Proposed
Mitigated Negative Declaration

Sonoma County Permit and Resource Management Department
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

Publication Date:	04/16/2021
Public Review Period:	04/16/2021-05/16/2021
State Clearinghouse Number:	
Permit Sonoma File Number:	**UPC18-00046**
Prepared by:	Lauren Scott
Phone:	(510) 845-7549 ext. 2550

Pursuant to Section 15071 of the State CEQA Guidelines, this proposed Mitigated Negative Declaration and the attached Initial Study, including the identified mitigation measures and monitoring program, constitute the environmental review conducted by the County of Sonoma as lead agency for the proposed project described below:

Project Applicant/Operator:	Evergreen Acres, LLC – Thomas Planson
Project Location/Address:	6699 Palmer Creek Rd, Healdsburg
APN:	APN 069-040-026
General Plan Land Use Designation:	Resources Rural Development (RRD)
Zoning Designation:	Resources Rural Development, 160 ac. Density, Biotic Habitat, Riparian Corridor (RRD B6 160, BH, RC 50/50)
Decision Making Body:	Sonoma County Board of Zoning Adjustments
Appeal Body:	Sonoma County Board of Supervisors
Project Description:	See below

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less than Significant with Mitigation" as indicated in the attached Initial Study and in the summary table below.

Summary of Topic Areas

Topic Area	Abbreviation	**Yes**	**No**
Aesthetics	VIS		X
Agriculture and Forestry Resources	AG		X
Air Quality	AIR	X	
Biological Resources	BIO	X	
Cultural Resources	CUL	X	
Energy	NRG		X
Geology and Soils	GEO		X
Greenhouse Gas Emissions	GHG		X
Hazards and Hazardous Materials	HAZ	X	
Hydrology and Water Quality	HYDRO	X	
Land Use and Planning	LU		X
Mineral Resources	MIN		X
Noise	NOISE	X	
Population and Housing	POP		X
Public Services	PS		X
Recreation	REC		X
Transportation	TRANS		X
Tribal Cultural Resources	TCR		X
Utilities and Services Systems	UTL		X
Wildfire	FIRE		X

RESPONSIBLE AND TRUSTEE AGENCIES AND PERMITS REQUIRED

The following lists other public agencies whose approval is required for the project, or who have jurisdiction over resources potentially affected by the project.

Agencies and Permits Required

Agency	Activity	Authorization
U. S. Army Corps of Engineers	Work in navigable waters	Rivers and Harbors Act, Section 106
State Water Resources Control Board	Cannabis cultivation	General Order: Notice of Applicability/Notice of Waiver of Waste Discharge Requirements.
State Water Resources Control Board	Generating stormwater (construction, industrial, or municipal) SWPPP	National Pollutant Discharge Elimination System (NPDES) requires submittal of NOI
California Department of Fish and Wildlife	Lake or streambed alteration	Fish and Game Code, Section 1600
Northern Sonoma County Air Pollution Control District (NSCAPCD)	Stationary air emissions	Authority to Construct/Permit to Operate
California Department of Food and Agriculture (Cal Cannabis)	Cannabis cultivation	Cultivation Licensing
Sonoma County Permit Sonoma Fire Prevention Division	Building, Fire Management Safety and Plans	California Department of Forestry and Fire Protection, 14 CCR §1270 et seq., California Fire Code as adopted with local amendments in Sonoma County Code Chapter 13, defensible space requirements required in Sonoma County Code Chapter 13A and Hazardous Material Regulations
California Department of Forestry and Fire Protection (CAL FIRE)	Timberland conversion	14 CCR Section 1104.(a)

ENVIRONMENTAL FINDING:

Based on the evaluation in the attached Expanded Initial Study, I find that the project described above will not have a significant adverse impact on the environment, provided that the mitigation measures identified in the Initial Study are included as conditions of approval for the project and a Mitigated Negative Declaration is proposed. The applicant has agreed in writing to incorporate identified mitigation measure into the project plans.

Prepared by: Lauren Scott, Project Planner Date: 4/15/2021

Expanded Initial Study

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I. INTRODUCTION:

Evergreen Acres, LLC. proposes a commercial cannabis operation composed of mixed-light and outdoor cultivation at 6699 Palmer Creek Road in Healdsburg, California. The Project consists of 29,400 square feet of outdoor cultivation, a separate area for 2,520 square feet of propagation, and 10,000 square feet of mixed light cultivation in greenhouses on a 34.04-acre parcel. The project also includes construction of a 1,710 square foot single family dwelling, a 747,948-gallon pond for irrigation, and remodel of an existing 1,628 square foot barn. In 2020 the project site was heavily damaged by the Walbridge Fire, part of the LNU Lightning Complex. The project also includes the conversion of less than 3 acres of timberland to a non-timber growing use. A referral letter was sent to the appropriate local, state, and federal agencies and interest groups who may wish to comment on the project.

This report is an Initial Study required by the California Environmental Quality Act (CEQA). The report was prepared by the Permit Sonoma Department. Information on the project was provided by Evergreen Acres, LLC and their consultants. Other reports, documents, maps, and studies referred to in this document are available for review at the Permit and Resource Management Department (Permit Sonoma) or on the County's website at: http://www.sonoma-county.org/prmd/divpages/projrevdiv.htm.

Please contact Lauren Scott, Project Planner, at (510) 845-7549 ext. 2550 for more information.

II. SITE LOCATION

The project site is a 34.04-acre parcel (APN 069-040-026) located on Palmer Creek Road and to the west of the City of Healdsburg. The project site has a General Plan Land Use Designation and Zoning of Resources and Rural Development (RRD). The project area is rural, located 1.5 miles to the east of Austin Creek State Recreation Area and west of Highway 101 and the City of Healdsburg. Parcels in project vicinity vary in size from 4 to 40 acres. Figures 1 and 2 show the project setting and vicinity. Access to the site is via Palmer Creek Road by an existing driveway. The area around the project site is relatively undeveloped and is characterized by mixed conifer/hardwood forests and large parcels with rural residential uses.

III. SETTING

The project site is in unincorporated Sonoma County, 5.7 miles southwest of Healdsburg, 7.2 miles northeast of Cazadero, and 8.2 miles northwest of Windsor. The project site sits in the northern Russian River watershed and is adjacent to Palmer Creek. This area contains sloped, forested hillsides and the

site is surrounded by rural land with few residences, and established woodland.

Vegetation

The majority of the parcel contains mixed conifer/hardwood forest consisting of Coast Redwood, Douglas Fir, Coast Live Oak, Black Oak, Madrone, and Big Leaf Maple. The northern portion of the parcel near Palmer Creek Road contains two open areas, consisting of mixed annual and perennial grassland. The Walbridge fire of August 2020 caused significant damage to the project site and surrounding area. The fire burned through most parts of the property, damaging most of the shrub and herbaceous layers and leaving a patchwork of damaged hardwood trees. Destroyed and damaged trees have been removed from the property under a CAL FIRE Post Fire Recovery Exemption Permit.

Topography and Drainage

The maximum elevation of the site is approximately 1,000 feet above means sea level at the southeast corner to 640 feet above mean sea level at the northeast corner. The project sites generally drains from south to the north and contains two ephemeral drainages. One drainage is composed of a single primarily Class II stream channel that flows north along the west property boundary and contains several small branches. A domestic spring is located along the drainage channel, which qualifies as a Class I channel for 100 feet downstream of the spring. The second drainage drains the eastern half of the property. The second drainage begins as two forks (Class III and Class II) and flows north before joining together as a Class III drainage just south of Palmer Creek Road.

IV. EXISTING FACILITY

Most of the property is undeveloped, however the site does contain one 1,628 square foot barn located at the entrance to the project site. The property also contains a 5,000-gallon water tank, septic tank, and dirt and gravel driveway. A majority of the parcel is heavily forested with smaller cleared areas of pastureland/open grassland. The project site was burned during the Walbridge Fire in August 2020. The severity of the fire at the project site was generally low with many patches of moderate severity resulting in a patchwork of small clusters of unburned trees amidst larger burned areas where trees were damaged severely enough to cause mortality. The site does not contain any active agricultural or residential uses.

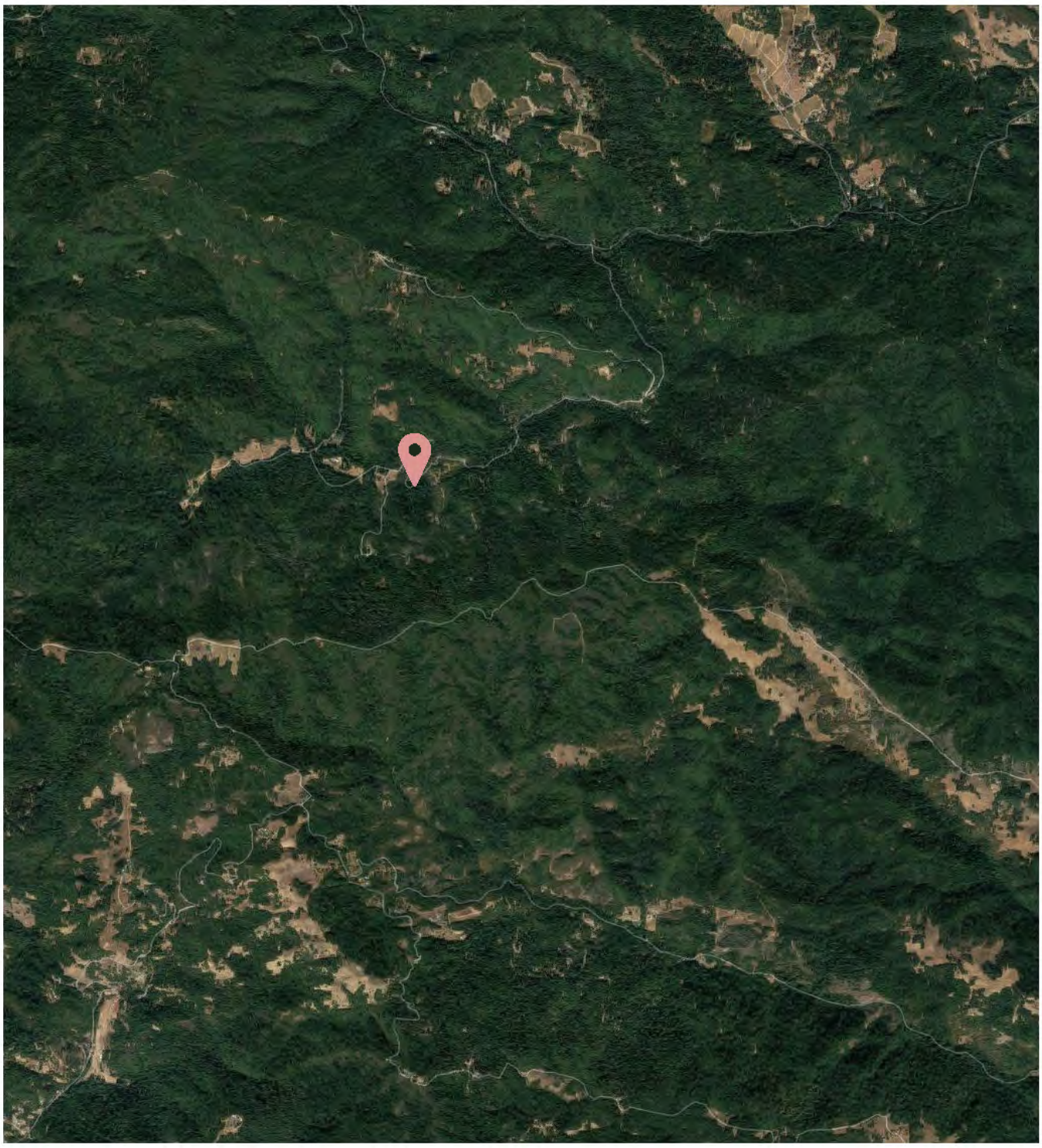

Figure 1. Project Setting
(Google Maps, 2020)

Figure 2. Project Vicinity
(Permit Sonoma GIS, 2021)

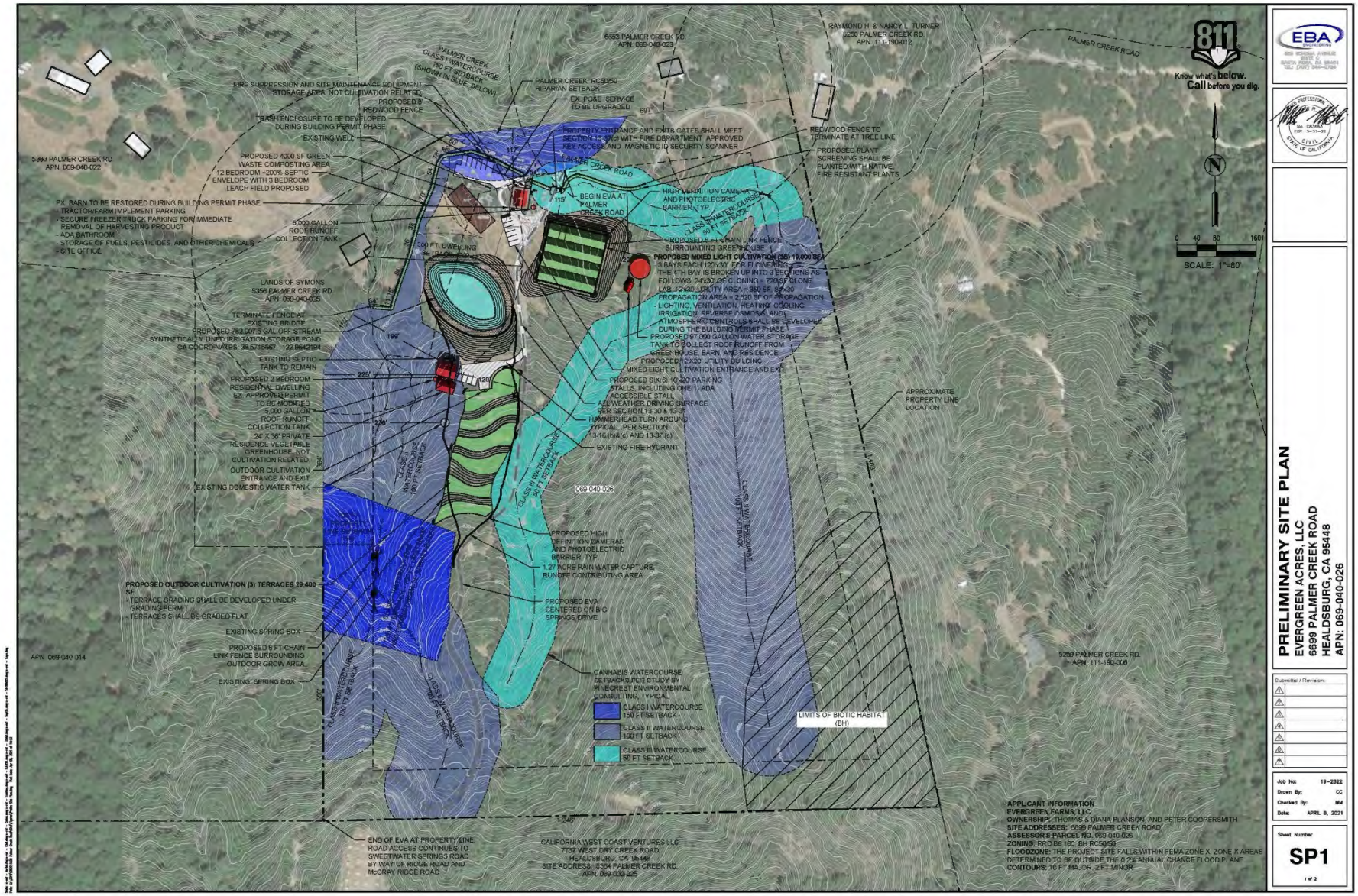

Figure 3. Project Site Plan
(EBA Engineering, 2021)

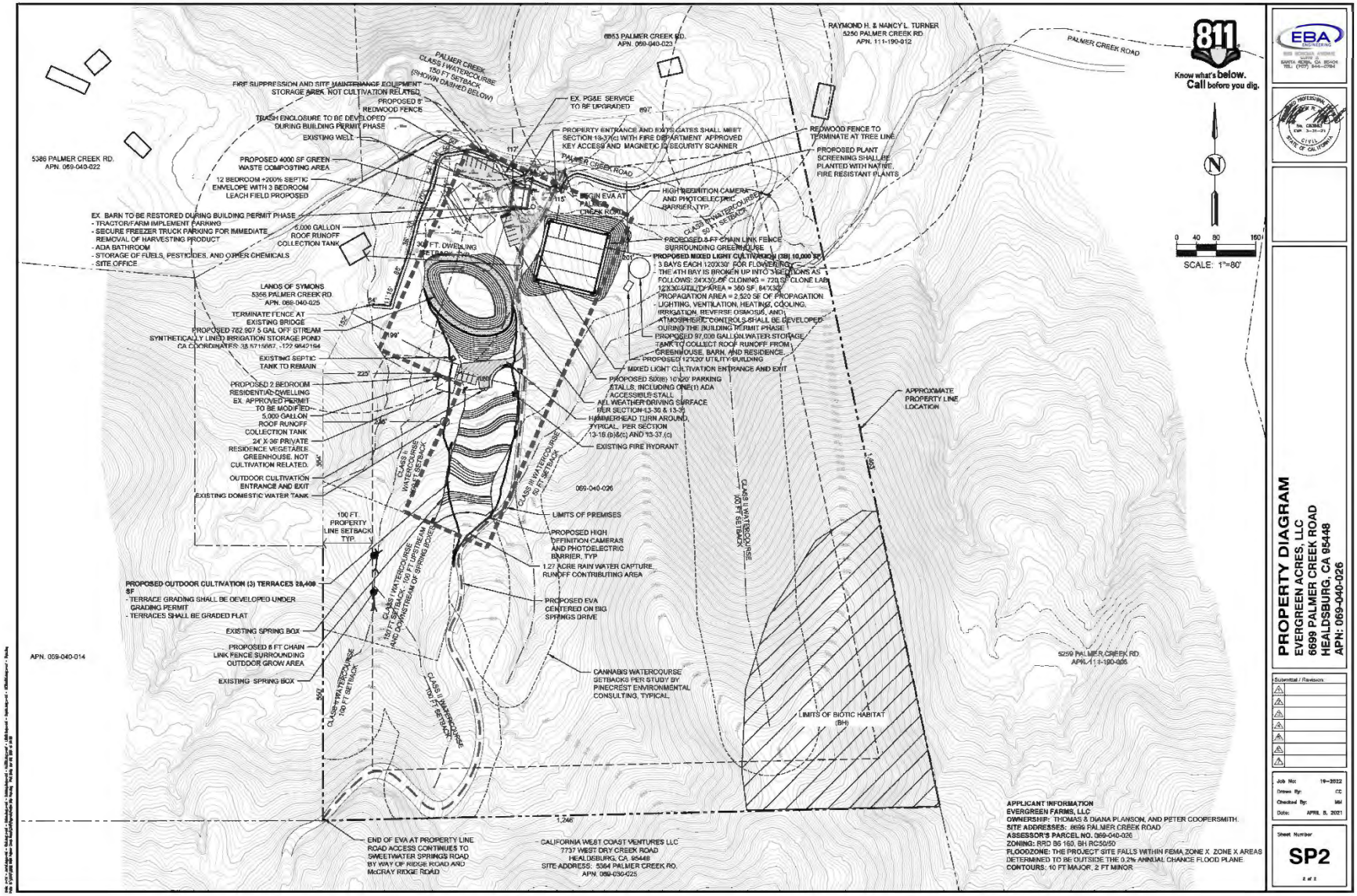

Figure 4. Project Site Plan
(EBA Engineering, 2021)

V. PROJECT DESCRIPTION

Project Overview

The site contains open grassland/pastureland and woodland. The property is currently developed with a 1,628 square foot barn. There are two areas proposed for cultivation uses, both occupying historically disturbed open grassland areas.

The project proposes a commercial cannabis cultivation operation consisting of outdoor and mixed-light cultivation. The project includes 10,000 sq. ft of mixed light cultivation in four greenhouses in a previously graded open area near the entrance to the project site from Palmer Creek Road. A 660 square foot propagation area would be located adjacent to the proposed greenhouses. The project also includes 29,400 sq. ft of outdoor cultivation on terraced pads ranging from 822 feet above mean sea level (msl) to 782 feet above msl. The mixed light greenhouses would be located in the northeast portion of the parcel and the outdoor cultivation area in the central portion of the site.

The project also includes the construction of an irrigation reservoir with a capacity of 2.4-acre-feet or 782,907 gallons to supply water for the cultivation operation. The project would disturb a total area of approximately 2 acres and includes a maximum cut of 12,365 cubic yards and maximum fill of 8,885 cubic yards. The project includes a request for a Minor Timberland Conversion for a one-time conversion of one acre of timberland to a non-timber growing use. All trees within the conversion area were destroyed or heavily damaged by the Walbridge Fire in 2020 and were removed under a CAL FIRE Post Fire Recovery Exemption Permit in the fall of 2020.

Proposed Buildings and Uses

The site is developed with a single barn near the northern property line and close to Palmer Creek Road. The existing barn would be remodeled to include an employee restroom and used for non-cannabis storage as part of project operations.

The mixed-light portion of the operation would occur in four gutter connected greenhouses totaling 13,740 square feet of floor area. The greenhouses will contain a maximum cultivation area of 10,000 square feet. The greenhouses would be equipped with odor control filtration and ventilation system(s) to control odors, humidity, and mold.

The project also includes the construction of a 1,710 square foot, 2 bedroom, and 2.5-bathroom farm manager/caretaker dwelling. No entitlement is required for the dwelling unit as it is a permitted use in the Resources and Rural Development (RRD) zoning district. There is an existing septic tank which will be connected to the new leach line system and dispersal field. A small 864 sq. ft. vegetable greenhouse will be constructed adjacent to the dwelling for the occupants.

Other new structures and improvements include fencing, vehicle parking areas, and a 240 square foot utility building. Rainwater will be captured from roofs of barn, greenhouses and caretake residence and transferred to 2 water storage tanks: 97,000-gallon tank and a 5,000-gallon tank.

Table 1. Proposed Buildings and Improvements Shown on Site Plan

Proposed Use	Size (sq ft)	Repurposed or new construction - Location
Greenhouse Mixed Cultivation 1	3,600	New - Northern end of parcel, near entrance
Greenhouse Mixed Cultivation 2	3,600	New - Northern end of parcel, near entrance
Greenhouse Mixed Cultivation 3	3,600	New - Northern end of parcel, near entrance
Greenhouse Mixed Cultivation 4	2,940	New - Northern end of parcel, near entrance
Farm House Dwelling	1,710	New - Near irrigation pond
Outdoor Cultivation Terraces	29,400	New - West end of parcel near irrigation pond
Vegetable Greenhouse	864	New – Adjacent to caretaker dwelling
Water Storage Tanks	97,000 gal	New – Adjacent to cultivation greenhouses
Six Parking Stalls, One Ada Stall	200	New - Near mixed light cultivation
Chain Link fence	8ft tall	New - Surrounding greenhouse
Redwood fence	8ft tall	New - Surrounding entrance to property
Chain Link fence	8ft tall	New - Surrounding outdoor grow area
Hammerhead turnaround	N/A	New - near Farm Manager Dwelling
All weather driving surface driveway	N/A	New - from entrance to Farm Manager Dwelling
Green waste composting area	4,000	New - east of the barn and parking stalls
Utility Building	240	New - Adjacent to mixed light cultivation
Barn	1,628	Repurposed - immediately at entrance

Cultivation Operation

Four greenhouses will be constructed totaling 13,740 square feet of floor area for mixed-light cultivation. The greenhouses will contain a maximum cultivation area of 10,000 square feet. A 660 square foot structure for propagation up to 2,500 square feet will be constructed next to the greenhouses. The outdoor cultivation area will total 29,400 square feet and occur on a graded terrace. A small 240 square foot utility and storage building would be located directly west of the mixed-light cultivation area.

No drying, curing, trimming, or further processing of cannabis will occur onsite. Once harvested, all cannabis will be removed offsite for processing or immediately chipped for compost. Cannabis will be harvested, fresh frozen directly into freezer trucks and transported to an offsite facility for processing by a licensed distributor approximately 5 times per year depending on the outcome of the growing cycles for mixed-light cultivation. Following each harvest, no cannabis will be stored on-site and there will be no holding areas for cannabis scheduled for destruction. Hours of operation and employee hours are expected to be from 7:00 a.m. to 5:00 p.m. Monday through Saturday, although outdoor harvesting activities and mixed-light cultivation activities are permitted to occur seven days a week, 24-hours per day as needed. The project site would be closed to the public and would not contain any retail components.

Odor and Climate Control

All greenhouses would be equipped with odor control filtration and ventilation system(s) to control odors, humidity, and mold. The entrance is covered with base rock to eliminate dust from vehicles entering and exiting the property. Cannabis that is harvested will be fresh frozen and loaded directly into freezer trucks and transported offsite.

No engineered odor control system is proposed or required for outdoor cultivation. However, the cultivation site is minimum of 300 feet from the nearest off-site residence which is located to the northwest on an adjacent property and prevailing winds blow from the west and southwest away from the neighboring property.

Employees and Traffic

The operation would employ up to eight employees (six full-time and two seasonal employees). Two of the full-time employees will live on site in the proposed dwelling. The two seasonal employees are anticipated to be needed during planting and harvest times. All employees not living on the site will be shuttled by electric vehicles from downtown Healdsburg to and from the project site. An onsite employee will drive the shuttle. The proposed cultivation operation is expected to result in about 25 truck deliveries per year, including one delivery for cannabis importation, 12 trucks for shipment of product to off-site processors (once per month), and an additional 12 miscellaneous deliveries over the course of the year.

Fencing and Landscaping

A fence will be installed along the northern portion of the site and west boundary of the property, extending south along approximately a third portion of the parcel. The fence along Palmer Creek Road would be an 8 ft high redwood fence to be compatible with the rural character. Additionally, evergreen vegetative screens of fast-growing trees that block the view from Palmer Creek Road of the greenhouses and property will be installed at the time of the fence installation.

An additional 8 ft high chain-link fence with a privacy screen would be installed around the perimeter of

the outdoor cultivation area as well as the green house cultivation area.

The area in front of the fence will be landscaped with native, fire resistant plants that will border the north end of the property providing screening from the road. The fence will extend down the western edge of the property and will terminate at an existing bridge west of the storage pond. The fence will be equipped with two gates which have Knox boxes installed for emergency access and a magnetic ID security scanner for employees.

The site will be secured with a locked security gate at the driveway entrance. Security measures include motion-sensor security cameras, motion-sensor lighting, and alarms. Weapons and firearms at the cultivation site are prohibited. All structures and fenced areas used for cultivation will have locking doors/gates to prevent free access.

Access and Parking

Access to the project site will be from Palmer Creek Road via an existing driveway. The entrance driveway will be secured with a locking gate. The existing driveway is approximately 450 feet long and will extend from Palmer Creek Road. The onsite driveway will provide access to the proposed greenhouses, water storage pond, and outdoor cultivation area. One parking area, containing six parking spaces (1 ADA space) will be constructed near the proposed greenhouses. A second parking area with 6 spaces will be constructed near the existing barn. A third parking area with four parking spaces will be constructed adjacent to the proposed dwelling for a total of 26 onsite parking spaces to accommodate parking for truck loading and unloading, deliveries, employees, and residents.

Energy Supply

Electrical power for the operation would be supplied by Sonoma Clean Power. All roof surfaces on the barn and manager dwelling will have solar panels and EV (electrical vehicle) charging stations will be installed on-site.

Water Supply

The project includes the construction of a 782,907-gallon (approximately 2.4 acre-feet) water storage pond to provide water for the cultivation operation. The pond will be filled by precipitation that will primarily occur between November and April; the pond will not receive any channelized surface flow. The pond will be lined with an impermeable barrier material and will be the primary water supply for the cultivation operation. A 97,000-gallon water storage tank would be installed near the mixed-light greenhouses and would collect runoff from the greenhouses and other nearby structures.

An existing well located at the north end of the site will be used to supply water for employees and domestic purposes. The well would serve the barn, containing one ADA compliant restroom, and the proposed dwelling. A well level device and well meter will be installed on the well to track and ensure water is used only for domestic residential purposes.

An existing 5,000-gallon storage tank and an additional 97,000-gallon storage tank will provide additional water storage for the greenhouses and for fire protection.

Solid Waste and Wastewater Disposal

The project proposes a 4,000 square foot green waste composting area that will be constructed to act in support of the reduction of solid wastes. All cannabis plant waste and all used soil or other cultivation planting mediums will be collected in the dedicated Green Waste Composting Site and composted for

reuse in the cultivation operation. Cannabis green waste will be ground up in a small woodchipper and mixed with soil and/or mulch prior to composting consistent with County and state regulations. Non-cannabis waste would be hauled offsite by Recology, the County's solid waste collection and disposal service provider.

A single new septic system is proposed consisting of a septic tank and leach field (PRMD Septic Permit SEP19-0181). The system will be located in the northern portion of the parcel that will service an ADA accessible restroom for employees in the existing barn and the new dwelling for the farm manager. The capacity of the system is designed for a high occupancy load and is anticipated to be more than adequate for the proposed commercial purposes. These restrooms will be available for employees and any other invited persons and will be ADA accessible by adding concrete ramps off of a stable parking area. Septic wastewater uses are estimated be approximately 20 gallons per day, based on the residence for two caretakers and the single ADA accessible restroom. The restrooms will use low water use fixtures. The septic field will be located approximately 50 feet away to the west in an area of steeper slope.

Temporary portable toilets will be placed at the project site and used during project construction. The portable toilets will be emptied regularly as required, at a County-approved solid waste transfer facility or by qualified solid waste removal contractor.

Construction

Project construction is anticipated to occur over 3-4 months, with work hours from 8:00 am to 5:00 pm Monday – Saturday as weather permits, and no construction grading or heavy construction during holidays. Construction would begin with site preparation, including clearing and grubbing to provide a relatively flat surface for site improvements. Rough grading activities will include building pad preparation and grading of roads and walkways. Sediment and erosion control features will be incorporated into all project grading. Concrete slab foundations for the new greenhouses as well as upgrades to the barn would be constructed next, followed by vertical construction of new buildings.

The final phase will include finished hardscapes, installation of fencing, landscaping, and water storage/irrigation systems. A variety of construction equipment would likely be used, including an excavator, bulldozer, backhoe, grader, cement mixers, pavers, and other general construction equipment. Appropriate Best Management Practices, including dust control, would be implemented throughout construction, as needed.

Table 2. Preliminary Grading Calculation

Graded Area	Cut Cubic Yards (CY)	Fill CY	Net (CY)
Greenhouse Pad	500	5,600	5,100 <Fill>
Pond	8,500	500	8,000 <Cut>
Terraces	400	1,400	1,000 <Fill>
Total	9,500	7,500	2,000 <Cut>

VI. ISSUES RAISED BY THE PUBLIC OR AGENCIES

Agency Referrals

A referral packet was drafted and circulated to inform and solicit comments from selected relevant local and state agencies; and to special interest groups that were anticipated to take interest in the project.

The project planner has received responses to the project referral from: Sonoma County Fire Services Department, the Sonoma County Department of Environmental Health, Permit Sonoma Natural Resources Geologist, the Sonoma County Transportation and Public Works Department, Regional Water Quality Control Board staff, NOAA Fisheries, Permit Sonoma Grading and Stormwater Division, Permit Sonoma Health Specialist, North Coast Regional Water Quality Control Board (RWQCB), the Northwest Information Center (NWIC) at Sonoma State University, Mishewal Wappo Tribe of Alexander Valley, Federated Indians of Graton Rancheria, Lytton Rancheria, Middletown Rancheria, and the Stewards Point Rancheria Band of Kashia Pomo Indians. The referral responses included several requests for further information, recommendations, and request for a wetland delineation. Referral responses also included recommended draft use permit conditions of approval.

In addition to Agency Referrals, the Dry Creek Valley Citizen Advisory Council, at their regular meeting on February 21, 2019 voted on the proposed project in an advisory capacity. On a motion by Councilmember Bill Smith, seconded by Councilmember Jenny Gomez, the Advisory Council recommended approval of the Use Permit to Permit Sonoma.

Tribal Consultation Under AB52

Assembly Bill 52, which went into effect in July 2015, is an amendment to CEQA Section 5097.94 of the Public Resources Code. AB52 established a consultation process with all California Native American tribes identified by the Native American Heritage Commission (NAHC) with cultural ties to an area and created a new class of resources under CEQA known as Tribal Cultural Resource. A formal notification was sent out to all tribes traditionally and culturally affiliated with the geographic area on December 19, 2018; no tribe responded with a request for consultation.

The Sonoma County Permit and Resources Management Department (County), as the Lead Agency is responsible for complying with the requirements of CEQA Section 5097.94 of the Public Resources Code. The Native American Heritage Commission (NAHC) was contacted on February 6, 2019 to review the Sacred Lands Files for any resources present within the project area and to request the contact information for the Native American groups in the area. No recorded resources were identified on-site. To date, there has been no response from the NAHC.

Public Comments

A neighborhood notification of the proposed cultivation was distributed to residents and property owners within 1,000 feet of the subject property line on November 19, 2018. Public comments on the proposed project have been received, which were subsequently registered to the project file. Issues raised as areas of potential environmental concern include impacts concerning groundwater usage, water quality, water supply, on- and off-site drainages and streams, noise, odor, and traffic. These comments were not in response to a formal public review period.

VII. OTHER RELATED PROJECTS

Six other applications have been submitted for cannabis cultivation projects within a five-mile radius of the project site ranging from 500 square feet to one acre of cannabis cultivation. Four of these are currently being processed through the County cannabis permit program; the other two have been approved and conditioned by Sonoma County. There is also one operational dispensary within a 5-mile radius of the project site. No other proposed discretionary projects were identified within the project vicinity.

VIII. EVALUATION OF ENVIRONMENTAL IMPACTS

This section analyzes the potential environmental impacts of this project based on the criteria set forth in the State CEQA Guidelines and the County's implementing ordinances and guidelines. For each item, one of four responses is given:

> **No Impact: The project would not have the impact described.** The project may have a beneficial effect, but there is no potential for the project to create or add increment to the impact described.
>
> **Less Than Significant Impact**: The project would have the impact described, but the impact would not be significant. Mitigation is not **required**, although the project applicant may choose to modify the project to avoid the impacts.
>
> **Potentially Significant Unless Mitigated:** The project would have the impact described, and the impact could be significant. One or more mitigation measures have been identified that will reduce the impact to a less than significant level.
>
> **Potentially Significant Impact:** The project would have the impact described, and the impact could be significant. The impact cannot be reduced to less than significant by incorporating mitigation measures. An environmental impact report must be prepared for this project.

Each question was answered by evaluating the project as proposed, that is, without considering the effect of any added mitigation measures. The Initial Study includes a discussion of the potential impacts and identifies mitigation measures to substantially reduce those impacts to a level of insignificance where feasible. All references and sources used in this Initial Study are listed in the Reference section at the end of this report and are incorporated herein by reference.

The applicant and operators for Evergreen Acres, LLC. have agreed to accept all mitigation measures listed in this Initial Study as conditions of approval for the proposed project, and to obtain all necessary permits, notify all contractors, agents and employees involved in project implementation and any new owners should the property be transferred to ensure compliance with the mitigation measures.

1. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

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

Comment:
The project is not in an area designated as visually sensitive by the Sonoma County General Plan (i.e., Scenic Landscape Unit, Scenic Corridor, Community Separator). The nearest designated visually sensitive area is approximately four and a half miles east of the project site on Westside Road and does not afford views of the project site.[1] The project will have no impact on scenic vistas in Sonoma County. The site is not located in an area designated as visually sensitive by the Sonoma County General Plan. The project will include the construction of several new structures consisting of four greenhouses and a single-family dwelling as well as an irrigation reservoir, outdoor cultivation area. Construction will involve tree removal and grading. Most of the site was heavily damaged by fire in the Walbridge fire. Dead and damaged trees will be removed in accordance with CAL FIRE requirements. The project site will be visible from Palmer Creek Road which is not designated as a Scenic Corridor.

Significance Level: No Impact

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

Comment:
The project is not located on or visible from a state scenic highway. The nearest state scenic highway is State Route 116 (SR 116) which is 5.5 miles south of the project site.[2]

Significance Level: No Impact

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

Comment:
The existing visual character of the project site and vicinity is rural residential with some commercial agricultural operations. The project site is currently visible from Palmer Creek Road. An 8-foot redwood fence will be constructed to screen the site from Palmer Creek Road. The fence will be located along the entirety of the northern property boundary and extend south along the western property boundary for approximately 300 feet. Landscaping would be installed in front of the fence and would consist of drought-tolerant, fire-resistant, trees and shrubs. Although the fencing would be visible, the proposed landscaping would substantially soften the visual appearance and as the wood weathers the fence would be less visually impactful. Trees will be planted inside the fencing

[1] Sonoma County. General Plan 2020 Open Space & Resource Conservation "Open Space – Scenic Resource Areas," https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Open-Space-Scenic-Resource-Areas/, accessed 1/05/2021.
[2] CalTrans, Map Viewer website, "California Scenic Highways," https://www.arcgis.com/home/webmap/viewer.html?layers=f0259b1ad0fe4093a5604c9b838a486a, accessed 1/12/2021.

area to block potential views of the greenhouses. Following the County's Visual Assessment Guidelines and according to Table 1: Site Sensitivity, the site sensitivity of the project site would be considered "Moderate" because:

> *The site or portion thereof is within a rural land use designation or an urban designation that does not meet the criteria above for low sensitivity, but the site has no land use or zoning designations protecting scenic resources. The project vicinity is characterized by rural or urban development but may include historic resources or be considered a gateway to a community. This category includes building or construction sites with visible slopes less than 30 percent or where there is significant natural features of aesthetic value that is visible from public roads or public use areas (i.e. parks, trails etc.).*[3]

The visual dominance would be Co-Dominant, applied when proposed project elements would be moderate or prominent within the setting, but still compatible with their surroundings. The proposed buildings, reservoir, and other site development would not be visible from any public vantage point as the fence and landscaping would screen them from view. Based on the County Visual Assessment Guidelines, Table 2: Visual Dominance, the project would be considered "Subordinate" because:

> *"Project is minimally visible from public view. Element contrasts are weak – they can be seen but do not attract attention. Project generally repeats the form, line, color, texture, and night lighting of its surroundings."*

The project's effect on the visual character and quality of the site and its surroundings was determined based on County Visual Assessment Guidelines, Table 3: Thresholds of Significance for Visual Impact Analysis.

Table 3 Thresholds of Significance for Visual Impact Analysis
PRMD Visual Assessment Guidelines

Sensitivity	Visual Dominance			
	Dominant	***Co-Dominant***	***Subordinate***	***Inevident***
Maximum	Significant	Significant	Significant	Less than significant
High	Significant	Significant	Less than significant	Less than significant
Moderate	Significant	Less than significant	Less than significant	Less than significant
Low	Less than significant	Less than significant	Less than significant	Less than significant

[3] Sonoma County. "Visual Assessment Guidelines and Procedure," January 2019 https://sonomacounty.ca.gov/PRMD/Regulations/Environmental-Review-Guidelines/Visual-Assessment-Guidelines/

Based on the project site's Moderate visual sensitivity and the proposed project's Co-Dominant visual dominance, the project would be considered to have a "Less than significant" effect on the existing visual character or quality of the site and its surroundings.

Design review of all commercial structures, including fencing, and landscaping will be required as a standard use permit condition of approval to ensure the fencing and landscaping is compatible with County requirements and with the surrounding area.

Significance Level: Less than Significant Impact

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

Comment:
The proposed mixed light greenhouse buildings would use frosted composite material as roofing and walls, which will limit potential for daytime glare associated with sunlight striking the roof. Proposed security lighting at all locations would be fully shielded, downward casting, and motion sensor controlled. Because of this nighttime lighting spillage from security lighting is anticipated to be minimal. However, as a condition of approval, the project would be required to comply with the following Zoning Code lighting requirement:

> *All lighting shall be fully shielded, downward casting and not spill over onto structures, other properties or the night sky. All indoor and mixed light operations shall be fully contained so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise (Sec 26-88-254(f)(19)).*

The condition supports and is consistent with California Department of Food and Agriculture Cannabis Regulations (CDFACR) Sections 8403(c) and 8403(g) for project lighting.

Design review is required as a standard use permit condition of approval and includes review of all proposed exterior lighting, to ensure it is compatible with County requirements and with the surrounding area.

Significance Level: Less than Significant 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 Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

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 nonagricultural use?

Comment:
Pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, the entire project site is mapped as "Other Land".[4] No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would be converted to a non-agricultural use.

Significance Level: No Impact

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

Comment:
The project site is in the Resources and Rural Development (RRD) zoning district. The RRD district is intended to allow very low-density residential development and recreational and visitor-serving uses where compatible with resource use and available public services.[5] This zoning designation permits up to one acre (43,560 sq. ft.) of outdoor commercial cannabis cultivation, and up to 10,000 sq. ft. of mixed light commercial cannabis cultivation, subject to Use Permit approval. The parcel is not subject to a Williamson Act Land Conservation Act Contract. Therefore, the project would not conflict with the existing zoning for agricultural use, or with a Williamson Act Contract.

Significance Level: No Impact

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))?

Comment:
The project site is not in a Timberland Production zoning district or designated as forest land, and no commercial timberland is present. Therefore, the proposed project would not conflict with or cause a rezoning of any forest land or timberland zoned for Timberland Production.

Significance Level: No Impact

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

Comment:
The project is not located on land utilized or zoned for forest land, timberland, or timber production. The project includes a request for a Minor Timberland Conversion for a one-time conversion of less than 3 acres of timberland for a non-timber use. The Minor Timberland Conversion is a uniformly

[4] California Department of Conservation, "California Important Farmland Finder," https://maps.conservation.ca.gov/DLRP/CIFF/, accessed 1/12/2021.
[5] Sonoma County General Plan 2020 Land Use Element, Natural Resource Land Use Policy, Policy for Resources and Rural Development Areas, Page LU 67-68.

applied development standard by Sonoma County and CAL FIRE and is permitted without mitigation or replanting. Approximately 1.8 acres of timberland will be converted for the cannabis use including outdoor cultivation area and water storage pond. All trees in the conversion area were destroyed or heavily damaged by the Walbridge 2020 fire[6] and all trees within the conversion area were removed under a CAL FIRE Post Fire Recovery Exemption Permit in the fall of 2020. Ultimate conversion of the land to a non-forest use would be regulated by Permit Sonoma's Minor Timberland Conversion zoning permit, a one-time conversion to a non-timber growing use. The Minor Timberland Conversion would need to be completed in conformance with the provisions in of Section 26-88-140(d) of the Sonoma County Zoning Code. For approved zoning permits, the applicant has 24 months to comply with the conditions of approval, complete the removal of timber, and complete the new non-timber use.

Significance Level: Less than significant impact.

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?

Comment:
The project does not involve the conversion of land currently used for agricultural purposes. The project does include the conversion of approximately one acre of timberland to a non-timber growing use. The Walbridge fire in August 2020 caused significant damage to the project site. In September 2020, a registered forester inspected the property and found the trees in the conversion area were dead and dying as a result of the fire.[7] The applicant has obtained a CAL FIRE Post Fire Recovery Exemption Permit and has removed dead trees from the project site in the fall of 2020. While there are no trees currently exist within the conversion area as a result of the Post Fire Recovery Permit the project would ultimately result in the conversion of land capable of growing timberland to a non-timber growing use. As discussed under 2.d, the Minor Timberland Conversion is a uniformly applied development standard by Sonoma County and CAL FIRE and is permitted without mitigation or replanting of trees.

Additionally, the project would comply with the County Grading Ordinance Section 11.14.070, which states that construction grading and drainage must not remove or disturb trees and other vegetation except in compliance with the department's best management practices for construction grading and drainage and the approved plans and specifications.

Significance Level: Less than Significant Impact

[6] Arborscience, LLC., "Certification that Trees are Dead or Dying from Wildfire (14 CCR Section 1038.1)," September 24, 2020.
[7] Arborscience, LLC., September 24, 2020

3. AIR QUALITY

Sonoma County is served by two air districts with distinct boundaries, jurisdictions, rules, and polices. The Bay Area Air Quality Management District (BAAQMD) covers the southern portion of the County. The Northern Sonoma County Air Pollution Control District (NSCAPCD) covers the northern and coastal regions of the County. The proposed project lies within the NSCAPCD.

The County relies on the methodologies and assumptions in the CEQA Guidelines developed by the Bay Area Air Quality Management District (BAAQMD), as revised in May 2017 (BAAQMD 2017) which are recommended for use by the NSCAPCD. Information on existing air quality conditions, federal and state ambient air quality standards, and pollutants of concern was obtained from the U.S. Environmental Protection Agency (U.S. EPA), California Air Resources Board (CARB), NSCAPCD, and BAAQMD
Would the project:

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

Comment:
The project is within the jurisdiction of the Northern Sonoma County Air Pollution Control District (NSCAPCD), which is in attainment for all federal and state criteria pollutants, although the District occasionally exceeds state standards for PM_{10}, particularly during the winter due to seasonal use of wood burning stoves. As the NSCAPCD is attainment or unclassified for all criteria pollutants, the NSCAPCD is not required to prepare or implement an air quality plan and does not have an adopted air quality plan. The proposed project would not conflict with any attainment plan and would be consistent with the general plan as construction-related emissions would be temporary and operational activities would be minimal.

Significance Level: No Impact

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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

Comment:
State and federal standards have established ambient air quality standards for "criteria" pollutants considered harmful to the environment and public health. National Ambient Air Quality Standards (NAAQS) have been established for carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO_2), ozone (O_3), fine particulate matter (particles 2.5 microns in diameter and smaller, or $PM_{2.5}$), inhalable coarse particulate matter (particles between 2.5 and 10 microns in diameter, or PM_{10}), and sulfur dioxide (SO_2).

Short-Term Construction Emissions: Project construction would generate short-term equipment exhaust and fugitive dust emissions from ground disturbance, construction equipment use, worker vehicle trips, and/or material deliveries associated with activities such as site preparation, grading, utility trenching, paving, building/structure construction, building/structure remodeling, and application of architectural coatings. The portion of the county that lies within the jurisdiction of the NSCAPCD attains or is unclassified for all CAAQS and NAAQS. However, the NSCAPCD does recommend implementation of seven basic construction mitigation measures for all projects to reduce construction fugitive dust emissions levels:

1) Cover open bodied trucks when used for transporting materials likely to give rise to airborne dust.
2) Install and use hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Containment methods can be employed during sandblasting and other similar operations.
3) Conduct agricultural practices in such a manner as to minimize the creation of airborne dust.
4) Use water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land.
5) Apply asphalt, oil, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which can give rise to airborne dusts.
6) Pave roadways and maintain in a clean condition.
7) Promptly remove earth or other material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water, or other means.

The County would monitor these BMPs and other standard County requirements for controlling dust through AIR-1.

Long Term Operations Emissions: Once operational, the proposed cannabis project may result in emissions of criteria air pollutants from the following sources:

- Small "area" sources including landscaping equipment and the use of consumer products such as paints, cleaners, and fertilizers that result in the evaporation of ozone-precursors and other pollutants into the atmosphere during product use.
- Mobile sources such as agricultural equipment and vehicles travelling to and from the proposed project site (workers and vendors), including dust generated from travel on paved and unpaved roads. The Trip Generation Analysis prepared for the project by W-Trans found the project is expected to generate an average of 27 vehicle trips per day.[8] The project plans include the provision of an electric vehicle to shuttle workers between Healdsburg and the project site.
- Other fugitive dust sources associated with cannabis harvesting.

New sources of non-exhaust PM_{10} and $PM_{2.5}$ would be minimized during project operation because all surfaces would be paved, compacted gravel, landscaped, or otherwise treated to stabilize bare soils. However, there could be a significant short-term increase in construction vehicle emissions or emissions of dust (which would include PM2.5 and PM10) during construction. Construction period ground-disturbing activities would be required by County Code Section 26-88-254(g)(2) to "utilize dust control measures on access roads and all ground disturbing activities." The applicant would implement BMPs and other standard County requirements for controlling dust through Mitigation Measure AIR-1. Therefore, the proposed project would not result in a cumulatively considerable net increase in any criteria pollutant for which the region is designated non-attainment.

Significance Level: Less than Significant with Mitigation Incorporated

[8] W-Trans. "Final Focused Traffic Study for the Evergreen Acres Project," December 22, 2020.

Mitigation:

Mitigation Measure AIR-1 Construction Dust and Air Quality Control:

The following dust and air quality control measures shall be included in the project:

a. A Construction Coordinator shall be designated by the project applicant, and a sign shall be posted on the site including the Coordinator's 24-hour phone number for public contact regarding dust, track out, and air quality complaints. The Coordinator shall respond and take corrective action within 48 hours. The Coordinator shall report all complaints and their resolutions to Permit Sonoma staff.

b. Water or alternative dust control method shall be sprayed to control dust on construction areas, soil stockpiles, and staging areas during construction as directed by the County.

c. Trucks hauling soil, sand, and other loose materials over public roads shall cover the loads or shall keep the loads at least two feet below the level of the sides of the container, or shall wet the load sufficiently to prevent dust emissions.

d. Hoods, fans, and fabric filters shall be installed and used to enclose and vent the handling of dusty materials. Containment methods can be employed during sandblasting and other similar operations.

e. Apply asphalt, oil, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which can give rise to airborne dusts.

f. Vehicle speeds on unpaved areas shall be limited to 15 miles per hour.

g. Final surfacing (i.e., pavement or concrete, gravel, landscaping) shall be completed as soon as possible after earthwork is finished, unless seeding or soil binders are used.

h. Idling time of diesel-powered construction equipment shall be limited to five minutes. Signs shall be posted reminding workers of this idling restriction at all access points and equipment staging areas during construction of the proposed project.

i. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications and shall have a CARB-certified visible emissions evaluator check equipment prior to use at the site.

j. Track out shall not be allowed at any active exit from the project site onto an adjacent paved public roadway or shoulder of a paved public roadway that exceeds cumulative 25 linear feet and creates fugitive dust visible emissions without cleaning up such track out within 4 hours of when the Construction Coordinator identifies such excessive track out, and shall not allow more than one quart of track out to remain on the adjacent paved public roadway or the paved shoulder of the paved public roadway at the end of any workday.

k. Visible emissions of fugitive dust shall not be allowed during cleanup of any track out that exceeds 20 percent opacity as determined by the Environmental Protection Agency in Method 203B - Opacity Determination for Time-Exception Regulations (August 2017). Track out is defined as any sand, soil, dirt, bulk materials or other solid particles from a site that adhere to or agglomerate on the exterior surfaces of vehicles (including tires), and subsequently fall or are dislodged onto a paved public roadway or the paved shoulder of a paved public roadway on the path that vehicles follow at any exit and extending 50 feet out onto the paved public roadway beyond the boundary of the site. Material that has collected on the roadway from erosion is not considered track out.

Mitigation Monitoring:
Mitigation Monitoring AIR-1 Construction Dust and Air Quality Control: Permit Sonoma staff shall verify that the AIR-1 measures are included on all site alterations, grading, building, or improvement plans prior to issuance of grading or building permits. The applicant shall submit documentation to Permit Sonoma staff to verify that a Construction Coordinator has been designated and that appropriate signage has been posted on-site and visible from Palmer Creek Rd. to include the Coordinator's phone number. Documentation may include photographic evidence or a site inspection, at the discretion of Permit Sonoma staff.

c) Expose sensitive receptors to substantial pollutant concentrations?

Comment:
Sensitive receptors include hospitals, schools, convalescent facilities, and residential areas. The project site is located in a predominantly rural area, away from institutional receptors (the nearest is West Side Elementary School which is 6.5 miles away). The nearest off-site residence is greater than 1,000 feet from the proposed outdoor cultivation area, greater than feet from processing activities, and greater than 1,000 feet from mixed-light cultivation.

Based on the analysis in sections 3.a and 3.b above, the project would not result in substantial pollutant exposure due to operations. However, as described in section 3.c, there could be a significant short-term increase in construction vehicle emissions or emissions of dust (which would include $PM_{2.5}$ and PM_{10}) during construction. Project construction activities and associated DPM emissions would occur intermittently during the daytime weekday period (i.e., they would not be a continuous source of emissions). The intermittent nature of project construction activities would provide time for emitted pollutants to disperse on an hourly and daily basis according to the local wind patterns. Construction activities would be short in duration, occurring over 3-4 months. This means nearby receptors would be exposed to construction emissions for a duration that is substantially less than the 70-year lifetime exposure duration used by the Office of Environmental Health Hazard Assessment to estimate adverse health risks from air pollutants (OEHHA, 2015). Any construction period effects on air quality (i.e., dust, diesel exhaust), would be reduced to a less than significant level with implementation of Mitigation Measure AIR-1.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:
Mitigation Measure AIR-1

Mitigation Monitoring:
Mitigation Monitoring AIR-1

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Comment:

Construction Odors: Construction equipment may generate odors during project construction; however, construction activities would be short-term, intermittent, and would cease upon

completion of project construction. In addition, implementation of Mitigation Measure AIR-1 would reduce construction vehicle emissions which could contribute to odor and would not affect a substantial number of people. Therefore, the construction-related odor impact would be less than significant with mitigation described in mitigation measure AIR-1.

Cannabis Odors: Much of the strong odor associated with cannabis cultivation, as well as commercial cannabis products, comes from a class of aromatic, organic compounds known as terpenes. Terpenes are not specific to cannabis; they are among the most common compounds produced by flowering plants, vary widely between plants, and are responsible for the fragrance of many flowers typically associated with non-objectionable odors, such as lavender. Different strains of cannabis emit a wide variety of odors with differing levels of potency. The odor may be detectable beyond the cultivation site property boundaries depending on the size of the facility and the specific climatic and topographic conditions that prevail near the cultivation site. In general, cannabis odors tend to lessen during cooler temperatures and worsen with higher temperatures, and wind patterns have the potential to increase or decrease the intensity of cannabis odors depending on whether winds are blowing towards or away from nearby receptors. As noted in the County's 2016 IS/ND, outdoor cultivation has the greatest potential to expose receptors to odors particularly during the final phase of the growing cycle (i.e., typically late summer or early fall); however, indoor and mixed light cultivation, which can have year-round growing cycles, can affect surrounding receptors if ventilation systems are ineffective. Indoor cultivation can also result in flowering at different and/or multiple times of the year.

The distinctive odor generated by cannabis cultivation, processing, and manufacturing may or may not be perceived as objectionable, offensive, or a nuisance, depending on the particular individual's olfactory sensitivity. The BAAQMD CEQA Air Quality Guidelines (BAAQMD 2017, page 7-1), state that odors are generally regarded as an annoyance rather than as a health hazard. Individual reactions to odors can range from physiological (e.g., irritation, anger, anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, headache), but the ability to detect odors varies considerable from person to person and is considered to be subjective. An odor that is offensive to one person may not be offensive to another person. Unfamiliar odors are more easily detected and are more likely to cause complaints than familiar odors, as a person can become desensitized to almost any odor over time (this is known as odor fatigue). In general, the quality and intensity of an odor would influence a person's reaction. The quality of an odor indicates the nature of the smell experience (flowery, putrid, etc.). The intensity of an odor depends on its concentration in the air. When an odor sample is progressively diluted, the odor concentration decreases. As this occurs, the odor intensity weakens and eventually becomes low enough where the odor is no longer detectable. The BAAQMD CEQA Air Quality Guidelines contain odor screening distances for a variety of lands uses typically associated with odors such as wastewater treatment plants, landfill and composting facilities, and chemical manufacturing facilities. The recommended screening distance for most of these facilities is one mile. New odor sources located further than one mile from sensitive receptors would not likely result in a significant odor impact; however, cannabis facilities are not listed as a type of land use in the BAAQMD odor screening criteria, and the BAAQMD CEQA Air Quality Guidelines state these screening distances should not be considered "as absolute screening criteria, rather as information to consider along with odor parameters" (BAAQMD, 2017, page 3-4).

Greenhouse Cultivation Odors: Cannabis cultivation facilities are not listed as an odor-generating use in the BAAQMD California Environmental Quality Act Air Quality Guidelines (May 2017). However, the County's cannabis ordinance requires compliance with the following Zoning Code Operating

Standard:

> *All indoor and mixed light cultivation operations and any drying, aging, trimming and packing facilities shall be equipped with odor control filtration and ventilation system(s) to control odors, humidity, and mold (Sec. 26-88-254(g)(2).*

The project does not propose any on-site processing of cannabis and greenhouses would be equipped with odor control filtration and ventilation systems. The project includes self-contained, closed-loop climate control systems, including carbon filtration to clean the air and control odor, for all cultivation structures. The project operations description includes daily inspections to verify that all filtration equipment is functioning properly, and verification that filters have been replaced on schedule.

Outdoor Cultivation Odors: The project would generate cannabis odors from the outdoor cultivation operation during the last 4-8 weeks of the growing season prior to harvest (September-October). The cannabis ordinance specifies mandatory setback distances for outdoor cultivation sites (300 feet from residences and businesses and 1,000 feet from schools, parks, and other sensitive uses) to facilitate odor dissipation by distance. Generally, odors dissipate with distance from the source and opposite the primary direction of the odor flow. Surrounding an odor-generating land use with a natural buffer or windbreak has been a successful strategy to reduce odor impacts for poultry and swine operations. The buffer/windbreak strategy is most effective when parcels are large (at least 10 acres) and land uses are far apart, maximizing odor dissipation with distance between uses. Odor plumes generally travel along the ground in the direction of the prevailing winds. However, tree and shrub buffers have been found to deflect the odor plume above the vegetation layer where it is diffused into the atmosphere (Windbreak Plant Species for Oder Management, Shawn Belt, Natural Resources Conservation Service, National Plant Materials Center, 2007). Additional benefits of natural buffer/windbreaks include visual screening, noise reduction, and providing food, shelter and overwintering habitat for birds and beneficial invertebrates, such as insect predators and native pollinators (*Belt, 2007*). Prior to the Walbridge Fire in August 2020, the proposed outdoor cultivation site was surrounded by pine trees creating a thick buffer of trees and vegetation between the outdoor cultivation site and neighboring parcels. Many existing trees were damaged in the fire and dead and dying trees were removed from the site, somewhat reducing the vegetation buffer. However, the combined fencing, landscaping, and tree buffer is expected to deflect odor plumes upward to diffuse into the atmosphere and be further dispersed along the predominant wind direction. The prevailing wind direction during September-October moves from the west to east. Most of the parcels to the east of the site are large rural parcels without many residences; however, there is one parcel with residences (5250 Palmer Creek Rd.) located within one half mile of the cultivation site in a general easterly direction. The approximate distance between the outdoor grow site and the nearest residence to the east or northeast is about 850 feet away. The next three residences are located approximately 1050 feet from the outdoor cultivation site. Six additional residences occur within one half mile in other directions (a total of 10 residences identified within 0.5 mile from aerial imagery). The nearest residence overall is about 620 feet to the southwest of the cultivation site. This residence is opposite the prevailing wind direction and separated from the cultivation area by the cultivation site fencing and landscaping and by an additional 8-foot wood fence along the property boundary, all of which are expected to deflect and diffuse cannabis cultivation odors. (*Weather Spark, 2019*) Due to a combination of multiple contributing factors: limited time of year that outdoor cannabis plants would be producing odors; proposed fencing and to be installed landscaping around the cannabis cultivation area to deflect odors upwards to the

atmosphere; and the large parcel size and distance to residential receptors, the outdoor cannabis odor impact is not expected to create objectionable odors affecting a substantial number of people.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:
Mitigation Measure AIR-1

Mitigation Monitoring:
Mitigation Monitoring AIR-1

4. BIOLOGICAL RESOURCES.

Environmental Setting
A Biotic Assessment was prepared for the project site by Pinecrest Environmental Consulting titled "Biotic Resources Assessment, 6699 Palmer Creek Road" and dated February 20, 2019 to identify special-status plant and wildlife species and sensitive habitats (including wetlands) that have the potential to occur on or in the vicinity of the project site. The biotic assessment included a wildlife and botanical survey at the site on April 12, 2018 and February 4, 2019. A wetland delineation was performed by Pinecrest Environmental Consulting titled "Wetland Delineation" and dated July 2, 2019. A second wetland delineation was performed by Wiemeyer Ecological Sciences titled "Wetland Delineation – Evergreen Acres, 6699 Palmer Creek Road, Healdsburg, CA" and dated May 28, 2020. In addition, a Northern Spotted Owl Habitat Assessment was prepared to Wiemeyer Ecological Sciences, titled "Northern Spotted Owl Habitat Assessment and Survey – 6699 Palmer Creek Road, Healdsburg, CA" and dated June 25, 2020. A wildlife assessment and a post fire northern spotted owl habitat assessment prepared by O'Brien Biological Consultants, titled "A Post-Fire Habitat Assessment for Northern Spotted Owl at 6699 Palmer Creek Road" and dated September 2020.

Based on site visits conducted by Pinecrest Environmental Consulting in April of 2018 and February of 2019, the parcel consists of open abandoned pastureland with mixed annual and perennial grassland and closed-canopy Douglas-fir, California bay, Coast live oak forest. However, the Walbridge Fire in August of 2020 caused significant damage to the parcel. A site visit conducted by O'Brien Biological Consultants on September 11, 2020 assessed fire damage to the parcel. The fire burned throughout most portions of the property, leaving a patchwork of small clusters of unburned trees amidst larger burned areas. Significant portions of the larger overstory trees appear to have burned severely enough to cause mortality. Many understory trees showed significant burn damage to bark and root systems. Much of the shrub and herbaceous layers were destroyed, and in some areas leaf compost and topsoil were also burned through. In the fall of 2020, the burned trees were removed from the property under a CAL FIRE Post Fire Recovery Exemption Permit.

The site also contains two ephemeral drainages. One drainage is composed of a single Class II stream channel that flows north along the west property boundary and contains several small branches. A domestic spring is located along the drainage channel, which qualifies as a Class I channel for 100 feet downstream of the spring. The second drainage drains the eastern half of the property. The second drainage begins as two forks (Class III and Class II) and flows north before joining together with a Class III drainage just south of Palmer Creek Road. There are several seasonal springs including one that has been originally developed many decades ago for a house that has

since been demolished.

A portion of the County-designated Riparian Corridor (RC) 50-foot setback for Palmer Creek overlaps a small portion of the northern property line. There is also a small amount of County-designated Biotic Habitat (BH) on site in the far southeastern corner of the parcel. This BH is part of an east-west trending belt of serpentine soils that run parallel to and just north of the crest of Rocky Mountain Ridge. The mapped outcrop on the site refers to the underlying geology and in this portion of the parcel the serpentine soils are buried beneath a substantial amount of organic matter. The designated BH area is over 400 feet from any proposed development area.

Regulatory Framework

The following discussion identifies federal, state, and local environmental regulations that serve to protect sensitive biological resources relevant to the California Environmental Quality Act (CEQA) review process.

Federal

Federal Endangered Species Act (FESA)

FESA establishes a broad public and federal interest in identifying, protecting, and providing for the recovery of threatened or endangered species. The Secretary of Interior and the Secretary of Commerce are designated in FESA as responsible for identifying endangered and threatened species and their critical habitat, carrying out programs for the conservation of these species, and rendering opinions regarding the impact of proposed federal actions on listed species. The U.S. Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries) are charged with implementing and enforcing the FESA. USFWS has authority over terrestrial and continental aquatic species, and NOAA Fisheries has authority over species that spend all or part of their life cycle at sea, such as salmonids.

Section 9 of FESA prohibits the unlawful "take" of any listed fish or wildlife species. Take, as defined by FESA, means "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such action." USFWS's regulations define harm to mean "an act which actually kills or injures wildlife." Such an act "may include "significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering" (50 CFR § 17.3). Take can be permitted under FESA pursuant to sections 7 and 10. Section 7 provides a process for take permits for federal projects or projects subject to a federal permit, and Section 10 provides a process for incidental take permits for projects without a federal nexus. FESA does not extend the take prohibition to federally listed plants on private land, other than prohibiting the removal, damage, or destruction of such species in violation of state law.

Critical Habitat

Critical habitat is a term defined in the ESA as a specific geographic area that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection. The ESA requires federal agencies to consult with USFWS to conserve listed species on their lands and to ensure that any activities or projects they fund, authorize, or carry out will not jeopardize the survival of a threatened or endangered species. In consultation for those species with critical habitat, federal agencies must also ensure that their activities or projects do not adversely modify critical habitat to the point that it will no longer aid in the species' recovery, whether or not those lands are occupied by the subject species. In many cases, this level of

protection is similar to that already provided to species by the ESA jeopardy standard (which is applied to ensure that a federal action would not jeopardize the continued existence of a listed species or result in the destruction or adverse modification of critical habitat).

Essential Fish Habitat

Essential Fish Habitat (EFH) is regulated through the National Marine Fisheries Service (NMFS), a division of the National Oceanic and Atmospheric Administration (NOAA). Protection of Essential Fish Habitat is mandated through changes implemented in 1996 to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) to protect the loss of habitat necessary to maintain sustainable fisheries in the United States. The Magnuson-Stevens Act defines EFH as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity" [16 USC 1802(10)]. NMFS further defines EFH as areas that "contain habitat essential to the long-term survival and health of our nation's fisheries" EFH can include the water column, certain bottom types such as sandy or rocky bottoms, vegetation such as eelgrass or kelp, or structurally complex coral or oyster reefs. Under regulatory guidelines issued by NMFS, any federal agency that authorizes, funds, or undertakes action that may affect EFH is required to consult with NMFS (50 CFR 600.920).

State

California Endangered Species Act (CESA)

Provisions of the California Endangered Species Act (CESA) protect state-listed threatened and endangered species. The California Department of Fish and Wildlife (CDFW) is charged with establishing a list of endangered and threatened species. CDFW regulates activities that may result in “take” of individuals (i.e., “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”). Habitat degradation or modification is not expressly included in the definition of “take” under the California Fish and Game Code (CFGC), but CDFW has interpreted “take” to include the killing of a member of a species which is the proximate result of habitat modification.

Fish and Game Code 1600-1602

Sections 1600-1607 of the California Fish and Game Code (CFGC) require that a Notification of Lake or Streambed Alteration Agreement (LSAA) application be submitted to CDFW for “any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake.” CDFW reviews the proposed actions in the application and, if necessary, prepares a LSAA that includes measures to protect affected fish and wildlife resources, including mitigation for impacts to bats and bat habitat.

Nesting Birds

Nesting birds, including raptors, are protected under California Fish and Game Code (CFGC) Section 3503, which reads, “It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.” In addition, under CFGC Section 3503.5, “it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto”. Passerines and non-passerine land birds are further protected under CFGC 3513. As such, CDFW typically recommends surveys for nesting birds that could potentially be directly (e.g., actual removal of trees/vegetation) or indirectly (e.g., noise disturbance) impacted by project-related activities. Disturbance during the breeding season could result in the incidental loss of fertile eggs or

nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered "take" by CDFW.

Non-Game Mammals

Sections 4150-4155 of the California Fish and Game Code (CFGC) protects non-game mammals, including bats. Section 4150 states "A mammal occurring naturally in California that is not a game mammal, fully protected mammal, or fur-bearing mammal is a nongame mammal. A non-game mammal may not be taken or possessed except as provided in this code or in accordance with regulations adopted by the commission". The non-game mammals that may be taken or possessed are primarily those that cause crop or property damage. Bats are classified as a non-game mammal and are protected under the CFGC.

California Fully Protected Species and Species of Special Concern

The classification of "fully protected" was the California Department of Fish and Wildlife's (CDFW's) initial effort to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish, amphibians and reptiles, birds, and mammals. Most of the species on these lists have subsequently been listed under the California Endangered Species Act (CESA) and/or Federal Endangered Species Act (FESA). The Fish and Game Code sections (fish at §5515, amphibians and reptiles at §5050, birds at §3503 and §3511, and mammals at §4150 and §4700) dealing with "fully protected" species state that these species "…may not be taken or possessed at any time and no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to take any fully protected species," although take may be authorized for necessary scientific research. This language makes the "fully protected" designation the strongest and most restrictive regarding the "take" of these species. In 2003, the code sections dealing with "fully protected" species were amended to allow the CDFW to authorize take resulting from recovery activities for state-listed species.

California Species of Special Concern (CSC) are broadly defined as animals not listed under the FESA or CESA, but which are nonetheless of concern to the CDFW because they are declining at a rate that could result in listing or because they historically occurred in low numbers and known threats to their persistence currently exist. This designation is intended to result in special consideration for these animals by the CDFW, land managers, consulting biologists, and others, and is intended to focus attention on the species to help avert the need for costly listing under FESA and CESA and cumbersome recovery efforts that might ultimately be required. This designation also is intended to stimulate collection of additional information on the biology, distribution, and status of poorly known at-risk species, and focus research and management attention on them. Although these species generally have no special legal status, they are given special consideration under the CEQA during project review.

Porter-Cologne Water Quality Control Act

The intent of the Porter-Cologne Water Quality Control Act (Porter-Cologne) is to protect water quality and the beneficial uses of water, as it applies to both surface and ground water. Under this law, the State Water Resources Control Board develops statewide water quality plans, and the Regional Water Quality Control Boards (RWQCBs) develop basin plans that identify beneficial uses, water quality objectives, and implementation plans. The RWQCBs have the primary responsibility to implement the provisions of both statewide and basin plans. Waters regulated under Porter-Cologne, referred to as "waters of the State," include isolated waters that are not regulated by the U.S. Army Corps of Engineers (USACE). Projects that require a USACE permit, or fall under other

federal jurisdiction, and have the potential to impact waters of the State are required to comply with the terms of the Water Quality Certification Program. If a proposed project does not require a federal license or permit, any person discharging, or proposing to discharge, waste (e.g., dirt) to waters of the State must file a Report of Waste Discharge and receive either Waste Discharge Requirements (WDRs) or a waiver to WDRs before beginning the discharge.

Local

Sonoma County General Plan
The Sonoma County General Plan 2020 Land Use Element and Open Space & Resource Conservation Element both contain policies to protect natural resource lands including, but not limited to, watershed, fish and wildlife habitat, biotic areas, and habitat connectivity corridors.

Biotic Habitat (BH) Combining District
The Sonoma County Biotic Habitat (BH) combining zone is established to protect and enhance Biotic Habitat Areas for their natural habitat and environmental values and to implement the provisions of the General Plan Open Space & Resource Conservation Element, Area Plans, and Specific Plans. This zone is intended to protect and maintain the natural vegetation, support native plant and animal species, protect water quality and air quality, and preserve quality of life, diversity and unique character of the County.

Riparian Corridor (RC) Combining District
The Sonoma County Riparian Corridor (RC) combining zone is established to protect biotic resource communities, including critical habitat areas within and along riparian corridors, for their habitat and environmental value, and to implement the provisions of the General Plan Open Space & Resource Conservation and Water Resources Elements. These provisions are intended to protect and enhance riparian corridors and functions along designated streams, balancing the need for agricultural production, urban development, timber and mining operations and other land uses with the preservation of riparian vegetation, protection of water resources, floodplain management, wildlife habitat and movement, stream shade, fisheries, water quality, channel stability, groundwater recharge, opportunities for recreation, education and aesthetic appreciation, and other riparian functions and values.

Sonoma County Tree Protection Ordinance
The Sonoma County Tree Protection Ordinance (Sonoma County Code of Ordinances, Chapter 26, Article 88, Sec. 26-88-010 [m]) establishes policies for protected tree species in Sonoma County. Protected trees are defined (Chapter 26, Article 02, Sec. 26- 02-140) as the following species: big leaf maple (*Acer macrophyllum*), black oak (*Quercus kelloggii*), blue oak (*Quercus douglasii*), coast live oak (*Quercus agrifolia*), interior live oak (*Quercus wislizenii*), madrone (*Arbutus menziesii*), oracle oak (*Quercus morehus*), Oregon oak (*Quercus garryana*), redwood (*Sequoia sempervirens*), valley oak (*Quercus lobata*), California bay (*Umbellularia californica*), and their hybrids.

Would the project:

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

Comment:

Special Status Plants

Based on the Biotic Resources Assessment prepared by Pinecrest Environmental Consulting dated February 20, 2019, a total of 24 special status plant species were identified within five miles of the project site as a result of a CNDDB search. The nearest occurrences of special-status plant species from the CNDDB database are The Cedars manzanita (*Arctostaphylos bakeri spp. sublaevis*) approximately 0.5 miles offsite to the west associated with a serpentine outcrop near Rocky Mountain, and Small groundcone (*Kopsiopsis hookeri*) approximately 1.5 miles west of the project site near McCray Mountain. Neither of these species were found onsite at the time of the survey, and no appropriate habitat for these species exists inside the project area.

Of the 24 species identified, many of these plants were not expected to occur within the project area because their primary habitat requirements are lacking (i.e., sand dune, grassland, chaparral, woodland, coastal scrub, redwood forest, etc.).[9] No special status plant species were identified during site visits conducted by Pinecrest Environmental Consulting in April 2018 or in February 2019 when the vast majority of species are identifiable. Of the special status plant species identified in the CNDDB search, three were determined to have a medium potential to occur onsite: small groundcone (*Kopsiopsis hookeri*), Angel's hair lichen (*Ramalina thraustra*) and Methuselah's beard lichen (*Dolichousnea longissimi*). The Biotic Resources Assessment determined that these species were unlikely to occur in areas of project disturbance and impact. During the 2020 Walbridge Fire, the project site was heavily damaged with much of the shrub and herbaceous layers destroyed.[10]

Special-status Animal Species

Fish

The ephemeral drainages on the project site do not support special status fish species due to lack of suitable stream or estuary habitat.[11] Coho salmon (*Oncorhynchus kisutch*) and Steelhead Central California Coast DPS (*Oncorhynchus mykiss irideus*) are found in Palmer Creek, which contains a core population of coho salmon and in which coho salmon from the US Army Corps of Engineer's Captive Broodstock Program have been planted in during 13 of the past 14 years. Critical Habitat associated with the Central California Coast Steelhead Distinct Population Segment (DPS) is located approximately 100 feet offsite to the north in association with Palmer Creek. Development setback and erosion and sediment control measures as well as implementation of mitigation measure HYD-1 during construction activities would prevent significant indirect impacts to Palmer Creek. See section 10 for further discussion.

Amphibians and Reptiles

The biotic assessment prepared for the project determined the site to have a medium potential for the California giant salamander (*Dicamptodon ensatus*). No suitable breeding habitat exists onsite; however, the nearest documented occurrence is within 0.4 miles of the project parcel. Palmer Creek, which is immediately adjacent to the project parcel, has the potential to support the California giant salamander, Foothill yellow-legged frog (*Rana boylii*), and Red bellied newt (*Taricha*

[9] Pinecrest Environmental Consulting, "Biotic Resources Assessment, 6699 Palmer Creek Road, APN 069-040-026 Sonoma County, California," February 20, 2019.

[10] O'Brien Biological Consultants, "A Post-Fire Wildfire Habitat Assessment at 6699 Palmer Creek Road," September 2020.

[11] Pinecrest Environmental Consulting February 20, 2019.

rivularis). Occurrences of the California red-legged frog (*Rana draytonii*) and Western Pond turtle (*Emys marmorata*) have been documented within 5 miles of the project site. The project site has the potential to provide dispersal habitat for special status herptile species (amphibians and reptiles). Implementation of Mitigation Measure BIO-1 would reduce potential impacts to special status herptile species to less than significant.

Nesting Birds and Bats

Nesting birds, including raptors, protected under the MBTA and California Fish and Game Code were determined to have a low potential for occurrence in the trees and shrubs at the project site under the biotic resources assessment due to a lack of suitable nesting and foraging habitat. Additionally, the project site was heavily damaged during the 2020 Walbridge Fire, and a post-fire habitat assessment found that the forest habitat existing onsite was heavily damaged and much of the shrub and herbaceous layers destroyed.[12] Dead and damaged trees were removed from the property under a CAL FIRE Post Fire Recovery Exemption Permit, including in and around areas of project disturbance. However, there is still a potential for disturbance of nesting birds on or near the project site as a result of construction related activities and site disturbance. See Mitigation Measure BIO-2.

Mammals

There is a moderate potential for the American badger (*Taxidea taxus*) to occur onsite. No individuals were observed during site visits by qualified biologists during April 2018 or February 2019 but there are documented occurrences within five miles of the project site and the site contains suitable habitat including open grassland and complex topography for burrows and cover. The project site also contains suitable habitat for the North American porcupine (*Erethizon dorsatum*). Project construction activities, including equipment staging, vegetation clearing, and grading could result in the disturbance or destruction of individual badger and/or occupied habitat, resulting in a potentially significant impact. Implementation of Mitigation Measure BIO-3 shall be required to reduce potential impacts to American badger to less than significant.

Constructed reservoirs have been shown to be breeding habitat for invasive species such as the American bullfrog (Kiesecker et al. 2001, Fuller et al. 2011), which prey on native anurans including northern red-legged frogs and foothill yellow-legged frogs (Moyle 1973, Kiesecker and Blaustein 1997, 1998, Kupferberg 1997). Also, the presence of artificial water sources can increase the spread of other invasive species such as Argentine ants which displace native invertebrates (Human and Gordon 1997, Holway et al. 2002). Implementation of Mitigation Measure BIO-4 would reduce potential impacts related to the spread of non-native and invasive species at the project site to less-than-significant.

Northern Spotted Owl

The Northern spotted owl (NSO) is a Federally Threatened and a State Species of Special Concern. NSOs are known to occur in a variety of forest types, including Douglas-fir, western hemlock, grand fir, white fir, ponderosa pine, Shasta red fir, mixed evergreen, mixed conifer hardwood (Klamath montane, Marin County), and redwood. NSOs generally rely on older forested habitats as these forests contain the structures and characteristics required for nesting, roosting, and foraging (Carroll and Johnson 2008).

[12] O'Brien Biological Consultants, September 2020.

Prior to the Walbridge Fire, Wiemeyer Ecological Sciences had prepared a habitat assessment and performed a single night call survey on June 11, 2020 for the proposed timber harvest plan.[13] No responses were recorded during the single night call survey. No NSOs were observed at the site. The three nearest activity centers are approximately 5,200 feet to the northwest of the site; 10,340 feet to the east; and 6,160 feet to the northeast. Noise disturbance as a result of timber harvest activities was evaluated according to the USFWS guidance document Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California (USFWS, 1996). Because the nearest known activity center is approximately 5,200 feet from the proposed timber harvest area, it was determined that noise generated from the proposed timber harvest will not negatively impact NSO nesting activities or their behavior.

A post-fire assessment for the Northern Spotted Owl was conducted on September 11, 2020 by O'Brien Biological Consultants. The assessment found that potential habitat on the site and surrounding properties has been significantly downgraded or destroyed as a result of the Walbridge fire. No significant core nesting or roosting habitat remains on or immediately adjacent to the site.[14]

The Mitigation Measures described herein support and are consistent with California Department of Food and Agriculture Cannabis Regulations (CDFACR) Sections 8102(w), 8102(dd), 8216, 8314, 8304(a-c), and 8304(g) regarding mitigating potential biological resources impacts.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:

Mitigation Measure BIO-1 Conduct Pre-Construction Herptile Surveys

The project site has a moderate potential to support California giant salamanders and due to the proximity of Palmer Creek, has the potential to provide dispersal habitat for special status herptile species (amphibians and reptiles), Foothill Yellow Legged Frog (FYLF), and Western Pond Turtle (WPT). To avoid impacts to these species, the following measures shall be implemented:

a) Pre-construction surveys shall be performed by a qualified biologist within 24 hours of initiation of project activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, and grading).

b) If any of these species are found, work must not commence until the USFWS and CDFW are notified and shall not resume until it is determined what, if any, further actions must be followed to prevent possible take of the species. No take of these species shall result from project construction and impact avoidance measures shall be implemented in compliance with FESA, CESA and the California Fish and Game Code.

c) No construction activities shall occur during rain events, defined as ¼ inches of rain falling within a 24-hour period, however, construction activities may resume 24 hours after the end of the rain event.

d) No work shall be conducted within 50 feet of a drainage feature at any time 30 minutes

[13] Wiemeyer Ecological Sciences, "Northern Spotted Owl Habitat Assessment and Survey – 6699 Palmer Creek Road, Healdsburg, CA," June 25, 2020.

[14] O'Brien Biological Consultants, "A Post-Fire Wildfire Habitat Assessment at 6699 Palmer Creek Road," September 2020.

before sunrise or sunset.

e) Prior to construction, all workers on the crew shall be trained by a qualified biologist as to the identification and sensitivity status of the special-status species potentially occurring in the cultivation area.

f) During post-project operations, cannabis cultivators shall ensure that all vents and other openings on water storage tanks are designed to prevent the entry and/or entrapment of special status amphibians and other wildlife.

Mitigation Measure BIO-2 Nesting Bird Avoidance

The following measures shall be taken to avoid potential inadvertent destruction or disturbance of nesting birds on and near the project site as a result of construction-related vegetation removal and site disturbance:

a) To avoid impacts to nesting birds, all construction-related activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) shall occur outside the avian nesting season (prior to February 1 or after August 31). Active nesting is present if a bird is sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest. If construction-related activities are scheduled to occur during the nesting season (February 1 through August 31), a qualified biologist shall conduct a habitat assessment and preconstruction nesting survey for nesting bird species no more than seven (7) days prior to initiation of work. The qualified biologist conducting the surveys shall be familiar with the breeding behaviors and nest structures of birds known to nest in the project site. Surveys shall be conducted at the appropriate times of day during periods of peak activity (i.e., early morning or dusk) and shall be of sufficient duration to observe movement patterns. Surveys shall be conducted within the project area and 250 feet of the construction limits for nesting non-raptors and 1,000 feet for nesting raptors. If the survey area is found to be absent of nesting birds, no further mitigation would be required. However, if project activities are delayed by more than seven days, an additional nesting bird survey shall be performed.

b) If pre-construction nesting bird surveys result in the location of active nests, no site disturbance (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, demolition, and grading) shall occur until a qualified biologist has established a temporary protective buffer around the nest(s). The buffer must be of sufficient size to protect the nesting site from construction-related disturbance and shall be established by a qualified ornithologist or biologist with extensive experience working with nesting birds near and on construction sites. Typically, adequate nesting buffers are up to 75 feet from the nest site or nest tree dripline for small birds and up to 1,000 feet for sensitive nesting birds that include several raptor species known from the region of the project site. The nest buffer, where it intersects the project site, shall be staked with orange construction fencing or orange lath staking. Monitoring by a qualified biologist shall be required to ensure compliance with the relevant California Fish and Game Code requirements. Monitoring dates and findings shall be documented. Active nests found inside the limits of the buffer zones or nests within the vicinity of the project site showing signs of distress from project activity, as determined by the qualified biologist, shall be monitored daily during the duration of the project for changes in breeding behavior. If changes in behavior are observed (e.g., distress, disruptions), the buffer shall be immediately adjusted by the

qualified biologist until no further interruptions to breeding behavior are detected. The nest protection buffers may be reduced if the qualified biologist determines in coordination with CDFW that construction activities would not be likely to adversely affect the nest. If buffers are reduced, twice weekly monitoring shall be conducted to confirm that construction activity is not resulting in detectable adverse effects on nesting birds or their young. The qualified biologist and CDFW may agree upon an alternative monitoring schedule depending on the construction activity, season, and species potentially subject to impact. Construction shall not commence within the prescribed buffer areas until a qualified biologist has determined that the young have fledged, or the nest site is otherwise no longer in use.

c) A report of the findings shall be prepared by a qualified biologist and submitted to the County prior to the initiation of construction-related activities that have the potential to disturb any active nests during the nesting season. The report shall include recommendations required for establishment of protective buffers as necessary to protect nesting birds. A copy of the report shall be submitted to the County and applicable regulatory agencies prior to the issuance of a grading permit.

Mitigation Measure BIO-3 Conduct Pre-Construction Special Status Animal Survey
The project site has a moderate potential to support the American badger (*Taxidea taxus*) and North American porcupine (*Erethizon dorsatum*). To avoid impacts to these species, the following measures shall be implemented:

a) A qualified biologist shall conduct a survey for American badger and North American porcupine prior to construction activities.

b) If any of these species are found, work must not commence until CDFW are notified and shall not resume until it is determined what, if any, further actions must be followed.

Mitigation Measure BIO-4 Invasive Species Management Plan
A qualified biologist shall develop an invasive species management plan in consultation with CDFW. At a minimum, the management plan shall require non-native and invasive species to be removed in the time periods established by the invasive species management plan. On an annual basis, a qualified biologist shall prepare a status report of the invasive species management plan. This report shall be sent to Permit Sonoma and made available to CDFW.

Mitigation Monitoring:
Mitigation Monitoring BIO-1, BIO-3, and BIO-4
Prior to issuance of any grading permit(s), the applicant must provide Permit Sonoma the results of all pre-construction surveys and invasive species plans, and any measures recommended by the biologist to avoid sensitive habitat or species, which must be noted on the final project plans.

Mitigation Monitoring BIO-2
The County shall not issue permit(s) for ground disturbing activities during the nesting bird season (February 1 through August 31) until after the site has been surveyed by a qualified biologist to ensure that no active bird nest disturbance or destruction would occur as a result of the project.

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

Comment:
There are two ephemeral drainages at the project site that contain some riparian habitat. Onsite drainages were reviewed and documented by Connor McIntee, an Environmental Scientist for the North Coast Regional Water Quality Control Board, during a site visit on March 15, 2019 and subsequent report dated April 18, 2019.[15] One drainage is composed of a single primarily Class II channel that flows north along the west property boundary through the development area and contains several small Class III branches. There is a piece of corrugated metal placed over a small dug-out section of stream channel used as a spring. Because the spring is used as a domestic water source for which a neighboring parcel (APN 069-040-015) has been granted rights to for residential uses, the portion of the water course is classified and Class I for 100 feet downstream of the domestic water supply. The second drainage is somewhat larger and drains the eastern half of the property. This drainage begins as two forks (Class III and Class II) flow north before joining together with a Class III drainage just south of Palmer Creek Road. Further downstream the combined channels enter an approximately 48" diameter corrugated metal culvert under Palmer Creek Road, after which it flows to Palmer Creek for another approximately 300 yards as a Class II stream.

These ephemeral drainages do not have County-designated Riparian Corridors, although a portion of the County-designated Riparian Corridor for Palmer Creek overlaps a portion of the northern parcel boundary. Project cultivation areas and related development would be outside of the watercourse setbacks of 100 feet for Class II and 50 feet for Class III watercourses required under the Cannabis General Order.

As a condition of approval and prior to issuance of any grading or building permit, the applicant will obtain all necessary permits or waivers for the proposed work in or near the riparian corridor. In addition to a grading permit from the County, the applicant will request review from CDFW to determine if a Lake and Streambed Alteration Agreement (LSAA) is necessary, and with the North Coast Regional Water Quality Control Board to determine if a 401 Water Quality Certification (401 Certification) 404 Permit is necessary. The applicant will implement the following Best Management Practices (BMPs) with any work in or near the ephemeral drainages, to include, but not limited to, the following:

1. Erosion control and other water quality BMPs shall be implemented to avoid sedimentation and disturbance in the drainages and downstream, where stormwater may run off into Palmer Creek. All staging, maintenance, fueling, and storage of construction equipment shall be conducted in a location and in a manner that will prevent potential runoff of petroleum products into the ephemeral drainages. During construction, oil absorbent and spill containment materials shall be on site at all times. All construction workers shall be properly trained and informed of how to use and where to find on site the oil absorbent and spill-containment materials.

2. No trees or riparian vegetation within the riparian setbacks required under the General Order or by Permit Sonoma shall be removed for any construction activities.

[15] North Coast Regional Water Quality Control Board, "Inspection Report, Evergreen Acres LLC., Sonoma County APN 069-040-026," April 18, 2019.

Significance Level: Less than Significant Impact

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?

Comment:
A wetland delineation was prepared for the project site to identify wetland habitat and species by Pinecrest Environmental Consulting on July 2, 2019.[16] Two study areas in the development area were analyzed as potential seasonal wetlands at the request of the North Coast Regional Water Quality Control Board (see Figure 5). The first site (Study Area A) is to the north where the greenhouses will be constructed. It is surrounded by a Class III ephemeral channel. The second site (Study Area B) is on a 5% slope between the proposed reservoir and the proposed parking area. A total of 11 sample points was examined in the north study area and 9 in the south study area. The study concluded that neither study area qualified as wetlands subject to Army Corps of Engineers (ACOE) jurisdiction.

A second delineation of Study Area B was performed by Wiemeyer Ecological Sciences[17] at the request of the North Coast Regional Water Quality Control Board on May 5, 2020, in response to comments dated October 10, 2019. Site visits were performed by Wiemeyer Ecological Sciences on March 27 and April 6, 2020. Wiemeyer Ecological Sciences determined that Study Area B did not qualify as a seasonal wetland since each of the three wetland determination data points taken did not meet the three criteria to qualify as a seasonal wetland. The results of this re-examination of Study Area B were reviewed and concurred with by the North Coast Regional Water Quality Control Board on June 29, 2020.

Standard U.S. Army Corps of Engineers wetland delineation procedures (ACOE 1987) were used to determine the extent of jurisdictional wetlands present in the study areas. The Arid West Regional Supplement (ACOE 2008) was additionally used to determine the extent of wetlands present. This analysis is in addition to the biotic resources assessment that was prepared for the site and discussed in section 4.a above. All areas of potential jurisdiction in the study area were delineated according to the current USACE and CDFW criteria as described below. The boundaries of the potential jurisdictional areas, if any, were observed in the field and mapped on aerial photographs. Limits of federal and state jurisdictional areas mapped during the course of the field investigation were determined by a combination of direct measurements taken in the field and measurements taken from aerial photographs. Hydrological conditions, including any surface inundation, saturated soils, groundwater levels, and/or other wetland hydrology indicators, were noted. Two areas supporting species of plant life potentially indicative of wetlands were present in the project area, and Wetland Determination Data Forms (Arid West Region) were completed for each of these areas to determine the presence or absence of USACE-defined wetlands.

[16] Pinecrest Environmental Consulting, "Wetland Delineation, 6699 Palmer Creek Road, APN069-040-026, Sonoma County, California," July 2, 2019.
[17] Wiemeyer Ecological Sciences, "Wetland Delineation – Evergreen Acres, 6699 Palmer Creek Road, Healdsburg, CA," May 28, 2020.

Figure 5. Study Areas
(Pinecrest Environmental Consulting, 2019)

The project site does not support any potentially jurisdictional wetlands and therefore would have no impact on state or federally protected wetlands. The proposed irrigation pond would be man-made and would be hydrologically separated from the drainages onsite.

Significance Level: No Impact

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?

Comment:
See discussion under 4.a and 4.b. above. Construction of the project would not interfere with the movement of any native wildlife species or interfere with known migration corridors. Migratory wildlife corridors generally include riparian areas and connected open space areas. Implementation of Mitigation Measures BIO-1 through BIO-4 would reduce potential impacts to migration corridors. As the project activities would comply with drainage and riparian setback requirements, the project would not infringe on potential habitat connectivity areas and therefore would not substantially

interfere with wildlife movement in these corridors.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation:
Mitigation Measure BIO-1, BIO-2, BIO-3, and BIO-4

Mitigation Monitoring:
Mitigation Monitoring BIO-1, BIO-2, BIO-3, and BIO-4

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

Comment:
While heritage and landmark trees are regulated and protected by the Sonoma County Heritage or Landmark Tree Ordinance (Zoning Code Sec. 26D), conversions of timberland authorized by the California Department of Forestry are exempt from compliance with those provisions. There are no known Heritage or Landmark Trees at the project site and no mitigation is required for minor timberland conversions or for the tree removal conducted under the Post Fire Recovery Permit. The project would not conflict with any local policies or ordinances related to tree preservation. Compliance with the General plan policies and Zoning Ordinance relating to the riparian corridor is discussed in section b. Therefore, the project would not conflict with any local resource protection policies or ordinances.

Significance Level: Less than Significant Impact

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?

Comment:
There are no adopted habitat conservation plans or natural community conservation plans covering the project area, nor is the project site located in the Santa Rosa Plain. Therefore, the proposed project would not be subject to any habitat conservation plan or natural community conservation plan and would not conflict with any such plans. No impact would occur.

Significance Level: 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?

Comment:
Permit Sonoma staff referred the project application to the Northwest Information Center - Sonoma State University (NWIC) for review and recommendations. On January 2, 2019, the NWIC noted that

the "1933 Healdsburg 15-minute topographic quadrangle indicated one building within the project area. The 1955 (photo revised 1973) USGS Guerneville 15' quad depicts two buildings in the proposed project area" The State Office of Historic Preservation recommends review of any buildings or structures older than 45 years to determine whether they may be of historical value.

An archaeological and historic survey was conducted, and a report prepared for the project by a professional archaeologist by ALTA Archaeological Consulting on February 15, 2019.[18] An archival search was conducted at the Northwest Information Center (NWIC), Sonoma State University, Rohnert Park on February 4, 2019. As part of the archaeological and historic survey a field survey of the project area was conducted on February 7, 2019. During the field survey, a historic era barn, which is proposed to be remodeled and used for non-cannabis storage as part of the project, was recorded and evaluated for eligibility as a historic resource.

The historic-era Western-style barn is situated immediately south of Palmer Creek Road. The earliest known date for this building is 1933, indicated on an historical USGS quad map. The barn stands 28.5 feet tall and measures 44 feet north -south by 37 feet east-west. The barn is arranged in two sections, a main gabled two-story building and a wing to the east. The barn is sided with redwood vertical board -and-batten siding on all sides. The barn has a front-gabled high pitch roof, clad with corrugated sheet metal, though the addition exhibits older wooden shake singles. The upper level of the barn formerly served as a hay loft. The lower level of the main portion of this barn is divided into two sections and likely functioned as a storage location for wagons, as the ports are slightly too narrow to accommodate vehicles. All windows are gone except for one horizontal sliding window on the southern end of the wester façade. Two pedestrian doors allow access from the northern and southern facades. These doors lead into the eastern wing of the barn. Interior divisions, hooks for tack, feed bins, and wear on studs indicate that this wing formerly served as a horse stable. Presently, the wing is used as a storage area. Structurally the barn is in good condition and most structural elements appear free of insect or weather damage. Joists and beams throughout the building as well as damaged siding have been replaced over time, but large studs in the wall appeared to be original.

Based on the result of the archival research and field survey, the archaeologist determined that the barn does not fulfill the necessary criterion for inclusion in the California Register of Historic Resources or the National Register Criteria for Evaluation:

(1) While the barn is associated with early agricultural development in wester Sonoma County, no specific uses are evident in the barn itself other than animal husbandry and the barn cannot be directly associated with a pattern of history significant to the cultural heritage of California or the United States.

(2) No documentation indicates the association of the barn with significant local, state, or national persons.

(3) The barn does not represent a type, period, region, or method of construction nor does it demonstrate aesthetic qualities that speak to a particular investment of artistic consideration in its design.

(4) As a remodeled structure, the barn is unlikely to yield any information important to the

[18] ALTA Archaeological Consulting, "Archaeological Survey Report and Historic Resource Evaluation", February 15, 2019.

prehistory or history of the region or nation.

Significance Level: Less than Significant Impact

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

Comment:
A cultural resources records search results from the Northwest Information Center (CHRIS-NWIC), an archaeological field survey, and a Native American Sacred Lands File Search through the Native American Heritage Commission indicate that there is a low likelihood of archaeological (prehistoric and historic) resources located within the project area.[19] Several tribes responded to the Permit Sonoma notification dated December 19, 2018.

- On December 20, 2018 the Federated Indians of Graton Rancheria responded and did not request consultation under AB 52.
- On January 3, 2019, Lytton Rancheria responded stating that they were not requesting further consultation under AB 52.
- On December 20, 2018 Middletown Rancheria responded and did not request consultation under AB 52.
- On December 20, 2018 the Stewarts Point Rancheria Band of Kashia Pomo Indians responded and did not request consultation under AB 52.
- On December 19, 2018 the Mishewal Wappo Tribe of Alexander Valley responded to the referral notification requesting a monitor for all digging and that if any new information or evidence of Native American activity is identified within the project area, they are to be contacted immediately. The Tribe did not request consultation under AB 52.

Archival research indicates that the project site had not been previously subjected to a cultural resources study. The NWIC Record Search showed no prehistoric Native American Sites. There are no ethnographically described resources located within one mile of the project area. There are no known archaeological resources on the site, but the project could uncover such materials during grading and construction. The County has a standard "accidental discovery" condition of approval that requires work to be halted if unanticipated buried cultural resources are encountered during construction. The condition is applied to all use permits that involve ground disturbance, and requires that the following notes be printed on all grading and building permit plans involving ground disturbing activities:

"If paleontological resources or prehistoric, historic or tribal cultural resources are encountered during ground-disturbing work, all work in the immediate vicinity shall be halted and the operator must immediately notify the Permit and Resource Management Department (PRMD) – Project Review staff of the find. The operator shall be responsible for the cost to have a qualified paleontologist, archaeologist or tribal cultural resource specialist under contract to evaluate the find and make recommendations to protect the resource in a report to PRMD. Paleontological resources include fossils of animals, plants or other organisms. Prehistoric resources include humanly modified

[19] Alta Archaeological Consulting, February 15, 2019.

stone, shell, or bones, hearths, fire pits, obsidian and chert flaked-stone tools (e.g., projectile points, knives, choppers), midden (culturally darkened soil containing heat affected rock, artifacts, animal bone, or shellfish remains), stone milling equipment, such as mortars and pestles, and certain sites features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe. Historic resources include all by-products of human use greater than fifty (50) years of age including, backfilled privies, wells, and refuse pits; concrete, stone, or wood structural elements or foundations; and concentrations of metal, glass, and ceramic refuse.

If human remains are encountered, work in the immediate vicinity shall be halted and the operator shall notify PRMD-Project Review staff and the Sonoma County Coroner immediately. At the same time, the operator shall be responsible for the cost to have a qualified archaeologist under contract to evaluate the discovery. If the human remains are determined to be of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification so that a Most Likely Descendant can be designated, and the appropriate measures implemented in compliance with the California Government Code and Public Resources Code."

The condition supports and is consistent with California Department of Food and Agriculture Cannabis Regulations (CDFACR) Section 8304d regarding cultural resources.

Significance Level: Less than Significant Impact with Mitigation Incorporated

Mitigation:
Mitigation Measure CULT-1: A Mishewal Wappo Tribal Monitor shall be retained to be on site to monitor all project-related ground disturbing construction activities (i.e., grading, excavation, potholing, etc.) within previously undisturbed soils. In the event the Tribal Monitor identifies tribal cultural resources, the monitor shall be given the authority to temporarily halt construction in the immediate vicinity and within 50 feet of the discovery and to determine if it is a tribal cultural resource under CEQA in consultation with Permit Sonoma and, if necessary, the qualified archaeologist. Construction activities can continue in areas 50 feet away from the find and not associated with the cultural resource location. If the discovery proves to be significant, additional work such as testing or data recovery may be warranted. Any resources found should be treated with appropriate dignity and respect. At the completion of monitoring activities, all artifacts of Native American origin shall be returned to the Mishewal Wappo Tribe through the tribal monitor.

Mitigation Monitoring:
Mitigation Monitoring CULT-1: Prior to issuance of building or grading permits, the applicant shall provide appropriate agreements with an Mishewal Wappo Tribal monitor to Permit Sonoma for review and approval. Prior to final inspections and use permit certificate issuance the applicant shall provide documentation in writing including photos demonstrating that the mitigation was implemented during construction activities.

c) Disturb any human remains, including those interred outside of formal cemeteries?

Comment:
No burial sites are known in the vicinity of the project, and most of the project site has already been disturbed by past construction and grading. There are no known archaeological resources on the site, but the project could uncover such materials during construction. The County has a standard "accidental discovery" condition of approval that requires work to be halted if unanticipated buried

cultural resources are encountered during construction. The condition supports and is consistent with California Department of Food and Agriculture Cannabis Regulations (CDFACR) Section 8304d regarding cultural resources.

Significance Level: Less than Significant 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?

Comment:
Project construction would include temporary use of equipment such as bulldozers, excavators, skid steers, compactors, and boom lifts for limited periods. Long-term energy demand would result from employees working on the project site and from employee vehicle trips (as discussed in section 17, Transportation, the proposed project could be expected to generate up to 27 daily trips). The proposed cannabis operation would also result in energy usage from electricity for lighting, odor-reducing fans, the security system (e.g., alarm, lights, cameras), and water and wastewater pumps.

Operation of the proposed project would increase energy usage relative to existing conditions in Sonoma County. However, this increase in energy use would not represent a substantial increase, nor would it be wasteful or inefficient because the applicant proposes to purchase 100 percent renewable power from the Sonoma Clean Power EverGreen program. The Sonoma County Zoning Code contains the following energy requirements for cannabis facilities and operations.

"Electrical power for indoor cultivation, mixed light operations, and processing including but not limited to illumination, heating, cooling, and ventilation, shall be provided by any combination of the following: (i) on-grid power with one hundred percent (100%) renewable source; (ii) on-site zero net energy renewable source; or (iii) purchase of carbon offsets of any portion of power not from renewable sources. The use of generators for indoor and mixed light cultivation is prohibited, except for portable temporary use in emergencies only (Sonoma County Ordinance 6245, Sec. 26-88-254 - Cannabis Cultivation-Commercial (g) operating standards (3) Energy Use)."

The project operation would use 100% renewably sourced energy as required by the Sonoma County Zoning Ordinance. The barn and dwelling unit will be covered with high efficiency solar panels and electric vehicle charging stations. Electric vehicles will be used to shuttle employees to work from downtown Healdsburg.

Cultivation activities will involve minimal energy and water use. The lighting plan includes night lighting for security and safety purposes only. All lighting would be equipped with motion sensors and a timer/senser-driven drip irrigation system would be used to improve efficiency in water use and reduce overall consumption. Therefore, the project is not expected to result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

Project design and conditions described herein support and are consistent with California Department of Food and Agriculture Cannabis Regulations (CDFACR) Sections 8102(s), 8305 & 8306 regarding Energy.

Significance Level: Less than Significant Impact

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Comment:
The proposed project would be required to comply with local energy efficiency standards as defined in County Code Chapter 7 (Building Regulations), which specifies Title 24, Part 6 of the California Code of Regulations, California Energy Code (Building Energy Efficiency Standards), as the County standard for buildings.

Significance Level: Less than Significant 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:

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.

Comment:
The project site is not within a fault hazard zone as defined by the Alquist-Priolo fault maps.[20] The nearest fault is the Rodgers Creek Fault approximately 8 miles east of the project site.

Significance Level: No Impact

ii) Strong seismic ground shaking?

Comment:
All of Sonoma County is subject to seismic shaking that would result from earthquakes along the San Andreas, Healdsburg-Rodgers Creek, and other faults. The expected relative intensity of ground shaking and damage from anticipated future earthquakes in the project area is categorized as 'Very Strong' according to Figure PS-1a in the Sonoma County General Plan Public Safety Element.[21]

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[20] California Department of Conservation, Earthquake Zones of Required Investigation, https://maps.conservation.ca.gov/cgs/EQZApp/app/, accessed 1/12/2021.
[21] Sonoma County General Plan 2020, Public Safety Element, Figure PS-1a, Earthquake Ground Shaking Hazard Areas, http://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Public-Safety-Earthquake-Ground-Shaking-Hazard-Areas/, accessed 1/12/2021.

However, by applying geotechnical evaluation techniques and appropriate engineering practices, potential injury and damage from seismic activity can be diminished, thereby exposing fewer people and less property to the effects of a major damaging earthquake. As a matter of practice and state law, all construction activities would be required to meet the California Building Code regulations for seismic safety, including designing all earthwork, cuts and fills, drainage, pavements, utilities, foundations and structural components in conformance with the specifications and criteria contained in the project final geotechnical report, which shall be completed and submitted to Permit Sonoma prior to project approval. Standard County development procedures include review and approval of construction plans prior to the issuance of a building/grading permit. In addition, as required by the building code, the geotechnical engineer would be required to submit an approval letter for the engineered grading plans prior to issuance of the grading permit; prior to final issuance of the grading permit, the geotechnical engineer would be required to inspect the construction work and certify to Permit Sonoma, prior to the acceptance of the improvements or issuance of a certificate of occupancy, that the improvements have been constructed in accordance with the geotechnical specifications. All work would be subject to inspection by Permit Sonoma for conformance with all applicable code requirements and approved improvement plans. Therefore, with these standards applied to project structures and improvements, the project would not expose people to substantial risk of injury from seismic shaking.

Significance Level: Less than Significant Impact

iii) Seismic-related ground failure, including liquefaction?

Comment:
Strong ground shaking can result in liquefaction, the sudden loss of shear strength in saturated sandy material, resulting in ground failure. Areas of Sonoma County most at risk of liquefaction are along San Pablo Bay and in alluvial valleys. According to the Sonoma County General Plan 2020 Public Safety Element, the project site is not located in a designated Liquefaction Hazard Area and is located within a "Very Low Susceptibility" area.[22]

Significance Level: No Impact

iv) Landslides?

Comment:
Steep slopes characterize much of Sonoma County, particularly the northern and eastern portion of the County. Where these areas are underlain by weak or unconsolidated earth materials, landslides are a hazard. The project is located in a minimal slope area. According to the Sonoma County General Plan Public Safety Element the project site is not located in a designated Landslide Hazard Area.[23] The design and construction of all new structures, construction of the water storage reservoir, and planned improvements to the existing barn would be subject to engineering

[22] Sonoma County General Plan 2020. Public Safety Element, Liquefaction Hazard Areas Figure PS-1c, https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Public-Safety-Liquefaction-HazardAreas/, accessed 1/12/2021.
[23] Sonoma County General Plan 2020, Public Safety Element, Figure PS-1d, Deep-seated Landslide Hazard Areas, https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Public-Safety-Deep-seated-Landslide-Hazard-Areas/, accessed 1/12/2021.

standards of the California Building Code (CBC) and County building standards, which would ensure that potential landslide impacts are less than significant.

Significance Level: Less than Significant Impact

b) Result in substantial soil erosion or the loss of topsoil?

Comment:
The project will include grading for the greenhouse pads, terraced outdoor cultivation area, and water storage reservoir.

Preliminary Earthwork is summarized in the table below;

Graded Area	Cut Cubic Yards (CY)	Fill CY	Net (CY)
Greenhouse Pad	500	5,600	5,100 <Fill>
Pond	8,500	500	8,000 <Cut>
Terraces	400	1,400	1,000 <Fill>
Total	9,500	7,500	2,000 <Cut>

Improper grading, both during and post construction, has the potential to increase the volume of runoff from a site which could have adverse downstream flooding and further erosional impacts, and increase soil erosion on and off site which could adversely impact downstream water quality.

Erosion and sediment control provisions of the Drainage and Storm Water Management Ordinance (Chapter 11, Sonoma County Code) and Building Ordinance (Chapter 7, Sonoma County Code) requires implementation of flow control best management practices to reduce runoff. The Ordinance requires treatment of runoff from the two-year storm event. Required inspection by Permit Sonoma staff ensures that all grading and erosion control measures are constructed according to the approved plans. These ordinance requirements and adopted best management practices are specifically designed to maintain potential water quantity impacts at a less than significant level during and post construction. If project construction were to occur during wet weather however, it is possible that stormwater could carry soil offsite into local storm drains. This impact can be reduced to less than significant by using standard construction erosion control measures at the project site.

In regard to water quality impacts, County grading ordinance design requirements, adopted County grading standards and best management practices (such as silt fencing, straw wattles, construction entrances to control soil discharges, primary and secondary containment areas for petroleum products, paints, lime and other materials of concern, etc.), mandated limitations on work in wet weather, and standard grading inspection requirements, are specifically designed to maintain potential water quality impacts at a less than significant level during project construction.

For post construction water quality impacts, adopted grading permit standards and best management practices require that storm water to be detained, infiltrated, or retained for later use. Other adopted water quality best management practices include storm water treatment devices based on filtering, settling or removing pollutants. These construction standards are specifically designed to maintain potential water quality grading impacts at a less than significant level post construction.

The County adopted grading ordinances and standards and related conditions of approval which enforce them are specific, and also require compliance with all standards and regulations adopted by the State and Regional Water Quality Control Board, such as the Standard Urban Stormwater Mitigation Plan (SUSMP) requirements, Low Impact Development and any other adopted best management practices. Therefore, no significant adverse soil erosion or related soil erosion water quality impacts are expected given the mandated conditions and standards that need to be met. See further discussion of related issues (such as maintenance of required post construction water quality facilities) refer to Section 10.

Significance Level: Less than Significant Impact

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?

Comment:
Although the site would be subject to seismic shaking and other geologic hazards as described in section 7.a.ii, iii, and iv, the project site is not located in an area highly susceptible to landslides, nor is the project site located in an area with a high potential for liquefaction. Therefore, the potential impact from landslides or liquefaction would be less than significant. The design and construction of new structures are subject to engineering standards of the California Building Code (CBC), which consider soil properties, seismic shaking and foundation type. The project would therefore not expose people to substantial risk of injury from seismic shaking.

Significance Level: Less than Significant Impact

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?

Comment:
Table 18-1-B of the Uniform Building Code is an index of the relative expansive characteristics of soil as determined through laboratory testing. For the proposed project, soils at the site have not been tested for their expansive characteristics. Soils in the project area consist of Josephine series fine loam.[24] These soils are classified as fine loamy, mixed, super active, mesic Typic Haploxerults, which have a low shrink-swell potential and is not considered an expansive soil. Additional, compliance with standard Building Code requirements would ensure that potential soil expansion at the project site would be mediated through professional engineering design and practice. Therefore, risks from expansive soils would be less than significant.

Significance Level: Less than Significant Impact

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?

[24] ALTA Archaeological Consulting. Archaeological Survey Report and Historic Resource Evaluation. February 15, 2019.

Comment:
The project site is not in an area served by public sewer. Soils on-site are capable of adequately supporting the use of septic tanks. The project site including barn and dwelling unit will be served by a single new septic system (Permit Sonoma File SEP19-0181). This septic system and leach field will be located west of the existing barn and would comply with County regulations related to the disposal of wastewater.

Significance Level: Less than Significant Impact

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

Comment:
Results of the on-line paleontological resources record search through the University of California Museum of Paleontology (UCMP) database indicate that there are no known vertebrate fossil localities or unique geological features that have been previously identified on the project parcel or nearby.[25] There is a small amount of County-designated Biotic Habitat in the far southeastern corner of the project parcel associated with a vein of serpentine rocks extending southeast from The Cedars, a serpentine canyon system in northwestern Sonoma County. However, this serpentine rock is limited to the southeastern corner of the project parcel and over 400 feet from areas of project disturbance. Project construction and area of impact would wholly avoid these serpentine rocks. An Archaeological Resources Evaluation was conducted, and the subject site was examined for any indication of the presence of potential significant paleontological resources through a surface examination as part of that report.[26]

As discussed in section 5.b, Cultural Resources, Sonoma County Code Section 26-88-254(f)(14) provides standard procedures for protection of paleontological resources encountered during ground-disturbing work at the project location:

> *"The following minimum standards shall apply to cultivation permits involving ground disturbance. All grading and building permits shall include the following notes on the plans:*
>
> *"If paleontological resources or prehistoric, historic-period or tribal cultural resources are encountered during ground-disturbing work at the project location, all work in the immediate vicinity shall be halted and the operator must immediately notify the agency having jurisdiction of the find. The operator shall be responsible for the cost to have a qualified paleontologist, archaeologist and tribal cultural resource specialist under contract to evaluate the find and make recommendations in a report to the agency having jurisdiction.*
>
> *"Paleontological resources include fossils of animals, plants or other organisms. Historic-period resources include backfilled privies, wells, and refuse pits; concrete, stone, or wood structural elements or foundations; and concentrations of metal, glass, and ceramic refuse. Prehistoric and tribal cultural resources include obsidian and chert flaked-stone tools (e.g., projectile points, knives, choppers), midden (culturally darkened soil containing heat-affected rock, artifacts, animal bone, or shellfish remains), stone milling equipment, such as mortars and*

[25] UCMP Specimen Search, University of California Museum of Paleontology, https://ucmpdb.berkeley.edu/, accessed 1/12/2021.
[26] ALTA Archaeological Consulting. Archaeological Survey Report and Historic Resource Evaluation. February 15, 2019.

pestles, and certain sites features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe."

Implementation of this standard County policy would ensure that this impact would be less than significant.

Significance Level: Less than Significant 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?

Comment:
Emissions are caused by natural gas combustion, electricity use, on-road vehicles, water use, carbon sequestration and existing emissions. Global greenhouse gas emissions contribute to climate change; individual projects do not generate enough GHG emissions to influence global climate change. Thus, the analysis of GHG emissions is by nature a cumulative analysis focused on whether an individual project's contribution to global climate change is cumulatively considerable.

The California Air Resources Board (CARB) is the lead agency for implementing Assembly Bill (AB) 32, the California Global Warming Solutions Act adopted by the Legislature in 2006. AB 32 requires CARB to prepare a Scoping Plan containing the main strategies that will be used to achieve the states GHG emissions reductions targets. The 2017 Climate Change Scoping Plan provides strategies for meeting the mid-term 2030 greenhouse gas reduction target set by Senate Bill (SB) 32.[27] The 2017 Climate Change Scoping Plan also identifies how the State can substantially advance toward the 2050 greenhouse gas reduction target of Executive Order S-3-05, which include:

- Reduce statewide GHG emissions to 1990 levels by 2020;
- Reduce GHG emissions to 40 percent below 1990 levels by 2030; and
- Reduce GHG emissions to 80 percent below 1990 by 2050.

CARB prepares an annual statewide GHG emissions inventory using regional, state, and federal data sources, including facility-specific emissions reports prepared pursuant to the State's Mandatory GHG Reporting Program. The statewide GHG emissions inventory helps CARB track progress towards meeting the State's AB 32 GHG emissions target of 431 million metric tons of CO2 equivalents (MTCO2e), as well as to establish and understand trends in GHG emissions. According to CARB's GHG emissions inventory (2018 edition), GHG emissions have generally decreased over the last decade, with 2016 levels (429 million MTCO2e) approximately 12 percent less than 2005 levels (486 million MTCO2e). The transportation sector (165 million MTCO2e) accounted for more than one third (approximately 37.5%) of the State's total GHG emissions inventory (440 million MTCO2e) in 2015, while electric power generation accounted for approximately one-fifth (19%) of the State's

[27] California Air Resources Board (CARB). California's 2017 Climate Change Scoping Plan, https://ww2.arb.ca.gov/sites/default/files/classic//cc/scopingplan/scoping_plan_2017.pdf, November 2017.

total GHG emissions inventory.

The project lies within the jurisdiction of the Northern Sonoma County Air Pollution Control District (NSCAPCD) does not have significance thresholds for Greenhouse Gas Emissions (GHG). The County concurs with and utilizes as County guidelines the San Francisco Bay Area Air Quality Management District (BAAQMD) recommended GHG significance thresholds The County concurs that these thresholds are supported by substantial evidence for the reasons stated by BAAQMD staff and that it is reasonable to apply here. For projects other than stationary sources, the GHG significance threshold is 1,100 MTCO2e or 4.6 metric tons of CO2e per service population (residents and employees) per year.[28]

The County's Climate Change Action Resolution (May 8, 2018) resolved to reduce GHG emissions by 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050 and noted twenty strategies for reducing GHG emissions, including increasing carbon sequestration, increasing renewable energy use, and reducing emissions from the consumption of good and services. The resolution includes the following goals:

- Increase building energy efficiency
- Increase renewable energy use
- Switch equipment from fossil fuels to electricity
- Reduce travel demand through focused growth
- Encourage a shift toward low-carbon transportation options
- Increase vehicle and equipment fuel efficiency
- Encourage a shift toward low-carbon fuels in vehicles and equipment
- Reduce idling
- Increase solid waste diversion
- Increase capture and use of methane from landfills
- Reduce water consumption
- Increase recycled water and graywater use
- Increase water and waste-water infrastructure efficiency
- Increase use of renewable energy in water and wastewater systems
- Reduce emissions from livestock operations
- Reduce emissions from fertilizer use
- Protect and enhance the value of open and working lands
- Promote sustainable agriculture
- Increase carbon sequestration
- Reduce emissions from the consumption of goods and services

As summarized above, the transportation sector accounts for more than one-third of GHG emissions in the state and is typically one of the largest GHG emissions sources associated with a development project; however, the proposed project would not generate a large amount of vehicle trips as the project would employ a maximum of eight employees, which would result in an average of 27 daily

[28] The BAAQMD has not adopted a threshold of significance for construction-related GHG emissions. The BAAQMD's CEQA Air Quality Guidelines do, however, encourage lead agencies to quantify and disclose construction-related GHG emissions, determine the significance of these emissions, and incorporate best management practices to reduce construction-related GHG emissions.

trips. To further reduce, potential vehicle trips generated by employees, employees will be shuttled to the project site from Healdsburg using electric vehicles.

The electric power sector accounts for approximately one-fifth of GHG emissions in the State. Commercial cannabis facilities, such as the proposed project, can involve the use of lights, fans, and other equipment for 24 hours per day to control environmental conditions and provide ideal growing conditions. Also, the water required for cannabis cultivation requires energy to transport.

Although cannabis facilities can consume energy and water in quantities that may be higher (on a square-footage basis) than other general light industrial land uses, the proposed project would not generate significant GHG emissions from these sources. As described in section 3, the project would provide electrical power through a combination of on-grid 100 percent renewable energy (Sonoma Clean Power, which is rated at 57lbs of CO_2 per Mega Watt Hour (MGH)), an on-site zero net energy renewable energy system, or purchase of carbon offsets for power obtained from non-renewable resources, as required pursuant to County Code Section 26-88-254(g)(3). This requirement would reduce GHG emissions from the project's energy and water sources, consistent with State reduction goals. The site will utilize minimal amounts of electricity on motion detector security lighting and cameras, and pump water for the drip irrigation system. To further minimize energy and water use and emissions of GHG, the project would also use timer/sensor-driven drip irrigation.

As discussed in Air Quality Sections 3.a and 3.b, the proposed project would be much smaller in scale than other screened land uses and would be well below the emission threshold for ozone precursors. Additionally, the project will not be open to the public and would only employ a maximum of 8 people; therefore, GHG emissions from traffic are expected to be low. Emissions from the portable on-site generator will be below the emission thresholds given the infrequency of emergency use.

For construction activities, the greatest source of greenhouse gas emissions would be diesel emissions from heavy equipment associated with the minor amounts of grading for the driveway and parking area and hardscape construction. However, emissions would be reduced to a less than significant level with implementation of Mitigation Measure AIR-1, which requires that idling time of diesel-powered construction equipment be limited to five minutes.

As noted above, the project would be required to comply with several renewable energy requirements for commercial cannabis cultivation facilities contained in County Zoning Code Section 26-88-254(g)(3). By incorporating multiple GHG reduction strategies consistent with local and state requirements, the project would not generate a significant amount of greenhouse gas emissions.

Significance Level: Less than Significant Impact

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

Comment:
The proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of Greenhouse Gases (GHG). The County currently does not have an applicable countywide Climate Action Plan but has adopted a Climate Change Action

Resolution in May 2018 to support reducing GHG emissions. The resolution establishes goals to establish a consistent framework throughout the County.

As described in section 8.a above, the proposed project would be consistent with the BAAQMD Clean Air Plan, would be required to reduce GHG emissions from energy consumption, and would, therefore, not generate GHG emissions that conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

Significance Level: Less than significant 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?

Comment:
Construction and operation of the project may involve the intermittent transport, storage, use and disposal of potentially hazardous materials, including fuels and lubricants, paints, solvents, and other materials commonly used in construction. During construction activities, any on-site hazardous materials that may be used, stored, or transported would be required to follow standard protocols (as determined by the U.S. EPA, California Department of Health and Safety, and Sonoma County) for maintaining health and safety. Improper transit, storage, or handling of these materials could result in spills. This potential impact would be reduced to a less than significant level with implementation of standard approved construction methods for handling hazardous materials.

In addition, plant nutrients, fertilizers, fungicides, and approved algaecides may be used during the cultivation operation. Quantities of bulk nutrients are normally transported and stored in plastic containers and then diluted with water to a solution for use on plants. Plant nutrients and fertilizers would be stored in a secure locked enclosure without exposure to weather, sunlight, or wind. These materials would be stored on pallets and/or shelving to minimize the possibility of spills and leaks going undetected. Liquid products would be stored in secondary containment, where needed. Generally, there is no disposal of agricultural chemicals since they are applied to and taken up by the plants. Any disposal of unused plant chemicals would be minor, and the material would be taken to an appropriate solid waste disposal location as identified in product disposal instructions (most are safe for landfill disposal). No impacts are anticipated related to the routine transport, use, or disposal of small amounts of agricultural chemicals. As a condition of approval, the project would be required to comply with the following Operating Standard:

> *"All cultivation operations that utilize hazardous materials shall comply with applicable hazardous waste generator, underground storage tank, above ground storage tanks, and any AB 185 (hazardous materials handling) requirements and maintain any applicable permits for these programs from the Fire Prevention Division, Certified Unified Program Agency (CUPA) of Sonoma County Fire and Emergency Services Department, or the Agricultural Commissioner (Sec 26-88- 254(g)(4)).*"

Project operation is also required to be consistent with California Department of Food and Agriculture Cannabis Regulations (CDFACR) Sections 8102(q), 8106(a)(3), 8304(f) and 8307 which further regulate hazardous materials. With existing General Plan policies and federal, State, and local regulations and oversight of hazardous materials, and project compliance with County Code standards, the potential threat to public health and safety or the environment from hazardous materials transport, use or disposal would represent a less than significant impact.

Significance Level: Less than Significant Impact

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?

Comment:
The project proposes to use organic pesticides, herbicides, and/or fungicides and would maintain a plan for appropriate use and disposal of these materials, subject to review by Sonoma County and CDFACR. As discussed in section 9.a above, during construction there could be spills of hazardous materials, however potential impacts would be reduced to a less than significant level with implementation of standard approved construction methods for handling hazardous materials. See 9(a) above. Agricultural chemicals such as plant nutrients, fertilizers, approved pesticides and fungicides, will be stored in a manner which allows leaks to be easily detected and contained. After being diluted in water the agricultural chemicals will be administered to the plants in a controlled irrigation system which will be monitored for leaks and repaired immediately if damaged.

As discussed in section 9.a, with existing General Plan policies and federal, State, and local regulations, oversight of hazardous materials, and project compliance with County Code standards, the potential threat to public health and safety or the environment from accidental release of hazardous materials into the environment would be less than significant.

Significance Level: Less than Significant Impact

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

Comment:
There is no school existing or proposed within one-quarter mile of the project. The nearest school is the West Side Elementary School which is 6.5 miles away.

Significance Level: No Impact

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Comment:
There are no known hazardous materials sites within or adjacent to the project limits, based on a review of the following databases on January 13, 2021.

- The State Water Resources Control Board Geotracker database,[29]
- The California Department of Toxic Substances Control EnviroStor database (formerly known as Calsites),[30] and
- The California Integrated Waste Management Board Solid Waste Information System (SWIS).[31]

The closest hazardous materials site on record is a diesel LUST (Leaking Underground Storage Tank) site located over 3.5 miles to the northwest on Mill Creek Rd. The LUST site status is closed after cleanup was completed in 1996.

Significance Level: No impact

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?

Comment:
The project is located approximately 6.5 miles southwest of Healdsburg Municipal Airport and approximately 9 miles northwest of Charles M. Schulz Sonoma County Airport. The project site is located well outside of each airport's ALUC referral area and 55 dBA CNEL noise contour. Excessive aircraft-related noise would not be expected at the project site.[32]

Significance Level: Less than Significant Impact

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Comment:
The project would not impair implementation of, or physically interfere with the County's adopted emergency operations plan. There is no separate emergency evacuation plan for the County. The project would not change existing circulation patterns, and given the minimal traffic associated with the project (an estimated 27 average daily trips reduced by use of an employee shuttle), the project would not result in a significant change in existing circulation patterns and would have no measurable effect on emergency response routes.

Significance Level: No impact

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[29] State Water Resources Control Board. "Geotracker Database," https://geotracker.waterboards.ca.gov/, accessed 1/13/2021.
[30] Department of Toxic Substances Control. "Envirostor Database", https://www.envirostor.dtsc.ca.gov/public/, accessed 1/13/2021.
[31] Cal Recycle. "Waste Information System (SWIS) Facility/Site Search," https://www2.calrecycle.ca.gov/SolidWaste/Site/Search, accessed 1/13/2021.
[32] Sonoma County, Airport Referral Area Exhibit C4. Charles M. Schulz – Sonoma County Airport Safety Zones, https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Comprehensive-Airport-LandUse/Sonoma-County-Airport/, accessed 1/13/2021.

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

Comment:
The project site is located within a State Responsibility Area and as mapped by The California Department of Forestry and Fire Projection's Fire and Resource Assessment Program is located in a high fire hazard severity zone.[33] The project site was burned during the Walbridge Fire in August 2020.

Prior to operation, the applicant and/or operator must comply with all fire safety laws, including the California Department of Forestry and Fire Protection, 14 California Code of Regulations §§1270 et seq., the California Fire Code as adopted with local amendments in the Sonoma County Code Chapter 13, and defensible space requirements as set forth in Sonoma County Code Chapter 13A. All construction projects must comply with these fire safety laws, including but not limited to, installing fire sprinklers in buildings, providing emergency vehicle access, and maintaining a dedicated fire-fighting water supply on-site. As part of the County's planning referral process, Sonoma County Fire Prevention responded with a comment letter to Permit Sonoma on January 16, 2019 and conducted a site visit on March 14, 2019. Sonoma County Fire Prevention updated its comment letter in February 2021 with additional requirements to comply with the California Department of Forestry and Fire Protection regulations.

The California Department of Forestry and Fire Protection, 14 California Code of Regulations § 1273.00, require developments in the State Responsibility Area to provide for safe access for emergency wildfire equipment and civilian evacuation concurrently. The applicant requested an Exceptions to Standards to provide the same practical effect pursuant to 14 California Code of Regulations §1270.06 due to environmental conditions and physical site limitations based on the following:

1. Applicant has proposed to secure a second Fire Apparatus Emergency Vehicle Access from Palmer Creek Road and leading to Big Springs Drive (EVA) as documented on the Figure 3 project site map.
2. The EVA will be made available for the community and emergency responders to use during an emergency and shall be maintained to provide year-round unobstructed access for conventional vehicles and fire apparatus vehicles.
3. Applicant will name the County of Sonoma in the recorded easement for EVA purposes only.
4. Applicant shall construct two hammerhead turnarounds in compliance with California Department of Forestry and Fire Protection regulations 14 CCR §2273.05 on the EVA to ensure safe access for emergency wildfire equipment and civilian evacuation concurrently and shall provide unobstructed traffic circulation during a wildfire emergency consistent with 14 CCR §§1273.00 through 1273.09.
5. Applicant shall provide access to the irrigation water for extended firefighting. Applicant shall include a 97,000-gallon water tank on site. Emergency water supply for fire protection shall be available and accessible in locations, quantities, and delivery rates as specified in the California Fire Code, as adopted and amended by Sonoma County Code Chapter 13.

[33] California Department of Forestry and Fire Protection, "Fire and Resource Assessment Program – Fire Hazard Severity Zone Viewer," https://egis.fire.ca.gov/FHSZ/, accessed 1/13/2021.

6. Applicant shall comply with defensible space and vegetation management responsibilities in compliance with Sonoma County Code Chapter 13A and California Department of Forestry and Fire Protection, 14 CCR §1276.00, and will continue to work with neighbors to clear vegetation along Palmer Creek Road.
7. Applicant will provide an area of safe refuge in a location approved by the fire code official.
8. All roadways and buildings shall be identified by approved road signs clearly visible and legible from the roadway and at interchanges, as required by the California Fire Code as adopted and amended by the Sonoma County Code, and as required by California Department of Forestry and Fire Protection, 14 CCR §1274 et seq.

The remainder of Palmer Creek Road was found to provide continued unobstructed access to the convention vehicles and fire apparatus.

The project site map in Figures 3 and 4 sets forth licensed professional plans documenting the proposed secondary emergency vehicle access road as well as two hammerhead turnarounds. The Sonoma County Assistant Fire Marshal has determined the Exceptions to Standards provides the same practical effect to provide safe access for emergency wildfire equipment and civilian evacuation concurrently and shall provide unobstructed traffic circulation during a wildfire emergency consistent with 14 California Code of Regulations §§1273.00 through 1273.09. The Sonoma County Assistant Fire Marshal submitted the Exceptions to Standards for this project to CAL FIRE.

In addition, Sonoma County Fire Prevention included several conditions of approval that the applicant would need to comply with, addressing the following areas:

- Compliance with pertinent codes, regulations, and ordinances related to building design and fire prevention.
- Fire protection planning.
- Fire access roads, including gates.
- Water supplies and hydrants.
- Location of hazardous materials.

Employee training for proper use of regulated materials as required in the California Fire Code adopted with local amendments in Sonoma County Code Chapter 13. As a standard condition of approval, construction on the project site would be required to comply with the California Fire Code with local amendments as adopted in Sonoma County Code Chapter 13, including but not limited to fire sprinklers, emergency vehicle access, and water supply making the impact from risk of wildfire less than significant. County Code Section 26-88-254(f)(16) also requires that the applicant prepare and implement a fire prevention plan for construction and ongoing operations, including provision for emergency vehicle access and turnouts, vegetation management, and fire break maintenance around all structures. See section 20 for further discussion of wildfire impacts.

The project also includes a secondary emergency access route through project site continuing through a private road (Big Springs Drive) that connects to the adjoining property to the south and eventually connecting with Sweetwater Spring Road via Ridge Road and Mc Cray Ridge Road. The road is currently improved, and project would include an Emergency Vehicle Access easement to the community residents, Sonoma County emergency response, and CAL FIRE. Knox boxes would be installed at gates for emergency access. Emergency services would also have access to the proposed

irrigation reservoir and two water storage tanks for extended fire suppression.

Project compliance with standard County and State requirements as well as the secondary emergency access route to assist the community and emergency response in the event of a wildfire emergency and construction of significant water storage would ensure that risks from wildland fires on people and structures would be less than significant.

Significance Level: Less than significant with mitigation

Mitigation:
Mitigation Measure HAZ-1 Secondary Access Road
The applicant shall submit plans documenting the secondary access road. The plans at a minimum must include road width, grade, and any turnouts. The applicant shall implement any improvements identified by the Sonoma County Assistant Fire Marshal to ensure the road meets the minimum requirements for emergency access adopted by Sonoma County.

Mitigation Monitoring
Mitigation Monitoring HAZ-1 Prior to issuance of the use permit certificate, the applicant must submit evidence to the Sonoma County Assistant Fire Marshal that the secondary access road meets the minimum requirements for emergency access adopted by Sonoma County for review and approval.

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?

Comment:
The project would result in grading for all weather driving surface, fire access, farm manager dwelling, off-stream pond, outdoor cultivation terraces, and pads for greenhouse cultivation. Grading would result in an estimated 12,365 cubic yards of cut, and 8,885 cubic yards of fill, for a net of 3,840 cubic yards of cut. Construction activities, completed improvements, and project operations could all affect the quantity and/or quality of stormwater runoff.

The project site is located in the Mill Creek Sub-Basin of the Dry Creek Watershed Region, part of the larger Russian River Watershed.[34] Mill Creek is a tributary to Dry Creek, west of the City of Healdsburg and the other major tributaries within this sub-basin include Felta, Wallace, and Palmer Creeks. Palmer Creek, a blue-line stream, is located approximately 100 feet north of the project parcel, on the northern side of Palmer Creek Road. The parcel includes three drainages the flow north towards Palmer Creek. One unnamed drainage is located along the western property line and has been classified as a Class II watercourse under the State Water Resources Control Board Cannabis Cultivation Policy. The second unnamed drainage is located in the center of the property, flowing north and ultimately joining with the third drainage. The second drainage is classified as a

[34] Hurvitz Environmental Services, Inc., "Hydrogeologic Assessment Report, 6699 Palmer Creek Rd, Healdsburg", dated October 31, 2018, revised March 8, 2019.

Class III watercourse until it joins with the third Class II drainage in the northeastern portion of the parcel. Near the norther property line, the drainages revert to a Class III and ultimately enters a corrugated metal culvert under Palmer Creek Road after which it flows to Palmer Creek. Four stream crossings are located on an abandoned logging road that runs along the western property line.

On March 15, 2019 the North Coast Regional Water Quality Control Board conducted an inspection on-site of the project and observed no water quality concerns or issues related to riparian or wetland protection and management.[35] The report did contain several recommendations to address several onsite conditions that have the potential to impact water resources and water quality, including stream crossings and road surfacing. Implementation of Mitigation Measure HYD-1 would reduce potential impacts of erosion on any receiving waters.

A construction project disturbing one or more acres of soil is required to obtain coverage under the State Water Resources Control Board (SWRCB) Construction General Permit Order 2009-0009-DWQ for Discharges of Storm Water Runoff Associated with Construction Activity. Construction activities subject to this permit include clearing, grading, stockpiling, excavation, and reconstruction of existing facilities involving removal and replacement. The General Permit requires submittal of a Notice of Intent (NOI) package, and development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) which, in addition to other requirements, must include Best Management Practices (BMPs) to protect the quality of stormwater runoff.

The SWRCB Cannabis General Order WQ 2019-0001-DWQ (Cannabis General Order) for General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities, effective as of April 16, 2019, requires submittal of a Site Management Plan describing best management practices (BMPs) to protect water quality and may also require a site erosion and sediment control plan, disturbed area stabilization plan, and/or nitrogen management plan, depending on size and site characteristics of the operation. All outdoor commercial cultivation operations that disturb an area equal to or greater than 2,000 square feet of soil are required to enroll or to apply for a waiver of waste discharge (if applicable). Compliance with the Cannabis General Order is a standard condition of approval for all cannabis permits. County conditions of approval require a copy of the Waste Discharge Permit to be submitted prior to issuance of a Certificate of Occupancy or project operation and vesting the Use Permit.

The cannabis cultivation best management practices prescribed by the County Agriculture Commissioner include measures related to pesticide and fertilizer storage and use, riparian protection, water storage and use, waste management, erosion control/grading and drainage for outdoor cultivation, and pesticide use, and waste management.

A Water Supply and Wastewater Management Plan by Pinecrest Environmental dated October 22, 2018 was prepared for the project. The report analyzed stormwater management and drainage finding that project related activities should not result in significant increase in sediment to the system as long as all appropriate Best Management Practices (BMPs) are followed.[36] Recommended

[35] North Coast Regional Water Quality Control Board, "Inspection Report, Evergreen Acres LLC., Sonoma County APN 069-040-026," April 18, 2019.
[36] Pinecrest Environmental Consulting, "Water Supply and Wastewater Management Plan," October 22, 2018.

BMPs for erosion and sediment control include the following:

- Erosion control and sediment detention devices and materials shall be incorporated into the cleanup/restoration work design and installed prior to the end of project work and before the beginning of the rainy season or any predicted rain events.
- For fire damaged areas erosion control measures will include reseeding with native materials, mulching with straw or native woodchips. Burn areas adjacent to streams should have straw bales as check dams to intercept sediment flows.
- Any continuing, approved project work conducted after October 15 shall have erosion control measures completed and up to date.
- All erosion control measures shall be inspected daily during severe rain events.
- Erosion control materials shall be, at minimum, stored on-site at all times during approved project work between May 1 and October 15.
- Approved project work within the 5-year flood plain shall not begin until all temporary erosion controls (straw bales or silt fences that are effectively keyed-in) are installed downslope of cleanup/restoration activities.
- Native species appropriate to the local habitat shall be used for all revegetation purposes.
- Non-invasive, non-persistent grass species (e.g., barley grass) may be used for their temporary erosion control benefits to stabilize disturbed slopes and prevent exposure of disturbed soils to rainfall.
- Upon work completion, all exposed soil present in and around the cleanup/restoration sites shall be stabilized within 7 days.
- The disturbed area will be minimized at all times to only that which is essential for the completion of the project.
- Provide temporary cover over disturbed areas that are not currently being worked on.
- Heavy equipment shall not be used in flowing water.
- Use of heavy equipment shall be avoided or minimized in a channel bottom with rocky or cobbled substrate.
- Heavy equipment shall not introduce chemicals or foreign sediment to the channel (e.g., remove mud from tracks or cover channel work area with plastic sheeting prior to heavy
- equipment entry).
- When heavy equipment is used, any woody debris and stream bank or streambed vegetation disturbed shall be replaced to a pre-project density with native species appropriate to the site.
- When possible, existing ingress or egress points shall be used, or work shall be performed remotely from the top of the creek banks.
- Divert runoff away from unprotected slopes or loose soils using a combination of mats, geotextiles, silt fencing, wattling, check dams, sediment basins, vegetated buffers, or rock armor.
- Deploy appropriate erosion control measures such as silt fencing or straw wattles around all temporary exposed piles or soil or surface disturbances.

- All temporary exposed piles or soil or surface disturbances shall have tarping and sandbags, or other stabilization materials deployed in order to prevent discharge of sediments in the event of a rain or wind event.
- Geotechnical fabric shall be deployed on all exposed dirt surfaces with a slope of greater than 15% and staked in place during ground disturbing activities, and silt fencing deployed on slopes of greater than 15% where appropriate.
- Sandbags, straw bales, or other devices shall be placed at appropriate locations near and alongside the roadsides and swales in anticipation of large storm events.
- Bioswales and cultivation areas including parking areas shall be maintained free of trash including empty soil and pesticide or fertilizer containers.
- Locations of sediment sources shall be identified during rain events and mitigated where appropriate.
- Protect ditch inlets and outlets from erosion using rock armor.
- Silt fencing shall be installed downstream of rock piles, stockpiles, and temporary soils storage areas.
- Desilting or retention basins shall be installed if the capacity of the natural percolation exceeds the inputs during routine storm events.
- Sediment traps shall be used on all exposed driveway surfaces where natural vegetation is not able to be established.
- Exposed unvegetated surfaces will be graveled where appropriate.
- Rock placed for slope protection shall be the minimum necessary to avoid erosion and shall be part of a design that provides for native plant revegetation and minimizes bank armoring.
- Soil exposed as a result of project work, soil above rock riprap, and interstitial spaces between rocks shall be revegetated with native vegetation by live planting, seed casting, or hydroseeding prior to the rainy season of the year work is completed.
- Avoidance of earthwork on steep slopes and minimization of cut/fill volumes, combined with proper compaction, shall occur to ensure the area is resilient to issues associated with seismic events and mass wasting. If cracks are observed, or new construction is anticipated, consultation with a qualified professional is recommended.
- Culvert fill slopes shall be constructed at a 2:1 slope or shall be armored with rock.
- If it is necessary to conduct work in or near a live stream, the workspace shall be isolated to avoid project activities in flowing water.
- Any spoils associated with site maintenance shall be placed in a stable location where it cannot enter a watercourse.
- Side casting shall be minimized and shall be avoided on unstable areas or where it has the potential to enter a watercourse.
- Entrance to the project site shall be maintained in a condition that will prevent tracking or flowing of sediment into the public right-of-way.
- All sediment spilled, dropped, washed, or tracked onto the public right-of-way's shall be removed immediately.

- When necessary, wheels shall be cleaned to remove sediment prior to entrance onto public rights-of-ways.
- When wheel washing is required, it shall be done in an area stabilized with crushed stone that drains into a sediment trap fitted with appropriate erosion control measures.
- To control surface water runoff in and around cultivation areas use fiber rolls or wattling and stake appropriately and perpendicular to the flow path.
- Cover crops should be utilized on all exposed slopes that are not able to be protected by other means.
- Cover crops should be native species as described in the associated biological resources report.
- Rip compacted soils prior to placing spoils to prevent the potential for ponding under the spoils that could result in spoil site failure and subsequent sedimentation.
- Compact and contour stored spoils to mimic the natural slope contours and drainage patterns to reduce the potential for fill saturation and failure.
- Ensure that spoil materials are free of woody debris, and not placed on top of brush, logs or trees.
- Inspect all roads and culverts regularly for blockages.

Sonoma County also requires the project applicant to prepare a grading and drainage plan (Erosion Prevention and Sediment Control Plan) in conformance with Chapter 11 (Construction Grading and Drainage Ordinance) and Chapter 11A (Storm Water Quality Ordinance) of the Sonoma County Code and the Sonoma County Storm Water Low Impact Development Guide, all of which include performance standards and Best Management Practices for pre-construction, construction, and post-construction to prevent and/or minimize the discharge of pollutants, including sediment, from the project site. Required inspections by Permit Sonoma staff ensure that all grading and erosion control measures are constructed according to the approved plans.

All of the above ordinance and permitting requirements and adopted best management practices are specifically designed to mitigate potential water quality impacts and when combined with mitigation measure HYD-1 would ensure potential water quality impacts are less than significant during and post construction.

Significance Level: Less than Significant Impact with Mitigation Incorporated

Mitigation Measure

HYD-1 Sediment Control

The applicant shall engage appropriately qualified, licensed professional(s) to develop design and construction plans, along with an implementation schedule to repair and/or replace stream crossings and legacy roads identified in the North Coast Regional Water Quality Control Board's report as potential points of sediment discharge to receiving waters.

Mitigation Monitoring

Mitigation Monitoring HYD-1

The applicant must submit documentation to Permit Sonoma that all water quality concerns related to stream crossings and legacy roads identified by the North Coast Regional Water Quality Control Board have been addressed to the satisfaction of the North Coast Regional Water Quality Control

Board.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the Basin?

Comment:
The proposed cannabis cultivation project is located within a Class 4–Water Scarce Groundwater Area, subject to requirements of General Plan Policy WR-2e which calls for groundwater studies that demonstrate adequate groundwater supply for projects in Class 3 and 4 water areas. The project site is not located within a Medium or High Priority basin defined under the Sustainable Groundwater Management Act (SIGMA). The nearest SIGMA basin is the Santa Rosa Plain.

A hydrogeologic assessment report by Hurvitz Environmental titled Hydrogeologic Assessment Report, 6699 Palmer Creek Road, Healdsburg" ("Hurvitz"; "Hurvitz Report") and dated October 31, 2018, revised March 8, 2019, was prepared in accordance with Sonoma Count Permit and Resources Department Policy and Procedure Number 8-1-14 and General Plan Policy WR-2e.[37] The purpose of the report was to evaluate the aquifer conditions at the site located in a Zone 4 groundwater availability area, and to determine if the proposed groundwater usage will cause overdraft conditions, well interference or impact nearby streamflow. Since the proposed project is relying on surface water from a pond for irrigation, and groundwater from a domestic well for domestic and employee usage, the assessment is also focused on surface water availability, surface water rights, as well as potential effects on the local aquifer and nearby streams.

Cultivation Operation Water Usage
All water for cannabis cultivation would be supplied by the proposed water storage pond. Water will be stored in a storage pond with a capacity of approximately 2.4-acre feet. An Irrigation Water Supply Assessment prepared by Atterbury & Associates, presents total pond storage capacity, monthly inflow, and evaporation, all relative to precipitation, and project water demand.[38] From the calculations it appears that the Projects water usage during winter and spring will be supported by the captured rainwater and that stored pond water will support the Project water demands through the dry season. The applicant will register with the State Water Quality Control Boards (SWQCB) Cannabis Small Irrigation Use Permit Program and therefore could potentially divert surface water and/or groundwater from the property to the irrigation pond. However, any potential diversions would need to be performed in accordance with the SWQCB use/reporting requirements and forbearance periods.

Project estimated water usage for 29,400 square feet outdoor cultivation is 215,000 gallons annually, which averages approximately 4.78 gallons of water/plant/day throughout the 5-month growing season (150 days) or approximately 6.2 gallons/sq ft/year. Estimated water usage for the 10,000 square feet of mixed light cultivation is 340,000-gallons of water annually. Based on these values the Applicant estimates that they will use as much as 170 gallons of water/plant cycle or approximately 34 gallons/sq ft/year. The estimated annual irrigation water use for the entire cultivation project is approximately 555,000 gallons or 1.70 acre-feet.

[37] Hurvitz Environmental Services, Inc., "Hydrogeologic Assessment Report, 6699 Palmer Creek Road Healdsburg", dated October 31, 2018, revised March 8, 2019.
[38] Atterbury & Associates, Inc., "Irrigation Water Supply Assessment for 6699 Palmer Creek Road, Healdsburg, APN. 069-040-026," March 6, 2019.

Employee Water Use
A 5-inch diameter well is proposed to support the operations workers and household domestic water demands. The 236-foot well was installed in July 2018 and a Certified Dry Season Well Yield Test (Permit # WEL-18-0170) was performed by Hurvitz on September 7, 2018, and the sustained yield after 8hrs of testing was 6.7 gallons per minute. The project will require two full-time farm managers and several part-time employees. The Hurvitz Report estimated the project would require 4 full time employees throughout the year each using 15 gallons per day per person. Annual onsite Worker water use is estimated to be 21,900 gallons/year or 0.07-acre feet/year.

Domestic Water Use
The project also includes the development of a two-bedroom home on the property which will be utilized as a primary residence by two full-time farm workers. The Hurvitz Report factored in domestic water use and according to the USGS, the average person within the Santa Rosa Plain Watershed uses 0.19 acre-feet/year for domestic purposes. This value includes water for residential landscaping and all landscape water for this site will come from captured rainwater. Alternatively, the USGS provides ranges for indoor water use which could reach 120- gallons/day/person. Using this value for water use and assuming that two people will live in the proposed residence it is assumed that annual domestic groundwater usage would be 0.27 acre-feet a year.

Cumulative Impact Area
The Hurvitz report delineated the Cumulative Impact Area (CIA) based on known geologic, hydrologic and groundwater characteristics in the area including sub-watershed boundary maps as well as discussions with Robert Pennington, Staff Geologist of Permit Sonoma. The Hurvitz Report identified 22 properties/parcels in the CIA including the project site. Well Completion Reports were identified for 6 parcels, including the subject site, within or bordering the CIA. Assuming that each person uses 0.19 acre-feet of groundwater per year and that 36 residents live or will live within the CIA, the Hurvitz Report estimated that current domestic demand within the CIA is approximately 11.40 acre-feet per year. The estimates provided for current domestic groundwater demand included 12 of the 22 parcels identified within the CIA. Therefore, the estimate for future domestic demand assumes that the additional 10 properties will be developed with primary residences and 2nd units and estimates a future potential domestic groundwater demand of 9.5 acre-feet per year.

The Hurvitz Report estimates that the current annual groundwater demand for the CIA is approximately 11.4 acre-feet per year and future annual groundwater demand is 20.9 acre-feet per year. The project's groundwater demand of 0.07 acre-feet per year increases the current total water demand within the Cumulative Impact Area by 0.61% and increases the future potential groundwater demand by 0.33%.

Groundwater Storage
The well yields for the six wells identified in the Cumulative Impact Area (including the site well) varied from 4 to 70 gallons per minute (gpm), with an average saturated zone thickness of 73 feet and an average specific capacity of 0.31gpm/ft drawdown. The Hurvitz Report used well log information to estimate the average thickness of the saturated zone beneath the Cumulative Impact Area at 73 feet. Specific yield data indicated a specific yield of 3% for the Franciscan Assemblage and determined that the wells in the Cumulative Impact Area predominantly penetrate rocks of the Franciscan Assemblage. The Hurvitz report used a specific yield value of 3 percent (0.03) to assess aquifer storage. Therefore, the Aquifer Storage was estimated to be 1,095 acre-feet.

Groundwater Recharge
The primary sources of groundwater recharge in the Santa Rosa Plain watershed are infiltration of precipitation, infiltration from streams, and irrigation-return flow. Average annual precipitation can be reasonably expected to be 53-inches, which would be approximately 4.42 acre-feet of rain falling per acre, or 2,208 acre-feet over the entire Cumulative Impact Area. To estimate the groundwater recharge within the Cumulative Impact Area the Hurvitz Report first assumed that the recharge to the aquifer is primarily through rainfall and that all rainfall accumulated within the 500-acre Cumulative Impact Area drains into unnamed creeks before reaching Palmer Creek. The Hurvitz Report estimated annual precipitation in the Cumulative Impact Area to be 2,208 acre-feet and groundwater recharge to be 110.4 acre-feet per year. Accounting for drought conditions using a value of 60% of the average rainfall and assume that the groundwater recharge rate was reduced to 1.67%, Hurvitz estimated the low-end value for groundwater recharge to be 22.13 acre-feet per year.

Potential Impacts to Neighboring Streams and Wells
To evaluate potential well pumping impacts to surface water bodies or wells on other properties, the potential lateral extent of pumping from the planned project well was estimated in the Hurvitz Report. Using values from a 2018 Well Yield Test, the Hurvitz Report calculated a zone of pumping influence extending approximately 275 feet from the well for an unconfined aquifer and approximately 2,000 feet from the well for a confined aquifer. The nearest well at APN 069-140-025 (Well No. 0945925) is located approximately 325 feet from the site well and is outside the site well's pumping influence for unconfined conditions.

Palmer Creek is located approximately 175 feet to the north of the site well and another unnamed, ephemeral drainage is located approximately 200 feet southwest of the domestic well. Applying the unconfined aquifer model, pumping from the project well could potentially interfere with stream flow in both nearby creeks. However, the maximum daily water demand from the domestic well is estimated to be approximately 329-gallons (worker and residential), which would only require approximately 49 minutes of pumping (at 6.7 gpm). Therefore, the Hurvitz report concluded the actual extent of pumping influence from the project well is anticipated to be less than estimated. Further, the pumping radius of influence model assumes that Palmer Creek and the well have direct hydraulic connectivity which is difficult to assess in fractured bedrock conditions.

To further evaluate the quantitative effect that pumping from the site well could have on streamflow conditions in Palmer Creek the Hurvitz Report entered site specific data into the USGS Stream Depletion Model. To evaluate the site conditions, Hurvitz ran the model for a partially penetrating stream with streambed resistance.

Based on the Well Yield test data, HAR, and a pumping duration of 180 days and a streambed conductance of 0.75 ft/day, the model provided daily values for stream depletion over the entire dry season. The results indicate that reduction in stream flow after 180 days of pumping would equal 0.0004 cubic feet per second or approximately 0.13 gpm.

The Hurvitz Report determined that pumping and groundwater use of 0.34 acre-feet per year will not significantly impact neighboring wells and is not expected to result in a critical reduction in stream flow in Palmer Creek or the ephemeral drainages.

Significance Level: Less than Significant Impact

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;

Comment:
Construction activities associated with the proposed project are not anticipated to alter the existing drainage pattern of the site or area in a way that would result in downstream erosion and/or sedimentation. While the project would disturb approximately two acres and create approximately 20,000 square feet of impervious surface. All construction activities are required to adhere to Sonoma County Code Sections 11.14.040 and 26.88.254 requiring that best management practices be incorporated in project activity to further control surface water runoff. Runoff and stormwater control requirements for cannabis cultivation prohibit draining of runoff to the storm drain system, waterways, or adjacent lands. Prior to beginning grading or construction, the operator is required to prepare a storm water management plan and an erosion and sediment control plan for County review and approval, including best management practices for erosion control during and after construction and permanent drainage and erosion control measures pursuant to Chapter 11 of the County Code. All cultivation operators are required to comply with the best management practices for cannabis cultivation issued by the Agricultural Commissioner for management of wastes, water, erosion control and management of fertilizers and fires, Section 26-88-254(f)(20).

Significance Level: Less than Significant Impact with Mitigation Incorporated

Mitigation: Mitigation
Measure HYD-1

Mitigation Monitoring
Mitigation Monitoring HYD-1

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

Comment:
As discussed in section 10.c.i, the proposed project would increase impervious surface area; however, project compliance with County Code requirements related to storm water runoff and drainage would ensure that the project would not increase the rate or amount of surface runoff. The water storage reservoir would be required to obtain the necessary permits from the California Division of Safety of Dams, which oversees the design, construction, and maintenance of dams. Therefore, the project would not substantially increase the rate or amount of surface water runoff that would result in flooding on- or off-site.

Significance Level: Less than Significant Impact

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

Comment:
As discussed in section 10.c.i, the proposed project would increase impervious surface area; however, Permit Sonoma Grading and Stormwater Section staff reviewed the project referral and provided conditions of approval to ensure project compliance with the County Construction Grading and Drainage Ordinance (Zoning Code Chapter 11). The project would require a grading permit, which would not be issued until all recommended feasible storm water treatment options have been incorporated into project design in compliance with all applicable standards of the County Code. Project compliance with these standard conditions of approval and County Code requirements related to storm water runoff and drainage would ensure that the project storm water runoff would be reduced sufficiently to ensure that the capacity of existing or planned drainage systems are not exceeded by project storm water runoff or that project storm water runoff would not increase the rate or amount of surface runoff or polluted runoff.

Significance Level: Less than Significant Impact

iv. impede or redirect flood flows?

Comment:
According to the General plan Figure PS-1e (Flood Hazard Areas), the project site is located outside of the 100-year Flood Hazard Area;[39] the project site is in an "area of minimal flood hazard" as designated by FEMA. The potential for flooding at the site is low, and therefore the proposed project would not impede or redirect flood flows.

Significance Level: Less than Significant Impact

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Comment:
The project site is not located in an area subject to seiche or tsunami. A seiche is a wave in a large enclosed or partly enclosed body of water triggered by an earthquake. The project site is not located near enough to a large body of water or the coastline to be subject to earthquake-triggered waves. The project site is not located in a 100-year floodplain or other Special Flood Hazard Area mapped by the Federal Emergency Management Agency.

Significance Level: No Impact

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Comment:
As described under item 10.a and 10.c, the project would be required to comply with ordinance requirements, permits, adopted BMPs, and implementation of mitigation measure HYD-1 that are

[39] Sonoma County General Plan Safety Element Update, Dam Failure Inundation Hazard Areas, Figure PS-1f, accessed January 14, 2021, https://sonomacounty.ca.gov/WorkArea/DownloadAsset.aspx?id=2147542633.

specifically designed to maintain potential water quality impacts at a less than significant level during and post-construction. No conflicts with a water quality control plan have been identified. Additionally, the Hurvitz Report found that the project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge or impede sustainable groundwater management of the basin.

Significance Level: Less than Significant Impact

11. LAND USE AND PLANNING.

Would the project:

a) Physically divide an established community?

Comment:
The project would not physically divide a community. The project would not involve construction of a physical structure (such as a major transportation facility) or removal of a primary access route (such as a road or bridge) that would impair mobility within an established community or between a community and outlying areas; all improvements and construction would occur within the project parcel. No impact would occur.

Significance Level: No Impact

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?

Comment:
The project would not conflict with any applicable land use plan adopted for the purpose of avoiding or mitigating environmental effect, including the Sonoma County General Plan and Zoning Ordinance.

The General Plan Land Use Designation on the parcel is Resources and Rural Development (RRD). The RRD category allows residences at very low densities, due to lack of infrastructure, greater distances for public services poor access conflicts with resource conservation and production and significant constraints and hazards. Policy for the RRD category accommodates agricultural production activities but limits activities on timberland or resource lands.

- Protection against intensive development of lands constrained by natural hazards and proliferation of growth in areas where there are inadequate public services and infrastructure (General Plan Land Use Element 2.7- Natural Resource Land Use Policy): The project site is not constrained by steep slopes, biotic or scenic areas, poor soils or water, geologic hazards, or fire and flood prone areas. Development on the site is limited to approximately three acres of the 40.11-acre parcel and no new public services or infrastructure are needed to serve the project.
- The project is designed in harmony with the natural and scenic qualities of the local area (Policy LU-12g) as no portion of the project would be visible from a public or private road and the project site will be screened from Palmer Creek Road and adjacent parcels by proposing landscaping and fencing.

- Preservation of biotic and scenic resources (General Plan Goal LU-10, Objective LU10.1, Goal OSRC-2, Objective OSRC-2.1, Objective OSRC-2.2, Objective OSRC-2.3, Policy OSC-2d, Goal OSCR-3, Policy OSRC-3a, Policy OSRC-3b, Policy OSRC-3c, Goal OSRC-6, Objective OSRC-6.1, and Policy OSRC-6a): The project would be consistent with regulations pertaining to avoiding biotic resources and would also be largely consistent with regulations designed to maintain the scenic qualities of the area. (See Section 1, Aesthetics, for further discussion).
- Wastewater (General Plan Policy LU0-8a): The project would comply with regional waste discharge requirements and County regulations to minimize storm water, surface water and groundwater pollution.
- Maintaining very low residential densities (General Plan Objective LU-12.6): The project does include the construction of a residence; however, the construction of the residence is an outright permitted use in the RRD zone and one dwelling unit is permitted within the land use density designation.
- Nighttime lighting and preservation of nighttime skies and visual character of rural areas (General Plan Goal OSRC-4, Objective OSRC-4.1, Objective OSRC-4.2, Policy OSRC-4a, Policy OSRC-4b, and Policy OSRC-4c): All lights would be motion activated exterior lights which comply with County requirements related to location, shielding, and light levels.
- Renewable Energy (General Plan Policy LU-11b, Goal OSRC-14, and Objective OSRC14.2): The project would use 100 percent renewable energy as required for cannabis operations. This is consistent with County goals of increasing energy conservation and improving efficiency.

  Protection of Water Resources (General Plan Goal LU-8, Objective LU-8.1, Goal, Policy LU-8a): The project would be consistent with regulations pertaining to protecting Sonoma County's water resources and would also be consistent with regulations designed to avoid long term declines in available groundwater resources or water quality.

  Noise (General Plan Goal NE-1): Project construction and operations, including cannabis cultivation, would not exceed the general plan noise standards Table NE-2 (See Section 12, Noise, for further discussion).

Within the RRD zoning designation, commercial cannabis cultivation (up to 1 acre of cultivation area) is an allowed land use with a use permit. Approval of cannabis use permits requires compliance with multiple Development Criteria and Operating Standards from the Zoning Code intended to avoid and minimize potential environmental impacts (Sec. 26-88-250 and 254).

No conflicts with other General Plan policies related to scenic, cultural, or biotic resource protection, noise, or transportation have been identified. No conflicts with Development Criteria or Operating Standards have been identified, and no exceptions or reductions to standards would be necessary to approve the project. Therefore, the project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Significance Level: Less than Significant Impact

12. MINERAL RESOURCES.

Would the project:

a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the State?

Comment:
The project site is not located within a known mineral resource deposit area. [40] Sonoma County has adopted the Aggregate Resources Management Plan that identifies aggregate resources of statewide or regional significance (areas classified as MRZ-2 by the State Geologist).

The project site does not contain any active mines or known mineral resources that would require preservation and/or be impacted by the project.

Significance Level: No Impact

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?

Comment:
As discussed in section 12.a, the project site is not located within an area of locally important mineral resource recovery site. The site is not zoned MR (Mineral Resources), and no locally important mineral resources are known to occur at the site.[41]

Significance Level: 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?

Comment:
A Noise and Vibration Assessment was prepared for the project[42], which evaluated potential noise impacts from the proposed project based on applicable County standards at adjacent noise sensitive land uses (residences). County noise standards for non-transportation operational noise are provided in Table NE-2 of the General Plan (see Table 4 below). These thresholds may be adjusted based on site-specific conditions, such as a very high or very low ambient noise level, specific types of noise (e.g., dog barking, simple tone noises), or short-term noise sources permitted to occur no more than six days per year (e.g., concerts, special events).

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[40]California Geologic Survey Special Report 205, Update of Mineral Land Classification: Aggregate Materials in the North San Francisco Bay Production-consumption region, Sonoma, Napa, Marin, and Southwestern Solano Counties, California (California Geological Survey, 2013). Plate 1A, Plate 1B, and Plate 1C indicate the project site is classified as MRZ-3.
[41]Sonoma County. Aggregate Resources Management Plan, https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Aggregate-Resource-Management/Maps-and-Diagrams/, accessed 1/12/2021.
[42] Illingworth & Rodkin, Inc., "Evergreen Acres, LLC Noise and Vibration Assessment," March 26, 2019.

Table 4. Maximum Allowable Exterior Noise Exposures for Non-transportation Noise Sources

Hourly Noise Metric[1], dBA	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
L50 (30 minutes in any hour)	50	45
L25 (15 minutes in any hour)	55	50
L08 (4 minutes 48 seconds in any hour)	60	55
L02 (72 seconds in any hour)	65	60
[1] The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level.		

The Noise Study determined that the closest sensitive uses were the rural residential land uses located to the west and north of the project site. Ambient noise measurements were taken between February 28, 2019 and March 4, 2019 with a Larson Davis Model 820 Integrating Sound Level Meter just east of the existing barn. Under current (existing) conditions, noise levels at these residences are below County noise level standards for daytime hours and slightly above nighttime standards due to the sound of seasonal drainages/streams and nearby Palmer Creek.

Short-Term (Temporary) Noise. Construction noise would be considered temporary and short term as the impact would cease upon completion of construction. Residents could experience temporary noise from construction equipment and transport of construction materials. Each construction phrase would include a different mix of equipment. The highest noise levels are typically generated when impact tools are used (e.g., jackhammers, hoe rams). Site grading and excavation activities would also generate high noise levels as these phases often require simultaneous use of multiple pieces of heavy equipment, such as dozer, excavators, scrapers, and loaders.

Construction would be conducted within the allowable hours of 8:00 am and 5:00 pm. Extreme noise generating construction methods, such as impact pile driving, are not proposed. Construction noise levels would be anticipated to range from 78 to 89 dBA L_{eq} at 50 feet during construction periods and would drop off at a rate of about 6 dBA per doubling of distance between the noise sources and the receptor. Residential properties are located as close as about 85 feet to the west and 235 feet to the north of areas where construction (i.e., earthwork) would occur. Construction noise levels would range from 73 to 84 dBA L_{eq} at 85 feet and from 65 feet and from 65 to 76 dBA L_{eq} at 235 feet. Implementation of NOISE-1 would ensure temporary construction noise is less-than-significant.

Long-Term (Operational) Noise. Project operations would not require any heavy equipment or machinery. A gas-powered farm tractor would be used to serve the barn and agricultural areas. The use of agricultural equipment as part of the operation would be very infrequent and similar to equipment currently used at surrounding rural land uses for similar purposes including tractors, mowers, quad runners, etc. The County noise standards above would not apply to infrequent noise events that are common to the project area. Heavy items including filled soil bags in the outdoor cultivation area would be moved with hand operated wheeled carts. Evergreen's outdoor cultivation operations would not use noise sources such as grinders or generators and would be conducted by

hand and would not be audible or measurable to property boundaries. A small portable generator would be utilized only when there are power outages.

The primary noise source that would be audible outside the proposed greenhouse buildings would be from fans required for ventilation. No specifications were available for the proposed ventilation fans, but measurements of similar greenhouse ventilation fans show that each fam would produce a noise level of 58 dBA at 20. To represent a worst-case scenario the noise analyses assumed the fans would run continuously 24 hours per day. Mechanical and electrical equipment located inside the building for lighting, internal air circulation and dehumidification would not contribute to noise outdoors. Using this data, the analysis measured noise at nearest residential properties during daytime and nighttime. The nearest residential uses are approximately 300 feet to the north, approximately 300 feet to the west and approximately 750 feet to the east of the proposed greenhouses.

Traffic
The project would result in a slight increase in automobile and light vehicle traffic along Mill Creek Road and Palmer Creek Road. Project vehicle trips, traveling at the posted speed of 20 mph, would produce an hourly average noise level of less than 36 dBA. The Noise Study found the addition of project vehicles would not result in a measurable or detectable increase in ambient daily average noise levels and would not be considered significant. The project would also construct onsite parking areas that would be used during daytime hours. Vehicle circulation, engine starts, and door slams would be the primary source of noise associated with the parking areas. These sources typically produce noise levels that range from 50 dBA to 60 dBA L_{max} at 50 feet, typically last between 1 and 5 minutes in duration, and generally occur during daytime hours. Parking activity noise levels would be 21 dBA or more below the daytime noise level threshold of 65 dBA L_{02} at nearby property lines. No nighttime parking and loading would occur.

Significance Level: Less than Significant Impact with Mitigation Incorporated

Mitigation:
Mitigation Measure NOISE-1 Construction Operation:
All plans and specifications or construction plans shall include the following notes:

a) A Construction Coordinator shall be designated by the project applicant, and a sign shall be posted on the site stating the allowable hours of construction and the Coordinator's 24-hour phone number for public contact regarding noise issues. The Coordinator shall investigate all complaints to determine the cause (such as starting too early, faulty muffler, etc.), and shall take prompt action to correct any problem. The Coordinator shall report all complaints and their resolutions to Permit Sonoma staff.

b) All internal combustion engines used during construction shall be equipped with intake and exhaust mufflers that meet the requirements of the State Resources Code, and, where applicable, the Vehicle Code. Air compressors and pneumatic equipment shall be equipped with mufflers, and impact tools shall be equipped with shrouds or shields. Equipment shall be properly maintained and turned off when not in use.

c) Except for actions taken to prevent an emergency or to deal with an existing emergency, all construction activities (including equipment start-up, operation, servicing, and deliveries) shall be restricted to the hours of 8:00 a.m. and 5:00 p.m., Monday through Saturday. No

construction shall occur on Sundays or holidays. If work outside the times specified above becomes necessary, the applicant shall notify the Permit Sonoma staff as soon as practical.

d) Construction maintenance, storage and staging areas for construction equipment shall avoid proximity to residential areas to the maximum extent practicable. Stationary construction equipment, such as compressors, mixers, etc., shall be placed away from residential areas and/or provided with acoustical shielding.

Mitigation Monitoring:

Mitigation Monitoring NOISE-1 Construction Operation:

Permit Sonoma staff shall verify that the NOISE-1 measures are included on all site alteration, grading, building or improvement plans prior to issuance of grading or building permits. The applicant shall submit documentation to Permit Sonoma staff that a Construction Coordinator has been designated and that appropriate signage has been posted including the Coordinator's phone number. Documentation may include photographic evidence or a site inspection, at the discretion of Permit Sonoma staff.

Any noise complaints not immediately resolved by the Coordinator shall be investigated by Permit Sonoma staff. If violations are found, a noise consultant may be required at the applicant's expense to evaluate the problem and recommend corrective actions. Continuing or unresolved noise violations may result in an enforcement action and/or revocation or modification proceedings, as appropriate.

b) Generation of excessive groundbourne vibration or groundbourne noise levels?

Comment:

Construction activities may generate minor groundbourne vibration and noise, but they would be short-term and temporary, limited to daytime hours. Construction would occur 85 feet or further from the nearest residences and pile driving is not proposed as a method of construction. At a distance of 85 feet, groundbourne vibration from construction is anticipated to generate vibration levels in the range of 0.001 to 0.055 in/sec PPV. These vibration levels would be well below the conservative 0.3 in/sec PPV vibration limit recommended by the California Department of Transportation for buildings that are found to be structurally sound but where structural damage is a major concern.

Significance Level: Less than Significant Impact

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?

Comment:

The project is located approximately 6.5 miles southwest of Healdsburg Municipal Airport and approximately 9 miles northwest of Charles M. Schulz Sonoma County Airport. The project site is located well outside of each airport's ALUC referral area and 55 dBA CNEL noise contour. Excessive aircraft-related noise would not be expected at the project site.

Significance Level: Less than Significant 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)?

Comment:
The project includes the construction of one new residence but would not generate the significant need for or demand for housing in the area. The project site is not currently developed with housing or residences and the construction of one home on the project parcel complies with the Sonoma County General Plan and zoning density requirements. The project is expected to employ 6 year-round people including with an additional 2 employees seasonally for planting and harvest. A maximum of two employees are expected reside on site as caretakers. This small increase in employment opportunities is not anticipated to result in an indirect increase in population as it is anticipated that employees would be existing residents of the Bay Area. No new infrastructure is proposed. Therefore, the project would not induce substantial population growth.

Significance Level: Less than significant Impact

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

Comment:
No housing would be displaced by the project and no replacement housing would be required.

Significance Level: No Impact

15. PUBLIC SERVICES.

Would the project:

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

Comment:
Construction of the project would not involve substantial adverse physical impacts associated with provision of public facilities or services. The proposed project does not generate significant new demand for housing in the area (a maximum of 6 full time and 2 seasonal employees is proposed). This small increase in employment opportunities is not anticipated to result in an indirect increase in population requiring construction of new or altered government facilities. Therefore, the project

would not necessitate or facilitate construction of new public facilities.

Significance Level: Less than Significant Impact

i. Fire protection?

Comment:
The proposed project is within a State Responsibility Area and under the authority of California Department of Forestry and Fire Protection (CAL FIRE and Sonoma County Fire and Emergency Services) service area. CAL FIRE would continue to serve this area; existing fire protection facilities are anticipated to be adequate.

A report titled "FESC-Compliance Inspection Report" by Brian F. Elliott with Fire and Emergency Services Compliance (FESC-Canna Code) was prepared on April 21, 2018.[43] This report provided conditions of approval to comply with fire safety laws, including fire protection methods such as sprinklers in buildings, alarm systems, extinguishers, vegetation management, hazardous materials management and management of flammable or combustible liquids and gases.

The County Assistant Fire Marshal reviewed the proposed project and provided conditions of approval to comply with California Department of Forestry and Fire Protections fire safety regulations 14 California Code of Regulations §§1270 et seq as well as the California Fire Code adopted with local amendments in Sonoma County Code Chapter 13, including fire protection methods such as sprinklers in buildings, alarm systems, extinguishers, vegetation management, access, hazardous materials management and management of flammable or combustible liquids and gases.

Significantly, the applicant has also offered to record easements through the site and on a private road on the adjoining property to the south for the community and emergency responders to access a secondary emergency vehicle access route from Palmer Creek Drive to Big Springs Drive to ensure safe access for emergency wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with §§1273.00 through 1273.09. The emergency vehicle access road will also be improved with two hammerhead turnarounds constructed in compliance with the California Department of Forestry and Fire Protection, 14 CCR §1273.05. The emergency vehicle access road is currently improved and Knox boxes would be installed at the gate on the property for access.

The County Assistant Fire Marshall inspected the site and recommended an existing rail car bridge be inspected for safety by a civil engineer.[44] The bridge is located on Palmer Creek Rd. approximately 1 mile east of the project site. PJC & Associates, Inc., conducted an evaluation for replacement of the of the bridge to improve vehicular and emergency vehicle access.[45] A new bridge meeting current engineering and roadway standards was installed in 2020.

Because none of the conditions and/or requirements requires construction of new or expanded fire

[43] Brian F. Elliot," FESC-Compliance Inspection Report," April 21, 2018.
[44] Sonoma County Assistant Fire Marshal, "FSR19-0007: Fire, Field Review," June 28, 2019.
[45] PJC & Associates, Inc., "Soil & Foundation Investigation, Proposed Replacement Vehicular Bridge, 5300 Mill Creek Rd, Healdsburg, California," August 1, 2019.

protection/EMS facilities, project impacts on fire protection/EMS would be less than significant.

Significance Level: Less than Significant Impact

ii. Police protection?

Comment:
The Sonoma County Sheriff would continue to serve this area; existing sheriff protection facilities are anticipated to be adequate. The maximum of 6 full time and 2 seasonal job opportunities would not be anticipated to result in a substantial number of new residents moving to the area and requiring police protection. Two of the full-time employees would reside in the proposed residence, however this would not result in a residential density beyond what is permitted outright by the Sonoma County General Plan or zoning designation for the parcel. Therefore, the project would not necessitate or facilitate construction of new police protection facilities resulting in environmental impacts in order to maintain acceptable service ratios or response times.

Significance Level: Less than Significant Impact

iii. Schools?

Comment:
Development fees to offset potential impacts to public services, including school fees, are required by Sonoma County Code and state law for new subdivisions and residential developments. The maximum of 6 full time and 2 seasonal job opportunities would not be anticipated to result in a substantial number of new residents moving to the area and requiring additional school facilities. Therefore, the project would not necessitate or facilitate construction of new schools resulting in environmental impacts in order to maintain acceptable service ratios or response times.

Significance Level: Less than Significant Impact

iv. Parks?

Comment:
The proposed project would not include the development of new residential uses and thus would not result in the need for new or expanded park facilities.

Significance Level: Less than Significant Impact

v. Other public facilities?

Comment:
The project would not be served by public sewer or water facilities. No other public facilities are anticipated to be required as a result of the project.

Significance Level: 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?

Comment:
The proposed project would not generate significant new demand for housing in the area. The cannabis operation would employ up to 8 employees (6 full time employees and 2 seasonal), which would not cause or accelerate substantial physical deterioration of parks or recreational facilities and therefore would have no impact on the use of existing neighborhood and regional parks or other recreational facilities.

Significance Level: No Impact

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?

Comment:
The proposed project does not include or require construction of recreational facilities.

Significance Level: 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?

Comment:
The project site would be accessed via an existing driveway on the south side of Palmer Creek Road, approximately 2.1 mile southwest of Mill Creek Road. Palmer Creek Road is a mostly dirt and gravel roadway with a width that varies between approximately 16 and 22 feet. The roadway has a posted speed limit of 15 miles per hour (mph). The cannabis operation would employ up to 6 full-time employees. An additional 2 seasonal employees are anticipated approximately once per month during planting and harvest. The project also includes the construction of a residence for two of the full-time employees to reside in. The project proposes using an electric vehicle to shuttle all employees to and from the project site. Due to the small number of employees and low number of peak hour trips, no traffic study was required by the County of Sonoma Guidelines for Traffic Impact Studies screening criteria, and no study was requested by the Transportation and Public Works Traffic Division. A Focused Traffic Study was completed for the project by W-Trans and assessed potential traffic issues associated with the proposed cannabis cultivation project.[46]

The Focused Traffic Study determined the project would be expected to generate an average of 27 trips per day, including 4 each during the morning and evening peak hours, if all employees drove

[46] W-Trans, "Final Focused Traffic Study for the Evergreen Acres Project," December 22, 2020.

individually to the project site. The trip generation rate used in the analysis (3.05 for general light industrial land uses) accounts for all trips made to and from the site including trips associated with deliveries, visitors, and all operational activities that might occur based on a workforce of 6 employees.

Table 1 – Trip Generation Summary

Land Use	Units	Daily		AM Peak Hour			PM Peak Hour		
		Rate	Trips	Trips	In	Out	Trips	In	Out
Single Family Detached Dwelling	1 du	9.44	9	1	0	1	1	1	0
General Light Industrial	6 empl	3.05	18	3	3	0	3	1	2
Total Proposed			**27**	**4**	**3**	**1**	**4**	**2**	**2**

Notes: du = dwelling unit; empl = employee

(W-Trans, December 2020)

The proposed cultivation operation is expected to require about 25 trucks per year, including one delivery for cannabis importation, 12 trucks for shipment of product to off-site processors (once per month), and an additional 12 miscellaneous deliveries over the course of the year. These 25 trucks would result in 50 trips annually or an average of 0.14 trips per day.

While the resulting number of daily trips is likely conservative since all employees would arrive at and
depart the site in a single roundtrip via the shuttle each day during typical operation (a second roundtrip would be needed during harvest to accommodate the seasonal workers) and a maximum of one truck (two trips) would be expected in a single day, the peak hour totals appear reasonable and could represent one round trip for the shuttle departing and arriving back at the site to pick up or drop off employees as well as a single truck trip during the same hour. Given site specific operational parameters, it is anticipated that the project would generate a maximum of 19 daily trips consisting of nine trips for the residence, eight trips for shuttling employees, and two truck trips.

Given the minimal number of trips expected to be generated by the project, the Focused Traffic Study found Palmer Creek Road could adequately serve the project site. Additionally, given the low speeds observed on Palmer Creek Road, the study anticipated adequate stopping sight distance to be available at the project driveway to accommodate all turns into and out of the site.

There are no existing transit or pedestrian facilities on or near Palmer Creek Road. The closest Sonoma County Transit stop is over 6 miles to the east of the project site on Old Redwood Highway. The project is not located on a bikeway or closer than two miles to an existing or proposed bikeway.[47] Project traffic is expected to have a less than significant impact on the traffic circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.

[47] Sonoma County Bicycle & Pedestrian Plan, https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Bicycle-andPedestrian-Plan/Bikeways-Map/, accessed 1/13/2021.

Significance Level: Less than Significant Impact

b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?

Comment:
CEQA Guidelines 15064.3 subdivision (b). (SB) 743 established a change in the metric to be applied for determining transportation impacts associated with development projects. Rather than the delay-based criteria associated with a Level of Service (LOS) analysis, the increase in Vehicle Miles Traveled (VMT) as a result of a project will be the basis for determining impacts once this new metric is fully vetted and adopted. Because Sonoma County has not yet adopted a standard of significance for evaluating VMT, guidance provided by the California Governor's Office of Planning and Research (OPR) in the publication Transportation Impacts (SB 743) CEQA Guidelines Update and Technical Advisory, 2018, was used. This document identifies several criteria that may be used by jurisdictions to identify certain types of projects that are unlikely to have a VMT impact and can be "screened" from further VMT analysis. One of these screening criteria pertains to small projects, which OPR identifies as generating fewer than 110 new vehicle trips per day. As noted above in Table 1, the project is estimated to generate a maximum of 27 trips per day, which falls well below the OPR threshold; therefore, the project's transportation impact on VMT can reasonably be presumed to be less than significant.

Significance Level: Less than Significant Impact

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

Comment:
The project would not increase hazards since it maintains the existing alignment of the roadway. Driveway geometry would be improved by widening and improving the angle for access in accordance with Sonoma County design standards. Sightlines approaching the driveway have been determined to be adequate. [48]All cultivation activities would occur in the parcel interior; no farm equipment would use the public roadway. Palmer Creek Road is not a pedestrian or bicycle route; therefore, incompatible interactions between construction equipment and bicyclists or pedestrians are not expected to occur. Temporary construction-related impacts would cease upon completion of project construction and would be considered a less than significant impact.

Significance Level: Less than Significant Impact

d) Result in inadequate emergency access?

Comment:

The County Assistant Fire Marshal reviewed the proposed project and provided conditions of approval to comply with California Department of Forestry and Fire Protections fire safety regulations 14 California Code of Regulations §§1270 et seq as well as the California Fire Code adopted with local amendments in Sonoma County Code Chapter 13, including fire protection methods such as sprinklers in buildings, alarm systems, extinguishers, vegetation management,

[48] W-Trans, December 20, 2020, p. 3

hazardous materials management and management of flammable or combustible liquids and gases.

Significantly, the applicant has also offered to record easements through the site and on a private road on the adjoining property to the south for the community and emergency responders to access a secondary emergency vehicle access route from Palmer Creek Drive to Big Springs Drive to ensure safe access for emergency wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with §§1273.00 through 1273.09. The emergency vehicle access road will also be improved with two hammerhead turnarounds constructed in compliance with the California Department of Forestry and Fire Protection, 14 CCR §1273.05. The emergency vehicle access road is currently improved and Knox boxes would be installed at the gate on the property for access.

The County Assistant Fire Marshal inspected the site and recommended an existing rail car bridge be inspected for safety by a civil engineer. The bridge is located on Palmer Creek Rd. approximately one mile east of the project site. PJC & Associates conducted an evaluation for replacement of the bridge to improve vehicular and emergency vehicle access. A new bridge meeting current engineering and roadway standards was installed in 2020.

Significance Level: Less than Significant 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 § 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 Historic Resources or in a local register or historic resources as defined by 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 the Public Resources Code Section 5024.1, the lead agency shall consider the significance of resource to a California Native American Tribe.

Comment:
A cultural resources records search from the Northwest Information Center (CHRIS-NWIC), an archaeological field survey, and a Native American Sacred Lands File Search through the Native American Heritage Commission (NAHC) indicates there are no known tribal cultural resources or unique archaeological resources associated with TCR's located within the project boundaries.[49] A request for information was sent to individuals on the NAHC contact list, but no AB 52 consultations were requested.

Several tribes responded to the Permit Sonoma notification dated December 19, 2018. On

[49] ALTA Archaeological, "Archaeological Survey Report and Historic Resource Evaluation," February 15, 2019.

December 19, 2018 the Mishewal Wappo Tribe of Alexander Valley did not request consultation but requested a monitor for all digging and that if any new information or evidence of Native American activity is identified within the project area they are to be contacted immediately, which has been addressed through CULT-1.

The following tribes responded to the project notification but did not request consultation:

- The Federated Indians of Graton Rancheria responded on December 20, 2018 and did not request consultation.
- Lytton Rancheria responded on January 3, 2019 and did not request consultation.
- Middletown Rancheria responded on December 20, 2018 and did not request consultation.
- The Stewarts Point Rancheria Band of Kashia Pomo Indians responded on December 20, 2018 and did not request consultation.

Archival research indicates that the project site had not been previously subjected to a cultural resources study. The NWIC Record Search showed no prehistoric Native American Sites. There are no ethnographically described resources located within one mile of the project area. There are no known archaeological resources on the site, but the project could uncover such materials during grading and construction. As described under section 5.b, the Sonoma County grading ordinance includes provisions related to previously unknown TCR's or other archaeological resources that may be accidentally encountered during project implementation that require work to be immediately halted within the vicinity and Permit Sonoma notified. The County also has a standard "accidental discovery" condition of approval that requires work to be halted if unanticipated buried cultural resources are encountered during construction. The condition is applied to all use permits that involve ground disturbance.

Significance Level: Less than Significant Impact with Mitigation Incorporated

Mitigation:
Mitigation Measure CULT-1

Mitigation Monitoring
Mitigation Monitoring CULT-1

19. UTILITIES AND SERVICE SYSTEMS.

Would the project:

a) Require or result in the relocation or construction of expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental impacts?

Comment:
The project does not involve the construction or need for the relocation construction of water, wastewater treatment, stormwater drainage, electrical power, natural gas, or telecommunication facilities. Domestic wastewater disposal would be provided by an existing onsite septic system and

potable water would be provided via an onsite well. The project will utilize existing facilities for electrical power and telecommunications. The project will not utilize natural gas and there are no natural gas facilities in the area.

Project construction would temporarily alter storm water flows at the project site due to ground disturbing activities; however, there are no existing stormwater drainage facilities as Palmer Creek Road is a private road and the project site is located in an area with limited public infrastructure. Incorporation of mitigation measures and BMPs described in section 10 would ensure that project construction and development would not result in an increase in stormwater flows offsite. Development would only be permitted after Permit Sonoma review and approval of stormwater drainage development plans designed by a storm water engineer to ensure adequate management of storm water drainage facilities onsite.

The conditions described herein support and are consistent with California Department of Food and Agriculture Cannabis Regulations (CDFACR) Sections 8102(s), 8108 & 8308 regarding Utility and Service Systems.

Significance Level: No Impact

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

Comment:
As discussed throughout Section 10, water for the cultivation project will be supplied by direct capture of rainwater into the proposed 2.3-acre-foot pond as well as from captured rainwater from the proposed structures. The proposed cannabis cultivation project in within a Class 4 – Scarce Groundwater Area, subject to requirements of General Plan Policy WR-2e which calls for groundwater studies that demonstrate adequate groundwater supply for projects in Class 3 and 4 water areas. A hydrogeologic assessment report ("Hurvitz Report") was prepared by Hurvitz Environmental (Hydrogeologic Assessment Report, 6699 Palmer Creek Rd, Healdsburg, October 31, 2018, revised March 8, 2019) in accordance with Sonoma County Permit and Resources Department Policy and Procedure Number 8-1-14 and General Plan Policy WR-2e).

The quantity of groundwater to be used for the Project and within the Cumulative Impact Area compared to the quantity of available groundwater based on average rainfall conditions indicates that pumping for the Project is unlikely to result in significant declines in groundwater resources over time. Based on further analysis provided in the Water Supply Assessment, even under drought conditions, the pond is not expected to draw down to below 1.8' deep, or 87,258 gallons in reserve. Under average rainfall conditions, the pond is not expected to draw down to below 4.1' deep, or 228,687 gallons in reserve.[50] As a condition of approval and to ensure that there is sufficient water available in the irrigation pond to serve the proposed project, the applicant will be required to submit annually on April 1 data documenting the amount of water available in the irrigation pond and water tanks and the estimated water use to Permit Sonoma. If the water in the pond is below 1.8-acre feet or 586,000 gallons, trucked water may be used consistent with Sec. 26-88-254(g)(10) of

[50] Atterbury & Associates Inc., "Irrigation Water Supply Assessment for 6699 Palme r Creek Road, Healdsburg, APN. 069-040-026," March 6, 2019.

the Zoning Code subject to additional review and approval by Permit Sonoma. The condition requires that in the event that trucked water is used during more than one year in any five-year period, Permit Sonoma shall bring the matter back to the decision-making body for review of additional measures to reduce reliance on trucked water. An additional 97,000-gallon water storage tank that would be filled by precipitation and runoff from structures will also be installed near the mixed-light cultivation area. The use of groundwater for employee and domestic purpose would be negligible.

There are two existing water storage tanks at the site. The storage tanks meet the emergency water supply requirements in the California Fire code with local amendments as adopted in Sonoma County Code Chapter 13 and could provide supplemental water in the event of a fire. Conditions of approval require that water meter(s) be installed on the water system to measure all groundwater extracted for the permitted use. New or existing water wells used for the project shall be equipped with a groundwater level measuring tube and port, or electronic groundwater level measuring device. Groundwater monitoring reports shall be submitted annually to Sonoma County in January of each year.

Significance Level: Less than Significant Impact

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?

Comment:
The project site is served by a private septic system and would not require service from any wastewater treatment provider.

Significance Level: No Impact

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?

Comment:
Sonoma County has a solid waste management program in place that provides solid waste collection and disposal services for the entire County. The program can accommodate the permitted collection and disposal of the solid waste that would result from the proposed project.

However, to further reduce the solid waste disposal footprint, as a condition of approval, the project would be required to comply with the following Sonoma County Zoning Code waste management requirement:

> *"A Waste Management Plan addressing the storing, handling and disposing of all waste by-products of the cultivation and processing activities in compliance with the Best Management Practices issued by the Agricultural Commissioner shall be submitted for review and approval by the agency having jurisdiction. This plan shall characterize the volumes and types of waste generated, and the operational measures that are proposed to manage and dispose or reuse the wastes in compliance with Best Management Practices and County standards. All garbage and refuse on this site shall be accumulated or stored in non-absorbent, water-tight, vector*

resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight fitting lids. No refuse container shall be filled beyond the capacity to completely close the lid. All garbage and refuse on this site shall not be accumulated or stored for more than seven calendar days and shall be properly disposed of before the end of the seventh day in a manner prescribed by the Solid Waste Local Enforcement Agency. All waste, including but not limited to refuse, garbage, green waste and recyclables, must be disposed of in accordance with local and state codes, laws and regulations. All waste generated from cannabis operations must be properly stored and secured to prevent access from the public (Sec 26-88-254(g)(8)).”

The project proposes an on-site 4,000 square foot green waste composting area that will be constructed to act in support of the reduction of solid wastes. Standard conditions also require that the applicant submit a cannabis solid waste management plan with the compost and trash enclosure design to Sonoma County Environmental Health, Solid Waste/Cannabis programs and the Permit Sonoma Project Review Health Specialist for review and approval. All cannabis waste shall be ground, chipped or shredded as necessary and mixed with suitable materials and composted until it is no longer recognizable as cannabis by sight or smell. Waste containing cannabis must be made unusable and unrecognizable prior to leaving the licensed premises by grinding and incorporating the cannabis waste with non-consumable, solid wastes listed below, such that the resulting mixture is at least 50 percent non-cannabis waste: a. Paper waste; b. Cardboard waste; c. Food waste; or other compostable oil waste; and other wastes approved by the County that would render the cannabis waste unusable and unrecognizable.

The conditions described herein support and are consistent with California Department of Food and Agriculture Cannabis Regulations (CDFACR) Sections 8102(s), 8305 & 8306 regarding Utility and Service Systems.

Significance Level: Less than Significant Impact

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Comment:
No applicable federal solid waste regulations would apply to the project. At the State level, the Integrated Waste Management Act mandates a reduction of waste being disposed of and establishes an integrated framework for program implementation, solid waste planning, and solid waste facility and landfill compliance. Sonoma County has access to adequate permitted landfill capacity and reduction, reuse, and recycling programs to serve the proposed project. Construction and operational waste generated as a result of the project would require management and disposal in compliance with local and state regulations. The project would not conflict with implementation of such programs.

Significance Level: Less than Significant 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?

Comment:
Prior to operation, the applicant and/or operator must comply with all fire safety laws, including the California Department of Forestry and Fire Protection, 14 California Code of Regulations §§1270 et seq., the California Fire Code as adopted with local amendments in the Sonoma County Code Chapter 13, and defensible space requirements as set forth in Sonoma County Code Chapter 13A. All construction projects must comply with these fire safety laws, including but not limited to, installing fire sprinklers in buildings, providing emergency vehicle access, and maintaining a dedicated fire-fighting water supply on-site. As part of the County's planning referral process, the Sonoma County Fire Prevention responded with a comment letter to Permit Sonoma on January 16, 2019 and conducted a site visit on March 14, 2019. Sonoma County Fire Prevention updated its comment letter with additional requirements to comply with the California Department of Forestry and Fire Protection regulations.

California Department of Forestry and Fire Protection, 14 California Code of Regulations § 1273.00, require developments in the State Responsibility Area to provide for safe access for emergency wildfire equipment and civilian evacuation concurrently. The applicant requested an Exceptions to Standards to provide the same practical effect pursuant to 14 California Code of Regulations §1270.06 due to environmental conditions and physical site limitations based on the following:

1. Applicant has proposed to secure a second Fire Apparatus Emergency Vehicle Access from Palmer Creek Road and leading to Big Springs Drive (EVA) as documented on the Figure 3 project site map.
2. The EVA will be made available for the community and emergency responders to use during an emergency and shall be maintained to provide year-round unobstructed access for conventional vehicles and fire apparatus vehicles.
3. Applicant will name the County of Sonoma in the recorded easement for EVA purposes only.
4. Applicant shall construct two hammerhead turnarounds in compliance with California Department of Forestry and Fire Protection regulations 14 CCR §2273.05 on the EVA to ensure safe access for emergency wildfire equipment and civilian evacuation concurrently and shall provide unobstructed traffic circulation during a wildfire emergency consistent with 14 CCR §§1273.00 through 1273.09.
5. Applicant shall provide access to the irrigation pond water for extended firefighting. Applicant shall also provide access to a 97,000-gallon water tank on site for emergency firefighting. Emergency water supply for fire protection shall be available and accessible in locations, quantities, and delivery rates as specified in the California Fire Code, as adopted and amended by Sonoma County Code Chapter 13.
6. Applicant shall comply with defensible space and vegetation management responsibilities in compliance with Sonoma County Code Chapter 13A and California Department of Forestry and Fire Protection, 14 CCR §1276.00, and will continue to work with neighbors to clear vegetation along Palmer Creek Road.
7. Applicant will provide an area of safe refuge in a location approved by the fire code official.
8. All roadways and buildings shall be identified by approved road signs clearly visible and legible from the roadway and at interchanges, as required by the California Fire Code as adopted and

amended by the Sonoma County Code, and as required by California Department of Forestry and Fire Protection, 14 CCR §1274 et seq.

The remainder of Palmer Creek Road was found to provide continued unobstructed access to the convention vehicles and fire apparatus. The project site map in Figures 3 and 4 sets forth licensed professional plans documenting the proposed secondary emergency vehicle access road as well as two hammerhead turnarounds. The Sonoma County Assistant Fire Marshal has determined the Exceptions to Standards provides the same practical effect to provide safe access for emergency wildfire equipment and civilian evacuation concurrently and shall provide unobstructed traffic circulation during a wildfire emergency consistent with 14 California Code of Regulations §§1273.00 through 1273.09. The Sonoma County Interim Fire Marshal submitted the Exceptions to Standards for this project to CAL FIRE on April 1, 2021.

In addition, the County Assistant Fire Marshal inspected the site and recommended an existing rail car bridge be inspected for safety by a civil engineer. The bridge is located on Palmer Creek Rd. approximately 1 mile east of the project site. PJC & Associates conducted an evaluation for replacement of the bridge to improve vehicular and emergency vehicle access. A new bridge meeting current engineering and roadway standards was installed in 2020.

Sonoma County Fire Prevention included several conditions of approval that the applicant would need to comply with, addressing the following areas:

- Compliance with pertinent codes, regulations, and ordinances related to building design and fire prevention.
- Fire protection planning.
- Fire access roads, including gates with Knox Box to ensure access.
- Water supplies and hydrants
- Location of hazardous materials
- Employee training for proper use of regulated materials as required in the California Fire Code adopted with local amendments in Sonoma County Code Chapter 13.

As a standard condition of approval, construction on the project site would be required to comply with the California Fire Code with local amendments as adopted in Sonoma County Code Chapter 13, including but not limited to fire sprinklers, emergency vehicle access, and water supply making the impact from risk of wildfire less than significant. County Code Section 26-88-254(f)(16) also requires that the applicant prepare and implement a fire prevention plan for construction and ongoing operations, including provision for emergency vehicle access and turnouts, vegetation management, and fire break maintenance around all structures.

Emergency services would also have access to the proposed irrigation reservoir and two water storage tanks for extended fire suppression.

Project compliance with standard County and State requirements as well as the secondary emergency access route to assist the community and emergency response in the event of a wildfire emergency and construction of significant additional water storage would ensure that risks from wildland fires on people and structures would be less than significant.

Significance Level: Less than Significant Impact

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?

Comment:
The project site was heavily impacted by the Walbridge fire which destroyed and damaged biological resources, habitat, and communities. The fire burned through most portions of the site leaving small clusters of unburned trees. Overstory trees in most areas were burned severely enough to cause mortality. Understory trees showed significant damage to bark and root systems. Shrub and herbaceous layers were destroyed. Clearing of hazardous and damaged trees were removed and sediment control measures installed in accordance with CalFire and County regulations.

The Project site sits on a hillside surrounded by other hillsides covered in dense forest. For the Healdsburg and surrounding area, prevailing winds tend to come from the west or north. Prevailing winds from the west or north would tend to diminish the threat of uncontrolled spread of wildfire. Generally, if a wildfire were to break on one of the adjacent hillsides and the wind is coming from the west or north, it would push the fire and smoke away from the greenhouses and supporting buildings proposed for the project and towards the surrounding hill forest. Project activities in on the site could expose people to increased fire hazards due to additional human activity. No aspect of the project will exacerbate the existing level of fire hazard posed to the project site as it is or surrounding areas. It is likely the construction of additional fire protection measures, as described below, and the reintroduction of a regular employee presence may help report and contain wildfires if they were to break out on the surrounding hillsides.

As a project condition of approval, new construction, including grading on the project site must conform to the California Department of Forestry and Fire Protection regulations, 14 CCR §§1270 et seq. , Sonoma County Code Chapter 13A defensible space requirements as well as the California Fire Code adopted with local amendments in Sonoma County Chapter 13, including but not limited to, emergency vehicle access, and water supply making the impact from risk of wildland fire less than significant. In addition to the implementation of Mitigation Measure HAZ-1 below, this condition of approval will make impact from risk of wildland fire less-than-significant.

The County Fire Marshall inspected site and recommended an existing rail car bridge on Palmer Creek Rd. be inspected for safety by a civil engineer. The bridge is located on Palmer Creek Rd. approximately 1 mile east of the project site. PJC & Associates conducted an evaluation for replacement of the of the bridge to improve vehicular and emergency vehicle access. The new bridge has been completed.

In addition, the project is proposing an emergency access route available to the community and to emergency responders through its site and on a private road on the adjoining property to the south. See discussion under section 9.f-g.

Significance Level: Less than Significant 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?

Comment:
Access to the cultivation area will be from Palmer Creek Rd. via an existing driveway. The entrance will contain a secure gate with a Knox Box to ensure emergency access. The driveway is approximately 450 feet long will extend from Palmer Creek Rd. and will be adjacent to the proposed greenhouse, water pond and outdoor growing area. Two hammerhead turnarounds will be provided to ensure safe access for wildfire equipment and civilian evacuation in the event of an emergency. The project operator will maintain the site to reduce fire hazards and fire risk. The project with comply with California Department of Forestry and Fire Protection regulations, 14 CCR §§1270 et seq., as well as the California Fire Code adopted with local amendments in Sonoma County Chapter 13 for emergency water supply and storage for fire protection. Applicant will also provide access to water in the storage tanks and in the irrigation pond for extended fire suppression.
The applicant is proposing an emergency access through its site and on a private road on the adjoining property to the south. The road is currently improved. The project proposes to grant an Emergency Vehicle Access easement to the County of Sonoma for emergency responder and community access in the event of an emergency and install Knox boxes at gate for access. CAL FIRE will also have access to the onsite irrigation pond and storage tanks for fire suppression.

Significance Level: Less than significant Impact with Mitigation Incorporated

Mitigation:
See Mitigation Measure HAZ-1

Mitigation Monitoring
See Mitigation Monitoring HAZ-1

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?

Comment:
The project development areas including cultivation areas are generally level or gently sloping and contain native vegetation. The potential for flooding, slope stability, drainage changes and landslides are less than significant. Any grading required for construction of project improvements, including greenhouses, driveways, parking areas and cultivation areas will be constructed with a County issued grading permit that requires design and approval of stormwater improvements that will be required as part of the grading permit.

Significance Level: Less than Significant 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?

Comment:
Potential project impacts to special status plant and wildlife species and habitat are addressed in section 4. With implementation of the required mitigation measures BIO-1 through BIO-4 and HYD-1, all impacts related to substantial degradation of the quality of the environment, substantial reductions in habitat causing a fish or wildlife population to drop below self-sustaining levels, threats to eliminate a plant or animal community, or a substantial reduction in the number or restriction of the range of a rare or endangered plant or animal will be less than significant.

Implementation of mitigation measure CULT-1 and compliance with County grading requirements will ensure that the project would not substantially eliminate important examples of the major periods of California history or prehistory.

Significance Level: Less than Significant Impact with Mitigation Incorporated

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.)

Comment:
Potential impacts associated with the proposed project are not expected to be cumulatively considerable. Most of the potential impacts associated with the project would be temporary during project construction and would be less than significant with implementation of applicable BMPs and mitigation measures. Longer term potential project-related impacts associated with the development of the site would be less than signification with implementation of screening and landscaping. The small amount of groundwater extraction for employee and caretaker/manager use would not result in a reduction in stream flow to Palmer Creek nor would it impact neighboring wells. Six other applicants have applied for cannabis cultivation projects in the unincorporated Healdsburg area known as Dry Creek Valley (about a 5-mile radius from the project site), ranging in size from 500 square feet of indoor to 1 acre of outdoor cannabis cultivation. Four of these are working through the County cannabis permit program; the other two have been approved and conditioned by Sonoma County. No other proposed discretionary projects were identified within the vicinity. The incremental effects of the proposed project when viewed in connection with the effects of past, current, and probable future projects are expected to be minimal.

Significance Level: Less than Significant Impact

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

Comment:
Cannabis operations have the potential to cause substantial adverse impacts on human beings, both directly and indirectly. However, all potential impact and adverse effects on human beings resulting from air quality, biological resources, hydrology and water quality, hazardous materials, noise, cultural resources were analyzed and would be less than significant with implementation of the

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Significance Level: Less than Significant with Mitigation Incorporated

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