

Mono County Apogee Farms General Plan Amendment, Specific Plan, Cannabis Operation Permit, and Conditional Use Permit Project

Initial Study/Mitigated Negative Declaration

July 2022

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Mono County

**Apogee Farms General Plan Amendment, Specific
Plan, Cannabis Operation Permit, and
Conditional Use Permit Project
Initial Study/Mitigated Negative Declaration**

July 2022

Lead Agency:

Mono County Community Development Department
Planning Division
P.O. Box 347
Mammoth Lakes, CA 93546

Prepared by:

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717 Market Street, Suite 400
San Francisco, CA 94103

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Appendix C	Focused Rare Plants Survey
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Acronyms and Abbreviations

2015 General Plan	Mono County 2015 General Plan
ADU	Accessory Dwelling Unit
APN	Assessor's Parcel Number
Apogee Farms	Apogee Farms, Inc.
BMP	best management practice
C&C	Carson & Colorado Railroad
CAL FIRE	California Department of Forestry and Fire Protection
Caltrans	California Department of Transportation
CCGO	Cannabis Cultivation General Order
CCR	California Code of Regulations
CDFA	California Department of Food and Agriculture
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CNDDB	California Natural Diversity Database
Construction Guide	Mono County Health Department Construction Guide for Residential and Commercial On-Site Sewage Treatment and Disposal System
COP	Cannabis Operation Permit
County	Mono County
CUP	Conditional Use Permit
EIC	Eastern Information Center at the University of California, Riverside
EIR	Environmental Impact Report
EOP	Emergency Operations Plan
GBUAPCD	Great Basin Unified Air Pollution Control District
GBVAB	Great Basin Valley Air Basin
GHG	greenhouse gas

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GSP	Groundwater Sustainability Plan
Highway 6	U.S. Route 6
IS	Initial Study
LADWP	Los Angeles Department of Water and Power
Lead Agency	Mono County
LED	light-emitting diode
MBTA	Migratory Bird Treaty Act
MRA	mineral resource area
NPDES	National Pollutant Discharge Elimination Service
OSHA	Occupational Health and Safety Administration
OVGA	Owens Valley Groundwater Authority
PM ₁₀	coarse particulate matter
processing facility	processing and distribution building
project	Apogee Farms Specific Plan, Cannabis Operation Permit, and Conditional Use Permit Project
RO	reverse osmosis
RR-40	Rural Residential-40 acres
SCE	Southern California Edison
SIP	State Implementation Plan
SMARA	Surface Mining and Reclamation Act
SP	Southern Pacific Railroad
SWPPP	Storm Water Pollution Prevention Plan
SWQCB	State Water Resources Control Board
USFWS	U.S. Fish and Wildlife Service
WMFPD	White Mountain Fire Protection District

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Mitigated Negative Declaration

Project Information

1. Project Title: Apogee Farms Specific Plan, Cannabis Operations Permit, and Conditional Use Permit
2. Lead Agency Name and Address: Mono County Community Development and Planning
P.O. Box 347
Mammoth Lakes, CA 93546
3. Contact Person and Phone Number: Michael Draper, Planning Analyst III
760-924-1805
Email Address: mdraper@mono.ca.gov
Public Comment email address: cddcomments@mono.ca.gov
4. Project Location and Setting: 23555 Highway 6, Benton, CA
APNs: 025-020-013, 025-040-002
5. Applicant's Name and Address: Apogee Farms, Inc.
P.O. Box 902
Benton, CA 93512
6. Existing General Plan Designation: Rural Residential
7. Zoning: Rural Residential
8. Description of the Project: The project includes construction and operation of a commercial cannabis production, processing, and distribution facility with the owner/operator living on site. A General Plan Amendment is proposed to change the land use designation from Rural Residential to Specific Plan. A Conditional Use Permit is required to conduct commercial cannabis cultivation, processing, and distribution. The Specific Plan for the project site would incorporate the Conditional Use Permit, and establish permitted land uses and required development standards.
9. Surrounding Land Uses and Setting: The surrounding parcels are designated Agriculture, Industrial, Resource Management, and Rural Residential.
10. Other Public Agencies: Department of Cannabis Control Cultivation Licensing, California Department of Fish and Wildlife, State Water Resources Control Board, Lahontan Regional Water Quality Control Board, Caltrans,

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Mono County Public Works, Mono County Department of
Environmental health

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by the Project, but impacts would be mitigated to a less-than-significant level as indicated by the checklist on the following pages.

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

Mitigation Measures

Mitigation Measure DARK-1: Dark Sky Compliance

The Mono County Outdoor Lighting Ordinance (also known as the ‘Dark Sky Regulations’) was adopted to protect night sky views, enhance travel safety, conserve energy and limit light trespass and glare by restricting unnecessary upward projection of exterior lighting. The regulations prohibit nonconforming light of all types, including signage, fixtures, outdoor sports, recreation, and entertainment. The County pairs the Dark Sky regulations with information and guidelines, including educational materials distributed to provide applicants with design recommendations and suggestions for minimizing intrusive light sources (General Plan Land Use Element Ch. 23).

Exterior lighting on the project site shall be subject to requirements of the Mono County General Plan, Chapter 23 Dark Sky Regulations. The Dark Sky Regulations are comprehensive, adaptive, and designed to meet six specific objectives that include:

- To promote a safe and pleasant nighttime environment;
- To protect and improve safe travel;
- To prevent nuisances caused by unnecessary light;
- To protect night sky views;
- To phase out existing nonconforming fixtures; and

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- To promote lighting practices and systems to conserve energy
- To promote a safe and pleasant nighttime environment;

Only full cutoff luminaires with light source downcast and fully shielded, with no light emitted above the horizontal plane are permitted. Kelvin color temperature should be approximately 2,300 K, and temperatures over 3,000 K are prohibited. Exterior lighting shall be limited to that required for security and safety.

Mitigation Measure AQ-1: Odor Control Measures

- The project applicant shall install an odor control system for indoor cultivation. The indoor odor control system must meet or exceed an odor removal efficiency of 91 to 96 percent, consistent with the proposed Cannabuster™ odor elimination system (Pinchin, 2020) . The odor control system shall be properly maintained and implemented throughout the life of the project for facilities to control odors from facility processes that produce nuisance odors at the nearest residential property.
- The applicant shall post signs at the property line of the access road that provide a 24-hour project contact phone number in the case of nuisance odors.
- The applicant shall report any complaints of nuisance odors to the County within 72 hours of the complaint.
- The County may request modifications to the odor control system during project operation should nuisance odors persist at the property boundary after application of the odor control system.
- If odor from outdoor cultivation is determined to be a nuisance, the County may require cultivation to be moved to the indoor greenhouses by the next cultivation cycle.

Mitigation Measure BIO-1: Nesting Bird Surveys

A preconstruction survey shall be performed prior to construction. The following measures shall be implemented:

- Use of heavy equipment, grading, demolition, construction, and/or tree removal shall avoid the nesting season to the greatest extent feasible.
- If use of heavy equipment, grading, demolition, construction and/or tree removal are scheduled to occur during the nonbreeding season (September 1 through February 15), no measures are required.
- If construction activities occur during the nesting season, a pre-construction survey for active bird nests in the project site shall be conducted on the project site and within 500 feet of the construction activity by a qualified biologist approved by the County.

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- If no nesting or breeding behavior is observed, construction may proceed.
- If an active nest is detected, a determination shall be made by a qualified biologist as to whether construction work could affect the active nest. If it is determined that construction would not affect an active nest, work may proceed.

If it is determined that construction activities are likely to impair the successful rearing of the young, a 'no-disturbance buffer' in the form of orange mesh Environmentally Sensitive Area (ESA) fencing shall be established around occupied nests to prevent destruction of the nest and to prevent disruption of breeding or rearing behavior. The extent of the 'no-disturbance buffer' shall be determined by a qualified biologist in consultation with CDFW. 'No-disturbance buffers' shall be maintained until the end of the breeding season or until a qualified wildlife biologist has determined that the nestlings have fledged. A qualified wildlife biologist shall inspect the active nest to determine whether construction activities are disturbing to the nesting birds or nestlings. If the qualified wildlife biologist determines that construction activities pose a disturbance to nesting, construction work shall be stopped in the area of the nest, and the 'no-disturbance buffer' expanded. The orange mesh shall be completely removed at the completion of construction or the end of the breeding season, whichever occurs first.

Mitigation Measure BIO-2: Mitigation for Riparian Habitat.

If construction activities impact riparian habitat, the permanent loss of riparian habitat shall be compensated through on-site enhancement or establishment of riparian habitat. Permanent impacts to riparian habitat shall be compensated through enhancement of riparian areas at a minimum 2:1 ratio (enhancement:impact) or creation of riparian areas at a minimum 1:1 ratio. All areas of temporary impact will be restored to preconstruction contours and habitat conditions. Impacts to riparian habitat are anticipated only as a result from improvements to the access road. The applicant will prepare a habitat mitigation plan that includes:

- Baseline conditions within the mitigation site
- Proposed mitigation site conditions
- Mitigation methods (e.g., habitat creation or enhancement)
- Performance standards/success criteria including a minimum of 70% vegetated cover with native riparian vegetation that are the target of the creation and enhancement efforts and less than 3% invasive species cover
- Habitat maintenance including trash removal, invasive weed removal, and repair of any damage to the mitigation site
- Monitoring requirements including annual monitoring during the establishment period. The annual monitoring will include surveys for

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native vegetation cover, photo documentation at defined photo-monitoring locations, and monitoring for invasive species and any other habitat stressors. Monitoring will be conducted for the first five years or until success criteria are met.

Mitigation Measure BIO-3: Prohibited Development in Sensitive Habitats

Future development under the Specific Plan would be prohibited within any streams, riparian habitats, or sensitive natural communities. No future development would occur in the floodplain to protect sensitive natural communities and special-status species.

Mitigation Measure CUL-1: Cultural Resources Preservation and Treatment

Exclusion fencing shall be established and maintained around any eligible cultural resources including a 100-foot buffer from the outer limits of any known surface deposits. The fencing shall be comprised of dark, non-reflective material intended for permanent use such as galvanized hog wire and shall be a minimum of 4 feet tall to ensure visibility and minimize unauthorized access. Signs stating “Environmentally Sensitive Area, Do Not Enter, Contact Mono County (760-924-1800) With Any Questions” shall be posted around the exclusion zone for avoidance. The exclusion zone avoidance fence and signs shall be maintained in perpetuity by current and future property owner(s). Alternatively, removal of the identified resource(s) may occur at the request of a Native American tribe for pre-historic resources or historical society for historic-era resources. The removed resources may be reburied at a location selected by the tribe or historical society at their request.

If preservation-in-place and reburial are not an option for treatment, the landowner shall relinquish all ownership and rights to the materials and confer with the tribe for pre-historic resources or historical society for historic-era resources to identify an American Association of Museums-accredited facility that can accept the materials into its permanent collections and provide proper care, in accordance with the 1993 California Curation Guidelines. A curation agreement with an appropriately qualified repository shall be developed between the landowner and museum that legally and physically transfers the materials and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the materials and associated records and the obligation of the project applicant to pay those fees.

Mitigation Measure CUL-2: Cultural Resource Monitoring

A qualified archaeologist approved by the County shall be on-site to monitor all ground disturbing construction activities within 50 feet of any known cultural resource. If cultural resources are encountered during ground-disturbing activities, work in the immediate area shall halt, the County shall be notified, and the discovery shall be evaluated in accordance with the requirements of Mitigation Measure CUL-3.

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Mitigation Measure CUL-3: Inadvertent Discovery of Archaeological Resources

If evidence of any subsurface archaeological features or deposits are discovered during construction-related earth-moving activities, all ground-disturbing activity in the area of the discovery shall be halted within 50 feet of the find, and the finds shall be protected until they are examined by a qualified archaeologist approved by the County. Finds may include but are not limited to:

- Prehistoric archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (“midden”) containing heat-affected rocks, artifacts, or shellfish remains; stone-milling equipment (e.g., mortars, pestles, handstones, milling slabs); and battered stone tools, such as hammerstones and pitted stones.
- Historic-era materials might include building or structure footings and walls and deposits of metal, glass, and/or ceramic refuse.

A qualified archaeologist who meets the U.S. Secretary of the Interiors professional qualifications in archaeology and is approved by the County shall be retained to assess the significance of the find and make recommendations for further evaluation and treatment as necessary. A Native American representative from a traditionally and culturally affiliated tribe will be notified and invited to assess the find if the artifacts are of Native American ancestry and determined to be more than an isolated find. If, after evaluation, a resource is considered a historical resource or unique archaeological resource (as defined in CEQA Guidelines Section 15064.5), or a tribal cultural resource (as defined in PRC Section 21074), all preservation options shall be considered as required by CEQA (see CEQA Guidelines Section 15126.4 and PRC 21084.3), including possible capping, data recovery, mapping, or avoidance of the resource. Treatment that preserves or restores the cultural character and integrity of a tribal cultural resource may include tribal monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil. Work in the area may resume upon completion of treatment. The results of the identification, evaluation, and/or data recovery program for any unanticipated discoveries shall be presented in a professional-quality report that details all methods and findings, evaluates the nature and significance of the resources, analyzes and interprets the results, and distributes this information to the public except for information deemed confidential and protected under state law.

1 INTRODUCTION

Environmental Determination

On the basis of this evaluation:

I find that the Proposed Project COULD NOT have a significant effect on the environmental, and a NEGATIVE DECLARATION will be prepared	<input type="checkbox"/>
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.	<input checked="" type="checkbox"/>
I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required	<input type="checkbox"/>
I find that the Proposed Project MAY have a “potentially significant impact” or “potentially significant impact 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.	<input type="checkbox"/>
I find that although the Proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Proposed Project, nothing further is required.	<input type="checkbox"/>

Pursuant to Section 21082.1 of the California Environmental Quality Act, Mono County has independently reviewed and analyzed the Initial Study and Mitigated Negative Declaration for the proposed project and finds that the Initial Study and Mitigated Negative Declaration reflect the independent judgement of Mono County. Mono County further finds that the project mitigation measures shall be implemented as stated in this Mitigated Negative Declaration.

I hereby approve this project:

Signature

Name/Title

Date

Mono County Board of Supervisors

(to be signed upon approval of the project after the public review period is complete)

1 Introduction

1.1 Introduction

Apogee Farms, Inc. (Apogee Farms) filed applications for a Conditional Use Permit and Cannabis Operation Permit with Mono County (County; Lead Agency) in April 2019. The proposed commercial cannabis operation is located at 23555 Highway 6 (APN 025-020-013), on a parcel that is currently zoned as Rural Residential. The County adopted cannabis regulations through a General Plan amendment in 2017. The County's cannabis regulations prohibit commercial cannabis operations within parcels designated Rural Residential, or within 300 feet of a neighboring parcel under a different land use designation. A General Plan Amendment is needed to change the land use and zoning designation of two parcels from Rural Residential (RR) to Specific Plan (SP) to allow commercial cannabis operation on the project site in compliance with the County cannabis regulations. In addition, the County requires authorization of a Conditional Use Permit (CUP) and Cannabis Operation Permit (COP) for any commercial cannabis operations in the County. The CUP is incorporated into the Specific Plan and would not be adopted separately. The project site is approximately 2.5 miles south of Benton and west of U.S. Route 6 (Highway 6).

1.2 Environmental Review Process

The approval of the General Plan Amendment, Specific Plan, Cannabis Operations Permit, and Conditional Use Permit constitutes a "project" that is subject to review under the California Environmental Quality Act (CEQA; Public Resources Code, Section 21000 et seq.), and the State CEQA Guidelines (California Code of Regulations [CCR], Section 15000 et seq.). The Initial Study (IS) checklist has been prepared as part of the environmental review process needed to evaluate the potential environmental impacts of the Specific Plan and cannabis facility construction and operation proposed by Apogee Farms. The County has incorporated mitigation measures into the project to mitigate the potentially significant impacts identified in the Initial Study such that no significant impacts will occur. The mitigation measures are summarized in the MND and Mitigation Monitoring and Reporting Plan (MMRP), see Appendix A.

1.3 Circulation of MND

In accordance with CEQA, the County made a good-faith effort during the preparation of the Initial Study/MND to contact affected agencies, organizations, and persons who may have an interest in the project. In reviewing the Initial Study/MND, affected persons and public agencies

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should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and the ways in which the significant effects of the project were avoided or mitigated.

Comments on the Initial Study/MND may be made in writing before the end of the comment period. A 30-day review and comment period has been established in accordance with CEQA Guidelines Section 15205(d). Following the close of the public comment period, which ends on August 15, 2022, at 5:00 pm, the County will consider this Initial Study/MND, and comments thereto, in determining whether to approve the project.

The Initial Study/MND is available at the Community Development Department office, 1290 Tavern Road, Mammoth Lakes, California, 93546, and the Benton Library, 25553 U.S Route 6, Benton, California, 93512, and online at:

<https://www.monocounty.ca.gov/planning/page/apogee-farms-specific-plan-and-mitigated-negative-declaration>

Written comments should be sent to the County's PO Box address or email address as follows:

Mono County Community Development
Department
c/o Michael Draper, Planning Analyst III
P.O. Box 347
Mammoth Lakes, CA

cddcomments@mono.ca.gov

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2 Project Description

2.1 Project Location

The project site is located at 23555 Highway 6 in an unincorporated area of Mono County, approximately 2.5 miles south of the town of Benton and west of Highway 6. Figure 2.3-1 and Figure 2.3-2 show the project location and project site. The project site includes two parcels, Assessor's Parcel Numbers: 025-020-013 and 025-040-002.

2.2 Land Use Designation and Surrounding Land Uses

The project site is within the Benton Planning Area of the General Plan. The land use designation for the project site currently is Rural Residential with a 40-acre minimum lot size (RR-40¹) and would be amended to Specific Plan (SP) for the purpose of allowing commercial cannabis activities limited to cultivation, processing, and distribution. The parcels adjacent to the project site are designated as Agriculture (AG), Industrial (I), Resource Management (RM), and Rural Residential (RR), as shown in Figure 2.3-2.

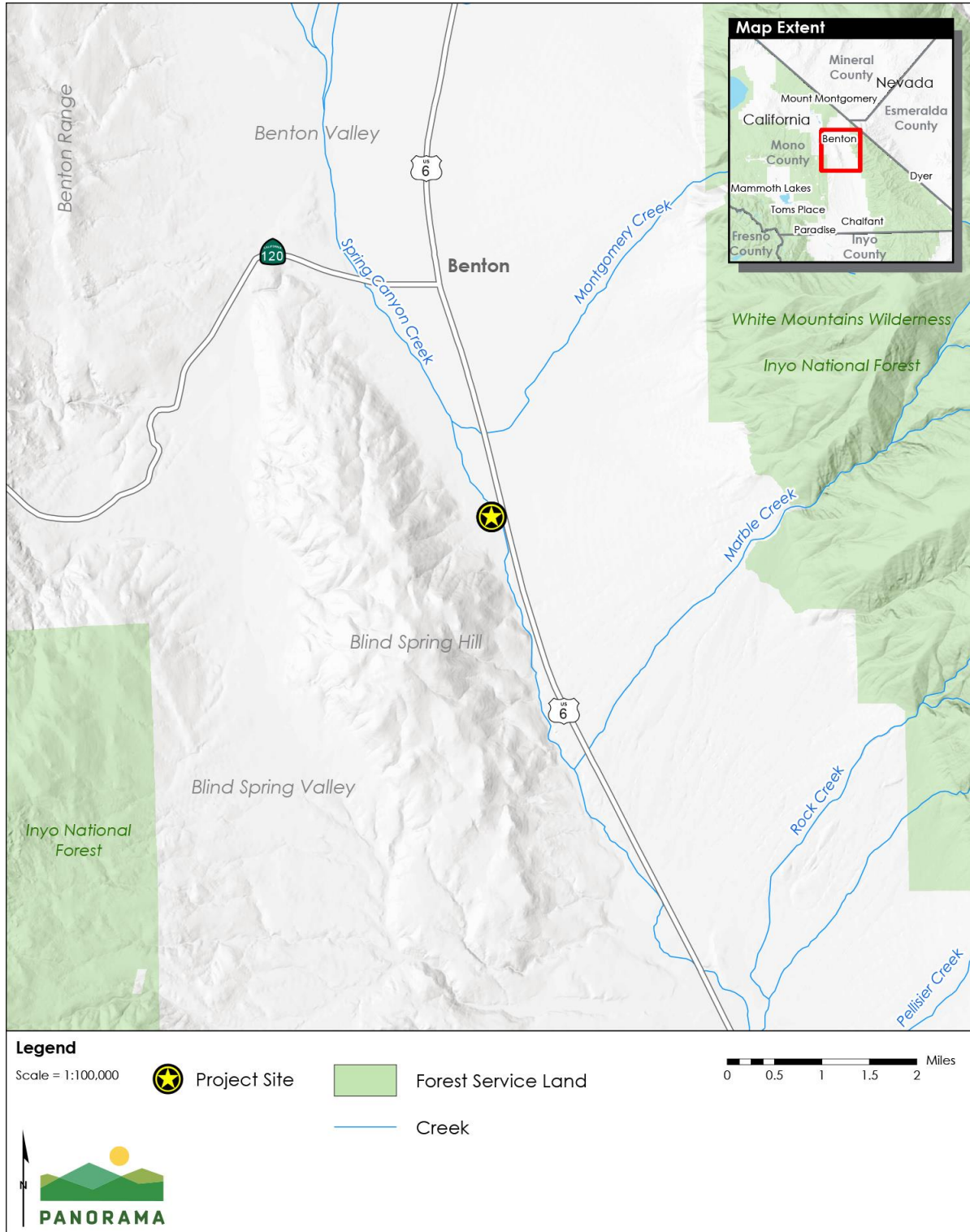
2.3 Access

The project site is accessible via an unpaved access road that extends from Highway 6 to the west, providing access to the adjacent parcel to the west. This access roadway within the Highway 6 right-of-way would be paved to meet current California Department of Transportation (Caltrans) standards and encroachment permit requirements. An existing unpaved access road extends south to the location for the proposed facilities in the southwestern corner of the project site, as shown in Figure 2.3-2. Benton is 2.5 miles to the north, and the city of Bishop is 32 miles south of the project site. All project site access roads would be improved to comply with the regulations set forth in Chapter 22 of the County's General Plan, related to fire safety. These improvements include constructing the access road to provide a minimum of two 10-foot traffic lanes, not including shoulder and striping. The access road would provide for two-way traffic flow to support emergency vehicle and civilian egress. The access road would be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide an aggregate base. Turnarounds and turn outs on driveways and dead-end roads would be provided per the County standards.

¹ As of August 2, 2019, Mono County's zoning maps were superseded by the planning and land use maps contained in the General Plan and Specific Plans (Mono County, 2019b).

2 PROJECT DESCRIPTION

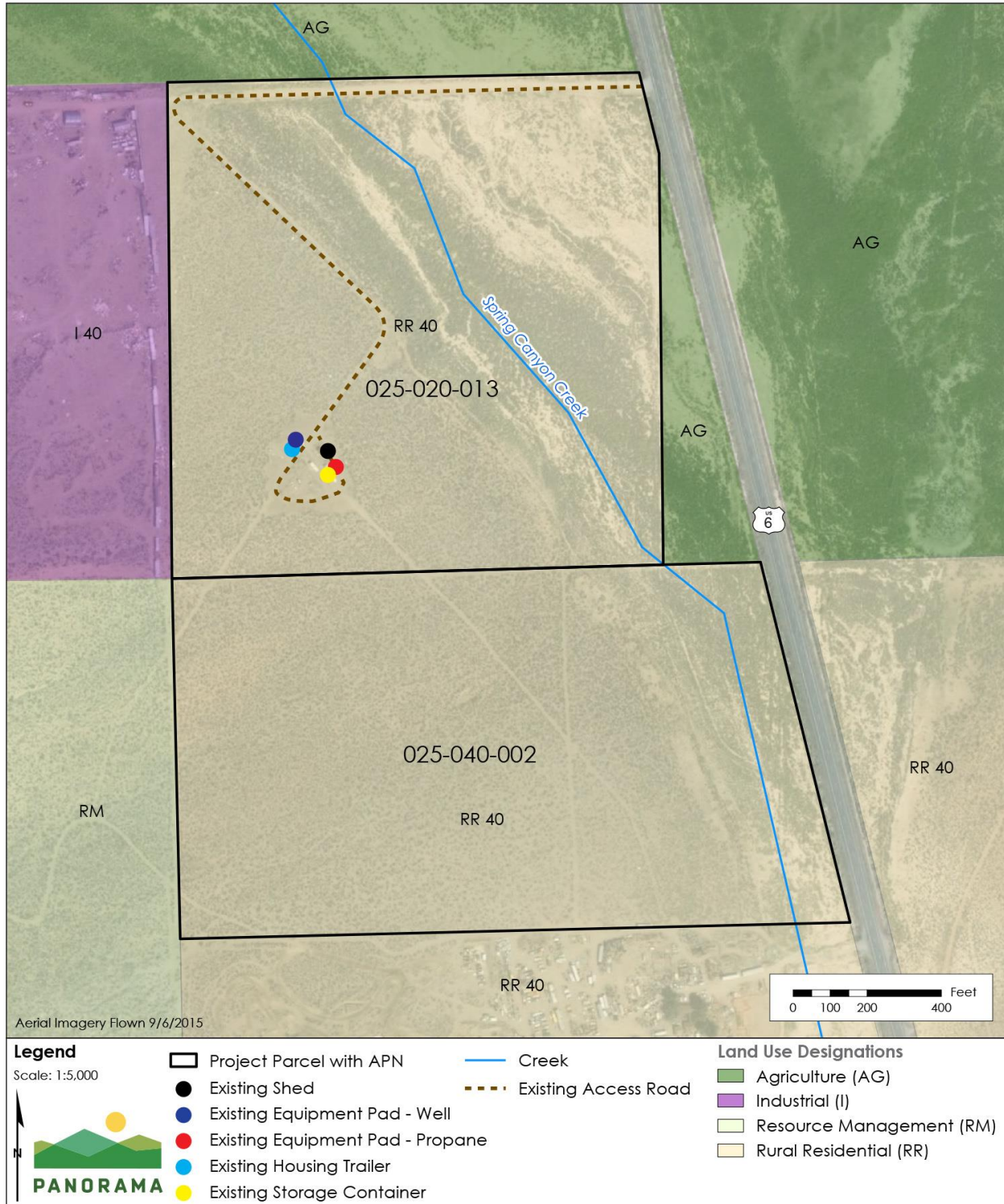
Figure 2.3-1 Project Location



Sources: (USGS, 2019; Tele Atlas North America, Inc., 2019; USGS, 2019)

2 PROJECT DESCRIPTION

Figure 2.3-2 Project Site



Sources: (Mono County, 2019a; Tele Atlas North America, Inc., 2019; USGS, 2019)

2.4 Project Elements

2.4.1 General Plan Amendment and Specific Plan

The project would require a General Plan Amendment, Specific Plan, Conditional Use Permit (CUP), and Cannabis Operation Permit (COP) to allow construction and operation of a commercial cannabis facility on the project site. The project site has an existing land use designation of Rural Residential (RR). Activities related to commercial cannabis cultivation, processing, and distribution are not allowed under the RR designation but are allowed with a CUP under other designations. The proposed General Plan Amendment would change the land use designation of the project site, and the proposed Specific Plan would authorize commercial cannabis activities by incorporating the required CUP. Zoning is incorporated into the Mono County General Plan land use designations Table 2-1 lists the permitted uses under the proposed Specific Plan compared to the permitted uses under the existing RR designation. The Specific Plan would allow for additional uses, including limited agricultural use and commercial cannabis cultivation, processing, and distribution. Uses that are not currently proposed, and which would require a CUP under the Specific Plan, are not evaluated further in this Initial Study. The IS analyzes the effects of the Specific Plan and proposed commercial cannabis operation compared to baseline conditions and allowable uses under the RR-40 land use designation (*Environmental Planning and Information Council v. County of El Dorado* [1982] 131 Cal.App.3d 354; see also State CEQA Guidelines Section 15125[e]).

Table 2-1 Existing and Proposed Land Use Designations

Uses and Development Standards	Rural Residential (RR-40)– Existing Land Use	Specific Plan– Proposed Land Use
Permitted Uses	<ul style="list-style-type: none"> • Single-family dwelling • Small-scale agriculture • Accessory buildings and uses • Animals and pets • Home occupations • Manufactured home used as single-family dwelling • Accessory Dwelling Unit (ADU) or Junior Accessory Dwelling Unit (JADU) • Transitional and Supportive Housing • Outdoor cultivation of a maximum of six mature and 12 immature cannabis plants under the Compassionate Use Act 	<ul style="list-style-type: none"> • Commercial Cannabis Activities • Single-family dwelling • Animals and pets (see Animal Standards Section 04.270). • Manufactured home used as a single-family dwelling^a • Accessory Dwelling Unit (as prescribed in Chapter 16 – Accessory Dwelling Units) • Accessory buildings^b and uses • Farm labor housing • Home occupations (as prescribed in Section 04.290) • Non-commercial composting facilities where the operation does not create a nuisance problem and has less than 100 cubic yards of material on site at any given time

2 PROJECT DESCRIPTION

Uses and Development Standards	Rural Residential (RR-40)– Existing Land Use	Specific Plan– Proposed Land Use
Uses Subject to Director's Review	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Minor alteration involving no expansions of square footage or intensification of uses and exempt from CEQA
Uses Subject to a Use Permit	<ul style="list-style-type: none"> • Recreational amenities (e.g., art galleries, country clubs, golf courses) • Kennel • Construction of an accessory building prior to construction of the main building • Mobile home parks • Small-scale agriculture, including limited commercial agricultural activities • Manufactured housing subdivision • Short-term rentals (fewer than 30 consecutive days) in compliance with Chapter 25 of the Land Development Regulations (set forth in Section VI of the Land Use Element) and with a valid Short-term Rental Activity Permit and in compliance with all operational requirements of Chapter 5.65 of the Mono County Code and any applicable area plan policies. 	<ul style="list-style-type: none"> • Any uses other than a permitted use requires an amendment to this Specific Plan
Animals and Pets	<ul style="list-style-type: none"> • Minimum Lot Area Required: 10,000 square feet • Animal Units^c Permitted: <ul style="list-style-type: none"> – Less than 1 acre: one unit per 10,000 square feet of lot area with Director Review with notice – 1 to 10 acres: one unit per 10,000 square feet of lot area – More than 10 acres: no limit • Restrictions: Except for movement on and off the property, animals shall not be kept, maintained, or used in any other way, inside or outside any structure, within 40 feet of those portions of any structure used for human occupancy, assembly or habitation, other than the residence of the owner or keeper of such animals. 	<ul style="list-style-type: none"> • Animal Units permitted by General Plan Section 04.270: <ul style="list-style-type: none"> –
Maximum Lot Coverage	<ul style="list-style-type: none"> • 40 percent 	<ul style="list-style-type: none"> • 40 percent
Minimum Setbacks	<p>Buildings</p> <ul style="list-style-type: none"> • Front: 50 feet • Rear: 30 feet • Side: 30 feet <p>Accessory Buildings Used as Barns or Stables</p> <ul style="list-style-type: none"> • Front: 50 feet • Rear: 30 feet • Side: 30 feet 	<p>Buildings</p> <ul style="list-style-type: none"> • Front: 50 feet • Rear: 50 feet • Side: 50 feet <p>Accessory Buildings Used as Barns or Stables</p> <ul style="list-style-type: none"> • Front: 50 feet • Rear: 30 feet • Side: 30 feet

2 PROJECT DESCRIPTION

Uses and Development Standards	Rural Residential (RR-40)– Existing Land Use	Specific Plan– Proposed Land Use
Building Density	• 1 dwelling unit per lot, JADU and an ADU	• 1 dwelling unit per lot, JADU and an ADU
Population Density	• 5.02 persons per 5 acres or ~1 person per acre	• 5.02 persons per 5 acres or ~1 person per acre
Maximum Building Height	• 35 feet	• 35 feet

Notes:

Bold denotes Specific Plan uses that differ from the RR-40 designation.

- a Provided that the unit is less than 10 years old and meets the criteria set forth in Section 04.280. When two mobile homes are on the same parcel, they must: 1) comply with the Accessory Dwelling Unit requirements; or 2) comply with State standards for a mobile-home park and obtain a use permit from the County.
- b Accessory buildings and uses customarily incidental to any of the permitted uses are permitted only when on the same lot and constructed simultaneously with or subsequent to the main building, including barns, stables and other farm outbuildings and quarters for farm labor or other individuals employed on the premises.

2.4.2 Commercial Cannabis Cultivation Facility– Use Permit

Commercial cannabis activities are subject a Conditional Use Permit (CUP). The CUP for the commercial cannabis cultivation, processing, and distribution is incorporated into this Specific Plan as a single approval.

Buildings and Structures

The commercial cannabis facility would include up to three greenhouses, a 320-square-foot storage shed, and a processing/distribution facility in the southeast portion of the north parcel, as shown in Figure 2.3-2. No development is proposed on the south parcel. All structures would consist of dark earth tone colors and/or non-reflective to minimize aesthetics impacts and would be approved by the Mono County Planning Division.

Greenhouses would each be approximately 30 feet by 96 feet, with a height of 16 feet. Corrugated polycarbonate panels would be connected to the greenhouse frame and assembled on site. The panels would be semi-transparent to allow sunlight, however, each greenhouse would also be equipped with light-emitting diodes (LED) for supplemental light, to extend the light cycle for vegging cannabis plants when daylight hours are limited and not sufficient for the growing plants. Automatic black-out curtains would be installed in each greenhouse to prevent light leakage from dusk to dawn. The cultivation area would be surrounded by a chain link fence with a lockable gate, and with earth-toned screening material to restrict visibility and provide security.

The storage shed would comply with Mono County Building and Planning Division standards. The shed would be located within the fenced premise of the cultivation area and would be used for storage of water tanks and materials related to cannabis cultivation.

2 PROJECT DESCRIPTION

The processing and distribution facility would be 30 feet by 60 feet , and comply with the California State Building Code. Within this structure, harvested cannabis may be dried, cured, graded, trimmed, rolled, stored, packaged, and labeled in preparation for distribution.

Cultivation initially may be conducted indoors as well as outdoors but would be solely indoors after full project build out. Potential cultivation phases are summarized in Table 2-2.

Table 2-2 Cultivation Phases

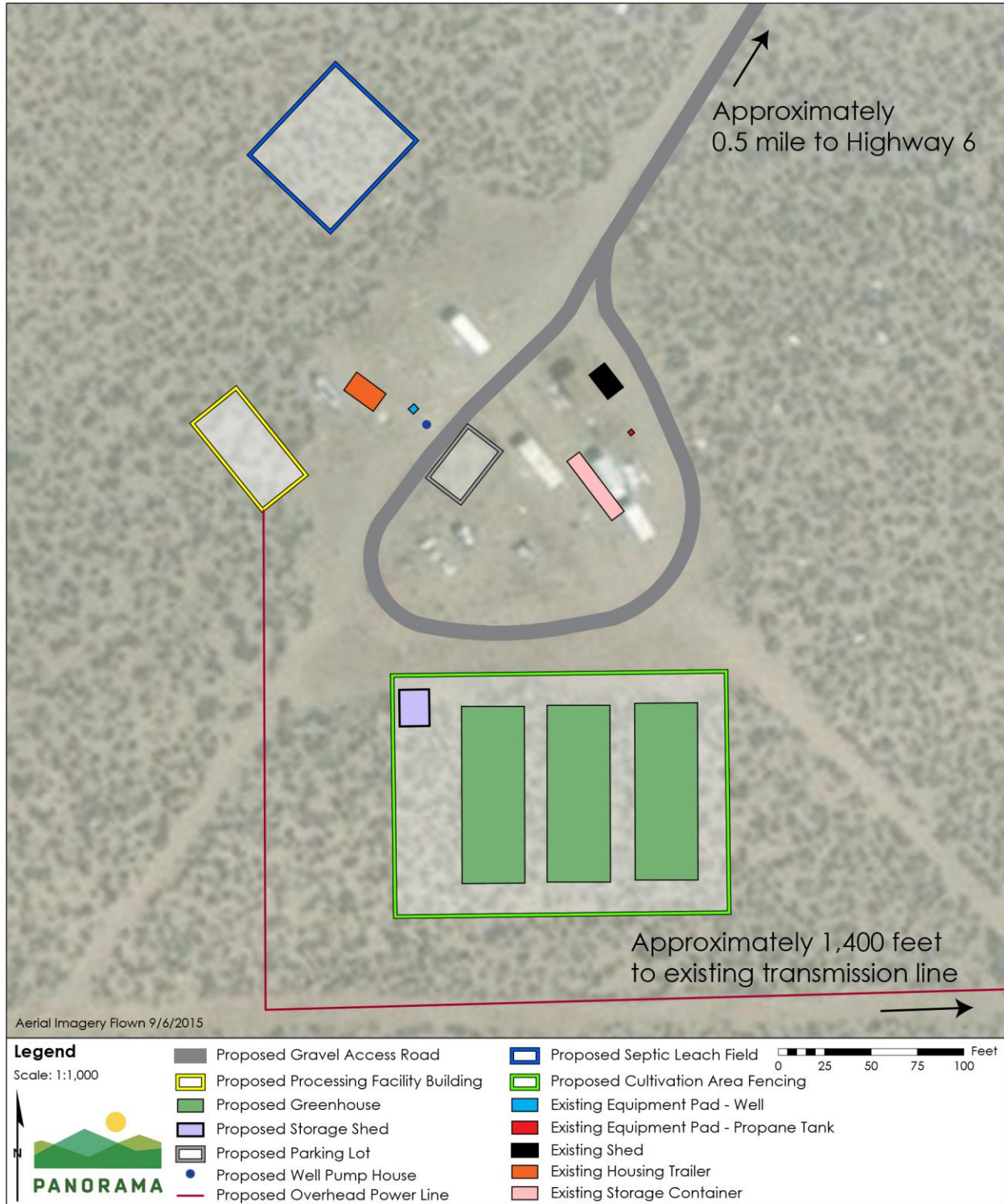
Phase	Number of Greenhouses	Indoor Cultivation Area (total square feet)	Outdoor Cultivation Area (square feet)	Total Cultivation Area (square feet)
1	1	2,880	5,760	8,640
2	2	5,760	2,880	8,640
3	3	8,640	--	8,640

The project components and footprints for full project buildout are summarized in Table 2-3. Existing equipment pads and access roads also are identified. The project would include a processing and distribution facility (referred to as the “processing facility”) for commercial cannabis processing, and distribution activities. The processing facility would be a steel structure, with exterior non-reflective materials or earth-tone colors, constructed on a concrete foundation with a maximum height of 20 feet. Three greenhouses would be constructed southeast of the processing facility, within the cultivation area, either all at once or over the course of three project implementation phases. The greenhouses would be used for indoor cannabis cultivation. Air conditioning units would be used, if necessary, to lower temperatures in the greenhouses. Evaporative cooling walls would be built into the greenhouses to cut down on the amount of time for running individual air conditioning units. The greenhouse locations are shown in Figure 2.4-1. The greenhouse facility would be made of steel posts and beams, with clear plastic walls and ceilings. The total area of cultivation, whether all indoors or a mixture of indoors and outdoors, would occupy less than 10,000 square feet within the fenced 23,400-square-foot cultivation area.

An approximately 320-square-foot storage shed would be constructed northwest of the greenhouses within the cultivation area, with a maximum height of 12 feet. The storage shed would be constructed of treated wood with insulation on a concrete foundation. The storage shed would be used for storage of water tanks, fertilizers, and other materials related to cannabis cultivation.

2 PROJECT DESCRIPTION

Figure 2.4-1 Project Site Components



Sources: (Mono County, 2019a; Tele Atlas North America, Inc., 2019; USGS, 2019)

2 PROJECT DESCRIPTION

Table 2-3 Project Site Components

Facility Components	Footprint (square feet)	Dimensions
Existing		
Dirt Access Roads and Turnaround	36,604	10 feet x 2,982 feet 8 feet x 598 feet
Equipment Pads (Well and Propane Tank)	Well: 15.7 ^a Propane Tank: 5.7 ^a	--
Shed	194.6	--
Storage Container	320	8 feet x 40 feet
Housing trailer	96	8 feet x 12 feet
Proposed Buildout		
Graveling of Existing Access Roads and Turnaround ^b	59,640	20 feet x 2,982 feet
Processing Facility	1,800	30 feet x 60 feet
Greenhouses (Three)	8,640	30 feet x 96 feet
Storage Shed (Water Tank Enclosure)	320	16 feet x 20 feet
Well Pump House	32	4 feet x 8 feet
Cultivation Area Fencing	--	130 feet x 180 feet; 23,400 linear feet
Parking Space	500	2 parking spaces: 10 feet x 20 feet 1 handicap-accessible space: 15 feet x 20 feet
Septic System (1,000-gallon tank)	3,920 ^a	Leach line ^c : 120 linear feet or two leach lines: 60 linear feet

Notes:

a Estimated based on site plans.

b The access roads and turnaround are not new but the project would involve upgrades to the access road to meet County fire safety standards including use of aggregate and roadway expansion to provide two 10-foot traffic lanes.

c The width of a standard leach line trench ranges from 18 to 36 inches (MCHD 2020).

Roads and Parking

The commercial and employee access to the project site would be provided via an unpaved road, extending from Highway 6 along the northern boundary of the project parcel. The extent of this roadway is fenced and within an easement that supplies access to the parcel to the west. Vehicles would travel to the northwest corner and continue on the existing road through a locked gate in the fence that leads to the proposed cannabis facility site in the southwest corner. The existing access roads and turnaround would be covered in gravel for internal access to the

2 PROJECT DESCRIPTION

processing facility and cultivation area. Driveways and access points would comply with all County fire safety standards to maximize entry and egress space for emergency vehicles. Roads would be constructed as described in Section 2.3 -Access above.

A gravel parking area would be on the east side of the processing facility and north side of the cultivation area. Three parking spaces, including one handicap-accessible parking space would be installed in the parking area. The access roads and parking area are shown in Figure 2.3-2.

Lighting, Signage, and Fencing

Project lighting would consist of light-emitting diode (LED) greenhouse lighting and LED lighting installed outside the processing facility and cultivation premise. Lighting in the greenhouses would be used only to extend the light cycle for vegging² cannabis plants when daylight hours are limited and not sufficient for the growing plants. Automatic blackout curtains would be installed inside the greenhouses to prevent light leakage from dusk to dawn. Exterior lighting would consist of four motion sensor LEDs placed at each corner of the cultivation area fence and one exterior light on the outside of the processing facility.

No signage would be installed as part of the project. A 6-foot-tall chain link fence, with a lockable gate, would be installed around the cultivation area. The fencing would include screening material of dark, earth tone color to act as a wind break and restrict visibility.

Utilities

Water

A pump house would be constructed adjacent to the existing on-site well. The pump house would be up to 9 feet tall. Two water holding tanks (2,600 gallons each) would be installed inside the storageshed for water storage.

Wastewater and Sewage

A 1,000-gallon septic tank with a leach line would be installed north of the processing facility in compliance with Mono County Environmental Health standards.

Energy Supply

Power for the facility would be supplied by connecting to the existing distribution poles running parallel along the western edge of Highway 6. The power lines would be installed overhead for approximately 1,260 feet along the southern property boundary along an existing dirt road to reach the processing facility. A propane backup-power generator would be installed west of the processing facility. The generator would be required to comply with Title 3, Section 8306 of the CCR, Generator Requirements, for the cannabis cultivation program. A permit from

² Vegging is the period when a cannabis plant is between a seedling/clone and flowering.

2 PROJECT DESCRIPTION

the Great Basin Unified Air Pollution Control District (GBUAPCD) would be required if the emergency propane generator exceeds 900 brake horse power (bhp).

2.4.3 Construction

The proposed septic tank and field, and energy supply infrastructure would be constructed on the project site before grading activities. Up to 0.54 acre of the site would be graded. The total disturbance area would be up to 1.33 acres. All excavated and graded material would be balanced on the project site. After completion of grading, the processing facility, storage shed, and cultivation area would be constructed. After the buildings are constructed or installed, gravel would be laid on the existing internal access routes and parking area.

Project construction for Phase 1 would occur over approximately six to eight months, starting in 2022 at the earliest, with longer duration anticipated if all three greenhouses are constructed in multiple phases versus over a single phase. A maximum crew size of four workers would be required during construction. A maximum of eight one-way vehicle trips by construction equipment and vehicles would occur daily during construction. Water would be sourced from the on-site well for dust control. The power line, well pump house, and wastewater system would be installed first. The processing facility, cultivation area footprint, and adjacent areas then would be graded to create a flat building surface. Following the grading activity, the processing facility, at least one greenhouse, and the storage shed would be constructed. The greenhouses may be constructed over the course of three project phases, with one greenhouse constructed during each phase. Perimeter fencing would be installed around the footprint of the cultivation area. Imported gravel would be spread on the unpaved roads and turnaround.

The number and type of equipment proposed for project construction would be limited to one backhoe, one bulldozer, one gradall excavator, one dump truck, and one forklift.

2.4.4 Facility Operation – Cannabis Operation Permit

Facility operations would include cannabis cultivation, processing, and distribution.

Cultivation

Cannabis cultivation would include mother plant cloning and outdoor cultivation, followed by construction of greenhouses for indoor cultivation. Mother plants would be kept and cut in the processing facility. The cuttings would be transported to cultivation areas which may include the outdoor cultivation areas, or to greenhouses for replanting. Each greenhouse may grow up to 2,200 plants, and up to 15,000 plants total could be on site, including clones and mother plants when all three greenhouses are in full operation.

Manufacturing and Distribution

The mature plants then would be taken to the processing facility. The processing facility would house all drying, curing, extraction, and packaging activities. Water tanks, fertilizers, and equipment needed for cultivation would be stored in the storage shed in the northwest corner of the cultivation area.

2 PROJECT DESCRIPTION

Utilities

Water Supply and Use

Water for construction and operation would be sourced from the existing on-site well. Water would be used for dust control during construction, plant cultivation, and domestic uses. Daily water usage is estimated to be 600 gallons per day during operation. The cannabis cultivators would maintain daily water use records for 5 years and make all records available for the State Water Resources Control Board (SWQCB) and California Department of Fish and Wildlife (CDFW) review, per the Cannabis Cultivation Policy prepared by SWQCB (2019).

Wastewater and Sewage

The sources of wastewater would include excess irrigation, domestic uses, and a reverse osmosis (RO) filtration reject stream. Wastewater from excess irrigation would be reclaimed by running it through the RO system and re-using the filtered water for operation. A minimal amount of water would be rejected as part of the RO system. The rejected water and domestic uses wastewater would be discharged to a septic system.

The project facility would be equipped with a septic system for effluent and discharge wastewater. The project applicant has contacted the Mono County Department of Environmental Health about septic regulations and would comply with requirements set forth by the County to ensure the approval of a septic permit. The cannabis effluent would also need to comply with the requirements of the SWRCB Cannabis Cultivation General Order.

Waste Disposal

Several distinct types of waste may be produced at the cultivation facility, including green waste, solid waste, and potentially hazardous waste, such as cleaners or fertilizers. Green waste would be composted on the project site. Other solid waste and hazardous waste would be hauled to a County landfill or disposal site.

Energy Supply

Southern California Edison (SCE) would supply electric power to the project site, and a backup propane-powered generator would be used for emergency power.

Telecommunication

AT&T Inc. would be the telecommunications service provider for the project.

Odor Management

Odor would be generated by outdoor cultivation. The distance between the plants and sensitive receptors, and the prevailing winds are anticipated to mitigate nuisances to surrounding properties.

The greenhouses would be equipped with a ventilation system to control odors, humidity, and mold in accordance with Mono County code. Each greenhouse will have two exhaust vents for a total of six exhaust vents with three greenhouses. Each exhaust vent will contain a Cannabuster™ iodine mister or equivalent. The mister will be used during times of flowering, if determined necessary by facility personnel or the County, or if complaints of odor are received.

2 PROJECT DESCRIPTION

Personnel

One person would live on site in a portable trailer and be an on-site employee at the cannabis facility. One to two additional employees would be hired seasonally during harvests.

Traffic Generation

Employees would generate an average of four one-way trips a day, Monday through Friday. Cannabis wholesale distribution during harvest would necessitate up to three round-trip truck trips per month to retail locations.

2.5 Agency Jurisdiction and Approvals

Mono County is the CEQA lead agency for discretionary review of the project. Other permits and approvals that would be required for the project are listed in Table 2-4.

Table 2-4 Required Permits and Approvals

Permit or Approval	Agency	Function
General Plan Amendment	Mono County Board of Supervisors	For amendments to the General Plan including a land use designation change of a property.
Conditional Use Permit	Mono County Community Development Department, Planning Division	For commercial cannabis cultivation, processing, and distribution activities
Cannabis Operations Permit		For operation of the commercial cannabis cultivation facility
Building Permit	Mono County Community Development Department, Building Division	For construction of the cultivation facility
Grading Permit	Mono County Public Works – Engineering	For grading in excess of 10,000 square feet
Septic Permit	Mono County Department of Environmental Health	For septic system installation and sewage disposal
Cannabis Cultivation License	Department of Cannabis Control Cultivation Licensing	License for cannabis cultivation in California
Construction General Permit,	State Water Resources Control Board	For surface disturbance greater than 1 acre
401 Water Quality Certification or Porter-Cologne Water Quality Control Act		Grading, trenching, or other discharge of fill to waters of the state.
Cannabis Cultivation General Permit	Great Basin Unified Air Pollution Control District	For cannabis cultivation
Secondary Source Permit		For construction of the processing facility, greenhouses, storage shed, and well pump house

2 PROJECT DESCRIPTION

Permit or Approval General Plan Amendment	Agency Mono County Board of Supervisors	Function For amendments to the General Plan including a land use designation change of a property.
Generator permit		For propane generators greater than 900 bhp
Encroachment Permit	California Department of Transportation	For accessing State right-of-way
Lake and Streambed Alternation Agreement	California Department of Fish and Wildlife	Grading, trenching, or other discharge of fill to waters of the state.

3 Environmental Checklist

3.1 Environmental Factors Potentially Affected

This IS checklist includes an evaluation of impacts based on the State CEQA Guidelines Appendix G Environmental Checklist. Each checklist item is explained in the discussion following the checklist and, if necessary, mitigation measures are presented that would reduce the impacts to a less-than-significant level. In accordance with CEQA, Mono County considered the whole of the action when evaluating impacts, including on- and off-site effects, direct and indirect effects, and effects from both construction and operation of any new development.

Each checklist criterion is marked to identify what level of an environmental impact would occur, as follows:

- *No Impact* indicates that no impact would occur on the resource.
- *Less than Significant Impact* indicates that although some impact would occur, the impact would be below the threshold of significance, or existing regulations and legal standards would reduce these impacts to a less-than-significant level.
- *Less than Significant with Mitigation* indicates that impact potentially would be significant. One or more mitigation measures have been identified that will reduce the impact to a less than significant level.
- *Potentially Significant Impact* indicates impacts that would exceed the defined standard of significance. The impact cannot be reduced to a less-than-significant level by incorporating mitigation measures. An environmental impact report must be prepared for this project.

3.2 Aesthetics

Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
1. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
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 type="checkbox"/>	<input checked="" type="checkbox"/>

3 ENVIRONMENTAL IMPACT CHECKLIST

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>a) Would the project have a substantial adverse effect on a scenic vista? And,</p> <p>b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</p>				

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The project site is bounded by open space to the north and west, agricultural use to the east, and rural residential uses to the south. Highway 6 is approximately 1,000 feet east of the project site but is not eligible for scenic highway status, per Section 263 of the Streets and Highway Code (California Legislative Information, 2019). Highway 120 is the nearest scenic highway as designated by the County and is approximately 2.2 miles north of the project site. The nearest state scenic highway is U.S. 395, approximately 18 miles to the southwest (Mono County, 2015). No scenic vistas or resources are on or adjacent to the project site.

The project site is not visible from any designated scenic highway because of its distance from any of them and the relatively flat topography in the project vicinity. No existing or eligible state scenic highways, scenic roadways, or scenic vistas are in the project vicinity that would afford a view of the site. Development of the project site under the General Plan Amendment, Specific Plan, and Cannabis Use Permit would not be visible from a scenic vista or scenic highway. No impact would occur.

- c) **In non-urbanized areas, would the project 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?**

General Plan Amendment

The General Plan Amendment to Specific Plan LUD would allow for development of a single-family dwelling unit and accessory dwelling unit addition to the structures proposed for the Cannabis Use. A single-family dwelling unit and accessory dwelling unit on the property would be visually similar to other residential structures in the surrounding area and would not degrade the existing visual character or quality of view of the site. The impact would be less than significant.

3 ENVIRONMENTAL IMPACT CHECKLIST

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The project would involve construction of a commercial cannabis cultivation facility. The facility would be one story and would have a similar profile to structures on nearby parcels. The processing facility would be a steel structure of dark or earth tone color with non-reflective surfaces, similar to nearby existing metal structures to the west, and generally would be consistent with the existing visual character of the area to the west. The cultivation area would be enclosed by a 6-foot-tall chain link fence and screening of dark, earth-tone color similar to shaker gray, which would reduce visibility of the facility from public view. Furthermore, the facility would be set back from Highway 6 by more than 1,000 feet, further limiting its visibility. The facility would also have an overhead distribution line for approximately 1,260 feet. The overhead distribution line poles would appear visually similar to the power poles located along Highway 6 and would not substantially change the visual quality of the area. The facility would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. The impact would be less than significant.

- d) Would the project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?**

General Plan Amendment

The General Plan Amendment to Specific Plan would allow for installation of additional lighting associated with a residential dwelling unit or accessory dwelling unit in addition to that proposed for the cannabis facility. Because the area has little development, minimal lighting, and is very dark, the light produced from additional outdoor lighting could adversely affect nighttime views and cause a significant impact. Mitigation Measures DARK-1 requires implementation of dark-sky compliant lighting consistent with the County Dark Sky Regulations, which would avoid creation of significant light and would protect nighttime views. The impact would be less than significant with mitigation.

Mitigation: Implement Mitigation Measure DARK-1

Mitigation Measure DARK-1: Dark Sky Compliance

The Mono County Outdoor Lighting Ordinance (also known as the 'Dark Sky Regulations') was adopted to protect night sky views, enhance travel safety, conserve energy and limit light trespass and glare by restricting unnecessary upward projection of exterior lighting. The regulations prohibit nonconforming light of all types, including signage, fixtures, outdoor sports, recreation and entertainment. The County pairs the Dark Sky regulations with information and guidelines, including educational materials distributed to provide applicants with design recommendations and suggestions for minimizing intrusive light sources (General Plan Land Use Element Ch. 23).

Exterior lighting on the project site shall be subject to requirements of the Mono County General Plan, Chapter 23 Dark Sky Regulations. The Dark Sky

3 ENVIRONMENTAL IMPACT CHECKLIST

Regulations are comprehensive, adaptive, and designed to meet six specific objectives that include:

- To promote a safe and pleasant nighttime environment;
- To protect and improve safe travel;
- To prevent nuisances caused by unnecessary light;
- To protect night sky views;
- To phase out existing nonconforming fixtures; and
- To promote lighting practices and systems to conserve energy
- To promote a safe and pleasant nighttime environment;

Only full cutoff luminaires with light source downcast and fully shielded, with no light emitted above the horizontal plane are permitted. Kelvin color temperature should be approximately 2,300 K, and temperatures over 3,000 K are prohibited. Exterior lighting shall be limited to that required for security and safety.

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The facility would introduce new lighting in the area. Light deprivation curtains would be installed inside the greenhouses to eliminate light leakage into the surrounding environment from dusk to dawn. The cultivation area would be fenced with chain link and dark, earth-tone colored screening material, and all proposed outdoor lighting would comply with the County's Dark Sky Regulations. Downcast, fully shielded lighting, with no light emitted above the horizontal plane would eliminate unnecessary night sky illumination, in accordance with CCR Title 3, §§ 8304(c) and 8304(g), general environmental requirements for cannabis cultivation program. Kelvin color temperature should be approximately 2,300 K, and temperatures over 3,000 K are prohibited. The proposed project would not create a substantial source of new nighttime or daytime light. The processing facility and storage shed would consist of steel and wood structures. Steel cladding and framing on commercial buildings typically would be brushed or treated so that the material would not create a new source of glare and of dark, earth tone colored. The chain link fence and screening around the cultivation area also would minimize any potential glare from the greenhouses. Therefore, the project would not create a new source of glare. The impact from the new lighting and glare would be less than significant.

3 ENVIRONMENTAL IMPACT CHECKLIST

3.3 Agriculture and Forestry Resources

Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
2. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The County has not been mapped pursuant to the Farmland Mapping and Monitoring Program; therefore, neither the project site nor adjacent parcels are on Prime Farmland or Farmland of Statewide Importance. No impact would occur.

3 ENVIRONMENTAL IMPACT CHECKLIST

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The project site currently is designated RR and does not allow for commercial agricultural activities. The proposed project would allow commercial cannabis cultivation, processing and distribution, including nursery. The project would involve cannabis cultivation and related allowable activities in compliance with the CUP and COP. Project activities and the General Plan and Specific Plan would allow for cannabis-related agricultural uses and would not conflict with any zoning for agricultural use because there is no existing agricultural zoning on the site. Although parcels to the north and east of the project site, and east of Highway 6 are under Williamson Act contracts, the project site is not under a Williamson Act contract (Mono County 2020a). Thus, the project would not conflict with zoning for agricultural use under any Williamson Act contract. No impact would occur.

c) Would the project 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))?

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The project site and adjacent parcels are not zoned as forest land or timberland. The project would not conflict with existing zoning for, or cause rezoning of forest land, timberland, or timberland zoned Timberland Production. No impact would occur.

d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The project site and adjacent parcels are not zoned as forest land and do not contain any forests. The project would not convert forest land to non-forest use. No impact would occur.

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

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

No agricultural or farming operations currently occur on the project site. The adjacent parcel to the south supports limited livestock, but the project would not interfere with activities related to owning and raising livestock on the parcel to the south. The project would not convert agricultural land or uses to non-agricultural use. No impact would occur.

3 ENVIRONMENTAL IMPACT CHECKLIST

3.4 Air Quality

Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Overview

The project site is within the Great Basin Valley Air Basin (GBVAB), under the jurisdiction of the Great Basin Unified Air Pollution Control District (GBUAPCD). State and federal air quality standards have been developed to protect public health and welfare. Regional air pollution generally is a cumulative impact because no single project is sufficient in size to result in nonattainment of air quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality impacts. If a project's contribution to cumulative air quality impacts is considerable, the project's impact on air quality would be considered significant. The area of the GBVAB in which the project site is located is in State nonattainment for ozone. (CARB, 2018). The project area is not within an area that has an adopted State Implementation Plan (SIP).

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

No air quality plan has been adopted that would apply to the project site (GBUAPCD, 2019). Therefore, the project would not conflict with or obstruct implementation of an air quality plan. No impact would occur.

b) Would the project 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?

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Overview

Construction and operation of the cannabis facility under the Specific Plan would comply with GBUAPCD Rules. GBUAPCD Rules 401 and 402 require use of control measures to minimize fugitive dust and particulate matter emissions. The analysis below provides quantitative emissions from project-related activities compared to numerical significance thresholds to determine level of impact. The quantitative emissions levels assume no control measures are implemented. GBUAPCD has the authority to enforce control measures for fugitive dust and particulate emissions under Rules 401 and 402; therefore, emissions are expected to be less than those presented in the analysis below.

General Plan Amendment

The General Plan Amendment to Specific Plan would allow for construction of a residential dwelling unit as well as an accessory dwelling unit. Construction and operation of the residential facilities would require less operating equipment than the cannabis facility and would therefore result in less emissions than the cannabis facility analyzed above. The impact from the General Plan Amendment would be less than significant.

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Construction

Construction and installation of the cannabis facility would occur over approximately six to eight months, starting in 2022 at the earliest, with the longer duration anticipated if all three greenhouses are constructed in multiple phases versus over a single phase. For the purposes of this analysis, it was assumed that all three greenhouses would be constructed in a single phase as this would represent the greatest construction emissions in a single year. Use of construction equipment and construction-related earth-moving activities would generate fugitive dust and other pollutant emissions. Emission estimates for the cannabis facility construction and operation were calculated using CalEEMod version 2020.4.0. The detailed air quality model emissions calculations are provided in Appendix B.

The GBUAPCD and Mono County have not established CEQA thresholds for air quality emissions. However, if the lead agency does not have sufficient expertise in evaluating air quality impacts, thresholds adopted by an agency with greater expertise may be used (CAPCOA, 2008). The South Coast Air Quality Management District (SCAQMD) provides air quality significance thresholds for construction and operation (SCAQMD, 2019). For this project, the CEQA significance thresholds used by the SCAQMD have been adopted as representative significance thresholds because the SCAQMD has developed thresholds for attainment of ozone and PM10 standards, and the project area currently is in a nonattainment area for both standards. Projects that would result in criteria air pollutant emissions below these significance thresholds would not result in a cumulatively considerable net increase in criteria air pollutants that are in nonattainment within the air basin. Construction emissions in 2022 would not exceed the numerical significance thresholds, as shown in Table 3-1. Construction activities would comply with the GBUAPCD rules described above, which would require the use of control measures to minimize fugitive dust and particulate matter emissions.

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Construction of the cannabis facility would not result in a cumulatively considerable net increase for any pollutant that is in nonattainment. The impact from construction of the cannabis facility would be less than significant.

Table 3-1 Construction Emissions from the Cannabis Facility

Estimated Maximum Daily Pollutant Emissions (pounds/day)						
	VOC ^a	NO _x	CO	Sox	PM ₁₀	PM _{2.5}
Peak Daily Emission	28.1	19	14.5	0.04	8.0	4.14
SCAQMD Emissions Threshold	75	100	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No

Note:

a For this analysis, VOC emissions are assumed to be equal to ROG emissions.

Operation and Maintenance

The cannabis facility would be operational in 2023 at the earliest. Operational emissions would result from energy use to operate the greenhouses and other facilities, vehicle trips to and from the project site, and the proposed back-up generator. Operation of the cannabis facility would comply with the GBUAPCD rules described above, which would require use of control measures to minimize fugitive dust and particulate matter emissions. Emissions associated with operation of the cannabis facility would not exceed the significance thresholds, as shown in Table 3-2. Operation of the cannabis facility would not result in a cumulatively considerable net increase for any pollutant that is in nonattainment, and thus the impact would be less than significant.

Table 3-2 Operational Emissions from the Cannabis Facility

Estimated Maximum Daily Pollutant Emissions (pounds/day)						
	VOC ^b	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Existing Conditions ^a	1.6	0.7	3.1	0.005	1.5	0.4
Full Buildout Peak Daily Emissions	2.1	0.3	3.9	0.007	11.7	1.5
Net Operational Emissions	0.5	-0.4^c	0.8	0.002	10.2	1.1
SCAQMD Emissions Threshold	55	55	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No

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Notes:

- a Modeled NO_x emissions are generated from the diesel generator currently used to operate the existing trailer and well pump.
 - b For this analysis, VOC emissions are assumed to be equal to ROG emissions.
 - c During operation of the cannabis facility, the diesel generator that currently is used to power the on-site trailer and well pump would not be used, resulting in a negative emission of NO_x.
-

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

General Plan Amendment

The boundary of the southern parcel is approximately 230 feet from the nearest receptor, a single-family residence. The closest that any future development under the Specific Plan could occur, such as a non-commercial composting facility, would be 260 feet away from the nearest residence³. The General Plan Amendment would generally allow for housing, and non-commercial composting, none of which would expose sensitive receptors to substantial pollutant concentrations.

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Construction of the buildings and structures associated with the cannabis facility, which would be approximately 1,475 feet from the nearest receptor, would occur for up to 8 months in 2021, or longer if the facility is constructed over multiple phases. During this construction, equipment and vehicles would be used that would emit toxic air pollutants. Equipment and trucks would be used minimally during operation of the cannabis facility.

On-site activities would comply with GBUAPCD rules, which would require implementation of fugitive dust and particulate matter control measures. Equipment used for future construction or agricultural uses would be required to comply with federal and State engine emission standards (e.g., U.S. Environmental Protection Agency phasing of nonroad compression ignition exhaust emission standards), for both new and existing equipment. CARB has required equipment owners to phase out less efficient equipment by banning fleet owners from adding less efficient equipment to their fleet. Tier 0 vehicles were banned in 2014, Tier 1 vehicles were banned in 2014, and Tier 2 vehicles were banned in 2018 for large and medium fleets and 2023 for small fleets. The air modeling provided above assumed use of Tier 2 equipment to provide a conservative analysis. Emissions standards increasingly are more stringent. Use of equipment complying with emission standards would minimize particulate matter and other toxic air contaminants. Sources of toxic air contaminant emissions from the cannabis facility uses include motor vehicle and backup generator emissions. A generator is currently used on the project site. A new propane backup generator would be installed to support cannabis facility operations,

³ This distance is calculated according to the distance to the southern parcel boundary plus the requirement for a minimum side setback for accessory buildings of 30 feet. The minimum setback for primary buildings is 50 feet.

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which could be tested for up to 50 hours a year, which would not create significant pollutant concentrations due to the short period of use. Generator use would comply with California Air Resources Board and GBUAPCD regulations including acquiring a permit if the generator exceeds 900 brake horsepower and airborne toxic control measures for generators (CCR Title 17 §93115). Because the project is located more than 1,000 feet from the nearest sensitive receptor and does not involve use of any new stationary sources of emissions, it would not expose receptors to pollutants. Power for the proposed facility would be delivered from a new overhead power line. No new sources of emissions would be used in the cultivation or processing of the cannabis. Therefore, the impact on sensitive receptors from construction and operation of the cannabis facility would be less than significant.

- d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

General Plan Amendment

The General Plan Amendment would allow for non-commercial composting where the composting does not create a nuisance. The composting could generate odors but composting would only be allowed if it did not result in nuisance odors at adjacent properties. Therefore, the General Plan Amendment to the Specific Plan land use designation and zoning would not result in other emissions adversely affecting a substantial number of people.

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Construction

Diesel exhaust from construction equipment and vehicles would generate some odors, which could increase the odors temporarily in the immediate vicinity of the equipment operation. The odors would dissipate rapidly with distance from the odor-generating activity. The generation of odors from use of diesel engines would not be substantial or permanent. Only one sensitive receptor (residence) is approximately 1,500 feet south of cannabis facility site and immediately south of the southern project parcel. Construction activities would occur in the northern parcel at the cannabis facility, and use of construction equipment and vehicles in closer proximity to the residence would be temporary and limited in duration. Because of the distance between the project site and nearest sensitive receptor, the general lack of a substantial number of sensitive receptors in the project vicinity, and temporary and limited duration of construction activities, a substantial number of people would not be subjected to objectionable odors. Therefore, the impact would be less than significant.

Operation and Maintenance

Research indicates that organic compounds called terpenes are found in a variety of plants, and that they give each plant their unique odor. When in higher concentrations, terpenes produce a stronger odor that can serve as a plant's defense mechanism or attract pollinators. As the cannabis plants grow in the greenhouses, the levels of terpenes in those plants also increases, leading to stronger odors. Cannabis plants are known to have a unique and sometimes pungent odor, which in high concentrations can be objectionable to people living or working near cannabis facilities.

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Anecdotal evidence suggests that strong cannabis odors can be detected at least 600 feet away, although it also has been stated that the odor can be noticed up to 1 to 2 miles away from the source (Santa Barbara County, 2017). Operation of the cannabis facility would have the potential to generate substantial odors, which are defined as odors that could be a nuisance to surrounding populations. Cultivation could initially be conducted partially outdoors during the early phases of the project with the least amount of cultivation area. Cultivation would then be conducted indoors after full build out of the facility. Odors generated from outdoor cultivation would not be contained. Because odors from outdoor cultivation would not be captured or eliminated, these odors could affect sensitive receptors in proximity to the facility. The project vicinity is sparsely populated. As mentioned above, the nearest sensitive receptor is an off-site residence located 1,500 feet from the project site. An estimated four residences are located within one mile of the facility and 39 residences are located within two miles of the facility. The residences within two miles of the facility would be expected to house 113 individuals assuming an average household size of 2.91 individuals consistent with the demographics of the census tract. The individuals within two miles of the project site represent approximately three percent of the census tract and 0.79 percent of the County population.

The Benton community is located approximately 2.5 miles north of the project and beyond any distance that cannabis odor has been reported as detectable. The prevailing wind direction in the area is typically from the south during the day and from the north/northeast during the night with average annual wind speeds of nine miles per hour and annual peak gusts of 70 miles per hour (Mono County, 2008; WRCC, 2015). While there are no residences located within 600 feet of the facility where cannabis odors are known to be detectable, it is possible that odors could be detected infrequently. At the estimated 39 residences up to two miles from the facility, cannabis odors could be detectable during cultivation when odor generation is greatest in late summer and depending on atmospheric conditions. The project includes implementation of odor control measures including use of Cannabuster™ iodine misters during flowering for indoor cultivation. Due to the low number of receptors in proximity to the facility and low likelihood of detecting odors one to two miles away from the facility, the project odors would not affect a substantial number of people. While the impact would not affect a substantial number of people, the County's cannabis regulations require odor control for cannabis facilities to ensure cannabis odors are less than significant. The cannabis odors could become a nuisance if the odor control system were not properly maintained and functioning during the cannabis operation. Mitigation Measure AQ-1 requires that the applicant maintain the odor control system over the life of the project and conduct monitoring to ensure odors are controlled during cultivation. Therefore, the impact would be less than significant with mitigation.

Mitigation: Implement Mitigation Measure AQ-1.

Mitigation Measure AQ-1: Odor Control Measures

- The project applicant shall install an odor control system for indoor cultivation. The odor control system must meet or exceed an odor removal efficiency of 91 to 96 percent, consistent with the proposed Cannabuster™

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odor elimination system (Pinchin, 2020) . The odor control system shall be properly maintained and implemented throughout the life of the project for facilities to control odors from facility processes that produce nuisance odors at the nearest residential property.

- The applicant shall post signs at the property line that provide a project contact phone number in the case of nuisance odors.
- The applicant shall report any complaints of nuisance odors to the County within 72 hours of the complaint.
- The County may request modifications to the odor control system during project operation should nuisance odors persist at the property boundary after application of the odor control system.
- If odor from outdoor cultivation is determined to be a nuisance, the County may require cultivation to be moved to the indoor greenhouses by the next cultivation cycle.

3.5 Biological Resources

Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
4. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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"/>

Overview

Regional Setting

The project site is in an unincorporated area of Mono County in Benton Valley, which contains an arid valley floor habitat dominated by extensive unforested shrublands. The landscape is generally flat and comprised of undeveloped open space, rural, and agricultural uses.

Field Surveys

On November 8, 2019, biologist Russell Kokx conducted a reconnaissance-level survey of the 80-acre project site. The reconnaissance survey documented the environmental settings, including vegetative communities, soils, elevations, habitats, and conditions. This survey was conducted to evaluate the potential for special-status species to occur. Biological database searches, including U.S. Fish and Wildlife Service (USFWS), California Natural Diversity Database (CNDDB), California Native Plant Society, and National Wetland Inventory, for the project vicinity were conducted in May 2019.

Mr. Kokx conducted focused botanical surveys of the project site on May 28 and June 17, 2020 (Appendix C). Surveys were conducted during optimal conditions to determine whether special-status plant species or their habitats were present in the project site (Panorama Environmental, Inc., 2020).

Environmental Setting

Natural Communities

The project site encompasses three vegetative communities: Big Sagebrush Shrubland Alliance (*Artemisia tridentata*), Rubber Rabbit Brush Scrub Shrubland Alliance (*Ericameria nauseosus*), and several small inclusions of Greasewood Scrub Shrubland Alliance (*Sarcobatus vermiculatus*) (Figure 3.5-1).

The dominant perennial vegetation in Big Sagebrush Shrubland Alliance includes big sagebrush, rubber rabbit brush (*Ericameria nauseosus*), spiny hopsage (*Grayia spinosa*), Nevada joint fir (*Ephedra nevadensis*), spotted dalea (*Psoralea polydenius*), and catclaw horsebrush (*Tetradymia axillaris* var. *axillaris*). Understory plants were not surveyed during the growing season, but identifiable species included devil's lettuce (*Amsinckia tessellata*), Mono buckwheat

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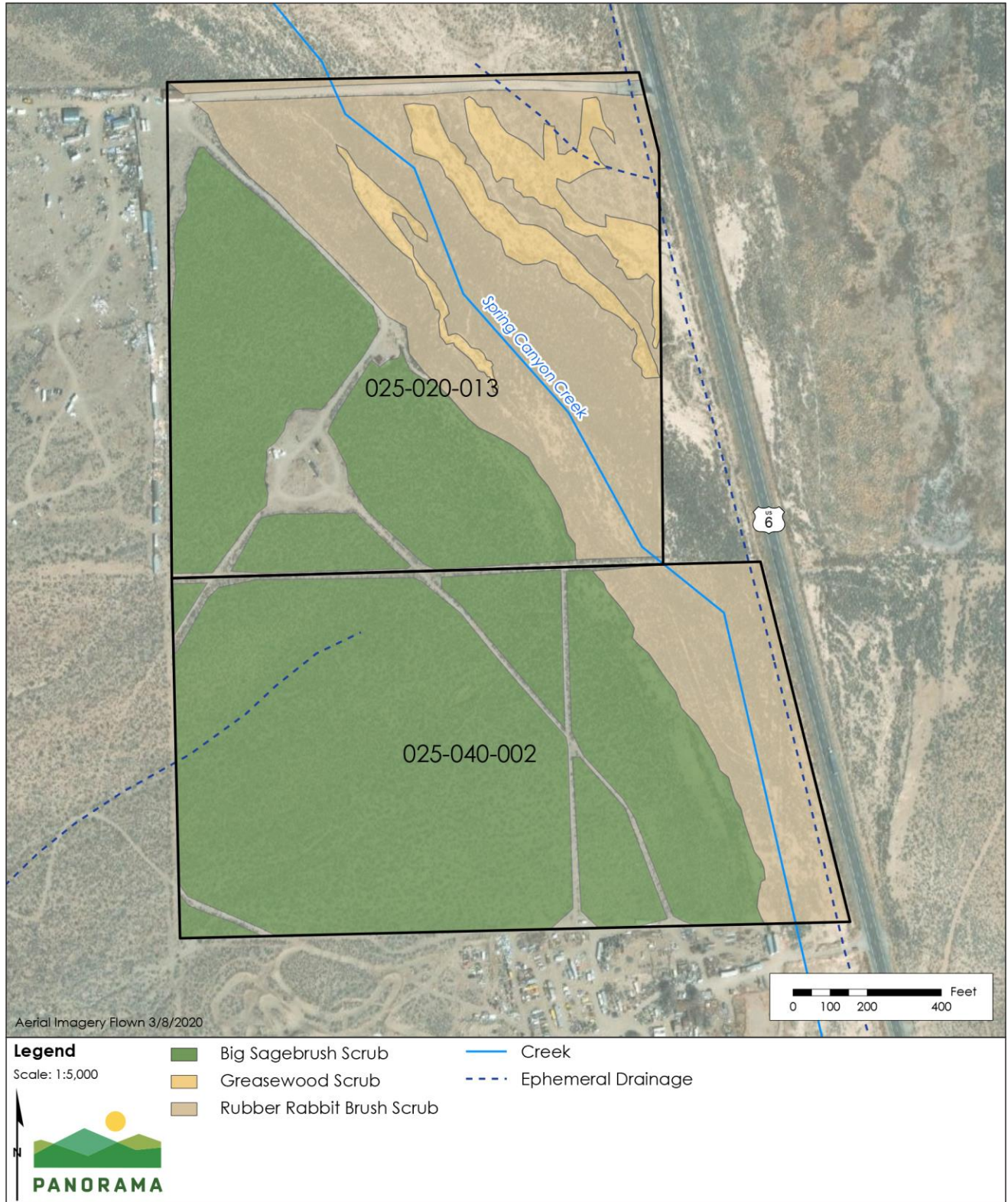
(*Eriogonum ampullacea*), white-stem blazing star (*Mentzelia albicaulis*), purple root (*Cryptantha circumcissa*) and sticky lessingia (*Lessingia glandulifera*).

The Rubber Rabbit Brush Scrub Shrubland Alliance vegetation occurs as the grade tapers off near the bottom of the valley, portions of which historically were flooded. This area still accumulates moisture and supports more facultative species. The soil is derived from the accumulation of minerals through springs, ponding, and evaporation. The soil is light to white in color and very fine with a high alkalinity. The dominant perennials include dense stands of rubber rabbit brush with scattered Alkali sacaton (*Sporobolus airoides*) and big sagebrush. The understory is saltgrass (*Distichlis spicata*), five horn bassia (*Bassia hyssopifolia*), western nitrophila (*Nitrophila occidentalis*), and povertyweed (*Iva axillaris*).

The Greasewood Scrub Shrubland Alliance vegetation community occurs only in small, highly alkaline inclusions at the bottom of alkali sinks in the project area. The dominant shrub is monotypic stands of greasewood. No annuals were observed in the understory; however, this habitat is well suited for potentially supporting several rare plant species in spring. One sensitive vegetation community, greasewood scrub in alliance with *Suaeda nigra*, was observed in small pockets within the greasewood scrub shrubland alliance on the project site during the focused botanical surveys.

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Figure 3.5-1 Vegetation Communities in the Project Site



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Wetlands and Other Water Bodies

The eastern portions of the project site occur at the base of Chalfant Valley. The soil is derived from the accumulation of minerals through springs, ponding, and evaporation. These soils have a higher moisture content and support some facultative plant species as a result. State jurisdictional drainages include Spring Canyon Creek and an ephemeral drainage along the eastern portion of the site. The cannabis facility would be located outside any streams, riparian habitats, and water bodies under the jurisdiction of CDFW, as shown in Figure 3.5-1; however, the access road to the cannabis facility and the power line for the cannabis facility would cross Spring Canyon Creek and the ephemeral drainages. Any development activities within the stream could require a Lake and Streambed Alteration Agreement from CDFW if activities are proposed within CDFW-jurisdictional areas.

The on-site vegetation communities (Figure 3.5-1) indicate that no wetland vegetation is present in the project site. No wetlands were observed on site during the reconnaissance-level survey conducted for the project (Kokx, 2020). Therefore, no wetlands are on the project site.

Special-Status Species

During the database search, species were determined to have the potential to occur in the project site, if known or expected to occur in the project vicinity, and if the project site or immediate vicinity contains suitable habitat. Species whose known distribution, habitat, or elevation range precluded a possible occurrence in the project vicinity generally were not considered further. Some taxa with relatively low probability for occurrence were retained for further evaluation because of incomplete knowledge about the range and/or habitat of certain species. Focused surveys were conducted for the 14 special-status plant species with potential to occur in the project site, detailed in Table 3-3. No special-status plant species were observed during the focused botanical surveys (Panorama Environmental, Inc., 2020; Kokx, 2021) and special-status plants are presumed to be absent. Seven special-status wildlife species have a potential to occur on the site.

Table 3-3 Special-Status Species with Potential to Occur in the Project Site

Species	Rank/Status	Potential to Occur in the Project Site
Plants		
<i>Ivesia kingii</i> var. <i>kingii</i> (alkali ivesia)	2B.2	<i>Absent.</i> Within Great Basin Scrub, meadows and seeps, playas/mesic, alkali. Observed at elevations from 1,200–2,130 meters.
<i>Calochortus excavatus</i> (Inyo County star-tulip)	1B.1	<i>Absent.</i> Chenopod scrub, meadows and seeps/alkaline and mesic. Observed at elevations from 1,150–200 meters. Known from small remnants of former populations.
<i>Crepis runcinata</i> (fiddleleaf hawksbeard)	2B.2	<i>Absent.</i> Mojave Desert scrub, pinyon, and juniper woodland/mesic, alkaline. Observed at elevations from 1,250–1,450 meters.

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Species	Rank/Status	Potential to Occur in the Project Site
<i>Phacelia inyoensis</i> (Inyo phacelia)	1B.2	<i>Absent.</i> Meadows and seeps (alkaline). Observed at elevations from 915–3,200 meters.
<i>Micromonolepis pusilla</i> (dwarf monolepis)	2B.3	<i>Absent.</i> Alkaline, openings in Great basin scrub. Observed at elevations from 1,500–2,400 meters.
<i>Cryptantha fendleri</i> (sand dune cryptantha)	2B.2	<i>Absent.</i> Sand dunes, sandy soils, and sagebrush scrub. Observed at elevations from 1,950–2,210 meters.
<i>Plagiobothrys parishii</i> (Parish's popcornflower)	1B.1	<i>Absent.</i> Wet alkaline meadows around springs and emergent wetlands or lake beds Observed at elevations from 750–1,400 meters.
<i>Viola purpurea</i> ssp. <i>aurea</i> (golden violet)	2B.2	<i>Absent.</i> Great basin scrub, pinyon, and juniper woodland. Observed at elevations from 1,000–1,800 meters.
<i>Boechera dispar</i> (Pinyon rockcress)	2B.3	<i>Absent.</i> Joshua tree woodland, pinyon, and juniper woodland. Mojave Desert scrub; granitic, and gravelly. Observed at elevations from 1,200–2,400 meters.
<i>Cymopterus globosus</i> (globose cymopterus)	2B.2	<i>Absent.</i> Great Basin scrub. Sandy, open flats. Observed at elevations from 1,215–2,090 meters. Last seen April 26, 1897.
<i>Phacelia gymnoclada</i> (naked-stemmed phacelia)	2B.3	<i>Absent.</i> Chenopod scrub, Great Basin scrub, pinyon, and juniper woodland. Gravelly or clay soils. Observed from 1,200–2,500 meters.
<i>Chaetadelpa wheeleri</i> (Wheeler's dune broom)	2B.2	<i>Absent.</i> Desert dunes, Great Basin scrub, Mojave Desert scrub; and sandy plains. Observed from 795–1,900 meters.
<i>Orobanche ludoviciana</i> var. <i>Arenosa</i> (Suksdorf's broomerape)	2B.3	<i>Absent.</i> Parasitic on <i>Ericameria</i> and <i>Iva</i> spp. Similar to <i>O. parishii</i> ssp. <i>parishii</i> ; separation between them blurred in Great Basin. Observed from 795–1,900 meters.
<i>Sphaeromeria potentilliodes</i> (alkali tansy-sage)	2B.2	<i>Absent.</i> Meadows and seeps. Playas, usually alkaline. Observed from 2,100–2,400 meters.
Wildlife		
<i>Pyrgulopsis wongi</i> (Wong's springsnail)	FSS	<i>Low.</i> Great Basin flowing waters Meadow, seeps, and small to moderate-size spring-fed streams. Common in watercress and/or on small bits of travertine and stone.
<i>Ovis Canadensis</i> ssp. <i>nelsoni</i> (desert bighorn sheep)	BLMS, CFP, FSS	<i>Low.</i> Widely distributed from the White Mountains in Mono County. Open, rocky, steep areas with available water and herbaceous forage. Active year-round.
<i>Buteo swainsonii</i> (Swainson's Hawk)	BCC, BLMS	<i>Low.</i> Great Basin grassland. Breeds in grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs, and agricultural or ranch lands with groves or lines of trees. Nests April through July.

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Species	Rank/Status	Potential to Occur in the Project Site
<i>Corynorhinus townsendii</i> (Townsend's big-eared bat)	SSC	<i>Low.</i> Roosts in the open, hanging from walls and ceilings. Breeds in mines and caves. Roosting sites limiting. Extremely sensitive to human disturbance.
<i>Microtus californicus vallicola</i> (Owen's Valley vole)	SSC, BLMS, FSS	<i>Low.</i> Found in wetlands and lush grassy ground in the Owens Valley. Needs friable soil for burrowing. Eats grasses, sedges, and herbs.
<i>Lanius ludovicianus</i> (Loggerhead Shrike)	SSC	<i>Medium-High.</i> Found in grasslands and desert with scattered shrubs, nesting in large dense spiny shrubs and low trees.
<i>Artemisiospiza belli</i> (Bell's sparrow)	SSC	<i>Low.</i> Outside of known range.
Listing: BCC = USFW Bird of Conservation Concern BLMS = BLM Sensitive CFP = California Department of Fish and Wildlife Fully Protected Species FSS = USFS Sensitive SSC = California Department of Fish and Wildlife Species of Special Concern WL = California Department of Fish and Wildlife Watch List		California Rare Plant Ranks: 1B Plants Rare, Threatened, or Endangered in California and Elsewhere 2B Plants Rare, Threatened, or Endangered in California, but More Common Elsewhere 0.1 Seriously threatened in California 0.2 Moderately threatened in California Not very threatened in California

- a) **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

General Plan Amendment

Special-Status Plant Species

The results of the focused botanical surveys indicated that no special-status plants are present in the project site. Future development and uses in the project site such as a residential dwelling unit and accessory dwelling unit under the General Plan Amendment would result in a less than significant impact on special-status plants because no special-status plants are known to occur on the site and the Specific Plan would allow for minor reduction in suitable habitat.

Special-Status Wildlife Species

One special-status bird species was found to have a medium to high potential to occur in the project site, as shown in Table 3-3. Nesting birds that are protected under State and federal law could use habitat in the project site. The permitted uses under the General Plan Amendment are similar to the existing Rural Residential land use designation. Development under the General

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Plan Amendment would not result in significant loss of habitat or impacts on special-status wildlife species. The impact of the General Plan Amendment would be less than significant.

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Special-Status Plant Species

No special-status plant species were identified during the reconnaissance survey and focused botanical surveys. The cannabis facility would result in a less than significant impact on special-status plant species.

Special-Status Wildlife Species

The project would involve heavy equipment use within habitat where a medium to high potential would exist for encountering loggerhead shrike and other migratory bird species, protected under State and federal law, including California Fish and Game Code 3503 and the Migratory Bird Treaty Act (MBTA), which make it illegal to take or destroy a nest without a valid permit. Equipment use and earth-disturbing activities could result in nest destruction or mortality of young during the nesting season when an active nest is present. Use of heavy equipment could cause nest abandonment, if construction occurs near an active nest during the nesting season. Loss of an active nest, whether directly through vegetation removal or indirectly because of adjacent noise and activity, would be a significant impact. Mitigation Measure BIO-1 would require nesting bird surveys for construction activities that occur during the breeding season (February 15 through August 31). The impact on nesting birds and loggerhead shrike would be less than significant with mitigation incorporated.

Mitigation: Implement Mitigation Measure BIO-1

Mitigation Measure BIO-1: Nesting Bird Surveys

A preconstruction survey shall be performed prior to construction. The following measures shall be implemented:

- Use of heavy equipment, grading, demolition, construction, and/or tree removal, shall avoid the nesting season to the greatest extent feasible.
- If use of heavy equipment, grading, demolition, construction, and/or tree removal are scheduled to occur during the nonbreeding season (September 1 through February 15), no measures are required.
- If construction activities occur during the nesting season, a pre-construction survey for active bird nests in the project site shall be conducted on the project site and within 500 feet of the project site by a qualified biologist approved by the County
 - If no nesting or breeding behavior is observed, construction may proceed.
 - If an active nest is detected, a determination shall be made by a qualified biologist as to whether construction work could affect

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the active nest. If it is determined that construction would not affect an active nest, work may proceed.

- If it is determined that construction activities are likely to impair the successful rearing of the young, a 'no-disturbance buffer' in the form of orange mesh Environmentally Sensitive Area (ESA) fencing shall be established around occupied nests to prevent destruction of the nest and to prevent disruption of breeding or rearing behavior. The extent of the 'no-disturbance buffer' shall be determined by a qualified biologist in consultation with CDFW. 'No-disturbance buffers' shall be maintained until the end of the breeding season or until a qualified wildlife biologist has determined that the nestlings have fledged. A qualified wildlife biologist shall inspect the active nest to determine whether construction activities are disturbing to the nesting birds or nestlings. If the qualified wildlife biologist determines that construction activities pose a disturbance to nesting, construction work shall be stopped in the area of the nest, and the 'no-disturbance buffer' expanded.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

A small population of Greasewood Scrub in alliance with *Suaeda nigra* was observed on the project site during focused botanical surveys. This population was in an area with high saline content, not suitable for agricultural use (Kokx, pers. Comm., 2021). If future development under the General Plan Amendment to Specific Plan, such as construction of a residence or accessory dwelling unit, occurred within the Greasewood Scrub habitat area, the impact on sensitive natural communities would be significant. Mitigation Measure BIO-2 specifies that future development under the General Plan Amendment and Specific Plan would avoid sensitive natural communities and riparian areas including the Greasewood Scrub. The impact on a sensitive natural community would be less than significant with mitigation.

Mitigation: Implement Mitigation Measure BIO-2

Mitigation Measure BIO-2: Prohibited Development in Sensitive Habitats

Future development under the Specific Plan would be prohibited within any streams, riparian habitats, or sensitive natural communities. No future development would occur in the floodplain to protect sensitive natural communities and special-status species.

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Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Sensitive Natural Communities

No sensitive natural communities occur within the areas proposed for the cannabis facility development. The cannabis facility would not impact sensitive natural communities.

Riparian Habitat

The cannabis facility would require upgrades to the existing access road that crosses Spring Canyon Creek, which provides riparian habitat. Power distribution to the project site would be via overhead powerlines and would be implemented upon approval of the Specific Plan. A Lake or Streambed Alteration Agreement from CDFW would be required for any grading, trenching, or other discharge within Spring Canyon Creek. The access road improvements to meet County standards for ingress and egress could result in impacts on riparian habitat because of the access road. Road construction within riparian habitat and subsequent loss of habitat would be a significant impact. Mitigation Measure BIO-3 requires compensation mitigation for any permanent impacts on riparian habitat. Impacts on riparian habitat would be less than significant with mitigation. In addition, Section 1600 of Fish and Game Code requires a Lake or Streambed Alteration Agreement prior to discharge of material to lake or streambed, including riparian areas.

Mitigation: Implement Mitigation Measure BIO-3

Mitigation Measure BIO-3: Mitigation for Riparian Habitat.

The permanent loss of riparian habitat shall be compensated through on-site enhancement or establishment of riparian habitat. Permanent impacts to riparian habitat shall be compensated through enhancement of riparian areas at a minimum 2:1 ratio (enhancement:impact) or creation of riparian areas at a minimum 1:1 ratio. All areas of temporary impact will be restored to preconstruction contours and habitat conditions. The applicant will prepare a habitat mitigation plan that includes:

- Baseline conditions within the mitigation site
- Proposed mitigation site conditions
- Mitigation methods (e.g., habitat creation or enhancement)
- Performance standards/success criteria including a minimum of 70% vegetated cover with native riparian vegetation that are the target of the creation and enhancement efforts and less than 3% invasive species cover
- Habitat maintenance including trash removal, invasive weed removal, and repair of any damage to the mitigation site
- Monitoring requirements including annual monitoring during the establishment period. The annual monitoring will include surveys for native vegetation cover, photo documentation at defined photo-monitoring locations, and monitoring for invasive species and any

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other habitat stressors. Monitoring will be conducted for the first five years or until success criteria are met.

- 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?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

No wetlands occur in any portion of the project site. Development under the Specific Plan and the cannabis facility would avoid impacts on state or federally protected wetlands because no wetlands occur within the site. No impact would occur.

- 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?**

General Plan Amendment

The General Plan Amendment to Specific Plan would allow for development of a residential dwelling unit and an accessory dwelling unit as well as composting. Development of the minimal structures allowed under the Specific Plan would not interfere with a movement corridor. There are no native wildlife nursery sites on the project site that would be affected by the General Plan Amendment. The impact would be less than significant.

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The project site is in a valley with low density development, surrounded by more natural, less developed hills. The project site does not serve as an important migratory corridor for wildlife and plants. The existing perimeter fencing around the property precludes some wildlife from traveling through the site. The proposed fencing around the cultivation area would not appreciably affect movement of wildlife through the project site. Movement of small wildlife, such as lizards and rodents, through the site generally would be unaffected by development. Wildlife still would be able to travel through the broader region. The impact on wildlife movement would be less than significant. See Impact a) for a discussion of impacts on nesting birds.

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

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

No local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, would apply to the project (Mono County 2015). No impact would occur.

- 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?**

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General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The project site is not within an area covered by an adopted habitat conservation plan or natural community conservation plan (Mono County 2015). No impact would occur.

3.6 Cultural Resources

Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
5. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Records Search and Cultural Resource Assessment

A cultural resources records search was conducted for the project site at the Eastern Information Center (EIC), at the University of California, Riverside. The search was in a 1-mile radius around the boundaries of project site and collected all available information about previous cultural resources studies and known archaeological sites/isolated finds in the area.

The EIC search identified six previous cultural resources studies (Table 3-4) and 13 known cultural resources within the 1-mile radius (Table 3-5), while additional research identified four other cultural resources studies (Table 3-6). Eleven of the cultural resources are archaeological sites, nine of which are in the project site (Table 3-7). The other two resources are isolated artifacts (Great Basin Consulting Group, 2020). Nine of the identified cultural resources are within the two project parcels, but none of the resources are in the cannabis facility site.

Table 3-4 EIC Search Results of Cultural Studies within 1-Mile of the Project Site

EIC Report No.	Title	Author and Year	Resources in Search Area
MN-00287	A Cultural Resource Reconnaissance of the Montgomery Creek Hydroelectric Project, Mono County, California	Crist 1982	None
MN-00327	An Intensive Archaeological Survey of a Proposed 115 KV Transmission Line, Dixie Valley, Nevada to Bishop, California	Stornetta 1984	26-3787, 26-3789, 26-3792

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EIC Report No.	Title	Author and Year	Resources in Search Area
MN-00716	Archaeological Evaluations for the Benton Land Exchange, Mono County, California: Cultural Resource Inventory and Subsurface Testing Report	Halford 1997	26-3149, 26-3150, 26-3151, 26-3153
MN-00841	Historic Property Survey Report, Benton Rehabilitation Project	Mills 2000	26-894, 26-895, 26-896, 26-3931, 26-3932
MN-00871	Cultural Resources Inventory Report: Blind Springs Hill Monitor Project	Holt 2006	None
MN-001065	Archaeological Survey Report for the Southern California Edison Company's Proposed Replacement of one Pole Structure on the Sagehen 12KV Distribution Circuit, Grid Reliability Maintenance Project (TD512817), near Benton, Mono County, California	Switalksi 2011	None

Source: (Great Basin Consulting Group, LLC, 2020)

Table 3-5 Previously Identified Cultural Resources within 1-Mile of the Project Site

Site Number(s)	Era ^a	Description	Report(s) and Year(s)
26-894 (CA-MNO-894)	P	Basic Habitation – flaked stone and ground stone tools, debitage	Stornetta 1980; Basgall and Richman 1998; Giambastiani 1998
26-895 (CA-MNO-895)	P	Complex Lithic Scatter – flaked stone tools and debitage	Stornetta 1980; Basgall and Richman 1998
26-896 (CA-MNO-896)	P	Basic Habitation – flaked stone and ground stone tools, debitage	Stornetta 1980; Basgall and Richman 1998
26-897 (CA-MNO-897)	P	Complex Lithic Scatter – flaked stone tools and debitage	Stornetta 1980
26-3149 (CA-MNO-3094)	P	Complex Lithic Scatter – flaked stone tools and debitage	Halford 1997
26-3150 (CA-MNO-3095)	P	Complex Lithic Scatter – flaked stone tools and debitage	Halford 1997
26-3151 (CA-MNO-3096)	P	Complex Lithic Scatter – flaked stone tools and debitage	Halford 1997
26-3153 (CA-MNO-3098H)	H	Prospects	Halford 1997
26-3787	H	Comanche Mill Site	Stornetta 1984
26-3789	H	Stone Foundations	Stornetta 1984
26-3792	P	Simple Lithic Scatter – debitage only	Stornetta 1984

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Site Number(s)	Era ^a	Description	Report(s) and Year(s)
26-3931	P	Isolate – projectile point medial (untypable)	Proctor 1980
26-3932	P	Isolate – handstone end fragment	Proctor 1980

Note:

d P = Prehistoric, H = Historic

Source: (Great Basin Consulting Group, LLC, 2020)

Table 3-6 Additional Search Results for Previous Cultural Resources Studies within 1-Mile of the Project Site

Title	Author and Year	Resources in Search Area
Archaeological Survey Report of a Proposed Highway Improvement Project on 09-MNO-6, P.M.18.2/26.4, Mono County, California	Proctor 1980	26-894, 26-895, 26-896, 26-897, 26-3931, 26-3932
Transportation Enhancement Activities Project: Archaeological Roadside Inventory Report, Inyo and Mono Counties, California	Basgall and Richman 1998	26-894, 26-895, 26-896, 26-897
Phase II Evaluation of Archaeological Site CA-MNO-894 near Benton, Mono County, California	Giambastiani 1998	26-894
Cultural Resources Inventory of Caltrans District 9 Rural Conventional Highways in Inyo and Mono Counties	Leach-Palm et al. 2010	26-896

Source: (Great Basin Consulting Group, LLC, 2020)

Project Site

None of the previously recorded cultural resources are located in the project site; however, previous cultural resource studies were not focused on the project site. The project vicinity contains a high volume of sensitive prehistoric and historic resources. The former alignment of the Southern Pacific (SP) Railroad and Carson & Colorado (C&C) Railroad once ran north/south through the project site. Although a siding or station was never in the project vicinity, the remains of temporary railroad worker's camps possibly occur in the project site.

The records search identified that the original road through Hammil and Chalfant valleys ran through the eastern edge of the project site. Also, many unimproved dirt roads are in the project site, some of which are shown in the 1962 Benton, California 15-minute quadrangle, and therefore would appear to be of historic age, likely dating prior to 1960. These roads could have been created and used for many different purposes during historic times, perhaps residential, recreational, or industrial. The roads are associated with operation of the historic Comanche Mine and Mill, the remains of which are immediately south/southwest of the project site, within the records search radius. The Comanche Mine was located in 1862, becoming a major part of the Blind Springs Hill mining district on its organization in 1864 (Great Basin Consulting Group 2020b).

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Archaeological Survey

A pedestrian survey was conducted for the project by Great Basin Consulting Group in July and August 2020. The results of the survey confirmed that the nine archaeological sites that were identified during the records search are in the project site. Four of the nine archaeological sites are eligible or potentially eligible for listing in the California Register of Historical Resources (CRHR) based on the criteria for designation provided in Section 3.19).

Table 3-7 Archaeological Sites Identified and Documented in the Project Site

Field No.	Age ^a	Resource Description	Resource Attribute	Recommended CRHR Status
TS-1	H	Well and nearby remnant waterline pipe	AH5	Not Eligible
TS-2	P	Large lithic scatter with 18 tools; contracting-stem point, bifaces, flake tools, and groundstone	AP2	Potentially Eligible
TS-3	P	Lithic scatter with one biface, one piece of groundstone, and one upright pocket-tobacco tins	AP2	Potentially Eligible
TS-4	H	Road along the lower alluvial fan	AH7	Not Eligible
TS-5	P	Lithic scatter with Desert Side-Notched projectile point and one piece of groundstone	AP2	Potentially Eligible
TS-6	H	Road network connecting with location of TS-8 and Comanche Mine's Ross Tunnel	AH7	Not Eligible
TS-7	H	Trash dump/scatter	AH4	Eligible
TS-8	H	Beam structure—mining-related	AH9	Not Eligible
TS-9	p	Small lithic scatter	AP2	Not Eligible

Notes:

e P = Prehistoric, H = Historic

Source: (Great Basin Consulting Group, 2021)

Native American Consultation

Mono County conducted Native American consultation for the project, consistent with SB 18 and AB 52, to identify potential concerns or issues associated with Native American cultural resources in the project site. The County mailed consultation letters to potentially interested Native American groups in June 2020, May 2021, and February 2022. No consultation requests were received by the County. Table 3-8 summarizes the Native American consultation effort. All correspondence related to Native American consultation is provided in Appendix D.

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Table 3-8 Native American Consultation for the Project

Contact	Tribe	Letter Date	Response to Notification
SB 18			
Billie Saulque	Benton Paiute Reservation	June 2020	No Response
Bill Helmer	Big Pine Band of Owens Valley THOP	June 2020	No Response
Jacqueline Danelle Gutierrez	Big Pine Paiute Tribe of the Owens Valley	June 2020 & March 2022	No Response
Genevieve Jones	Big Pine Paiute Tribe of the Owens Valley	June 2020	No Response
Raymond Andrews	Bishop Paiute Tribe	June 2020	No Response
Mervin Hess	Bishop Paiute Tribe	June 2020	No Response
Gerald Howard	Bishop Paiute Tribe	June 2020	No Response
John L. Glazier	Bridgeport Indian Colony	June 2020 & March 2022	No Response
Robert Robinson	Kern Valley Indian Council	June 2020	No Response
Melanie McFalls	Walker River Paiute Tribe	June 2020 & March 2022	No Response
Darrell Kizer	Washoe Tribe of Nevada and California	June 2020	No Response
Neil Mortimer	Washoe Tribe of Nevada and California	June 2020	No Response
Sally Manning	Big Pine Paiute Tribe of the Owens Valley	May 2021 & March 2022	No Response
James Rambeau	Big Pine Paiute Tribe of the Owens Valley	May 2021 & March 2022	No Response
Allen Summers	Bishop Paiute Tribe	May 2021 & March 2022	No Response
Charlotte Lange	Mono Lake Kutzadika Tribe	May 2021 & March 2022	No Response
Tina Braitewaite	Benton Paiute Reservation	March 2022	No Response
Kenneth Woodrow	Wuksache Indian Tribe/Eshom Valley Band	March 2022	No Response
AB 52			
Charlotte Lange	Kutzadika Tribe	May 2021 & February 2022	No Response

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a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?

No historic era cultural resources were previously recorded within the project parcels based on records at the Eastern Information Center. The intensive pedestrian survey of the project parcels identified five historic period resources on site. One historic era resource within the southern parcel is eligible for listing on the CRHR (TS-7) (Great Basin Consulting Group, 2021).

General Plan Amendment

Future development under the General Plan Amendment to Specific Plan could result in impacts on significant cultural resources if the development were to occur in areas containing resources. To avoid significant impacts on cultural resources, Mitigation Measure CUL-1 identifies procedures to preserve resources in place and/or relocate resources at the request of a historical society. The mitigation measures specify procedures to avoid historic resources in perpetuity and would be binding on any future landowner under the Specific Plan, thereby avoiding significant effects. The impact would be less than significant with mitigation.

Mitigation: Implement Mitigation Measure CUL-1.

Mitigation Measure CUL-1: Cultural Resources Preservation and Treatment

Exclusion fencing shall be established and maintained around any eligible cultural resources including a 100-foot buffer from the outer limits of any known surface deposits. The fencing shall be comprised of dark, non-reflective material intended for permanent use such as galvanized hog wire and shall be a minimum of 4 feet tall to ensure visibility and minimize unauthorized access. Signs stating “Environmentally Sensitive Area, Do Not Enter, Contact Mono County (760-924-1800) With Any Questions” shall be posted around the exclusion zone for avoidance. The exclusion zone avoidance fence and signs shall be maintained in perpetuity by current and future property owner(s). Alternatively, removal of the identified resource(s) may occur at the request of a Native American tribe for pre-historic resources or historical society for historic-era resources. The removed resources may be reburied at a location selected by the tribe or historical society at their request.

If preservation-in-place and reburial are not an option for treatment, the landowner shall relinquish all ownership and rights to the materials and confer with the tribe for pre-historic resources or historical society for historic-era resources to identify an American Association of Museums-accredited facility that can accept the materials into its permanent collections and provide proper care, in accordance with the 1993 California Curation Guidelines. A curation agreement with an appropriately qualified repository shall be developed between the landowner and museum that legally and physically transfers the materials and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the materials and associated records and the obligation of the project applicant to pay those fees.

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Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The proposed cannabis facility would involve grading and earth disturbance within the northern parcel only. No ground disturbance is proposed in proximity to the historic potentially-eligibly historic era resources (TS-7). Construction and operation of the cannabis facility would not affect any defining feature of the eligible resource. Therefore, the proposed cannabis use would have no effect on any historic resource.

- b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?**

General Plan Amendment

Future development under the General Plan Amendment to Specific Plan could result in impacts on significant cultural resources if the development were to occur in areas containing eligible archaeological resources. To avoid significant impacts on cultural resources, Mitigation Measure CUL-1 identifies procedures to preserve resources in place and/or relocate resources at the request of a tribe or historical society. The mitigation measures specify procedures to avoid cultural resources in perpetuity and would be binding on any future landowner under the Specific Plan. Therefore, the impact on archaeological resources would be less than significant with mitigation.

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Impact on Known Archaeological Resources

Background research identified four pre-historic archaeological sites within the two project parcels. Three of the four prehistoric archaeological sites are eligible for listing in the CRHR. Constructing the overhead powerline associated with the cannabis facility would be adjacent to one of the identified archaeological sites (TS-5). Construction of the overhead powerline would be expected to span and avoid the site; however, the power pole installation and heavy equipment and trucks could damage the resource if the poles were installed in an area containing significant cultural resources. Damage to this archaeological resource would result in a significant impact. Mitigation Measure CUL-2 requires a cultural resources specialist to be present during construction of the overhead power poles to monitor ground-disturbing activities for the presence of cultural resources. If any known or suspected cultural resources are found during construction, the resources would be evaluated and protected in place or treated in accordance with Mitigation Measure CUL-3. With mitigation, the resource would be avoided during construction and the impact would be reduced to less than significant.

Previously Undiscovered Resources

Grading and installation of the leach field and cannabis facility would disturb soils on site, and these activities would have the potential to result in discovery of unknown and unanticipated buried archaeological and historical resources during site preparation and construction activities. Any discovery of such resources that occurs during grading and excavation would result in a cessation of work in the area and would be treated in accordance with federal, State, and local regulations, including those outlined in State CEQA Guidelines Section 15064.5

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regarding the process for evaluating historic resources as described in Mitigation Measure CUL-3. Construction of the cannabis facility would result in a less than significant impact on previously undiscovered historical or archaeological resources with implementation of mitigation.

Mitigation: Implement Mitigation Measures CUL-1, CUL-2, and CUL-3.

Mitigation Measure CUL-2: Cultural Resource Monitoring

A qualified archaeologist approved by the County shall be on-site to monitor all ground disturbing construction activities within 50 feet of any known cultural resource. If cultural resources are encountered during ground-disturbing activities, work in the immediate area shall halt, the County shall be notified, and the discovery shall be evaluated in accordance with the requirements of Mitigation Measure CUL-3.

Mitigation Measure CUL-3: Inadvertent Discovery of Archaeological Resources

If evidence of any subsurface archaeological features or deposits are discovered during construction-related earth-moving activities, all ground-disturbing activity in the area of the discovery shall be halted within 50 feet of the find, and the finds shall be protected until they are examined by a qualified archaeologist approved by the County. Finds may include but are not limited to:

- Prehistoric archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (“midden”) containing heat-affected rocks, artifacts, or shellfish remains; stone-milling equipment (e.g., mortars, pestles, handstones, milling slabs); and battered stone tools, such as hammerstones and pitted stones.
- Historic-era materials might include building or structure footings and walls and deposits of metal, glass, and/or ceramic refuse.

A qualified archaeologist who meets the U.S. Secretary of the Interiors professional qualifications in archaeology and is approved by the County shall be retained to assess the significance of the find and make recommendations for further evaluation and treatment as necessary. A Native American representative from a traditionally and culturally affiliated tribe will be notified and invited to assess the find if the artifacts are of Native American ancestry and determined to be more than an isolated find. If, after evaluation, a resource is considered a historical resource or unique archaeological resource (as defined in CEQA Guidelines Section 15064.5), or a tribal cultural resource (as defined in PRC Section 21074), all preservation options shall be considered as required by CEQA (see CEQA Guidelines Section 15126.4 and PRC 21084.3), including possible capping, data recovery, mapping, or avoidance of the resource. Treatment that preserves or restores the cultural character and integrity of a tribal cultural resource may include tribal monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil. Work in the area may resume upon

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completion of treatment. The results of the identification, evaluation, and/or data recovery program for any unanticipated discoveries shall be presented in a professional-quality report that details all methods and findings, evaluates the nature and significance of the resources, analyzes and interprets the results, and distributes this information to the public except for information deemed confidential and protected under state law.

c) Would the project disturb any human remains, including those interred outside of formal cemeteries?

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

No known cemeteries or human remains are in the project site. If any human remains are uncovered, all project activities would be required to comply with State policies. All site disturbance would halt until the County Coroner could make a determination as to the status of the human remains (Health and Safety Code 7050.5–7055). If the human remains may be those of a Native American, the Native American Heritage Commission would be contacted, and the appropriate treatment would be identified for the remains (Health and Safety Code 7050.5[b]; Public Resources Code Section 5097.98). Compliance with the appropriate regulations would ensure that any human remains would not be damaged by project activities. The impact would be less than significant.

3.7 Energy

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

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Construction of the cannabis facility and future structures in the project site developed under the Specific Plan would require energy to produce the raw building materials, in addition to powering construction equipment and vehicles. Fuel and energy to be used during construction would be consistent with typical construction and manufacturing practices and would not be an

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excessive or wasteful use of energy. Because use of fuel would also result in increased cost, it would generally be uneconomical to use inefficient and wasteful construction practices.

During operation of the cannabis facility, the indoor cultivation facility would require the use of special lighting, ventilation, and air conditioning systems. Although the cannabis facility and some allowable uses may involve substantial energy use, production of commodities would be beneficial to the California economy and outweigh the quantity of energy consumed. Fuel use during operation of the cannabis facility or future uses would be consistent with commercial cannabis and manufacturing practices. In addition, the project will obtain power from Southern California Edison (SCE). SCE is required to meet the State Renewable Portfolio Standards (RPS) goals, which include procurement of 60 percent renewable energy by 2030 and 100 percent renewable energy by 2050. Project lighting would consist of LED lights for the greenhouses, and outside the processing facility and cultivation premise to minimize power usage. Evaporative cooling walls would be installed in the greenhouses to limit air conditioning usage, and trip generation from personnel and cannabis distribution would be minimal. All development in the County would be required to comply with the energy performance standards under Title 24, Part 11 of the California Green (Cal Green) Building Standards Code as well as policies and actions contained in the Resources Efficiency Plan to address energy conservation (Mono County 2014). The project applicant and future operators in the project site also would have financial incentive to avoid wasteful, inefficient, and unnecessary consumption of energy during operation. The impact would be less than significant.

- b) **Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Future development under the Specific Plan and the cannabis facility would obtain power from SCE, which is required to meet California's renewable energy goals and policies. The project also would be required to comply with the California Green Building Standards Code, policies and actions set forth in the Resources Efficiency Plan. The project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. The impact would be less than significant.

3.8 Geology and Soils

Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
7. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				

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Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The project site is not within an earthquake fault zone as delineated on the most recent Alquist Priolo Earthquake Fault Zoning Map (CDC, 2019). The nearest earthquake fault zone is

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approximately 2.5 miles east of the project site. No known faults intersect the project site. Fault rupture would not occur on the project site. No impact would occur.

ii. Strong seismic ground shaking?

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

As discussed above, the project site is in proximity to an earthquake fault zone. The presence of project structures developed under the General Plan Amendment, Specific Plan, Use Permit and Operation Permit would not cause strong seismic shaking or cause substantial adverse risks as a result of strong seismic ground shaking and no impact would occur. Future occupants of the project site, including project personnel and residents, could be subject to strong seismic shaking because of the proximity to faults. However, this would be an impact of the environment on the project rather than an impact of the project on the environment. The County has no reason to believe that the project would increase geologic risk to adjacent properties. Therefore, the project would not have any environmental impact with respect to strong seismic ground shaking. Regardless, the cannabis facility would be designed to meet current California seismic structure codes. These structures and all future development under the Specific Plan would be built in compliance with the seismic requirements in the California Building Code (County of Mono, 2015). Compliance with the California Building Code and the County Building Code could prevent major damage to structures. The project would comply with these codes and would implement standard engineering techniques to ensure structural safety. These standards are intended to reduce seismic hazards to a level of “acceptable risk,” so that the potential for significant human and property losses would be outweighed by the benefits, based on the probability of occurrence.

iii. Seismic-related ground failure, including liquefaction?

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The susceptibility of a soil to liquefaction is a function of the type of soil, depth, density, and water content of the granular sediments and the magnitude of earthquakes likely to affect the area. Saturated, loose, granular sediments within the upper 50 feet are most susceptible to liquefaction. The potential for liquefaction increases with shallower groundwater (Caltrans, 2014). The project site is on the eastern edge of the Owens Valley groundwater basin. Little data is available on groundwater elevations in the project vicinity. The Tri Valley Groundwater Management District (TVGMD) has conducted monitoring of groundwater elevations in the Owens Valley groundwater basin in the County in the past. The TVGMD is currently working to identify alternative means for groundwater monitoring within the Valley. Groundwater elevations in the groundwater basin range from approximately 78 to 128 feet below ground surface (DWR, 2020) and the on-site well has a water level of 54 feet and pumping level at 56 feet (Maranatha Drilling & Pump Service, 2018), which would be below a range that would be at high risk for liquefaction. Construction and operation of project structures under the General Plan Amendment and Cannabis Use would not increase the risk of liquefaction in the project area or vicinity and would not create a risk of loss, injury, or death from liquefaction; no

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liquefaction impact would occur. In addition, the project structures and future development would be designed to comply with engineering and construction requirements in accordance with the California Building Code and Mono County Building Code. The impact would be less than significant.

iv. Landslides?

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The topography of the project site and vicinity is relatively flat. Therefore, the construction and operation of the project will not cause or increase any risk due to landslides. No impact would occur.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Overview

Soils underlying the project site are primarily Hessica fine sandy loam, Rovana gravelly loamy coarse sand, and Ulymeyer-Rovana complex. The runoff hazard is very low for both soil units. The soils on the project site have a moderate wind erosion hazard risk and a slight water erosion hazard risk (USDA, 2019).

General Plan Amendment

The permitted uses under the General Plan Amendment to Specific Plan allow for minimal grading and topsoil disturbance. the impact on soil erosion or loss of topsoil from the Specific Plan permitted uses would be less than significant.

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Construction of the cannabis facility would involve grading and earthmoving activities, which would expose bare soil, resulting in soil erosion. The project would involve up to 1.33 acres of surface disturbance over the entire construction period, which would exceed the 1-acre limit and necessitate compliance with the NPDES Construction General Permit. Soil erosion and topsoil loss would be minimized with implementation of the SWPPP and required BMPs, by such methods as installation of straw wattles, silt fencing, watering for dust control, and covering exposed surfaces. Operational activities would not involve earth-disturbing activities that could result in erosion. With implementation of erosion control measures in compliance with the regulatory requirements of the NPDES Construction General Permit, the impact would be less than significant.

c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The topography of the project site is flat and not susceptible to landslide hazards. As described above, liquefaction is not expected to be a risk in the project site because of the depth-to-

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groundwater in the basin. Construction vehicles and equipment that would be used for project construction would not result in instability of the soils in the project area. The proposed structures and any future development would be designed in accordance with current California seismic structure codes. Construction of the proposed structures would not result in increased instability. The project would not affect the stability of the soils in the area. The impact would be less than significant.

- d) **Would the project 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?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Expansive soils generally are soils with a high percentage of clay. Soils in the project site are primarily loamy sand and do not exhibit highly expansive behavior. Therefore, the impact would be less than significant. In addition, the cannabis facility and future developments would be constructed in accordance with the California Building Code and Mono County Building Code, which include requirements for construction on expansive soils that are intended to mitigate the risk of loss.

- e) **Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

A septic system would be installed for the cannabis facility. Future development under the Specific Plan may involve installation of new or larger septic systems. All septic system installations are required to adhere to the prohibitions established in the Water Quality Control Plan for the Lahontan Region (LRWQCB 1995), which are intended to lessen or avoid the impact identified here. The septic system design would be subject to permitting by the Mono County Environmental Health Department, and if the septic system cannot be designed in compliance with applicable requirements, then it will not be permitted. As a result, the impact would be less than significant.

- f) **Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

General Plan Amendment Cannabis Use (Specific Plan, Use Permit, Operation Permit)

No paleontological resources or unique geologic features have been identified or reported in the project site. The project area is underlain by valley fill and has a low potential to contain paleontological resources (Inyo County Water Department, 2016). Construction of the cannabis facility and future developments would involve earth-disturbing and excavation activities. These activities would not extend beyond a few feet below ground surface, and therefore would not reach bedrock, where paleontological resources would be most likely to be uncovered. Construction and operation of the cannabis facility and future developments would be unlikely to uncover and damage any unique paleontological resources. The impact would be less than significant.

3.9 Greenhouse Gas Emissions

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

- a) **Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

General Plan Amendment

The permitted uses allowed under the General Plan Amendment to Specific Plan are similar to the permitted uses allowed under the existing Rural Residential land use and zoning. Construction and operation of a residence and accessory dwelling unit would require less energy and generate less GHG than the cannabis use described above. As indicated in Table 3-10, the project GHG emissions are well below the significance threshold for GHG and the minor additional GHG emissions from a single residence and accessory dwelling unit would not cause the project to exceed the annual emissions threshold. The impact from GHG emissions from the General Plan Amendment to Specific Plan would therefore be less than significant.

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Project construction activities in 2022 would generate GHG emissions from use of equipment and vehicles. The construction and operation emissions were calculated using CalEEMod version 2020.4.0. The detailed model emissions calculations are provided in Appendix B. The GBUAPCD and Mono County have not established quantitative thresholds for determining the significance of project GHG emissions from construction activities and project operations. Based on guidance from the GBUAPCD, project-related emissions were quantified and compared to numerical thresholds developed by the California Air Pollution Control Officers Association (CAPCOA). In the absence of promulgated thresholds by the GBUAPCD and Mono County, the most conservative numerical threshold suggested by CAPCOA, 900 MT CO₂e per year, has been used as the threshold of significance for the project.

Construction activities would generate GHG emissions from truck and vehicle trips as well as equipment use. Vehicle trips, the emergency generator, and other sources would create GHG emissions throughout project operation. Additional sources of GHG emissions would include those from use of energy provided by the regional energy utility provider, Southern California Edison. The total GHG emissions generated by the cannabis facility in any year would not exceed the significance threshold as shown in Table 3-10. The impact would be less than significant.

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Table 3-9 Estimated Cannabis Facility-Related Greenhouse Gas Emissions

Source	Emissions (MT CO ₂ e)
Construction Emissions	255
Amortized Construction Emissions (30-year period)	8.5
Operational Emissions	36
Total	44.5
Annual Emissions Threshold	900
Threshold Exceeded?	No

- b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The County prepared the Resource Efficiency Plan in 2014, which outlines strategies to reduce GHG emissions and increase resource efficiency and is currently being updated resulting in a more sustainable community (Mono County, 2014). The Resource Efficiency Plan includes a GHG emissions inventory for Mono County and proposes actions to help the State achieve GHG reduction targets. The actions identified in the plan for the County to encourage and support energy efficiency and green building techniques do not require future developments to incorporate any specific GHG-reduction measures. The update to the plan recalculates the GHG emissions inventory and target and provides a GHG streamlining checklist under CEQA Section 15183.5, but does not modify any policies or regulations. No conflict with local regulations or plans would occur.

CARB prepared the Mobile Source Strategy, which addresses the current and proposed programs for reducing all mobile-source emissions, including GHG emissions. The Mobile Source Strategy identifies programs the State and federal government currently have or will adopt, which further the goals of the 2017 Scoping Plan. The vehicles used during construction and operation of the cannabis facility and Specific Plan would be required to comply with the applicable GHG reduction programs for mobile sources to achieve the State's GHG reduction targets, in accordance with the 2017 Scoping Plan. Any construction contractor who owns the equipment and vehicles would be required to provide verification of compliance to CARB and USEPA under State and federal law. The project would conform with the relevant programs and recommended actions detailed in the 2017 Scoping Plan and Mobile Source Strategy. Therefore, the project would not conflict with state regulations or plans adopted to reduce GHG emissions. The impact would be less than significant.

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3.10 Hazards and Hazardous Materials

Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) **Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

General Plan Amendment

The General Plan Amendment to Specific Plan would allow for a residential dwelling unit, accessory dwelling unit, home occupation, and non-commercial composting. None of the Specific Plan permitted uses would be expected to require routine transport, use, or disposal of hazardous waste. The impact of the General Plan Amendment to Specific Plan would be less than significant.

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Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Cannabis cultivation operations would involve the use of pesticides, fertilizers, and other agricultural chemicals, along with propane tanks for the backup generator. Pesticides that would be used in cultivation operations would be approved for use on cannabis by the State and Inyo-Mono Agricultural Commissioner's office and would comply with Sections 8304(f) and 8307 under Title 3 of the CCR, related to pesticide use requirements of the cannabis cultivation program. In addition, the project applicant would be required to develop a pest management plan for the cannabis cultivation program, identifying all pesticides' production names and active ingredients, pest management protocols, and signed attestation stating that the applicant would contact the appropriate County Agricultural Commissioner regarding the legal use of pesticides, pursuant to Section 8106(a)(3) under Title 3 of the CCR. These regulations are intended to lessen or avoid environmental impacts from the use of pesticides to an acceptable level.

The proposed cultivation activities would generate waste, including potentially hazardous waste, such as cleaners or pesticides. Routine transport, handling, and disposal of these types of wastes could expose people to hazards, if adequate precautions are not taken. Under the CalCannabis Licensing Program by CDFA, project cultivators would be required to store, use, and dispose hazardous materials in accordance with a broad range of applicable laws and regulations that are intended to lessen or avoid environmental impacts to an acceptable level. The project applicant would comply with all CDFA rules and regulations.

Project activities that would transport, use, or store hazardous materials would be done in compliance with applicable local, State, and federal hazardous material regulations, along with the requirements of CDFA. The impact of the cannabis facility would be less than significant.

- b) Would the project 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?**

General Plan Amendment

The General Plan Amendment to Specific Plan would allow for a residential dwelling unit, accessory dwelling unit, home occupation, and non-commercial composting. None of the Specific Plan permitted uses would be expected to require use of hazardous materials that could cause release of hazardous materials. The impact of the General Plan Amendment to Specific Plan would be less than significant.

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The cannabis facility would involve use of hazardous materials that would create a potential for on-site releases of these materials. Project personnel and other individuals could be exposed to hazardous material through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Any releases of hazardous material would be unlikely to extend beyond the project site boundary, because of the small volume of hazardous materials that would be used in agricultural or cannabis operations. Project personnel would be required to abide by the Occupational Health and Safety Administration

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(OSHA) safety and health standards, including use of safety equipment. California Health and Safety Code provisions and the California Accidental Release Prevention (CalARP) program would require any cannabis cultivation facility storing more than a threshold quantity of regulated substances to prepare a Hazardous Materials Business Plan (HMBP). An HMBP requires a chemical inventory of hazardous materials and hazardous wastes, a site diagram, an emergency response plan, and an employee training plan (Solano County). The impact of the cannabis facility would be less than significant.

- c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

No schools are within 0.25 mile of the project site. The Mono County General Plan Chapter 13, "Cannabis," prohibits any commercial cannabis activities from occurring within 600 feet of schools. The nearest school is approximately 2.3 miles from the project site. The project would comply with applicable General Plan requirements. No impact would occur.

- d) Would the project 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?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

As required by Section 8102(q) under Title 3 of the CCR for the cannabis cultivation program, a hazardous materials query of the EnviroStor database was conducted for the project site. No known contaminated sites are within 1 mile of the project site (SWRCB, 2021; DTSC, 2021). The nearest known contaminated site is the Comanche Mine and Mill, approximately 2.5 miles north of the project site. This site is under evaluation (DTSC, 2021). The project would not disturb a known hazardous site. No impact would occur.

- 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?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The project site is not within an airport land use plan or within 2 miles of a public airport or public use airport. No impact would occur.

- f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The project site is not within the area of an adopted emergency response plan or emergency evacuation plan. The project would include improvements to the access road from Highway 6

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to meet County standards for ingress and egress, and is subject to General Plan Chapter 22 – Fire Safe Regulations, and state fire safety regulations (4290 & 4291). The project proposes no changes to Highway 6, which would be the main road for emergency vehicle access and evacuations. No obstructions or other alterations that could hinder access would be installed. The project was noticed to the local fire department and CalFire, and their input has been incorporated into the project. No impact would occur.

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

The project site is in an area designated as a State Responsibility Area, with a California Department of Forestry and Fire Protection (CAL FIRE) Fire Hazard Severity Rating of Moderate (CAL FIRE, 2007).

General Plan Amendment

The General Plan Amendment to Specific Plan would allow for a residential dwelling unit, accessory dwelling unit, home occupation, and non-commercial composting. The project is generally in a low wildfire risk area due to the sparse vegetation density in the area. The General Plan Amendment to Specific Plan would not increase the maximum development density of the site and therefore would not create a significant risk of loss, injury, or death associated with a wildfire. In addition, any future development would need to implement defensible space in compliance with PRC Section 4290 and General Plan Chapter 22, Fire Safe Regulations. The resulting impact would be less than significant.

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The conversion of the property to a cannabis facility would allow for the operation of a cannabis facility. Construction of the project would involve widening of the access road to meet County design standards, which would improve ingress and egress from the site and would not create a risk for evacuation in the event of a wildfire. Cannabis uses are not known to create a significant wildland fire hazard. However, a small, temporary increase in on-site fire risk could occur during construction of the cannabis facility and future developments, because of the presence of construction workers and equipment that generate sparks or involve hot work. Construction personnel would be required to abide by OSHA health and safety standards, using personal protective equipment to avoid injury from potential wildfires. In addition, construction and operation of the cannabis facility would need to implement defensible space in compliance with PRC Section 4290 and General Plan Chapter 22, Fire Safe Regulations. The impact would be less than significant.

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3.11 Hydrology and Water Quality

Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
10. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater 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 off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?				

General Plan Amendment

The General Plan Amendment to Specific Plan would allow for a residential dwelling unit, accessory dwelling unit, home occupation, and non-commercial composting. The minor housing development and non-commercial composting allowed under the Specific Plan would not violate water quality standards. The General Plan Amendment to Specific Plan e would not violate water quality standards or waste discharge requirements.

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Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Construction

The cannabis facility would disturb more than 1 acre of soil, and therefore the project would be required to develop and implement an SWPPP under the SWRCB Construction General Permit. The SWPPP would show the construction site perimeters, drainage patterns, existing and proposed structures, lots, roadways, and stormwater collection and discharge points, and also would list the BMPs that would be used for protection from stormwater runoff and the placement of those BMPs. The SWPPP also would set forth a visual and chemical monitoring program, if a failure of best management practices occurs. Grading over 10,000 square feet would require a grading permit from the County, which would include several general construction specifications to minimize soil erosion. The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality during construction. The impact would be less than significant due to compliance with the SWRCB Construction General Permit and Mono County grading permit requirements.

Operation and Maintenance

The project is not within a Cannabis Priority Watershed⁴ that has been identified by the SWRCB and CDFW (State Water Resources Control Board, n.d.). The cannabis facility would comply with Sections 8102(dd) and 8206 under Title 3 of the CCR regarding locating cultivation activities within a priority watershed. Operation of the cannabis facility would necessitate obtaining coverage under the Cannabis Cultivation General Order (CCGO; Order WQ 2019-0001-DWQ)) from the SWRCB, in accordance with Section 8102(P) under Title 3 of the CCR. The CCGO is a simplified waste discharge requirement, available to cannabis cultivators to regulate discharge of waste associated with cannabis cultivation. In addition, CDFA requires cannabis cultivators to demonstrate compliance with Section 1602 of the Fish and Game Code, by including a CDFW Lake or Streambed Alteration Agreement or receipt of written verification from CDFW that a Streambed Alteration Agreement is not required as a condition of approving a cannabis cultivation license.

The water level underlying the project site can vary throughout the year, but based on a measurement taken in spring 2018, the water level is approximately 54 feet below ground surface (Maranatha Drilling & Pump Service, 2018). A septic system with a leach field is proposed for the cannabis facility. The water table in the area is not considered high enough to require alternative septic systems, such as a septic mound and dosing system, based on the information available at this time. The septic system would be constructed in accordance with the Mono County Health Department's Construction Guide for Residential and Commercial On-Site Sewage Treatment and Disposal System (Construction Guide). The Construction Guide

⁴ The SWRCB, in coordination with CDFW, has identified "Cannabis Priority Watersheds" throughout the state that are of special environmental concern and at increased risk of environmental impacts because of cannabis cultivation activities.

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would require testing of trench and percolation rate in the proposed disposal area by the Mono County Health Department. If the Mono County Health Department determines that the project site is not suitable for a traditional sewage disposal system, an alternative system may be required (Mono County Health Department, n.d.). The Construction Guide also identifies criteria for septic system site selection, such as soil percolation rate, depth to groundwater, and slope.

Because operation of the cannabis facility would comply with CCGO and CDFA requirements and Mono County Environmental Health Department's Construction Guide for septic systems, the project would not violate any water quality standards or waste discharge requirements, or otherwise substantially degrade surface or groundwater quality during operation. The impact would be less than significant.

- b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

Overview

The project site is underlain by the Owens Valley groundwater basin and is located within the Tri Valley area of the Owens Valley groundwater basin. Although the Owens Valley groundwater basin has been characterized as a low priority basin (Department of Water Resources, 2019), the Owens Valley Groundwater Authority (OVGA) elected to develop a Groundwater Sustainability Plan (GSP) (OVGA, 2020; OVGA, 2021). The Final Groundwater Sustainability Plan for the basin was published on December 9, 2021 (OVGA, 2021). The Final Groundwater Sustainability Plan indicates declines in groundwater elevations of 0.5 to 2 feet annually in the Tri-Valley Management Area (OVGA, 2021), which is the portion of the basin underlying the project area. The GSP projects that groundwater elevations in the area will continue to decline through 2027, and then the groundwater elevations would stabilize and increase due to groundwater sustainability actions (OVGA, 2021). The GSP projects that groundwater wells would be affected by 2030 if the declines in groundwater elevation continue. The GSP also discusses that the declines in groundwater elevation in the Tri-Valley area could affect Fish Slough. The GSP includes management actions to prevent the undesirable conditions including impacts on existing wells and impacts on Fish Slough from groundwater decline. The OVGA and this GSP have no regulatory authority over the project site.

General Plan Amendment

The General Plan Amendment to Specific Plan would allow for a dwelling unit, accessory dwelling unit, and non-commercial composting facility. The dwelling unit and accessory dwelling unit would not create a significant demand for water in the region that would affect sustainable groundwater management. The General Plan Amendment to Specific Plan would have a less than significant impact on sustainable groundwater management.

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The project would require water use for cannabis cultivation. Water would be supplied from the existing on-site well that produces 2,000 gallons of water per minute. The on-site well has a

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water level of 54 feet and pumping level at 56 feet (Maranatha Drilling & Pump Service, 2018). Pursuant to Cannabis Cultivation Policy Attachment A (Section 2, Number 98), cannabis cultivators must maintain records of daily water used for irrigation of cannabis for 5 years and make all irrigation records available for review by the SWRCB and CDFW (State Water Resources Control Board, 2019). The SWRCB would monitor water usage for cannabis cultivation activities. The use of groundwater would be approximately 600 gallons per day. Per capita water use in Mono County is approximately 268 gallons per day (Aquacraft Water Engineering & Management, 2011). The average household in Mono County is 2.91 people with an average water use of 780 gallons per day. The proposed cannabis water use would therefore be less than the daily average residential water use. The projected water demand would not substantially decrease groundwater supplies.

The project would include small areas (<1 acre) of new impervious surfaces for the cannabis facilities. The less than 1 acre of new impervious surfaces would not appreciably affect groundwater recharge in the basin. The impact would be less than significant.

- c) **Would the project 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 off-site.**

General Plan Amendment

The General Plan Amendment to Specific Plan would allow for a dwelling unit, accessory dwelling unit, and non-commercial composting facility. Development under the Specific Plan would not result in substantial soil erosion on or off site. The Specific Plan prohibits construction in wetter areas per Mitigation Measure BIO-2 thereby improving flood management. The General Plan Amendment to Specific Plan would not affect soil erosion.

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Construction of the cannabis facility would include grading and earth-moving activities, which would expose bare soil, resulting in soil erosion. The project would involve up to 1.33 acres of surface disturbance over the entire construction period, exceeding 1 acre and necessitating compliance with the NPDES Construction General Permit. Soil erosion and topsoil loss would be minimized through implementation of the SWPPP and required BMPs, such as installing straw wattles, silt fencing, watering for dust control, and covering exposed surfaces. Operational activities would not involve earth-disturbing activities that could result in erosion. With implementation of erosion control measures, the impact would be less than significant.

- ii. **substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.**

General Plan Amendment

The General Plan Amendment to Specific Plan would allow for a dwelling unit, accessory dwelling unit, and non-commercial composting facility. Development under the Specific Plan would not substantially increase the rate or amount of surface runoff in a manner that would

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cause flooding. The General Plan Amendment to Specific Plan would not affect flooding on or off site.

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The cannabis facility would include a parking area, processing facility, and storage shed, introducing approximately 0.25 acre of impervious surface to the site. The cannabis facility would be outside the floodplain, and the activities would not increase flooding on site. The limited area of new impervious surface would not change the rate or amount of surface runoff that would result in flooding off-site. The impact would be less than significant.

- iii. **create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

No existing or planned public stormwater drainage system are located in the project area or vicinity. The Specific Plan and cannabis facility would not affect public stormwater drainage facilities. The cannabis facility proposes capture and treatment of effluent to meet all water quality standards. Compliance with laws for protection of water quality would avoid significant impacts from polluted runoff. The impact would be less than significant.

- iv. **impede or redirect flood flows?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The northern portion of the northern project parcel is within a floodplain. Development of structures on the parcel under the Specific Plan would require compliance with County design guidelines including avoidance of floodplains. The cannabis facility would be outside the floodplain and development within the floodplain area is prohibited per Mitigation Measure BIO-2. The cannabis facility would not impede or redirect flood flows. No impact would occur.

- d) **Would the project result in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The northern portion of the northern project parcel would be within a flood plain. The project would not be within a tsunami or seiche zone. Development of structures on the parcel under the Specific Plan would require compliance with County design guidelines including avoidance of floodplains. The cannabis facility would not be in a flood hazard, tsunami, or seiche zone. The project would not risk release of pollutants because of project inundation. No impact would occur.

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- e) **Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The project is located in the Owens Valley Basin. On December 9, 2021, the OVGA adopted the Owens Valley Groundwater Basin Final Groundwater Sustainability Plan (Owens Valley Groundwater Authority, 2021). The Owens Valley groundwater basin is designated as low priority under the Sustainable Groundwater Management Act (DWR, 2019). The project would not conflict with or obstruct implementation of any of the actions included in the GSP as discussed under Impact (b) above

The Lahontan Basin Plan is the water quality control plan covering the project region (LRWQCB, 1995). The Lahontan Basin Plan defines water quality standards and objectives for water quality through the Lahontan region. The water bodies downstream from the project site are not impaired, and a total maximum daily load has not been adopted. The cannabis facility would need to comply with policies for water quality defined in the Lahontan Basin Plan. The project would not conflict with or obstruct implementation of a water quality control plan. No impact would occur.

3.12 Land Use and Planning

Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
11. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

- a) **Would the project physically divide an established community?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The project site is mostly undeveloped and is adjacent to residential uses to the south. No established community is within or adjacent to the project parcels. Future development under the Specific Plan would not divide an established community because agricultural uses are to the north and east, and industrial uses are to the west of the project site. The project would not construct a new roadway, flood control channel, or other structure that would physically divide any community. No impact would occur.

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- b) **Would the project 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?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The cannabis facility is subject to County approval of the CUP and would need to comply with all County requirements for cannabis operations contained in the General Plan and County Code Chapter 5.60. The Specific Plan is proposed so that the cannabis operations would comply with the General Plan requirements for cannabis use. The CUP is integrated into the Specific Plan and applies these standards. The cannabis facility would not conflict with a land use plan, policy, or regulation with the proposed Specific Plan. The impact would be less than significant.

3.13 Mineral Resources

Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
12. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
<p>a) Would the project 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?</p> <p>b) Would the project 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?</p>				

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The California Legislature enacted the Surface Mining and Reclamation Act (SMARA) in 1975, to address the need for a continuing supply of mineral resources, and to prevent or minimize the negative impacts of surface mining on public health, property, and the environment. SMARA requires the California Department of Conservation's Geological Survey Program to conduct Mineral Land Classification surveys. These surveys designate land areas, such as mineral resources zones or aggregate resource zones, depending on the type of resources identified in the area. The project area is designated as mineral resource area (MRA) 4: an area where available information is inadequate for assignment to any other MRA, and the project area is adjacent to areas designated as MRA 2, where adequate information indicates significant mineral deposits (CDC, 2015). The project area previously contained a mine; however, the mine has been abandoned. Cannabis use of the site or development under the Specific Plan would not preclude any future access to or availability of any mineral deposits that could occur in the

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site. The project would not result in the loss of availability of a known mineral resource. No impact would occur.

3.14 Noise

Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
13. NOISE. Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **Would the project result in 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?**

General Plan Amendment

The General Plan Amendment to Specific Plan would allow for a dwelling unit, accessory dwelling unit, and non-commercial composting facility. The uses allowed under the Specific Plan would not generate significant noise. The Specific Plan land use and zoning change would not result in generation of substantial temporary or permanent noise. The impact of the General Plan Amendment to Specific Plan would be less than significant.

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The project would involve cultivation and distribution of cannabis. The cannabis facility would be more than 1,000 feet from the nearest sensitive receptor. Stationary point sources of noise, including construction equipment, attenuate (lessen) at a rate of 6 to 7.5 dB per doubling of distance from the source, depending on ground absorption. Soft sites, such as the proposed project site, attenuate at 7.5 dB per doubling because they have an absorptive ground surface such as soft dirt, grass, or scattered bushes and trees. Mono County noise ordinance limits construction noise levels for mobile sources at the nearest sensitive receptor at 75dBA Monday – Saturday from 7:00 a.m. to 6:59 p.m. and 60 dBA during the period 7:00 a.m. to 6:59 p.m.

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Maximum noise levels generated by construction equipment that would be used by the project at a distance of 50 feet is provided below.

Construction Equipment	Noise Level (dB, L _{max} at 50 feet)
Forklift ¹	77
Backhoe	78
Excavator	81
Dozer	82
Dump Truck	76

NOTES:

L_{max} = maximum sound level

An attenuation rate of 7.5 per doubling distance was used to convert the FHWA noise levels at 50-feet to the noise levels at 600-feet.

¹ Ldn Consulting Inc, Noise Assessment for Tractor Supply Commercial Development, March 28, 2016.

Source: (FHWA, 2006)

Due to the attenuation of noise with distance, the maximum noise experienced at the nearest sensitive receptor at 1,500 feet from the project would be approximately 45 dB, which would generally be indistinguishable from background noise levels.

Cannabis activities do not include regular use of noise generating equipment. The generator would only operate 50 hours per year for testing. The cannabis facility operation would not produce continuous operational noise that would be audible at any receptor location. The project applicant also would comply with the standards in Chapter 10.16 of the Mono County Code, so that on-site operations would not generate noise with an intensity that would exceed County standards at noise sensitive land uses. The impact of the cannabis facility would be less than significant.

b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

General Plan Amendment

The General Plan Amendment to Specific Plan would allow for a dwelling unit, accessory dwelling unit, and non-commercial composting facility. The Specific Plan allowed uses would not create excessive groundborne vibration. The impact of the Specific Plan would be less than significant.

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Groundborne vibration dissipates rapidly over distance with most vibration-related damages occurring within 25 feet of the vibration source. Construction activities have the potential to result in varying degrees of temporary ground vibration, depending on the specific construction equipment used and operations involved. In most cases, vibration induced by typical construction equipment does not result in adverse effects on people or structures (Caltrans, 2013). At the highest levels of vibration, damage to structures is primarily architectural (e.g., loosening and cracking of plaster or stucco coatings) and rarely results in structural damage. For vibration, a peak particle velocity (ppv) threshold of 0.5 inch per second or greater can cause architectural

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damage and minor structural damage. The Federal Transit Administration (FTA) recommends a threshold of 0.5 ppv for residential and commercial structures, 0.25 ppv for historic buildings and archaeological sites, and 0.2 ppv for non-engineered timber and masonry buildings (FTA, 2006). Vibrational effects from typical construction activities are only a concern when construction occurs within 25 feet of existing structures (Federal Transit Administration, 2018). No sensitive receptors are within 25 feet of the project site; therefore, the construction activities would not produce vibration that would be noticeable or exceed thresholds at the nearest receptor located 1,500 feet from the project. Operation of the facility would not involve use of equipment that would generate vibration and no vibration would occur at the nearest receptor. The resulting impact from vibration would be less than significant.

- c) **For a project located within the vicinity of a private airstrip or an airport land use plan or, where such 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?**

General Plan Amendment, Specific Plan, and Cannabis Use

The project site is not in the vicinity of a private airstrip or an airport land use plan, or within 2 miles of a public airport or public use airport. The nearest airport, Eastern Sierra Regional Airport, is approximately 30 miles south of the project site. The proposed cannabis facility or future development under the Specific Plan would not expose people working in the project area to excessive noise levels. No impact would occur.

3.15 Population and Housing

Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
14. POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
a) Would the project 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)?				

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Future development under the Specific Plan or cannabis project could include a single-family residence, accessory dwelling units, and farm labor housing on the property limited to those

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employed by the operation. The Specific Plan would allow for a residence to be constructed on each parcel, similar to the existing Rural Residential land use. As noted above, the average household size is approximately 2.91 persons. The development of a residence, JADU, and ADU on each parcel could increase the area's population by approximately 18 persons, but would not result in significant unplanned population growth. The cannabis facility would create one to two seasonal employee positions and one permanent position on site and would not cause significant population growth. The overhead powerline utility extension would only be for the project site, and the proposed project would not include extensions of roads or other infrastructure that would directly induce population growth in the area. The impact would be less than significant.

- b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

No housing or population is inhabiting the project area. The project would not displace people or housing. No impact would occur.

3.16 Public Services

Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
15. PUBLIC SERVICES.				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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- a) **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Fire protection

The cannabis facility and future development under the Specific Plan would be similar to existing uses in the surrounding areas. Operation of a cannabis facility is not known to create a significant risk for fire ignition, as analyzed under Section 3.9, Hazards and Hazardous Material, Impact g). If a fire occurs, fire service would be provided by White Mountain Fire Protection District (WMFPD). The WMFPD provides fire prevention/suppression and emergency medical response services to the communities of Benton and Hammil Valleys (Mono County Local Agency Formation Commission, 2009). The cannabis facility and future developments under the Specific Plan would not affect response times or service ratios for the WMFPD's fire station in Benton, and no need would exist to create a new or altered fire station. The impact would be less than significant.

Police Protection

Police services for the project site would be provided by the California Highway Patrol and Mono County Sheriff's Office (Draper, 2021).

The cannabis facility would have appropriate security measures and systems installed, including lighting and perimeter fencing that would generate minimal additional need for police protection, and the facility would not require additional service beyond those currently available. A Security Plan is required for the County's Cannabis Operation Permit, and must be approved by the Mono County Sheriff's Office. The impact would be less than significant.

Schools

The nearest school to the project site is Edna Beaman Elementary School, approximately 2.4 miles north of the project site. The Specific Plan would allow for a residence to be constructed on the site, similar to the existing Rural Residential land use. The development of a single residence, ADU, JADU, and farm labor housing on both parcels would not result in the need for new school facilities. The cannabis facility would create one to two seasonal employee positions and one permanent position on site. The one permanent operational position at the cannabis facility would not induce substantial population growth that would impact schools. The allowed residential development including farm labor housing would allow for up to 18 people to occupy the area, which would not cause substantial population growth. The impact would be less than significant.

Parks and Other Public Facilities

The Specific Plan land use designation would allow for development of a residence, accessory dwelling unit, and farm labor housing. The allowed development would not result in the need for additional parks to be constructed or impact other governmental facilities because the

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facilities would not significantly increase population. The additional workforce associated with the cannabis facility (one full-time and two part-time employees) and any future residences on the site would be served by parks and facilities from the region. The impact would be less than significant.

3.17 Recreation

Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
16. RECREATION.				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- 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?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

No parks are in the project area or vicinity however public lands in the surrounding area offer recreation opportunities. The Specific Plan would allow for the same level of population density as the existing land use and would not substantially increase use of parks. The cannabis facility would create only one permanent job. The project would not indirectly increase the use of existing neighborhood or regional parks or other recreation facilities. The impact would be less than significant.

- 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?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Neither the Specific Plan nor the cannabis facility include the creation of recreation facilities or expansion of recreation facilities. The cannabis facility would create only one permanent job and would not cause the need for construction or expansion of recreational facilities. No impact would occur.

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3.18 Transportation

Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
17. TRANSPORTATION. Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) **Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

Highway 6 would be the main roadway providing access to the project site.

General Plan Amendment

The General Plan Amendment to Specific Plan would allow for development of a residence and an accessory dwelling unit. Any residential development on the site would need to comply with County design standards for the roadway. The impact of the Specific Plan on the circulation system would be less than significant.

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The cannabis facility would result in eight daily worker vehicle trips (by a maximum of four construction workers) on Highway 6 during construction. The cannabis facility would have one permanent worker who would live on site. Up to four one-way vehicle trips would be associated with workers during operation. The cannabis facility also would include approximately one delivery truck trip per month during facility operation. The low level of worker and truck trips generated by the project would not conflict with existing or proposed (e.g., bicycle) uses of Highways 6. Access to the facility would comply with County design standards and would allow for safe access from Highway 6. The increase in daily trips would not significantly impact the circulation system. Project implementation would not conflict with a program, ordinance, or policy addressing the circulation system. The impact would be less than significant.

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b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Mono County adopted vehicle miles traveled (VMT) thresholds, which are effective August 4, 2022. The VMT thresholds include screening criteria, including a small project screening criteria for projects that generate fewer than 237 daily unadjusted trip ends. Projects that do not exceed the VMT screening criteria are presumed to have a less-than-significant VMT impact.

General Plan Amendment

The General Plan Amendment would allow for development of a residence and accessory dwelling unit. The development of a residence, JADU, and ADU on each parcel could create a total of six residential dwellings. Trip generation rates for Mono County were conservatively estimated to be 6 trips per residential dwelling (Mono County, 2015). The General Plan Amendment would therefore generate a maximum of 36 trips per day. The project would generate fewer than 237 trips per day and the impact would therefore be less than significant.

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Future development under the Specific Plan and the cannabis facility could provide employment opportunities in the area and an incremental population increase on the project property. Employees would generate an average of four one-way trips a day, Monday through Friday. Cannabis wholesale distribution during harvest would necessitate up to three round-trip truck trips per month to retail locations. The total trip generation for the cannabis use would be approximately 4 to 5 trips per day and fewer than the VMT screening threshold of 237 trips per day. The impact would be less than significant.

c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The County would review any roads constructed under the Specific Plan during the building permit application review and process. Cannabis is not subject to the Right-To-Farm Ordinance and therefore incompatible uses are subject to nuisance provisions. However, the project site is located in an area with substantial agricultural zoning, reducing the likelihood of incompatible uses. The impact would be less than significant.

d) Would the project result in inadequate emergency access?

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Future development under the Specific Plan and the cannabis facility would be required to abide by the Mono County Emergency Operations Plan (EOP), which would provide a framework for management and coordination in response to major emergencies in the county. The plan links detailed standard operating procedures at the local level to broader State and federal disaster planning. The EOP also addresses potential transportation-related hazards in Mono County (including earthquakes, volcanic eruptions, floods, and hazardous materials

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transport), as well as emergency preparedness and emergency response for the regional transportation system, including identification of emergency routes. The County also would consult with CAL FIRE for emergency access requirements for new development in the State Responsibility Areas that cover most of the private property in Mono County. The project is required to comply with General Plan Chapter 22, Fire Safe Regulations. The impact would be less than significant.

3.19 Tribal Cultural Resources

Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
18. TRIBAL CULTURAL RESOURCES.				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. 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				
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				

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Overview

The County began tribal notification for the project in accordance with SB 18 and AB 52 in June 2020, May 2021, February 2022, and March 2022 (Table 3-8). No communication or request for additional consultation was received from any notified tribes. No tribal cultural resources were identified by the consulted tribes. Three prehistoric resources were identified in the project parcels during cultural resource surveys that are eligible for listing in the CRHR (Table 3-7), which have the potential to be tribal cultural resources.

General Plan Amendment

The General Plan Amendment to Specific Plan would allow for construction of a residence, accessory dwelling unit, and non-commercial composting, similar to the existing land use designations. The General Plan Amendment to Specific Plan would not impact tribal cultural resources.

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The proposed overhead powerline associated with the cannabis facility would be installed in the vicinity to one of the prehistoric resources (TS-5). Construction of the leach field and greenhouses could uncover previously undiscovered tribal cultural resources, as defined under PRC Section 21074(a). As analyzed under Impact CUL-1, damage to known and previously undiscovered archaeological resource would result in a significant impact. Mitigation Measure CUL-2 requires a cultural resources specialist to be present for construction activities within 50 feet of a known resource. If any known or suspected cultural resources are found during construction, the resources would be evaluated and protected. Mitigation Measure CUL-3 specifies requirements for contacting Native Americans if a resource is discovered during construction that is a potential tribal cultural resource. In addition, adherence to the Native American Historical Cultural and Sacred Sites Act Sections 5097.9 to 5097.991 would provide protection to American historical and cultural resources and sacred sites, which require notification to descendants of discoveries of Native American human remains and require treatment and disposition of human remains and associated grave goods. Because the laws, regulations, and mitigation measures specify procedures for avoidance and protection of archaeological resources, the impact on tribal cultural resources would be less than significant with mitigation.

Mitigation: Implement Mitigation Measures CUL-2 and CUL-3.

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3.20 Utilities and Service Systems

Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?				

General Plan Amendment

The General Plan Amendment to Specific Plan would allow for construction of a residence, accessory dwelling unit and farm labor housing, which could require water. The allowed population density and development under the Specific Plan is the same as the allowed population density under the existing Rural Residential land use designation. The General Plan Amendment to Specific Plan would not require construction of new or expanded utilities. No impact would occur.

Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Water for construction and operation of the cannabis facility would be provided by an existing on-site well in the northeast corner of the project property. A septic tank and leach field would also be constructed at the property. The project would not require construction of new water supply facilities. The energy source for the project would be SCE. The project would require an

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extension of overhead power distribution lines, running parallel to the parcel's southern property line to the processing facility. The proposed power line extension could have a significant impact on the environment due to the presence of significant cultural resources in the vicinity of the power line (Drews, 2021). No other utility extension would be required. The impacts of the power line extension in relation to cultural resources are evaluated in Section 3.6 Cultural Resources and Section 3.19 Tribal Cultural Resources. The preferred method of power distribution is by overhead lines with power-pole. The impact would be less than significant.

- b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Operation of the cannabis facility would require approximately 600 gallons of water per day (0.7 acre-foot per year). The amount of water required for the cannabis operation is equivalent to the water demand of six individuals (on average in California) (National Environmental Education Foundation, 2022). The groundwater basin underlying the project site is the Owens Valley groundwater basin, which is categorized as low priority (California Department of Water Resources, 2019). The estimated groundwater use in this basin is approximately 134,680 acre-feet, representing 84 percent of the groundwater supply (California Department of Water Resources, 2021). The remaining 16 percent of the groundwater supply would be approximately 25,653 acre-feet and would be available, and sufficient, for operation of the cannabis facility (0.7 acre-feet). The use of groundwater for the cannabis facility would not exceed water supplies in the basin during normal, dry, or multiple dry years. The change in land use from Rural Residential to Specific Plan does not confer any water rights to the property and the Specific Plan designation permitted uses would have the same water demand as the permitted uses under the existing Rural Residential designation. In addition, the existing well is only 56 feet deep and significant groundwater use would affect the ability of the landowner to operate the well. The impact would be less than significant.

- c) Would the project 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?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

A 1,000-gallon septic tank and 120-foot leach field would be constructed as part of the cannabis facility. The cannabis facility would not connect an established wastewater treatment plant. Any future development under the Specific Plan would require installation of a septic tank. No impact would occur.

3 ENVIRONMENTAL IMPACT CHECKLIST

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? or

e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Benton Crossing Landfill currently serves as the regional landfill for Mono County, and it is the only site in Mono County that accepts municipal solid wastes. Capacity at this landfill is expected to be adequate through 2023, after which the site will be closed (CalRecycle, 2021a). The cannabis facility would not generate a substantial volume of solid waste that could not be accommodated at Benton Crossing Landfill, based on the small volume of waste that would be generated from the cannabis facility. Pumice Valley Landfill is expected to be available for solid waste disposal after the Benton Crossing Landfill ceases operation in 2023. Pumice Valley Landfill has a remaining capacity of 358,790 cubic yards and is expected to be operational until 2028 (CalRecycle, 2021b). The County is anticipating extending the operation life of the landfill. Cannabis cultivation activities would generate several distinct types of waste, including green waste, solid waste, liquid waste, and potentially hazardous waste, such as heavy metal, cleaners, or pesticides. As indicated in the fee summaries of Benton Crossing Landfill and Pumice Valley Landfill, both landfill sites accept hazardous waste, including paints, pesticides, and cleaning products (Mono County Department of Public Works, 2016b; Mono County Department of Public Works, 2016a). All project-related waste would be disposed at permitted solid waste facilities and in accordance with local and State regulations. The impact would be less than significant.

3.21 Wildfire

Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3 ENVIRONMENTAL IMPACT CHECKLIST

Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Overview

The project site is on State Responsibility Area lands, identified by CAL FIRE as a Moderate Fire Hazard Severity Zone (CAL FIRE, 2007). The nearest Very High Fire Hazard Severity Zone is approximately 18 miles west of the project site.

- a) **Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The project parcels do not cross Highway 6, and neither the Specific Plan nor cannabis facility would involve any activities that would block Highway 6 or State Route 120 and affect evacuation in the event of an emergency. The cannabis facility would add approximately one permanent job, and the amount of additional traffic related to operation of the facility would not inhibit or slow down evacuation if a wildfire occurs. The impact would be less than significant.

- b) **Would the project due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The topography of the project site is relatively flat, with minimal slope. The project site has no slope or prevailing winds that would exacerbate wildfire risk and expose future project occupants to pollutant concentrations from a wildfire or uncontrolled spread of a wildfire. The impact would be less than significant.

3 ENVIRONMENTAL IMPACT CHECKLIST

- c) **Would the project 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?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Construction activities associated with future development and the cannabis facility would have a less than significant impact related to a temporary increased risk of wildfire ignition, as analyzed under Section 3.9, Hazards and Hazardous Material Impact g. A new powerline would be installed overhead for the cannabis facility. The short extension of distribution line from the property limit to the cannabis facility would not exacerbate fire risks because the power and distribution lines already occur in the area. The applicant is responsible for maintain powerlines in good condition to prevent wildfire ignition. The energy provider, Southern California Edison, is responsible for issuing Public Safety Power Shutoffs during the times wildfire is a risk. The impact would be less than significant.

- d) **Would the project 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?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

The project site is on flat land. Future agricultural structures under the cannabis facility would be constructed in accordance with applicable building standards. No people or structures would be exposed to a significant risk because of runoff, post-fire slope instability, or drainage changes. Risk to these hazards has been minimized by Mitigation Measure BIO-2 which prohibits future development in riparian areas and floodplains. The impact would be less than significant.

3.22 Mandatory Findings of Significance

Environmental Impacts	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
21. MANDATORY FINDINGS OF SIGNIFICANCE.				
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3 ENVIRONMENTAL IMPACT CHECKLIST

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

- 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?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Habitat of Fish and Wildlife Species and Populations

The dominant habitat types on the project site (sagebrush scrub) are common throughout the great basin. The project would not substantially reduce the habitat of a fish or wildlife species because the 80 acres of suitable habitat on the project site is common throughout the region. No fish or wildlife populations are known to occupy the project area. The project would not cause a fish or wildlife population to drop below self-sustaining levels. The impact would be less than significant.

Plant or Wildlife Community

The known and potential plant and wildlife communities discussed in Section 3.4, Biological Resources, in the project area are considered common throughout the region. The commercial cannabis activities would not threaten to eliminate any plant or wildlife community with implementation of Mitigation Measures BIO-1, BIO-2, and BIO-3. The impact would be less than significant with mitigation.

Mitigation: Implement Mitigation Measures BIO-1, BIO-2, and BIO-3.

Rare or Threatened Plant or Wildlife

The project area provides suitable habitat for several rare plants. No threatened plant or wildlife species were observed or would have the potential to occur in the project site (Panorama Environmental, Inc., 2020; Kokx, 2019). No impact would occur.

California History or Prehistory

The project area is adjacent to known archaeological resources, and construction of the project could result in a significant impact on cultural resources. The project would not result in a significant impact on cultural resources with implementation of Mitigation Measure CUL-1, CUL-2, and CUL-3. The impact would be less than significant with mitigation.

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Mitigation: Implement Mitigation Measures CUL-1, CUL-2, and CUL-3.

- 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)?**

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Cumulative projects are proposed in the vicinity of the project site include the Chalfant Transfer Station Telecommunications project located 18 miles from the project site, which would involve installation of telecommunications at the Chalfant Transfer Station in mid-2022. One transportation project is planned in the project vicinity, the Benton Pavement Project, also along Highway 6 from north of Benton to the intersection of Highway 6 and Falls Creek Road (Caltrans, 2021). The Benton Pavement Project currently is in the planning phase, and tentative construction is scheduled for October 2028 to December 2032 (Caltrans, 2021).

A lot merger application has been filed for Dakota Ranch, approximately 6 miles north of the project site (Mono County, 2020). Four parcels are to be merged under this application. All of the parcels have an existing land use designation of Agriculture. No development is proposed in conjunction with the lot merger.

The cumulative projects are located at a distance from the proposed project and are different in nature than the proposed project. The change in land use to Specific Plan and development of the cannabis facility at the site would not result in cumulative impacts when considered in connection with the other planned projects, discussed above. The cumulative impacts would be less than significant.

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

General Plan Amendment and Cannabis Use (Specific Plan, Use Permit, Operation Permit)

Environmental effects that may have an adverse effect on human beings, either directly or indirectly, are analyzed in each environmental resource section above. Construction of the cannabis facility would occur for up to 8 months. The nearest residence is 230 feet south of the project site. As discussed above, the air pollutant emissions or noise levels associated with construction activities would be less than significant at the nearest sensitive receptor.

Construction workers could be exposed to air pollutants, including dust and diesel exhaust, and elevated noise levels. These impacts would be short-term and would cease on completion of construction. In addition, project construction workers would be subject to OSHA safety and health standards, including the required use of safety equipment during operation of loud equipment.

Operation of the cannabis facility would result in emission of odors and toxic air contaminant emissions from operation of the cannabis facility uses include motor vehicle and the backup

3 ENVIRONMENTAL IMPACT CHECKLIST

generator emissions. No negative health effects are known to be associated with exposure to cannabis odor; however, cannabis odor could result in annoyance and complaints from nearby residents. Implementation of Mitigation Measure AQ-1 would minimize any cannabis odors from indoor project operations. Outdoor cultivation may generate nuisance odors, however outdoor cultivation will be temporary until all greenhouses are constructed. Odor generated by outdoor cultivation is expected to be mitigated by prevailing winds and the large distance to sensitive receptors. The impact on humans from construction and operation of the proposed project would be less than significant with mitigation.

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5 Report Preparers

This section lists those individuals who either prepared or participated in preparation of this Initial Study/Mitigated Negative Declaration. Panorama Environmental prepared this document under the direction of the Mono County Community Development Department. The following staff listed in Table 5-1 contributed to this Initial Study/Mitigated Negative Declaration.

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Corey Fong	GIS Specialist	GIS/Graphics

5 REPORT PREPARERS

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Appendix A

Mitigation Monitoring and Reporting Plan

Appendix B

Air Quality and Greenhouse Gas Model Calculations

Appendix C

Focused Rare Plants Survey

Appendix D

Correspondence with Native Americans