinances and regulations; and present a list of best management practices (BMPs) that will be implemented to prevent soil erosion and protect against discharge of sediment and other construction-related pollutants to surface waters.

A sediment monitoring plan must be included in the SWPPP if the discharges would occur directly to a water body listed on the Section 303(d) list for sediment and ensure that BMPs are implemented correctly and are effective in controlling the discharge of construction-related pollutants. (State Water Resources Control Board 2019a)

### **Porter-Cologne Water Quality Control Act**

Effective in January 1970, and updated in January 2019, the Porter-Cologne Act created water quality regulation on the State level, establishing the State Water Resources Control Board (SWRCB) and dividing California into nine regions, each overseen by a Regional Water Quality Control Board (RWQCB). The act establishes regulatory authority over waters of the State, defined as “any surface water or groundwater, including saline waters, within the boundaries of the state” (State Water Resources Control Board 2019b). More specifically, the SWRCB and RWQCBs have jurisdiction over any surface water or groundwater to which a beneficial use may be assigned. Following enactment of the federal Clean Water Act in 1972, the Porter-Cologne Act assigned responsibility for implementing CWA Sections 303, 401, and 402 to the SWRCB and RWQCBs.

The North Coast RWQCB (2011) developed the Basin Plan (Water Quality Control Plan) for the North Coast Region to protect surface water and groundwater quality. The act also authorizes the RWQCBs to issue waste discharge requirements (WDRs) for discharges to waters of the state, including National Pollutant Discharge Elimination System (NPDES) permits. Any activity, discharge, or proposed activity or discharge from a property or business that could affect California’s surface water, coastal waters, or groundwater will (in most cases) be subject to a WDR. The California Water Code authorizes the SWRCB and RWQCBs to conditionally waive WDRs if this is in the public interest. Discharges made under the commercial cannabis program may be subject to WDR requirements.

### **Fish and Game Code Section 1602**

Section 1602 of the Fish and Game Code requires an entity to notify the California Department of Fish and Wildlife of any proposed activities that may substantially modify a river, stream, or lake. These activities include a substantial diversion or obstruction of a water body, using or changing any material from the bed or channel, and depositing or disposing of any debris or waste into a water body. If the Department of Fish and Wildlife determines that the proposed activities may adversely affect fish and wildlife, a Lake or Streambed Alteration Agreement is prepared.

### **Pesticide Contamination Prevention Act**

The Pesticide Contamination Prevention Act, approved in 1985, was developed to prevent further pesticide contamination of groundwater from legal agricultural pesticide applications. The act defines pesticide pollution as “the introduction into the groundwater(s) of the state of an active ingredient, other specified product, or degradation product of an active ingredient of an economic poison above a level, with an adequate margin of safety that does not cause adverse health effects.” The California Department of Pesticide Regulation (CDPR) has compiled a list of pesticide active ingredients on the Groundwater Protection List that have the potential to pollute groundwater. These various pesticides are reviewed and their use is modified when they are found in groundwater (California Department of Pesticide Regulation 2001). Groundwater Protection Program CDPR implements the Pesticide Contamination Prevention Act through its Groundwater Protection Program, which is coordinated with SWRCB under the California Pesticide Management Plan.

The Groundwater Protection Program evaluates and samples pesticides to determine whether they may contaminate groundwater, identifies areas sensitive to pesticide contamination, and develops mitigation measures to prevent the movement of pesticides. CDPR adopted regulations to carry out these mitigation measures.

### **Sustainable Groundwater Management Act**

The Sustainable Groundwater Management Act (SGMA), passed in 2014, became law in 2015, and created a legal and policy framework to manage groundwater sustainably at a local level. The SGMA allows local agencies to customize groundwater sustainability plans to their regional economic and environmental conditions and needs and establish new governance structures, known as groundwater sustainability agencies (GSAs). The SGMA requires that a groundwater sustainability plan (GSP) be adopted for groundwater basins designated as high and medium priority (127 out of 515 basins and subbasins) under the California Statewide Groundwater Elevation Monitoring program (described below) by 2020 for basins with critical overdraft of underground aquifers (California Department of Water Resources 2015).

As with other local regulatory requirements, GSP requirements may apply to licensed cultivators located within the boundaries of a GSA and using groundwater as a source; the source could include on- or off-site wells, as well as supplies from water purveyors or water delivery services that have groundwater as some component of their supply.

### **Basin Plans**

Each RWQCB must adopt a water quality control plan, or Basin Plan, intended to protect water quality in its region. A Basin Plan is unique to each region and must identify beneficial uses, establish water quality objectives for the reasonable protection of beneficial uses, and establish a program of implementation for achieving the water quality objectives. Each Basin Plan must conform with the California antidegradation policy (California Department of Water Resources 2015).

### **Site Hydrology**

The project site sits east of Salt Creek and South of Hayfork Creek which are tributaries to the Trinity River. Hayfork Creek drains a basin of 234,000 acres and is the largest tributary of the South Fork of the Trinity River, which flows into the main Trinity River and then to the Klamath River before reaching the Pacific Ocean. The 79,574 acre Middle Hayfork Creek and the 36,328 acre Salt Creek Watersheds (analysis area) drain through Hayfork Valley, and include the Tule Creek, Big Creek, Kingsberry Gulch,

Carr Creek, Philpot Creek and Barker Creek watersheds. The middle reach of Middle Hayfork Creek is primarily contained within private land and runs in an approximately east to west direction along the Hayfork Valley floor (USDA Forest Service 2001).

There is a bermed area that was used as a log pond during the site's history, it is currently defunct and drained. After many years of the pond not being used, it has now become a moderately mature wetland.

### ***Flood Hazards***

Flood hazard zones in the vicinity of the project are classified as zone X, which is an area of minimal flood hazard, and the areas in proximity to Salt Creek are classified as zone A, which are subject to the 1% annual chance flood event (Federal Emergency Management Agency 2010).

### ***Water Quality***

The Basin Plan designates specific beneficial uses for the Hayfork Valley hydrologic subarea, including municipal; agricultural; industrial service supply; industrial process supply; groundwater recharge; freshwater replenishment; contact and non-contact recreation; commercial and sport fishing; cold freshwater habitat; wildlife habitat; rare, threatened, or endangered species; migration of aquatic organisms; and spawning, reproduction, and/or early development of aquatic organisms (North Coast Regional Water Quality Control Board 2011).

The Basin Plan has established narrative or numeric limits that are intended to meet water quality objectives to ensure that beneficial uses of the water body are protected. It specifies limits for the following water quality parameters: boron, bacteria, biostimulatory substances, chemical constituents, color, dissolved oxygen, floating material, hardness, oil and grease, pH, pesticides, radioactivity, salinity, sediment, settleable material, specific conductance, tastes and odors, temperature, toxicity, total dissolved solids, and turbidity (North Coast Regional Water Quality Control Board 2011).

### **Impact Analysis:**

- a. The subject property is located on private land owned by the applicant. Hayfork Creek, a tributary to the Trinity River, is just north of the property. Salt Creek, a tributary to Hayfork Creek, is the western border of the subject property.

In order to become licensed at both the state and local levels, the applicant must enroll in the SWRCB General Order. Additionally, the applicant must implement pest management Best Practical Treatment or Control (BPTC) practices into their project to be in compliance with CDFA CalCannabis regulations. Full compliance with the General Order ensures that in stream flows and water quality standard requirements are met or exceeded. Similarly, implementation of pest management BPTCs, as required by CalCannabis regulations, ensure minimal runoff and discharge of harmful pesticides and fertilizers used to treat pests.

The SWRCB General Order mandates compliance with several surface water diversion and waste discharge requirements for activities related to cannabis cultivation. The five main categories of cannabis cultivation requirements, meant to protect in stream flows and water quality, can be found in Attachment A of the SWRCB Cannabis Policy and are as follows:

1. General Requirements and Prohibitions

2. Requirements Related to Diversion of Water and Discharge of Waste for Cannabis Cultivation
3. Numeric and Narrative Flow Requirements (including Gaging)
4. Watershed Compliance Gage Assignments
5. Planning and Reporting

Attachment A of the SWRCB Cannabis Policy contains BPTC measures associated with discharge of waste and diversion of water. The applicant complies with all applicable BPTC measures stated in Attachment A, in addition to all requirements as stated above, as is necessary to become licensed with CDFA CalCannabis and Trinity County.

The proposed project's licensed premises is set back 150 feet from the edge of Salt Creek and Hayfork Creek in accordance with the SWRCB General Order setbacks for Class I watercourses. Additionally, in accordance with the SWRCB General Order exemption for structures with a permanent roof, the project includes a permanent relatively impermeable floor, where cannabis wastewater generated is discharged to a permitted wastewater treatment collection facility that accepts cannabis cultivation wastewater.

All project areas within the designated area and areas adjacent to them consist of low gradient slopes. Irrigation and fertilization for cultivation occurs at agronomic rates and are monitored using a smart watering system.

Agronomic rates are those rates of application of water, fertilizers and other amendments that are sufficient for utilization by the crop being grown, but not at a rate that would result in surface runoff or infiltration below the root zone of the crop being grown.

For these reasons, the impacts to water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality are less than significant.

Though Salt Creek is located within the Project site parcel, the only water source used for domestic and irrigation activities is water from the Trinity County Waterworks District #1. For this reason the impacts from the proposed project are **less than significant**.

- b. Following the implementation of the proposed construction and development of the proposed project measures to contain runoff to prevent infiltration into nearby watercourses, include sediment basins, berms, infiltration ditches and other Best Management Practices, which contain and control surface runoff.

No significant land alteration is proposed at the subject property. The future incorporation of the nursery, and greenhouses to the project will be located in previously disturbed area and are considered minor land changes. The cultivation area consists of low gradient slopes both within the designated area and adjacent to them.



All development is well buffered from Salt Creek and occur over the 150 foot required setback by the State’s general order. The proposed project will be continuously monitored as part of the SWQCB Site Management Plan for erosion, sedimentation and stormwater discharge to prevent the degradation of riparian features. In addition, the applicant is required to renew and report to the SWQCB on a yearly basis. For these reasons the impacts from the proposed project are **less than significant**.

- c. As indicated under setting, Topography and Floodplain, Flood hazard zones in the vicinity of the project are classified as zone x, which includes areas where flood hazards are minimal, and zone A, where there is at least a 1% change of flooding (Federal Emergency Management Agency 2010). All activities will take place in zone X, outside of the flooding hazard areas. For this reason, the flood hazard and risk release of pollutants due to project inundation is **less than significant**

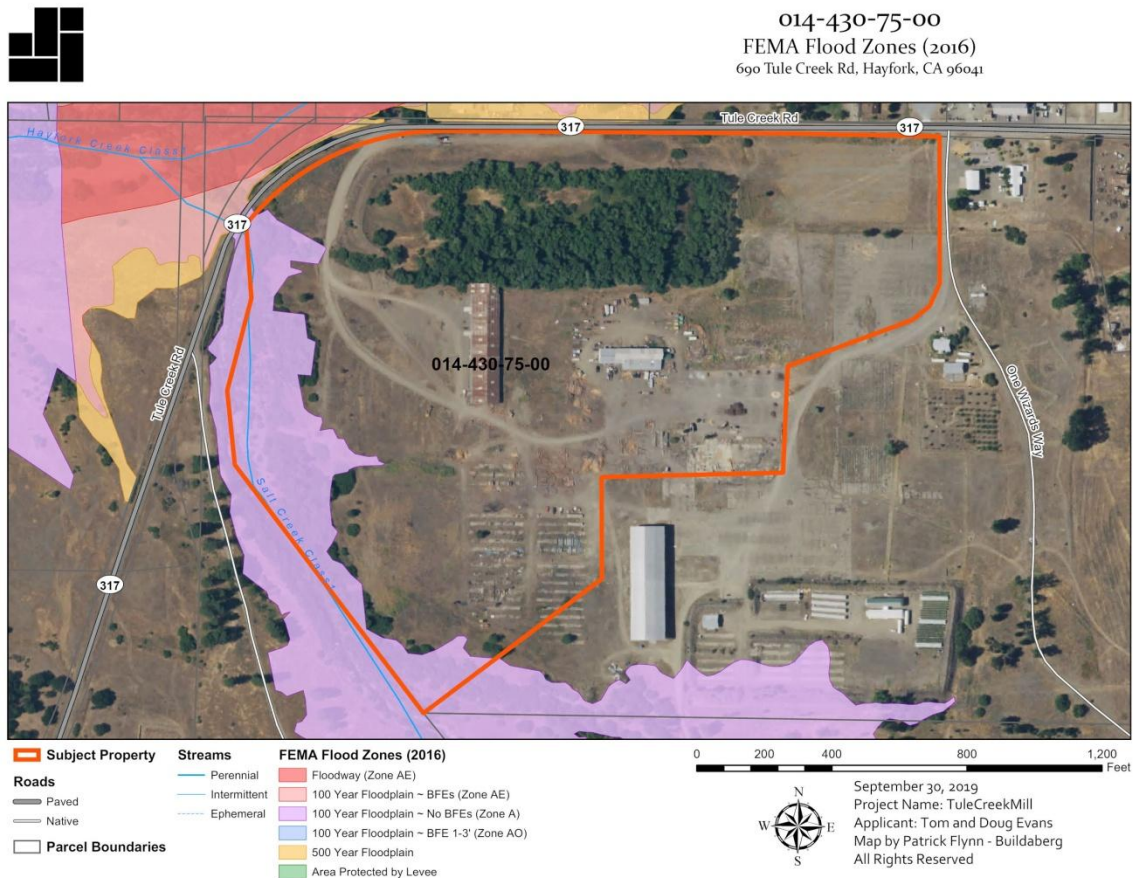


Figure 8: FEMA Flood zone Map

- d. As indicated in Hydrology/Water Quality subsection (b), the California State Waterboard has determined that the municipal water does not interfere with groundwater recharge. For this reason, the proposed project is not in conflict with or obstructing the implementation of a water quality control plan or sustainable groundwater management plan, and therefore considered **less than significant**.

## Land Use/Planning

Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation incorporated	Less than Significant impact	No impact
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. 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 checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting:

The proposed project is located just west of Hayfork at a historical mill site. Trinity County encompasses more than 2 million acres and is one of the original 27 California counties created in 1850. The majority of the land within the county (76 percent) is managed by the federal government as part of National Forests or wilderness areas. The STNF encompasses a large portion of the county. Land uses in the county are best characterized as accommodating tourism, outdoor recreation (e.g., hiking, hunting, and fishing), and forestry and timber production; the latter being the predominant private use, although it has declined significantly since the 1990s (Trinity County 2012).

The county is primarily rural and contains several small, scattered communities with no incorporated cities. Most of the population is concentrated in Weaverville, Hayfork, and Lewiston valley communities. In addition to the prevailing development patterns, the surrounding land uses in the area valleys are used for agriculture, including hay crops, livestock grazing and cannabis cultivation. In 2010, the total population of Trinity County was 13,786 persons (U.S. Census Bureau 2011), making it one of the least densely populated California counties.

Surrounding the proposed project area are private lands with a mix of uses, all of which are subject to the Trinity County General Plan, Hayfork Community Plan and the County zoning code. Land uses for these zoned lands are Residential, Agricultural, and Industrial. Buffers and compatibility with these neighboring zones are regulated by Trinity County zoning code Ordinance 315.

Both the Trinity County General Plan and Zoning Districts did not specifically anticipate development of cannabis facilities and operations when these community plans and zoning districts were written. In response to California State Law that allows commercial cannabis activities, under permitted and controlled conditions, Trinity County developed County-specific ordinances to regulate commercial cannabis cultivation, distribution and sales within the County.

Trinity County Ordinance 315-843 regulates cultivation. Trinity County Ordinance 315-828 and 315-834 regulate distribution facilities. Trinity County Ordinance 315-826 and 315-827 regulate Nursery operations. Trinity County Ordinance 315-838 and 315-842 regulates Manufacturing activities.

The Cannabis Ordinances, in combination with the provisions of the General Plan and requirements of the Zoning Districts are used to determine appropriate land uses of cannabis operations in Trinity County.

**Impact Analysis:**

- a. The proposed project does not involve the construction of roads, utility transmission lines, construction of storm channels, water dams or other waterway diversions that would typically be associated with the division of an existing community. Because the proposed project does not have the potential to physically divide an established community, it is considered to have **no impact**.
- b. The proposed project does not conflict with any of Trinity County's policies or regulation, including all relative cannabis ordinances included in the Setting subsection.

The project is located within a zoning overlay of "PR" (Plan Review), due to the proximity of the site to Hayfork Airport and the presence of airport safety zones over the site. The development plan of any project with a PR overlay is required to be reviewed by the County to assess if there are potential issues for the project related to a specific identified resource. In this case, the development plan would be reviewed by the Trinity County Department of Transportation, which would provide any conditions of approval for the project. The proposed land uses of the project generally do not conflict with the land use designations for the site, nor will they adversely impact airport safety or interfere with flight patterns.

For this reason, the proposed project will not 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, and therefore is considered **less than significant**.

## Mineral Resources

Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation incorporated	Less than Significant impact	No impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local General Plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Setting:

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

A mineral resource is land on which known deposits of commercially viable mineral or aggregate deposits exist. The designation is applied to sites determined by the California Geological Survey as being a resource of regional significance and is intended to help maintain any quarrying operations and protect them from encroachment of incompatible uses.

### Impact Analysis:

- a. The site has not been designated as an important mineral resource recovery site by a local general plan, specific plan, or other land use plan or by the State of California. The proposed project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State and would not result in the loss of availability of a locally-important mineral resource recovery site. For this reason, there is **no impact**.
- b. As indicated in Mineral Resources subsection (a), site has not been designated as an important mineral resource recovery site by a local general plan, specific plan, or other land use plan. For this reason, there is **no impact**.

## Noise

Would the Project result in:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation incorporated	Less than Significant impact	No impact
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 ground borne vibration or ground borne 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 checked="" type="checkbox"/>	<input type="checkbox"/>

### **Setting:**

Noise is generally defined as loud, unpleasant, unexpected, or undesired sound typically associated with human activity and that interferes with or disrupts normal activities. Although exposure to high noise levels has been demonstrated to cause hearing loss, the principle human response is annoyance.

Noise sources can include vehicles on roads, loud music, heavy machinery, large generators, construction, industrial and commercial operations. An adverse human response to noise often is influenced by the type of noise, time of day, perceived importance of the noise, sensitivity of the individual, the noise's appropriateness in the setting, and the type of activity during which the noise occurs.

The US Environmental Agency (USEPA) has published guidelines that specifically address issues of community noise (United States Environmental Protection Agency 1972). In this report, the USEPA has outlined goals for noise levels affecting residential use: less than 55 dBA for exterior levels and less than 45 dBA for interior levels. However, the guidelines also indicate that a noise level up to 65 dBA can also be considered acceptable.

Occupational exposure to noise is regulated by 29 CFR Section 1910.95. This regulation outlines employer responsibilities to protect employees from excessive exposure to noise. Among the controls described within this document are providing personal protective equipment to employees who are exposed to noise levels exceeding an average of 90 dBA for an 8 hour period.

Ground-borne vibrations impact levels are associated with three categories, as they pertain to human annoyance;

- Buildings where vibration interferes with interior operations
- Residences and buildings where people normally sleep
- Institutional land uses with primarily daytime usage

Typically, groundborne vibration impact levels are associated with risk of damage to buildings and typically associated with heavy vehicle traffic (including Railroads) and heavy equipment operations. (Federal Transit Administration 2018)

### **California Building Code**

Title 24, Part 2, Section 1207.4 of the California Building Code established a uniform minimum noise insulation performance standard to protect persons from the effects of excessive noise, including hearing loss or impairment and interference with speech and sleep. Title 24 states that interior noise levels attributable to exterior sources are not to exceed 45 dBA in any habitable room (California Building Code 2016).

### **Trinity County General Plan**

The Trinity County General Plan Noise Element contains goals, objectives, and policies designed to minimize and reduce noise conflicts (Brown-Buntin Associates, Inc. 2003). The County acknowledges that the regulation of noise sources such as traffic on public roadways is preempted by federal and/or state regulations, meaning that these sources may not be addressed by a local government noise ordinance.

The goals of the Trinity County Noise Element are:

- To protect the citizens of the County from the harmful and annoying effects of exposure to excessive noise.
- To protect the economic base of the County by preventing incompatible land uses from encroaching upon existing or planned noise-producing uses.
- To preserve the tranquility of residential areas by preventing noise-producing uses from encroaching upon existing or planned noise-sensitive uses.

The County established acceptable noise exposure levels for land uses in the county and identified a policy to mitigate transportation-related noise to achieve the acceptable levels for noise-sensitive land uses. The maximum day/night average sound level (Ldn) for residential uses is 60 decibels (dB) at the residential property line and 45 Ldn dB in the interior space.

Trinity County's Ordinance 315-section 23 outlines Industrial District uses and performance thresholds. B-3 sets 65 dBA at the property line of a use as the maximum allowable noise threshold without a use permit.

As part of the Noise Element update, a Noise Ordinance was proposed that would have allowed construction-related noise sources to exceed the acceptable levels, provided that they were implemented after 7 a.m. and before 8 p.m. Monday through Saturday. However, the Noise Ordinance was never adopted.



### Trinity County Cannabis Ordinance - Noise Standards

The Trinity County Commercial Cannabis Cultivation ordinance sets noise standards for the operation of cultivation sites. “The cultivation of Cannabis shall not exceed the noise level standards as set forth in the County General Plan: 55 dBA from 7:00 a.m. - 7:00 p.m. and 50 dBA from 7:00 p.m. - 7:00 a.m. measured at the property line. In addition, generators are not to be used for commercial cannabis operations between 10:00 p.m. - 7:00 a.m.”

### Trinity County Airport Land Use Compatibility Plan

The purpose of an Airport Land Use Compatibility Plan (ALUC Plan) is to promote compatibility between the land uses that surround them as well as between the airports themselves. ALUC Plans set criteria for compatibility applicable to local agencies during preparation or amendment of land use plans and ordinances. ALUC Plans also apply for landowners and local government entities when designing new development.

Trinity County’s ALUC Plan applies to five public use airports in the county:

- Hayfork Airport
- Hyampom Airport
- Ruth Airport
- Trinity Center Airport
- Weaverville Airport

Zone	Noise Impact	Overflight Factors	Relative Risk Level (% of accidents)	Nature of Accident Risk
A	Very High	Loud overflight of departing aircraft	Very high - 39%	Landing errors, takeoff overruns, loss of takeoff control
B1	High	Engine noise sufficient to disrupt some land use activities including indoors if windows open	High - 22%	Emergency landings
B2	Moderate	Aircraft typically below 1000 ft above ground on arrival and departure	Moderate - 6%	Includes areas where aircraft turn from base to final approach legs of standard pattern and descend toward runway

C	Moderate to High	Aircraft noise from pre-flight run-ups and extended idling on the ramp	Low to Moderate - 5%	Primary risk is with aircraft losing directional control on takeoff
D	Moderate	Most concern is with individual loud events than with cumulative noise contours	Low - 18%	Aircraft at traffic pattern altitude. Risk concerns is primarily with uses for which potential consequences are severe
E	Low	Occasional overflights intrusive to some outdoor activities	Low	Risk concerns is primarily with uses for which potential consequences are severe

### Existing Noise Environment

The existing noise environment is primarily influenced by the proximity to Tule Creek Road and SR 3 vehicle traffic. Tule Creek Road is physically sited just north of the subject property. The ambient outdoor sound level in the project area is a blend of natural environment sounds, that of the rural environment and vehicle traffic on SR3. The character and existing uses of the project area appear agricultural, residential, and industrial, which influence the noise environment with light duty trucks, tractors, industrial equipment and agricultural activities.

The population in the area is common to that of a rural setting with residential homes on parcels over 1 acre. Sensitive receptors within 1 mile of the project site are residential housing, a community center, and a church. The neighboring residences are located over 1,200 feet away from the proposed cultivation project location, which is in accordance with the Trinity County Commercial Cannabis Cultivation Ordinance's required setback. All other activities are setback more than 500 feet from the northern property line, and those activities are in an enclosed building.



### Impact Analysis:

- a. With the proposed project including the rehabilitation of the Peeler Building, in-kind replacement of the caretaker unit, and construction of the nursery, cultivation greenhouses and accessory structures, there are associated construction noise impacts that will permeate from the subject property. The truncated construction schedule provided in the proposed project development section helps minimize the temporary increase in noise levels. Additionally, the noise generated from construction activities are similar in noise impacts to that of industrial use.

The operation of the proposed project brings noise impacts primarily sourced from noise generating equipment. Of the noise generating equipment expected to be used by the proposed project, below is a noise reference level used to determine noise impact from the proposed project's operations;

Equipment type	Noise reference level at 50 feet (dBA)	Potential Frequency of Use
HVAC unit	56.9 – 69.9	Permanent
Loaded Truck	88.0	Temporary
Ventilation Fan	29.9 – 50.9	Permanent

Source: Noise levels at a distance of 50 feet from the equipment source were estimated from varying reference level distances. These estimates were sourced from the CalCannabis PEIR and are not meant to be exhaustive of all equipment used by the proposed project.

Sensitive receptors within 1 mile of the project site include residential housing, a public facility, and a nearby church. The neighboring residences are located 1,200 feet away from the proposed cultivation location as required by Trinity County Ordinance 315-843. All other cannabis activities are over 500 feet from the northern property line, and those activities are in enclosed buildings.

Equipment type	50 feet (dBA)	100 ft	200 ft	400 ft	800 ft	1600 ft
Compressor (air)	78	72	66	54	48	42
HVAC unit	56.9 – 69.9	63.9	57.9	51.9	45.9	39.9
Loaded Truck	88.0	82	76	70	64	58
Ventilation Fan	29.9 – 50.9	44.9	38.9	32.9	26.9	20.9
Construction Noise	76 - 80	74	68	62	56	50

Potential future construction within the proposed project site would result in temporary increased levels from grading, and other construction activities on the subject property. Construction noise from proposed site development activities would include mechanical equipment; such as, earthmovers, dump trucks, and similar equipment that is commonly used

during construction activities. Furthermore, delivery of construction materials, construction of foundations, framing, roofing, and similar operations would also be related to the proposed project's development. Because noise levels dissipate with distance from noise sources, as outlined in the table above, noise levels received by the surrounding sensitive receptors would fluctuate depending on the distance of the noise source on the proposed project site from the fixed location of the receptor.

Construction activities would generate temporary increases to the level of noise produced on the proposed project site. Based on the Federal Highway Administration's Construction Noise Handbook (US Department of Transportation 2006), activities related to the construction of the proposed project would generate maximum noise levels ranging from 76 to 80 dBA at a distance of 50 feet. The noise levels from construction operations decrease at a rate of approximately 6 dBA per doubling of distance from the noise source, according to the Inverse Square Law of Noise Propagation (Harris 1991).

Therefore, construction noise levels at the nearest off-site sensitive receptor would be approximately 54 dBA at most. According to the Trinity County Cultivation ordinance, this is within the limits of noise limits. Considering that construction-related noise is not anticipated to exceed 55 dBA, the construction activity would not exceed the Trinity County Cultivation ordinance limits.

Likewise, permanent equipment used at the proposed property, including the HVAC equipment and ventilation fans may produce noise above the existing noise environment but these noise generation sources are not considered significant, as the location of this equipment on the subject property allows any on-going sound to dissipate to levels that are below the threshold set in the Trinity County Cultivation ordinance.

The project is located along Tule Creek Road, classified as a two-lane county roadway (Trinity County DOT, 2011). The Trinity County Regional Transportation Plan (RTP) identifies six Level of Service (LOS) thresholds within Trinity County. LOS A represents free flowing traffic, when individual users are nearly unaffected by the presence of others in the traffic stream. LOS B mostly indicates a range of stable flow, but the presence of other users in the traffic stream may be noticeable. Freedom of drivers to select desired speeds is relatively unaffected. LOS C also represents stable flow, but marks the beginning of the range of flow in which it becomes necessary for users to negotiate interactions with others in the traffic stream. LOS D indicates high-density, stable flow, while LOS E represents heavily-impacted, near-capacity levels of traffic. LOS F, the final category, defines forced or breakdown flow.

Trinity County maintains a minimal LOS standard for roadways and intersections of D. The project is expected to produce 110 vehicle trips per day. This figure is well within the LOS D standard, which is listed as 7,000. Traffic volumes are typically defined by Average Daily Traffic (ADT) and Hourly Distribution of Entering and Exiting Vehicle Trips by Land Use (Peak Hour). Hours of operation are between 8am and 5pm Monday through Friday. Given the hours of operation, which are within normal business hours, the expected traffic load of 110 trips per day should not significantly increase noise as a result of increased traffic. Traffic to the subject

property would be limited to construction workers during the development phase, and employees or authorized personnel once the proposed project construction is complete, as the operation is not open to the general public. Given the small addition of additional trips, the proposed project would not result in substantial amount of additional traffic.

For these reasons, the proposed project’s generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project are considered **less than significant**.

- b. Ground borne vibration is typically associated with heavy equipment operations (including Railroads, buses on rough roads etc.) and heavy equipment operations (such as tractors, loaded cement trucks, caisson drillers). The proposed project would use heavy-duty construction equipment during construction of the proposed project ( e.g., tractors, rollers, loaded trucks).

Such equipment has the potential to generate groundborne vibration. Levels of vibration include imperceptible vibrations at low levels, low rumbling and minor vibration at moderate levels, and structural or architectural damage at high levels. For structural damage, the California Department of Transportation (Caltrans) uses a vibration limit of 0.5 inches/second, peak particle velocity (in/sec, PPV), for buildings structurally sound and designed to modern engineering standards and 0.2 in/sec PPV for buildings that are found to be structurally sound but where structural damage is a major concern. The threshold of 0.2 in/sec PPV is also used by Caltrans as the threshold for human annoyance caused by vibration. Although all surrounding structures are assumed to be structurally sound, the 0.2 in/sec PPV threshold offers conservative value with regards to structural damage and is used as the threshold of significance for this analysis.

Equipment	PPV at 25 ft (in/sec)	Potential Frequency of Use
Loaded Truck	0.076	Temporary
Large Bulldozer	0.089	Temporary
Small Bulldozer	0.003	Temporary
Cassian Drilling	0.089	Temporary
Vibratory Roller	0.210	Temporary
Jackhammer	0.035	Temporary

Source: Caltrans, Transportation and Construction Vibration: Guidance Manual September 2013

The most substantial source of vibration during construction activities would be the operation of vibratory rollers, which, as shown above, would generate vibrations of approximately 0.21 inches per second peak particle velocity (PPV) at a distance of 25 feet (City of Davis 2013).

The nearest sensitive receptor is an estimated 1,200 feet away. Because the closest residence is at least 200 ft. away, the PPV experienced at the nearest residence would be reduced from the PPV’s reported above. The Caltrans Transportation and Construction Vibration Guidance Manual provides a formula for estimating vibration dissipation with distance.



Below is the equation used within the CalTrans guidance manual;

$$PPV_{Equipment} = PPV_{Ref} (25/D)^n \text{ (in/sec)}$$

Where:

$PPV_{Ref}$  = reference PPV at 25 ft.

D = distance from equipment to the receiver in ft.

n = 1.1 ( the value related to the attenuation rate through ground)

Calculations were completed to determine the maximum vibration caused by the construction activities using the Caltrans formula. Because the vibratory roller would be the most intense possible source of vibration, the reference PPV of 0.210 in/sec was used for the calculations. At a distance of 200 ft. from the proposed project area, any sensitive receptors would receive 0,021 in/sec PPV from the use of a vibratory roller, which is well below the 0.2 in/sec PPV significance threshold used for this analysis. Furthermore, the location of sensitive uses is well beyond the 200 ft. separation distance, and thus an even lower PPV would be felt at the sensitive receptors.

For these reasons, the proposed projects generation of excessive ground borne vibration or ground borne noise levels, are **less than significant**.

- c. The runway of the Hayfork Airport lies approximately  $\frac{3}{4}$  mile east of the southeast corner of the subject property. As such, the proposed project is located within an airport land use plan. The Trinity County Airport Land Use Compatibility Plan indicates that while the subject property is located within the Hayfork Airport designated overflight path, limitations on land use is typically limited to conversions from “existing or planned agricultural, open space, industrial, or commercial use to residential uses... is discouraged.”

According to the Trinity County Airport Land Use Compatibility Plan the maximum Community Noise Equivalent Level (CNEL) for the proposed uses at the subject property have the following levels of acceptability:

Use category	Land Use Acceptability	
Nursery / Wholesale Trade	Normally Acceptable	Noise is a factor to be considered. Conventional construction methods will eliminate most noise intrusions upon indoor activities.
Cultivation / Cropland	Clearly Acceptable	The activities associated with the specified land use can be carried out with essentially no interference from the noise exposure
Manufacturing / Distribution / Processing	Normally Acceptable	Noise is a factor to be considered. Conventional construction methods will eliminate most noise intrusions upon indoor activities.
General Office	Marginally Acceptable	Noise may cause moderate interference when windows are open. Construction features that provide sufficient noise attenuation should be used.

While located in the airport plan area, the airport activities will not expose people at the project area to excessive noise. The Hayfork Airport is a rural municipal airport with very light traffic,

and noise from planes is not considered a significant issue for this area. For this reason, impacts are considered **less than significant**.

## Population/Housing

Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation incorporated	Less than Significant impact	No impact
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>

### Setting:

Trinity County encompasses more than 2 million acres and is one of the original 27 California counties created in 1850 (North State Resources, Inc. 2014). The majority of the land within the county (76 percent) is managed by the federal government as part of National Forests or wilderness areas. The STNF encompasses a large portion of the county. Land uses in the county are best characterized as accommodating tourism, outdoor recreation (e.g., hiking, hunting, and fishing), and forestry and timber production; the latter being the predominant private use, although it has declined significantly since the 1990s. The county is primarily rural and contains several small, scattered communities with no incorporated cities. In 2010, the total population of Trinity County was 13,786 persons (U.S. Census Bureau 2010), making it one of the least densely populated California counties.

In 1996, the community of Hayfork, California published the Hayfork Community plan, which recognized a shortage of rental housing and limited number of properties for sale. This trend was exacerbated by the “Green Rush” of cannabis cultivators flooding the Hayfork and outlying communities from 2011 through 2016. The majority of these cannabis cultivators were operating under the protection of proposition 215 and were marginally regulated.

With the passage of Proposition 64 and the legalizing of the recreational cannabis industry, coupled with the sunset of proposition 215 operators, recent real estate trends in the area have seen a number of real estate listings come onto the market. With the stringent regulations developed and implemented by CalCannabis and the Bureau of Cannabis Control, a number of the former proposition 215 cultivators are beginning to shutter their businesses and relocate out of Trinity County. As a result, the influx of available properties and a correlating reduction in property values has created an influx of available housing options and a decrease in pressure of available properties.

**Impact Analysis:**

- a. Implementation of the proposed project would result in the development of new facilities, including the rehabilitation of the Peeler Building, in-kind replacement of the caretaker unit, and construction of the nursery, cultivation greenhouses and accessory structures. Construction workers associated with project development are expected to live in the greater Weaverville or Hayfork area. Construction workers would likely only need to be on site for a limited number of days, as outlined in the Construction schedule section.

Future employees necessary to staff the proposed commercial cannabis operation are projected to be up to 34 full time employees year-round. They are anticipated to live in the greater Hayfork area. No major economic or housing changes have occurred in the region from 2017 to the present day. In addition, with the stringent regulations developed and implemented by CalCannabis and the Bureau of Cannabis Control, a number of the former Proposition 215 cultivators are beginning to shutter their businesses and relocate out of Trinity County. As a result, the influx of available properties and a correlating reduction in property values has created an influx of available housing options and a decrease in pressure of available properties. For these reasons, the proposed project is not expected to induce a substantial population growth and is considered **less than significant**.

- b. The proposed project would not displace a substantial number of existing residents or housing necessitating the construction of replacement housing elsewhere as the commercial cannabis operation will primarily be operated by full time employees. The in-kind replacement of the caretaker unit will replace an existing unit and result in a zero net gain/loss in residential units. Seasonal employees in the fall season during harvest are anticipated to live nearby. For this reason, **no impact** will occur.

## Public Services

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:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation incorporated	Less than Significant impact	No impact
a. Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting:

Trinity County encompasses more than 2 million acres and is one of the original 27 California counties created in 1850. The majority of the land within the county (76 percent) is managed by the federal government as part of National Forests or wilderness areas. The Shasta-Trinity National Forest Land ("STNFL") encompasses a large portion of the county and is adjacent to the subject property.

The subject property is located in Hayfork, California at 690 Tule Creek Road. The project site is located on the western end of the community of Hayfork, which has public services available to residential, commercial and industrial facilities. Fire protection is provided by CalFire which has a fire station adjacent to the project site; the US Forest Service also has a fire station within Hayfork, furthermore, the Hayfork Volunteer department provides mutual aid services. Law enforcement to the area is provided by the Trinity County Sheriff's Department. There are no medical services in the immediate vicinity, with the nearest medical services provided in Weaverville. Schools are located in Hayfork for grades K-12.

### Impact Analysis:

- Fire protection services to the proposed project are currently provided by CalFire, Hayfork Volunteer Fire, and by a US Forest Service Fire Station in Hayfork. Development of the project within the community is expected to significantly decrease the demand for these protection services in comparison to the baseline conditions of Proposition 215 cultivation. Based on these factors and standard conditions, impacts are considered **less than significant**.
- Police protection services to the proposed project are currently provided by the Trinity County Sheriff's Office and California Highway Patrol (CHP). Development of the project within the community is not expected to significantly increase the demand for these protection services. As required by the County Cannabis Ordinance for Distribution Facilities, a security plan must be developed for the distribution operations and must be approved by the County, as a condition of approval. Based on these factors, impacts are considered **less than significant**.

- c. Hayfork Elementary and Hayfork High School provide primary education to students in the area. While the development of this project could attract employees with families that may have school age children, and those students may contribute to the total student enrollment in these schools, the implementation of the proposed project is not expected to result in a significant increase in the number of school-age children as the result of new employees who work and may also reside within the school districts. Last year's graduating class of Hayfork High School was 15 students, which translates to very low enrollment (Morris 2018). Any additional students generated by the proposed project could be absorbed by Hayfork High School's unused capacity. Therefore, the potential impacts are considered **less than significant**.
- d. The proposed project will not increase the intensity of the land use, impacts to parks and recreational facilities in the project area would remain at existing conditions. The proposed project would not include recreational facilities or require the construction or expansion of recreational facilities. Therefore, there is **no impact**.
- e. The proposed project does not involve a substantial change in the land use, does not substantially increase the number of people employed in the region, and does not create or require new housing or related facilities, an increased demand on public facilities is unlikely to occur. Therefore, impacts are considered **less than significant impact** to other public services related to this project.



## Recreation

Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation incorporated	Less than Significant impact	No impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

### Setting:

The recreation facilities in the Hayfork area are the Hayfork Park which include the baseball fields and the community pool (½ mile), Ewing Reservoir (2 ½ miles), Hayfork Community Wetland (1 ½ miles) and the Trinity County Fairgrounds (½ mile).

### Impact Analysis:

- a. The proposed project will not increase the impacts to parks and recreational facilities in the project area. The Hayfork Park, Ewing Reservoir, the Hayfork Community Wetland, and the Trinity County Fairgrounds would remain at existing conditions. For these reasons, **no impact** will occur.
- b. The proposed project would not include recreational facilities or require the construction or expansion of recreational facilities. For this reason, **no impact** will occur.

## Transportation

Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation incorporated	Less than Significant impact	No impact
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b): <ul style="list-style-type: none"> <li>i) Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact.</li> <li>ii) Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact.</li> <li>iii) Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be considered to have a less than significant transportation impact.</li> <li>iv) Qualitative Analysis. If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.</li> <li>v) Methodology. A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled, and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.				
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 checked="" type="checkbox"/>	<input type="checkbox"/>

### **Setting:**

#### **National Scenic Byway Programs**

The Federal Highway Administration’s National Scenic Byway Program and the Forest Service’s National Forest Scenic Byways Program are intended to showcase distinct and diverse roads throughout America. The National Forest Scenic Byways Program is designed to showcase the outstanding scenery of National Forest Service lands, while meeting the public’s demand for scenic driving tours on safe, well-maintained roads.

In addition, the program allows for public interpretation of National Forest management, meets the growing demand for recreational driving opportunities, increases use of National Forests by non-traditional user groups such as the elderly and urban minorities, and creates opportunities for rural economic development.

#### **California Department of Transportation**

The California Department of Transportation (Caltrans) manages the state highway system and ramp interchange intersections. Caltrans is also responsible for highway, bridge, and rail transportation planning, construction, and maintenance. Caltrans requires transportation permits for the movement of vehicles or loads exceeding the limitations on the size and weight contained in California Vehicle Code section 35551. (CalTrans 2019)

#### **Trinity County Regional Transportation Plan**

The Trinity County Regional Transportation Plan (RTP) was derived from the General Plan Circulation Element and was designed to identify regionally significant transportation improvements needed to efficiently move goods and people across the county “over the next 20 years” (through 2030) (Fehr and Peers 2011). The plan incorporates policies from the Circulation Element and documents the policy direction, actions, and funding strategies designed to maintain and improve the regional transportation system, with an overall goal to “provide a safe, reliable, accessible, cost-effective and efficient transportation system consistent with socioeconomic and environmental needs within Trinity County. The RTP serves as the guiding document for transportation investments in the county involving local, state, and federal funding over the next twenty years (Trinity County DOT 2017).

### Trinity County General Plan Circulation Element

The Trinity County General Plan Circulation Element identifies several goals, objectives, and policies to improve and maintain the transportation network in the county (LSC Transportation Consultants Inc. 2002). The primary goal is to provide for the long-range development of Trinity County’s roadway system to ensure consistency with adopted land use patterns and environmental and circulation objectives; to ensure the safe and efficient movement of people and goods; and to implement funding strategies for construction, improvement, and maintenance of existing and new roadways.

Key objectives focus on ensuring compatibility of road improvements with the land uses the roads serve, protecting the environment while ensuring public safety, considering social and economic issues when evaluating the impacts of road projects, using available funds for highest priority improvements, and reducing travel time while improving traffic safety on collector and arterial roads (Trinity County DOT 2011).

Policy 1.6.A of the Circulation element states the minimum acceptable Level of Service (LOS) standard for roadways and intersections in Trinity County is D.

Unsignalized Intersection LOS Criteria		
LOS	Description	Average Delay (seconds per vehicle)
A	No delay for stop-controlled approaches	0 to 10
B	Operations with minor delays	> 10 to 15
C	Operations with moderate delays	> 15 to 25
D	Operations with some delays	> 25 to 35
E	Operations with high delays and long queues	> 35 to 50
F	Operation with extreme congestion, with very high delays and long queues unacceptable to most drivers	> 50

Source: 2010 Highway Capacity Manual, Transportation Research Board, 2011

### Overview of SR 3

The roadway system in Trinity consists of approximately 202 miles of state highways, 700 miles of County roads, and 1,288 miles of federally owned and operated roads (largely in the National Forest) (LSC Transportation Consultants Inc. 2002). The steep, mountainous terrain of Trinity County drastically limits where roads can be constructed. Many of the roads in isolated communities serve as the single access route into and out of the communities (Fehr and Peers 2011). Although Trinity County is large and the population is sparse, traffic volumes—particularly seasonal recreational traffic—often exceed the Level of Service standards on routes such as State Route 3 (SR-3), resulting in moderate traffic congestion - typically on SR-3 smaller connector roads.

In downtown Hayfork on SR 3 there are approximately 2650 vehicles per day, and peak hourly rates at 360 (CalTrans 2017). The truck traffic consists of about 10.8 percent of Hayfork traffic (CalTrans 2016).

### **Overview of the Project Site**

The project site is located on private property that has existing private roads. These private roads are accessed by the existing encroachment on Tule Creek Road which is a Trinity County maintained road that provides access to the general area. Access to Tule Creek Road is by way of SR-3 that traverses through the community of Hayfork. Both SR-3 and Tule Creek Road accommodate passenger and highway truck traffic, with SR-3 being the primary north/south state highway in the area, connecting to SR-299 to the north and to SR-36 in the south.

The Circulation Element also identifies Tule Creek Road as an existing bikeway, part of the Hayfork Pedestrian Paths and Bikeways network in the Hayfork community. The bikeway is a Class III Bike Route, where bikes share the shoulder with vehicles and are designated by signage only.

Since the applicant purchased the property and the start of this environmental analysis, many of the businesses have relocated from the subject property.

To establish a baseline of vehicle trips at the subject property, we note the businesses and their respective employees Hayfork Community Enterprises project. The Hayfork Community Enterprises project had three businesses that were onsite when this environmental document was drafted and are expected to continue if this project is not approved.

- Watershed Center, which uses the site as their parking for company vehicles, equipment yard, and records storage which has 12 to 18 employees who travel to and from the site on a daily basis.
- A landscape material sales operation which has 1 employee.

There is also a small traffic impact from the onsite caretaker unit, which has one occupant. Because the in-kind replacement of the caretaker unit will result in a zero net gain/loss, it has been excluded from the transportation analysis below.

The collective businesses and uses of the subject property during the Hayfork Community Enterprises operations, there is a range of daily vehicle trips equivalent of up to 16 daily active users and an unknown number of trips related to their business operation (general deliveries, client/customer visits etc.) of the subject property.

# Hayfork Community Overview

014-430-75-00 - Initial Study

690 Tule Creek Rd, Hayfork, CA 96041

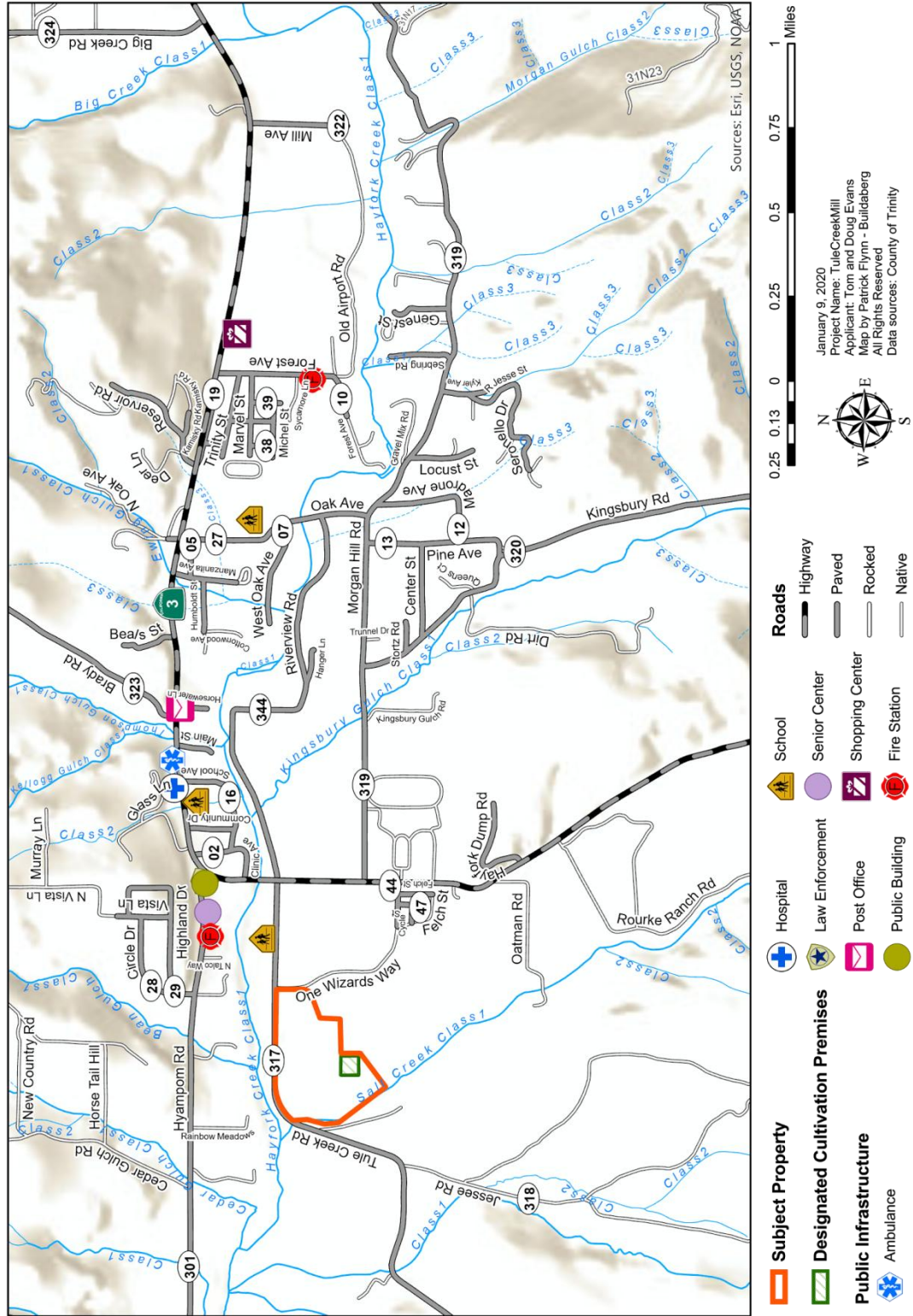


Figure 10: Hayfork community overview map



**Impact Analysis:**

- a. Project approval would allow for the development of four cannabis cultivation sites, a nursery facility, non-volatile manufacturing and distribution facility on existing developed industrial lands in Hayfork. The proposed project expects to generate traffic from employees, licensed cultivators frequenting the wholesale commercial nursery, licensed cultivators and manufacturers visiting the distribution facility, and delivery vehicles with supplies for the proposed activities. This traffic is expected to access the subject property from Tule Creek Road, primarily from SR 3. The majority of traffic will source from the Hayfork community. A marginal amount, including general supply deliveries and distribution related deliveries, will extend beyond the community of Hayfork.

As noted under the Trinity County General Plan Circulation Element outlined above, the Trinity County LOS minimal standard is D. The Regional Transportation Plan echoes this standard and indicates County two-lane roadways, such as Tule Creek Road, should maintain LOS D up to a traffic volume of 7,000 (Trinity County 2017). Traffic volumes are typically defined by the number of Average Daily Traffic (ADT) and Hourly Distribution of Entering and Exiting Vehicle Trips by Land Use (Peak Hour).

Both the ADT and Peak Hour traffic rates were quantified using CalEEMod software (referenced in the Air Quality section), which projects average trip rates based on the Institute of Transportation Engineers (ITE) 9th edition of the Trip Generation Manual. CalEEMod's traffic modeling relies on data that does not directly relate to Cannabis operations or rural communities. Many of these baselines, which are key in developing accurate results for a specific model, are based on out-of-state case studies, some of which were implemented as far back as the 1980s. As such, the baseline traffic conditions established by CalEEMod do not accurately represent the conditions of the project. However, this analysis used the project's proposed uses and attempted to find standard CalEEMod land use types, as indicated above, that relate as close as possible. Unfortunately, because CalEEMod does not have explicit options for Cannabis businesses, these matches are limited.

As a result, the average daily traffic for the proposed project was used as follows; full ITE descriptions can be found in Appendix G and CalEEMod Time of Day distribution results can be found in Appendix H. The CalEEMod ADT, as they relate to the proposed uses, is below:

Proposed Project Uses	ITE Land Use Code	CalEEMod / ITE Land Use Types	Square Footage	ITE Daily Traffic
Processing / Curing / Trimming	110	General Light Industry	10,000	69.7
Distribution	150	Warehouse	7,500	12.6
Manufacturing / Extractions / Packaging / Labeling / Pre-rolls	140	Manufacturing	15,000	57.3
Shared Use / Offices	710	General Office Building	3,500	38.6
Commercial Nursery	818	Nursery (Wholesale)	5,000	-----
Canopy	None	None	43,560	-----
<b>Total</b>			<b>84,560</b>	<b>178.2</b>

\* Note: CalEEMod does not estimate emissions from primarily agricultural activities, as they generally do not generate substantial amounts of air pollutants.

As shown in the table above, the proposed project would generate 178.2 ADT based on CalEEMod daily traffic volumes. In addition, ITE provides Peak Hour calculations for 110-General Light Industrial, 150-Warehouse, 140 Manufacturing and 710-General Office Building. As shown in the table below, the proposed project would generate 66.7 vehicle trips in the AM Peak Hour (7 - 8 AM) and 84.8 vehicle trips in the PM Peak Hour (3 - 4 PM) for the four land use types ITE provides Peak Hour data. Unfortunately, no traffic data is available with the CalEEMod dataset to quantify and analyze traffic volumes for wholesale nurseries or row crops/cannabis cultivation.

ITE Hourly Distribution of Entering and Exiting Vehicle Trips by Land Use (Peak Hour)							
Land Use Type	Size	AM Peak Hour (7 - 8)			PM Peak Hour (3 - 4)		
		In	Out	Total	In	Out	Total
General Light Industry	10,000	17.3	2.7	20	5.8	12.8	18.6
Warehouse	7,500	9.6	5.1	14.7	7	12.9	19.9
Manufacturing	15,000	13.8	3.2	17.0	9.7	20.7	30.4
General Office Building	3,500	13.1	1.9	15.0	7.4	8.5	15.9
<b>Total</b>		<b>53.8</b>	<b>12.9</b>	<b>66.7</b>	<b>29.9</b>	<b>54.9</b>	<b>84.8</b>

The CalEEMod ADTs are largely based on the square footage of each individual (and generalized) proposed use, rather than a more nuanced, placed based approach.

The internal proxy ADT developed for this project is a more nuanced and place-based approach to understanding traffic impacts from the proposed project. The proxy ADT is based on the number of licensed companies that may conduct business with the proposed uses; including the volume of traffic from employees, licensed cultivators frequenting the wholesale commercial nursery, licensed cultivators and manufacturers visiting the distribution facility, and delivery vehicles with supplies for the proposed activities. The ADT from all of these activities is estimated at 110 (see table below).

As discussed previously in this analysis, the proposed project estimates 34 employees for full operations of all proposed licensed activities. Each employee is assumed to generate a daily round trip, plus an extra half trip per employee, per day, to meet their personal daily needs. In addition, daily round trips were estimated for general supply deliveries (3 per week for Manufacturing, Distribution, Cultivation and the Wholesale Nursery), as well as, the activities outlined above.

<b>Proposed Project Uses</b>	<b>Square Footage</b>	<b>Employees</b>	<b>Deliveries / Pickups</b>	<b>Proxy ADT</b>
Processing / Curing / Trimming	10,000	6	-	18
Distribution	7,500	4	1.6	14
Manufacturing / Extractions / Packaging / Labeling / Pre-rolls	15,000	12	1.2	37.2
Shared Use / Offices	3,500	6	1.2	19.2
Commercial Nursery	5,000	2	2.7	8.7
Canopy	43,560	4	1.2	13.2
<b>Total</b>	<b>84,560</b>	<b>34</b>		<b>110</b>

While the ADT from CalEEMod/ITE is 178 (and limited by no data for a wholesale nursery or cultivation operations) and the proxy ADT of 110 from our internal traffic model are not the same, the use of both to set a high and low volume of traffic adds a layer of confidence to our analysis. Tule Creek Road can accommodate the additional daily vehicle trips from either the CalEEMod/ITE or the proxy ADT, without its LOS degrading to a level below D, as the total traffic volume (and Peak Hour traffic) is significantly less than the 7,000 vehicles necessary to exceed LOS D.

Given the limited volume of traffic generated by the proposed project, the objectives and plans outlined in the 2018 Regional Transportation Plan would not be significantly impacted. Employee traffic would generally be limited to the beginning and end of employee shifts, in similar fashion to the CalEEMod Peak Hour calculations. Traffic from the proposed project would not obstruct or cause congestion such that it would interfere with the existing residential and commercial traffic on Tule Creek Road. Furthermore, the proposed project would not affect

Trinity Transit bus routes or stops. In addition, the wide roadways and shoulders would allow plenty of defensible space for bicycles to operate safely. For these reasons, impacts from development of this project are considered **less than significant**.

- b. Section 15064.3 of the CEQA Guidelines provide specific consideration for evaluating a project's transportation impacts. Pursuant to Section 15064.3, analysis of vehicle miles traveled (VMT) attributable to a project is the most appropriate measure of transportation impacts. Other relevant considerations may include the effects of the project on transit and non-motorized travel. It should be noted that currently, the provisions of Section 15064.3 apply only prospectively; determination of impacts based on VMT is not required Statewide until July 2020.

The CEQA Guidelines indicate land use projects are generally presumed to cause a less-than-significant impact if they are within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor. Also, projects that decrease VMT in the project area compared to existing conditions should be presumed to have a less-than-significant transportation impact.

The subject property is slightly over one-half mile (0.52 miles) of the existing Trinity Transit stop at the Hayfork Library. Additionally, the proposed project uses, including cannabis manufacturing and distribution, will serve as a centralized collection point for cannabis products. Since many of the commercial cannabis cultivation sites in proximity to the project area must already transport their individual crops to state licensed manufacturers and distributors, transportation vehicles must currently travel to their individual cultivation sites and return to their licensed premises. By centralizing a distribution and manufacturing center in Hayfork, the number of trips existing distributors must travel from cultivation site to cultivation site will be reduced. Also, new and seasonal employees are presumed to be from the local Hayfork community and would not cause an influx of long-distance commuting.

According to Best Practices of CEQA analysis, the current conditions of a proposed project are the applicable baseline to compare a proposed project to. Accordingly, since the subject property is a former Lumber Mill that has been partially vacant during operations for the past decades under various business entities, and currently sits 90% vacant, the proposed project would add VMT. However, according to a Technical Advisory release by the Governor's Office of Planning and Research, the land use projects of interest in VMT analysis are residential, office, and retail (OPR 2018). Manufacturing and agriculture projects are not mentioned. Based on the above, the proposed project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3(b), and a **less than significant** transportation impact would occur.

- c. The project will not substantially create hazards due to a geometric design feature nor would it be incompatible with the existing conditions as the project will be using the existing driveway which was designed for mill site operations. As mentioned above, traffic from the proposed project would increase minimally with the development of the proposed project, but not to the level of creating hazards related to increased traffic. For these reasons, the proposed project is considered to have a **less than significant** impact.

- d. As required for SRAs, the subject property complies with California Code of Regulations Title 14, Division 1.5, Chapter 7, Subchapter 2, Article 2 *Emergency Access and Egress* 1273.01 Road Width, which states; *“All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress,...”* There is existing access from Tule Creek Road, and there are three 10’ lanes in the internal driveway system that provide access to operations.

Furthermore, the proposed project does not change the existing access point to the subject property from Tule Creek Road; therefore, the ability for emergency vehicles and personnel to access the subject property will remain at existing condition levels upon completion of the proposed project. For these reasons, the proposed project is not expected to result in inadequate emergency access and is considered **less than significant**.

## Tribal Cultural Resources

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation incorporated	Less than Significant impact	No impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### **Setting:**

Hayfork Valley is a small valley with an elevation of 2,310 ft. about 20 miles South West of the Trinity Alps Wilderness and is surrounded by the Shasta Trinity National Forest. The Subject Property is located an estimated ½ mile west from the Hayfork Airport and downtown Hayfork. The project site has been previously developed by historical lumber milling and manufacturing operations and more recently as an economic incubator as Hayfork Community Enterprises. Historic gold mining has occurred in the vicinity of the project with doodlebug dredging. The lumber mill facilities have generally been dismantled and removed from the site, with some remnant structures left onsite for use by other operations.

Additional details on the setting can be found in the Introduction section.



**Impact Analysis:**

- a) Native American outreach was conducted by William Rich, M.A., R.P.A. (consultants archaeologist), who sent out a request for comments for the proposed project to the Tribal Chairpersons or designated contacts of the Nor-Rel-Muk Nation, Wintu Tribe, Wintu Educational and Cultural Council and Redding Rancheria on April 18, 2019.

Mr. Rich had personal conversations with Mr. Sonny Hayward, Chairman of the Nor-Rel-Muk Nation who provided information regarding cultural sites that were historically located in the Hayfork area, but no Tribal cultural sites were known to be located at the project site.

William Rich sent out a notification to interested Tribal entities on April 18, 2019. No responses were received within the 30-days requesting consultation. Based on the lack of response impacts are anticipated to be **less than significant**.

- b) Trinity County (as lead agency) has determined that there are no resources present that are considered significant, and no additional mitigation or project modifications are required. Mitigation measures for cultural resources are provided in Section V, Cultural Resources section for development of this project that are considered to be sufficient to protect unknown future cultural resources that may be found at the project site. For these reasons, the proposed project is considered to have a **less than significant** impact.

## Utilities/Service systems

Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation incorporated	Less than Significant impact	No impact
a. Require or result in relocation or the construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e. Comply with federal, state, and local management and reduction statuses and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting:

For background information on:

- Water rights and supplies, refer to section Hydrology and Water Quality.
- Wastewater treatment or stormwater drainage, refer to Geology and Soils section.
- Utilities and electrical power, refer to the Energy section.

### **California Integrated Waste Management Act**

The California Waste Management Act of 1989 (Public Resources Code Division 30, requires all cities and counties to implement programs to reduce, recycle, and compost at least 50 percent of wastes by 2000 (PRC 41780). The State, acting through the California Waste Management Board, determines compliance with this mandate. Per capita disposal rates are used to determine whether a jurisdiction's efforts are meeting the intent of the act.



014-430-75-00  
 Planned Water Supply Infrastructure  
 690 Tule Creek Rd, Hayfork, CA 96041

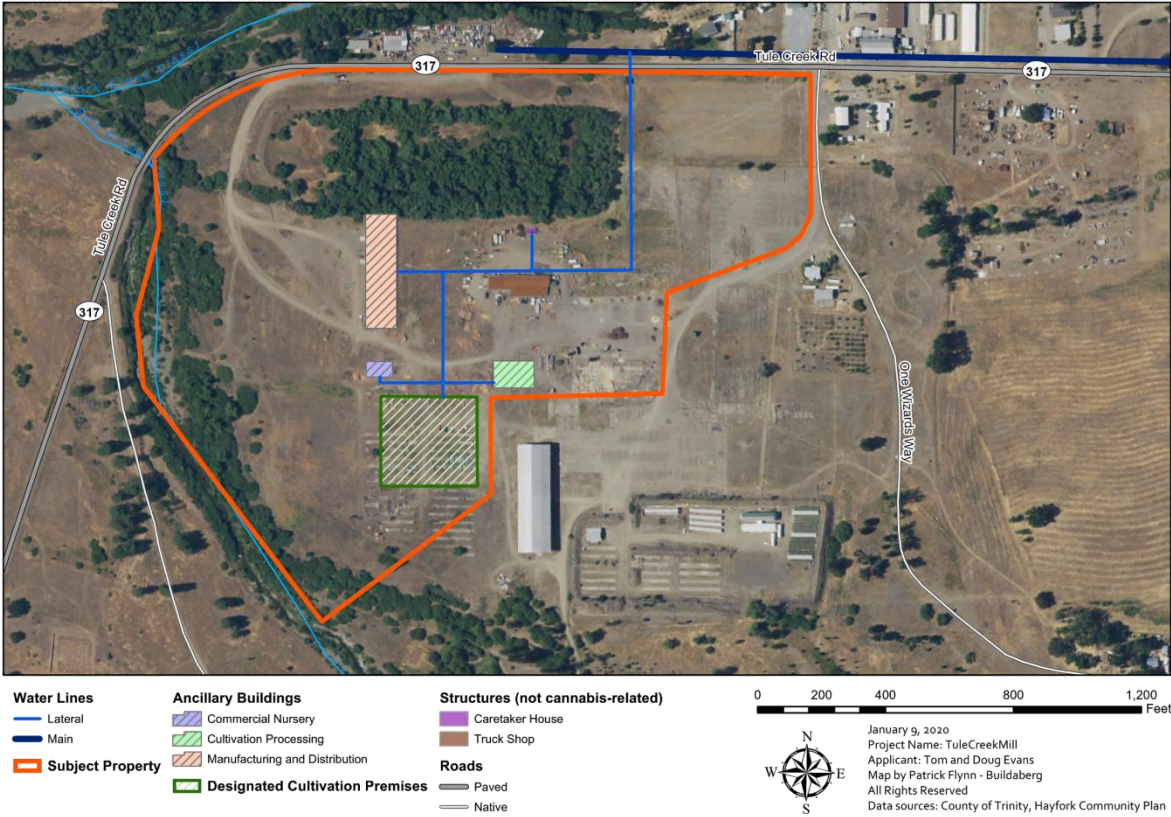


Figure 11: Planned water supply for subject parcel



014-430-75-00  
Planned Sewer Infrastructure  
690 Tule Creek Rd, Hayfork, CA 96041

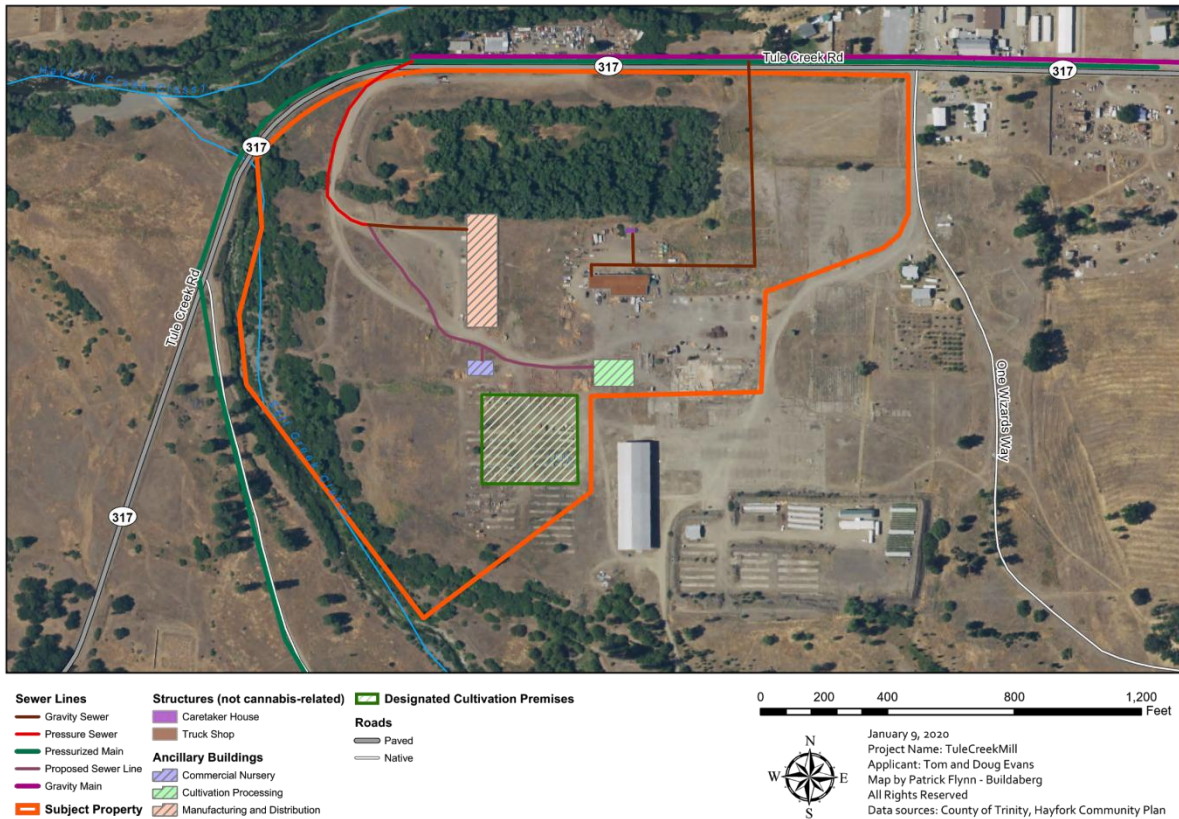


Figure 12: Planned sewer for the subject parcel

### Impact Analysis:

- The project will require or result in relocation or the construction of new or expanded water, wastewater treatment or storm water drainage. The water and sewer will be provided by Trinity Waterworks District #1 who is the local supplier of municipal water and provides wastewater treatment. However, the construction or relocation of water, wastewater treatment or storm water drainage infrastructure is occurring in previously disturbed soils that have been tested under phase I (appendix E) and phase II environmental testing (appendix F), which indicate these improvements will not cause significant environmental effects. The proposed sewer and water lines are in Figure 11 and 12.

For these reasons the environmental impacts associated with the proposed project are considered **less than significant**.

- Trinity Waterworks District #1 has the capacity to provide water to the project for the reasonably foreseeable future. As indicated in Hydrology/Water Quality subsection (b), the California Waterboard has determined that municipal water does not interfere with groundwater recharge. For this reason, the impact is considered **less than significant**.



- c. Trinity Waterworks District #1 has the capacity to provide sewer service to the project for the reasonably foreseeable future. Implementation of the proposed project will generate new wastewater flows but these will be contained within the existing Hayfork Municipal Sewer System ("HMSS"). For this reason, the impact is considered **less than significant**.
- d. Cannabis waste will be composed onsite in a fully enclosed, non-permeable cement container per the Trinity County Environmental Health Division's regulations or hauled to a facility that can accept Cannabis Waste, as indicated in the Waste Management Plan. The generation of solid waste that is not able to be composted will be accumulated or stored in non- absorbent, water-tight, vector resistant, durable, easily cleanable, galvanized metal, or heavy plastic containers with tight fitting lids and continue to be disposed of at existing solid waste facilities, according to the directions included on product labels, as other commercial waste is currently being handled. Disposing of solid waste in existing facilities, either through self-hauling or by contracting with an existing hauler, will ensure the project does not violate solid waste standards at the State or local level. For these reasons, the impact is considered **less than significant**.
- e. Trinity County operates and regulates several programs that educate and implement the legal disposal of solid waste. The proposed project would fully comply with these existing regulations and programs in ensuring continued compliance with the California Integrated Waste Management Act. The proposed project's household and commercial cannabis waste streams are independent and to be kept separate throughout the year. The household waste will go to an approved transfer station hauled by staff or a private hauler. Cannabis Waste material will go to the designated Cannabis Waste Composting Area. Other cannabis waste will be hauled by a third party waste hauler. Additionally, The proposed project employs the reduce, reuse, recycle mantra throughout its operations and continuously improves on waste diversion practices. For these reasons, the impact is considered **less than significant**.

## Wildfire

If located in or near state responsible areas, or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation incorporated	Less than Significant impact	No impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or uncontrolled spread of wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

### Setting:

The steep topography and extent of forests and woodlands, coupled with typically hot, dry summers, create an extreme fire danger throughout most of the county (CalFire 2012). Human-caused fires commonly occur along roadways and in other developed areas, and lightning strikes frequently cause fires in more remote areas. Wildland fire, regardless of the cause, can damage property, infrastructure, and roadways and threaten life. Because of the extensive forests surrounding the project area and the steep terrain along Hayfork valley, fire hazards are high and could damage the roadway or threaten nearby homes and recreation areas.

The California Department of Forestry and Fire Protection has primary responsibility for fire protection on private lands in the county, and local volunteer fire departments may respond to fires on private lands. The Trinity County volunteer fire departments are responsible for structural fire protection and rescue services in Trinity County throughout the year. The Hayfork volunteer fire department has its headquarters in Hayfork at 195 Hyampom Road, an estimated 1.5 miles away. Additionally, a CalFire station is located on the adjacent parcel of the subject property at 1 Wizard's Way.

As noted above, the County Fire Safe Ordinance 1162 requires buildings created and/or approved after January 1, 1992 to provide a minimum 2,500-gallon water tank (Trinity County 1991). An existing 10,000-gallon tank system is dedicated to the purpose of fire suppression during a wildland fire or a fire originating from within the building. Additionally, Fire hydrants are installed at approximately 500-foot



spacing along Tule Creek Road. Review of the project by CalFire and the building department will determine the required fire suppression equipment specifications.

**Impact Analysis:**

- a. As discussed under Hazards and Hazardous Materials impact analysis (f), due to ample compacted dirt parking areas and vehicle turnouts along Tule Creek Road, vehicles needing to allow emergency response vehicles pass could be accommodated with little inconvenience to either party. For these reasons, there is **no impact** anticipated.

- b. The steep topography and extent of forests and woodlands, coupled with typically hot, dry summers, create an extreme fire danger throughout most of the county. Because of the extensive forests surrounding the project area and the steep terrain near Hayfork valley, fire hazards are high and could damage the roadway or threaten nearby homes and recreation areas.

The potential for the proposed project to expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires is not substantially worse than for other types of land uses in the same area and would actually be reduced compared to unregulated cannabis cultivation occurring under the baseline conditions cited under the CalCannabis PEIR.

The combination of these existing regulations and protective measures, outlined under the Public Services section, would reduce the need for additional Fire protection to a **less than significant** impact

- c. The proposed project includes the installation of fire sprinklers onsite in the renovated Peeler building, the nursery building, and greenhouses as required by CalFire and Building Code. The system will be connected to the existing 10,000 gallon water tank next to the Truck Shop for fire suppression. The vegetation around “mill pond” that is encroaching on the pond berm will be maintained in order to mitigate fire risk to the Peeler Building. The maintenance activities will occur between August and January in order to not impact the reproductive cycle of any species within the proposed area. Construction activities will include Best Management Practices to ensure that there is a decreased risk for items such as weed abatement and fuels reduction. For this reason, there is **no impact** anticipated.
- d. As indicated under setting, *Flood Zone*. flood hazard zones in the vicinity of the project are classified as zone X, which includes areas where flood hazards are minimal and zone A, where there is a 1% chance of flooding (Federal Emergency Management Agency 2010). The project site is setback from the zone A area, which is required by the State Waterboard for Class I streams.

The 0 – 2 percent slope of the subject property indicates the likelihood of a landslide is extremely low. For these reasons, the flood hazard and potential landslides downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes is **less than significant**.

## Mandatory Findings of Significance

Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation incorporated	Less than Significant impact	No impact
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 checked="" type="checkbox"/>	<input 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"/>

### Setting:

For background information on:

- Quality of the environment, refer to section Biological Resources.
- Wastewater treatment or stormwater drainage, refer to Geology and Soils section.
- Utilities and electrical power, refer to the Energy section.

### Impact Analysis:

- A biological resources assessment was completed by Senior Biologist Brian Shaw of Klamath Wildlife Resources. Based on the findings of the biological resources assessment, the project does not 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. This is largely due to the project being sited on a previously disturbed area and outside the 150 foot watercourse buffer from Salt Creek imposed by the California State Water Resources Board. The California Department of Fish and Wildlife, in response to the applicant submitting a

Lake and Streambed Alteration Notification, has determined that as long as the 150 foot watercourse buffer (as demonstrated on the property diagram in the Notification) is maintained, no grading occurs within this buffer, the project will not substantially adversely affect an existing fish or wildlife resource.

The project would not cause a substantial adverse change in the significance of a historical resource or eliminate important examples of the major periods of California history or prehistory. William Rich, M.S., Registered Professional Archaeologist (#16584) and Principal Investigator, at William Rich and Associates completed a Tribal Cultural Resources Assessment and NEIC records search.

**Mitigation Measure MFS-1:** If any buried archeological materials or indicators are uncovered or discovered during any cannabis cultivation activities, all ground-disturbing activities shall immediately cease within 100 feet of the find. The applicant will notify the Appropriate Person within 48 hours of any discovery. The Appropriate Person is the Deputy Director of the SWRCB.

Prehistoric archeological indicators include, but are not limited to: obsidian and chert flakes and chipped stone tools; bedrock outcrops and boulders with mortar cups; ground stone implements (grinding slabs, mortars, and pestles) and locally darkened midden soils containing some of the previously listed items plus fragments of bone, fire affected stones, shellfish, or other dietary refuse. Historic period site indicators generally include, but are not limited to: fragments of glass, ceramic and metal objects; milled and split lumber; and structure and feature remains such as building foundations, privy pits, wells and dumps; and old trails.

In the event that prehistoric archeological materials or indicators are discovered, the applicant will also notify the Native American Heritage Commission within 48 hours of any discovery and request a list of any California Native American tribes that are potentially culturally affiliated with the discovery. The applicant will notify any potentially culturally affiliated California Native American tribes of the discovery within 48 hours of receiving a list from the Native American Heritage Commission.

The applicant will promptly retain a professional archeologist to evaluate the discovery. This will likely be the same archeologist who completed the Cultural Resources Assessment. The applicant will submit proposed mitigation and conservation measures to the appropriate person(s) SWRCB and regulatory agencies, as applicable, for written approval. The appropriate person may require all appropriate measures necessary to conserve archeological resources and tribal cultural resources, including but not limited to Native American monitoring, preservation in place, and archeological data recovery.

In the event of a discovery of prehistoric archeological materials or indicators are discovered, the applicant will also provide a copy of the final proposed mitigation and conservation measures to any culturally affiliated California Native American tribes identified by the Native American Heritage Commission. The appropriate person will carefully consider any comments or mitigation measure recommendations submitted by culturally affiliated California Native American tribes with the goal of conserving prehistoric archeological resources and tribal

cultural resources with appropriate dignity. Ground-disturbing activities shall not resume within 100 feet of the discovery until all approved measures have been completed to the satisfaction of the SWRCB and regulatory agencies, as applicable.

- b. The project does not have individual impacts that result in cumulative impacts. Due to the low concentration of licensed cultivation site within ½ mile of the subject property, and with the project operating in accordance with all related County and State regulations, the incremental effects of cannabis cultivation in Trinity County should be considered less than significant compared to baseline conditions. Additionally, impacts associated with past unregulated or marginally regulated cultivation activities are beginning to either be brought into compliance or are anticipated to halt operation in the near future. Any future projects in the vicinity of the subject property, if approved, would have to comply with the same regulations as the proposed project conditions and mitigation measures for their specific activities and site conditions. For these reasons, the project impacts when cumulatively considered are **less than significant**.
- c. Based on the impact analysis outlined in the sections above, including all relevant mitigation measures, the proposed project will not directly or indirectly cause a substantial adverse effect on human beings in the near or long-term future. For the reasons outlined above, the environmental effects are **less than significant**.

## Mitigation Measures

The list includes who will be responsible for implementation of each mitigation measure, as well as, those responsible for final clearance.

**Mitigation Measure AQ-1:** The spray application of pesticides (e.g. neem oil, sulfur or other materials) shall occur no closer than 350 feet to adjacent residences. Spraying shall not occur at wind speeds greater than 10 miles per hour. The operator shall measure the wind speed prior to and during spraying activities to ensure wind speeds are below 10 mph. Spraying activities shall cease if wind speeds are measured at greater than 10 mph. The applicant or a responsible 3rd party professional are responsible for ensuring this mitigation measure is implemented in accordance with the Integrated Pest Management Plan. The Applicant is the main point of contact for a responsible 3rd party professional regarding pest management and ensures staff are familiar with the IPM Plan. The applicant is solely responsible for final clearance.

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

**Mitigation Measures CR-2.** Upon discovery of any human remains, the applicant will immediately comply with Health and Safety Code section 7050.5 and, if applicable, Public Resources Code section 5097.98. The following actions shall be taken immediately upon the discovery of human remains:

All ground-disturbing activities in the vicinity of the discovery shall stop immediately. The applicant will immediately notify the county coroner. Ground disturbing activities shall not resume until the requirements of Health and Safety Code section 7050.5 and, if applicable, Public Resources Code section 5097.98 have been met. The applicant will ensure that the area within 20 meters (66 feet), and any nearby area reasonably suspected to overlie human remains (Public Resources Code, Section 7050.5)., The Trinity County Coroner must be informed and consulted, per State law.

Per Health and Safety Code section 7050.5, the coroner has two working days to examine human remains after being notified by the person responsible for the excavation, or by their authorized representative. If the remains are Native American, the coroner has 24 hours to notify the Native American Heritage Commission.

Per Public Resources Code section 5097.98, the Native American Heritage Commission will immediately notify the persons it believes to be the most likely descended from the deceased Native American. The most likely descendent has 48 hours to make recommendations to the landowner or representative for the treatment or disposition, with proper appropriate dignity, of the human remains and any associated grave goods.

If the Native American Heritage Commission is unable to identify a descendant; the mediation provided for pursuant to subdivision (k) of Public Resources Code section 5097.94, if invoked, fails to provide measures acceptable to the landowner; or the most likely descendent does not make recommendations

within 48 hours; and the most likely descendants and the landowner have not mutually agreed to extend discussions regarding treatment and disposition pursuant to subdivision (b)(2) of Public Resources Code section 5097.98, the landowner or their authorized representative shall reinter the human remains and items associated with the Native American human remains with appropriate dignity on the property in a location not subject to further and future disturbance consistent with subdivision (e) of Public Resources Code section 5097.98.. If the landowner does not accept the descendant's recommendations, the landowner or the descendants may request mediation by the Native American Heritage Commission pursuant to Public Resources Code section 5097.94, subdivision (k).

The applicant is solely responsible for ensuring this mitigation measure is implemented and for final clearance.



## Determination

On the basis of this evaluation:

- ☐ I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- X I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potential significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, mothering further is required.



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Kim Hunter  
Trinity County  
Director of Building and Planning

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5/1/2020

Date

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## Appendix

*Appendix A - Rainwater Drainage Plan*

*Appendix B - 2019 CEQA Guidelines*

*Appendix C - Biological Resources Assessment*

*Appendix D- Archaeological and Cultural Assessment*

*Appendix E - 2007 SHN Contaminant Report*

*Appendix F - Final Targeted Site Investigation Work Plan Summary*

*Appendix G - Full ITE Descriptions for CalEEMod Land Use Types*

*Appendix H - CalEEMod results*